

**TOWN BOARD MEETING
AGENDA
June 20th, 2000**

ROBERT F. KOZAKIEWICZ, Supervisor

**Edward Densieski, Councilman
Philip Cardinale, Councilman**

**Christopher Kent, Councilman
James Lull, Councilman**

**Barbara Grattan, Town Clerk
Dawn Thomas, Town Attorney**

ELECTED OFFICIALS

**Laverne Tennenberg
Madelyn Sendlewski
Paul Leszczynski
Mark Kwasna
Diane M. Stuke
Richard Ehlers
Henry Saxtein**

**Chairwoman Board of Assessors
Board of Assessors
Board of Assessors
Highway Superintendent
Receiver of Taxes
Town Justice
Town Justice**

DEPARTMENT HEADS

**John J. Hansen
Leroy Barnes
Andrea Lohneiss
Ken Testa
Richard Hanley
Chief Joseph Grattan
Jane Vanden Thoom
Judy Doll
John Reeve
Michael Reichel
Gary Pendzick**

**Accounting Department
Building Department
Community Development
Engineering Department
Planning Department
Police Department
Recreation Department
Senior Services
Sanitation Department
Sewer District
Water Department**

Call to Order and Salute to the Flag

Approves Minutes of Town Board Meeting of June 5th, 2000,
moved by Councilperson D. Demerski, seconded
by Councilperson B. F.

6th
4 yes
1 absent

REPORTS

Receiver of Taxes: Total Collections to date: \$63,853,331.16

Juvenile Aid Bureau: Monthly report for May, 2000

Open Bid Reports: Sports Equipment-Opened: 06/12/00 at 11:00 a.m.
Three Bids Were Received

1. Sport Supply Group Inc.
2. Riddell/All American
3. Calree Co. (Results may be obtained in Town Clerk's Office)

Sewer Television Inspections System-Opened: 06/08/00
Three Bids Were Received

- | | |
|----------------------------|-------------|
| 1. Cues | \$34,275.00 |
| 2. Foster's Equipment Inc. | \$37,412.00 |
| 3. Optical Robotics | \$39,980.00 |

Security, Fire and Telemetry Control Systems-
Opened: 06/08/00-One Bid Was Received

1. Scarsdale Security Systems \$60,628.00

APPLICATIONS

Shows & Exhibition Permit: Riverhead Country Fair/Townscape Inc.-10/8/2000

Larry Williams-Hinda Blvd.-Neighborhood BBQ-
July 2, 2000

CORRESPONDENCE

East End Arts Council:

Thanking the Town Board for all the support given to the Riverhead Community Mosaic & Street Painting Festival.

Helga Guthy:

Re: Calverton Airport

Virginia Kempel:

Thanking the Staff at the Senior Center for the fine treatment shown to her mother recently.

COMMITTEE REPORT

Rep. Old Recreation Committee

PUBLIC HEARINGS

- 2:05 P.M. The Special Permit Petition of Maggie Evans to allow the construction of a 7,000 square foot day care center (Grace's Place-Agri-Business Child Development.)
- 2:10 P.M. The Consideration of a Local Law to Amend Chapter 108 entitled, "Zoning" Article XXV Recreational District Section 108-125 Uses.
- 2:15 P.M. The Consideration of a Local Law to Amend Chapter 101 entitled, "Vehicles and Traffic" Section 101-26 Enforcement, Duties...

PUBLIC COMMENT ON ANY RESOLUTIONS LISTED BELOW:

Regular Town Board Meeting:

- #540** Amends Chapter 108, Article XXXV- Pine Barrens Receiving Area
- #541** Authorizes the Town Clerk to Publish and Post a Help Wanted Ad for Part Time Justice Court Clerk for the Riverhead Justice Court
- #542** Resolution Calling Public Hearing of Wading Woods- Farahzad Condominiums- Lateral Water Main Riverhead Water District
- #543** Approves the Application for Fireworks Permit of Riverhead Raceway
- #544** Approves the Application of Tanger Properties LTD Partnership
- #545** Approves Application of Riverhead Country Fair/Townscape, Inc.
- #546** Accepts Letter of Credit of HDI Enterprises LLC for Commerce Park
- #547** Accepts Performance Bond of Larry's Lighthouse Marina, Inc.
- #548** Awards Bid on a New Samsung SE210 W-2 Wheeled Excavator
- #549** Awards Bid on a New Mobile 4 Wheeled Sweeper
- #550** Awards Bid for Coffee/Snack Truck Service
- #551** Approves Temporary Sign Permit of Riverhead Blues Festival
- #552** Appoints a Fill-In Lifeguard to the Riverhead Recreation Department (Rocco Pallatto)
- #553** Ratifies Appointment of a Recreation Aide for the Go Girls Title V Program
- #554** Authorizes Town of Riverhead to Remove Rubbish, Debris and the Cutting of Grass and Weeds from Property Pursuant

to Chapter 96 Entitled, "Trash, Rubbish and Refuse Disposal" of the Riverhead Town Code

- #555** Authorizes Town of Riverhead to Remove Rubbish, Debris and the Cutting of Grass and Weeds from Property Pursuant to Chapter 96 entitled, "Trash, Rubbish and Refuse Removal" of the Riverhead Town Code
- #556** Authorizes Attendance of a Police Lieutenant to FBI Academy
- #557** Authorizes Attendance of an Officer at the Juvenile Officer Basic Training Course
- #558** Authorizes Attendance for the National Youth Court Conference 2000
- #559** Authorizes Attendance of Northeast Region Training Conference New York State DCJS Grant Program (Juvenile Accountability Incentive Block Grant)
- #560** Authorizes Attendance of Assessor at Seminar
- #561** Sewer District Budget Adjustment
- #562** Second Street Drainage Capital Project Budget Adjustment
- #563** General Fund Budget Adjustment
- #564** Y2K Highway Vehicles Equipment Capital Project Budget Adjustment
- #565** Reeves/Osborne Drainage Capital Project Budget Adoption
- #566** Herricks Lane Water Extension (Stoll Associates) Capital Project Budget Adjustment
- #567** Transmission Main @ Calverton Enterprise Park Capital Project Budget Adoption
- #568** Approves Site Plan of Riverhead Car Wash
- #569** Approves Site Plan of Larry Galasso
- #570** Amends Site Plan of Sunken Ponds Estates
- #571** Amends Site Plan of Calverton Links Clubhouse

- #572** Amends Site Plan of Baiting Hollow Commons (Frederick H. Terry)
- #573** Classifies Action and Declares Lead Agency on Special Permit (Site Plan) of Charles Hydell and Refers Petition to Planning Board
- #574** Amends Resolution #487
- #575** Approves Site Plan of Starr Corp.
- #576** Pays Bills
- #577** Terminates Contract with Terry Contracting & Materials, Inc. for Cliff Road West Drainage Improvement Project

Adopted

June 20, 2000

TOWN OF RIVERHEADResolution # 540**AMENDS CHAPTER 108, ARTICLE XXXV – PINE BARRENS
RECEIVING AREA**

COUNCILMAN KENT offered the following resolution which
was seconded by COUNCILMAN DENSIESKI

WHEREAS, by the adoption of Article XXXV of the Town of Riverhead Zoning Ordinance the Riverhead Town Board did establish the Pine Barrens Development Right Transfer Law in order to implement that development right transfer program as ratified within the Central Suffolk Pine Barrens Plan, and

WHEREAS, Article XXXV provides for defined development right sending and receiving areas which may be amended from time to time, and

WHEREAS, the Riverhead Town Board desires to expand the defined receiving area as described in Section 108-186 of the Riverhead Zoning Ordinance, as recommended by the Planning Department, and

WHEREAS, on May 16, 2000 the Riverhead Town Board did hold a public hearing upon the matter, and

WHEREAS, the Riverhead Town Board has carefully considered the merits of such amendment to Article XXXV, the SEQRA record created to date, the report of the Planning Department, the report of the executive director of the Central Suffolk Pine Barrens Commission, the testimony offered at the relevant public hearing, as well as all other pertinent planning, zoning and environmental information, now

THEREFORE, BE IT

RESOLVED, that in the matter of the amendment to Article XXXV of the Riverhead Zoning Ordinance, the Riverhead Town Board hereby declares itself to be the Lead agency and determines the action to be Unlisted pursuant to 6NYCRR Part 617 and that the action does not significantly impact upon either the natural or social environment and that an environmental impact statement need not be prepared, and

BE IT FURTHER

RESOLVED, that the Planning Department be directed to public those notices of non-significant as requires by law, and

BE IT FURTHER

RESOLVED, that the Riverhead Town Board hereby amends Chapter 108, Article XXXV, Section 186 of the Town of Riverhead Zoning Ordinance to provide for an additional Pine Barrens Development Right as attached, and

BE IT FURTHER

RESOLVED, that the Town Clerk be directed to publish this resolution and the attached map in the official newspaper of the Town of Riverhead and to enter such zone change in the official minutes of the Riverhead Town Board, and

BE IT FURTHER

RESOLVED, that such amendment shall become effective ten (10) days after the publication of the aforementioned.

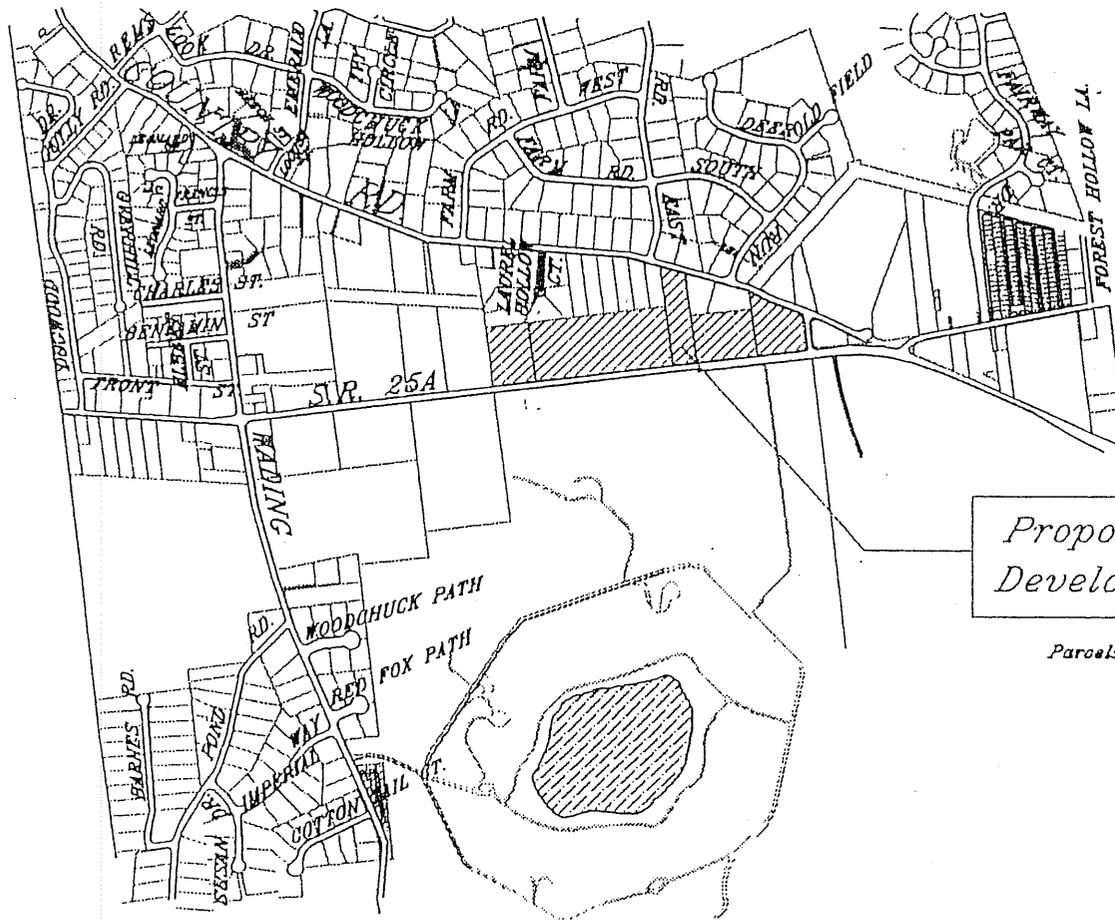
THE VOTE

Donaisid ^{absent} Yes No Cardinale Yes No
 Kent Yes No Lull Yes No Absent
 Kozakewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

Beginning at a point on the northerly side of New York State Route 25A at the South West corner of parcel 0600-075-01-4.5 a distance of 2076.0 feet more or less, east from the intersection of New York State Route 25A and Wading River Manorville Road.

Running thence from said point of beginning North 02 degrees 52 minutes 00 seconds West 500 feet (westerly property line of 0600-01-75-4.5); thence North 87 degrees 08 minutes 00 seconds East 1,494.0 feet (along the northerly property line of parcels 0600-01-4.5 & 4.1); thence North 02 degrees, 52 minutes, 00 seconds West 332 feet (westerly property line of 0600-75-01-7); thence South 64 degrees, 40 minutes, 40 seconds East 216 feet (along the southerly side of Parker Road); thence South 02 degrees, 52 minutes, 00 seconds West 350 feet (easterly property line of 0600-75-01-7); thence North 87 degrees, 08 minutes, 00 seconds East 500 feet (northerly property line of 0600-75-01-8.1); thence North 02 degrees, 52 minutes, 00 seconds West 143 feet (westerly property line of 0600-75-01-9); thence South 52 degrees, 30 minutes, 30 seconds East 200 feet (southerly side of Parker Road); thence South 62 degrees, 04 minutes, 00 seconds East 273 feet (southerly side of Parker Road); thence South 02 degrees, 49 minutes, 20 seconds West 266 feet to New York State Route 25A (easterly property line of 0600-75-01-9); thence South 87 degrees, 08 minutes, 00 seconds West 2611 feet more or less along the northerly side of New York State Route 25A (along the southerly property line of parcels 0600-01-75-9, 8.1, 7, 4.1 and 4.5) to the point of beginning.



Proposed Pine Barrens
Development Rights Receiving Area

| | | |
|-------------------|----------------|----------|
| Parcels Involved: | 0600-075-1-4.5 | 4.1 ac. |
| | 0600-075-1-4.1 | 13.1 ac. |
| | 0600-075-1-7 | 3.6 ac. |
| | 0600-075-1-8.1 | 4.8 ac. |
| | 0600-075-1-9 | 3.8 ac. |

Town of Riverhead
Supervisor Robert F. Kozabiewicz
200 Howell Ave
Riverhead N.Y. 11901

Richard W. Hanley
Director of Planning
100 Howell Ave
Riverhead N.Y. 11901

Prepared by Mark C. Heppner
Computer Graphics Mgr.
Planning Department
Date: April 17th, 2004

6/20/00

Adopted

TOWN OF RIVERHEAD

Resolution # 541

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A HELP WANTED AD FOR PART TIME JUSTICE COURT CLERK FOR THE RIVERHEAD JUSTICE COURT

COUNCILMAN KENT offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Clerk is hereby authorized to publish the attached Help Wanted Ad in the June 29, 2000 issue of the News Review; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Riverhead Justice Court and the Office of Accounting.

THE VOTE

Densieski Yes ___ No ___ Cardinals Yes ___ No ___
 Kent Yes ___ No ___ Lill Yes ___ No ___ *Absent*
 Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
 THEREUPON DULY ADOPTED

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking qualified individuals to serve in the position of Part Time Justice Court Clerk in the Riverhead Justice Court. The Town requests that all applicants must have at least two (2) years clerical experience. Applications are to be submitted to the Accounting Department, 200 Howell Avenue, Riverhead, New York, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. No applications will be accepted after 4:00 p.m. on Friday, July 21, 2000. The Town of Riverhead does not discriminate on the basis of age, race, color, national origin, sex or handicapped status in the employment or provision of services.

Dated: Riverhead, New York
June 20, 2000

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

06/16/00

Adopted

TOWN OF RIVERHEAD

RESOLUTION CALLING PUBLIC HEARING
 OF WADING WOODS - FARAHZAD CONDOMINIUMS
 LATERAL WATER MAIN
 RIVERHEAD WATER DISTRICT

RESOLUTION # 542ADOPTED 6/20/00

COUNCILMAN CARDINALE offered the following resolution which
 was seconded by COUNCILMAN KENT,

WHEREAS, a petition has been filed by the owners of Wading Woods or the installation of a lateral water main of the Riverhead Water District to serve their realty subdivision, and

WHEREAS, a map and plan has been proposed by H2M, consulting engineers to the Riverhead Water District, and

WHEREAS, the subdivision is comprised of a 36 unit condominium complex on Sound Avenue which is already located within the boundaries of the Riverhead Water District, and

WHEREAS, the map and plan is available for review and inspection at the Office of the Riverhead Town Clerk, 200 Howell Avenue, Riverhead, New York, during normal business hours, and

WHEREAS, said map and plan calls for the installation of 1,150 linear feet of 12 inch water main at a total cost of \$120,800, and

WHEREAS, all costs associated with this lateral shall be borne by the petitioner and the petitioner will be required to pay key money in the amount of \$2,500 for each proposed dwelling unit for a total cost of \$45,000. This cost represents the infrastructure costs to the Riverhead Water District to service these additional residences, and

WHEREAS, the Town Board desires to call a public hearing to consider the aforementioned petition,

NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and is hereby authorized to publish and post a Notice of Public Hearing to be held on the 18th day of July, 2000, at 7:10 P.M. to hear all interested persons with

regard to the petition of Wading Woods to construct a lateral water main comprised of 1,150 liner feet of 12-inch water main and appurtenances, at the sole cost of the developer and at no cost to the District and the payment of key money pursuant to Chapter 105 of the Riverhead Town Code,

NOW, THEREFORE, BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish a copy of this resolution in full in the June 29th edition of the News Review, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to H2M, Gary Pendzick, Frank Isler, Esq., and the applicant.

BY ORDER OF THE RIVERHEAD TOWN BOARD
Barbara Grattan, Town Clerk

Dated: June 20, 2000
Riverhead, NY

THE VOTE
Derechoid Yes ___ No ___ Cardinals Yes ___ No ___
Kort Yes ___ No ___ Lul Yes ___ No ___ *absent*
Kozakiewicz Yes ___ No ___
THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY ADOPTED

Adopted

6/20/00

TOWN OF RIVERHEAD

Resolution # 543

APPROVES THE APPLICATION FOR FIREWORKS PERMIT OF RIVERHEAD RACEWAY

COUNCILMAN CARDINALE offered the following resolution, was seconded by

COUNCILMAN KENT

WHEREAS, Riverhead Raceway has submitted a Fireworks Permit Application for the purpose of conducting a fireworks display to be held in the center of the race track at Riverhead Raceway, Rte. 58, Riverhead, New York, on July 1, 2000 at 9:00 p.m., having a rain date of July 2, 2000; and

WHEREAS, the Town Attorney is in receipt of a completed Fireworks Application executed by the Chief of the Riverhead Fire Department and a certificate of insurance from the fireworks company (Zambelli Fireworks Manufacturing Co., Inc.) naming the Town of Riverhead as an additional insured and has determined that same is satisfactory as to their form.

NOW THEREFORE BE IT RESOLVED, that the Fireworks Permit Application of Riverhead Raceway, for the purpose of conducting a fireworks display to be held in the center of the race track, Riverhead Raceway, Rte. 58, Riverhead, New York, on July 1, 2000 at 9:00 p.m. , having a rain date of July 2, 2000, is hereby approved with the following conditions:

- Riverhead Raceway to provide fire protection, equipment and personnel from track fire, crash crew during the fireworks display. No Riverhead Fire Department apparatus or personnel will be supplied.
- Fire Marshal to be notified at (516) 523-6188 between 12:00 p.m. and 4:00 p.m. on July 1, 2000 (rain date July 2, 2000) when fireworks technician(s) on site for pre-event inspections.
- Set up of all pre-loaded racks must be within protective concrete barriers on race track infield.
- Fire Marshal and fire protection crew from raceway must be present prior to any fireworks discharge; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Riverhead Raceway, Attn: Barbara Cromarty, 175 E. 62nd Street, New York, New York, 10021; the Riverhead Fire Department; Bruce Johnson, Riverhead Fire Marshall and the Riverhead Police Department.

c:\wp60\wpdocs\fireworks.res

THE VOTE

Donsleaki Yes No Cardinale Yes No
 Kent Yes No Luti Yes No *Absent*
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

6/20/00

Adopted

TOWN OF RIVERHEAD

Resolution # 544

APPROVES THE APPLICATION OF TANGER PROPERTIES LTD PARTNERSHIP

COUNCILMAN KENT offered the following resolution, was seconded by

COUNCILMAN DENSIESKI:

WHEREAS, Tanger Properties Ltd. Partnership has submitted an application for the purpose of conducting a tent sale (Samsonite) to be held at Tanger I, Tanger Outlet Center, 1770 West Main Street, Riverhead, New York, on June 28, 2000 through July 5, 2000 at the following times:

| | |
|-------------------------|------------------------------|
| Monday through Saturday | 9:00 a.m. to 9:00 p.m.; |
| Sunday | 10:00 a.m. to 7:00 p.m. and |
| Holidays | 10:00 a.m. to 6:00 p.m.; and |

WHEREAS, the Town Attorney of the Town of Riverhead has reviewed all documents regarding said application; and

WHEREAS, a certificate of insurance has been received naming the Town of Riverhead as an additional insured.

NOW THEREFORE BE IT RESOLVED, that the application of Tanger Properties Ltd. Partnership for the purpose of conducting a tent sale (Samsonite) to be held at Tanger I, Tanger Outlet Center, 1770 West Main Street, Riverhead, New York, on the aforementioned following dates and times, is hereby approved; and be it further

RESOLVED, that the tent(s) must be removed at the end of business on July 5, 2000; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Tanger Outlet Center, Tanger Drive, Suite 200, Riverhead, New York, 11901 and the Riverhead Police Department.

THE VOTE

| | | | | | |
|-----------|---|-----------------------------|-------------|---|-----------------------------|
| Densieski | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | Cardinals | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Kent | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | Kull | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | | | Kozakiewicz | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

6/20/00

TOWN OF RIVERHEAD

Adopted

Resolution # 545

APPROVES APPLICATION OF RIVERHEAD COUNTRY FAIR/TOWNSCAPE, INC.

COUNCILMAN KENT

_____ offered the following resolution, was seconded by

COUNCILMAN CARDINALE

WHEREAS, the Riverhead Country Fair/Townscape, Inc. has submitted an application for the purpose of conducting their annual Country Fair to be held on Main Street, Peconic Riverfront parking area and Peconic Avenue, Riverhead, New York on October 8, 2000, having a rain date of October 15, 2000, between the hours of 11:00 a.m. and 5:00 p.m.; and

WHEREAS, a certificate of insurance has been received naming the Town of Riverhead as an additional insured; and

WHEREAS, the Town Attorney of the Town of Riverhead has reviewed all documents including the certificate of insurance regarding said application.

NOW THEREFORE BE IT RESOLVED, that the application of Riverhead Country Fair/Townscape, Inc. for the purpose of conducting their annual Country Fair to be held on Main Street, Peconic Riverfront parking area and Peconic Avenue, Riverhead, New York on October 8, 2000, having a rain date of October 15, 2000, between the hours of 11:00 a.m. and 5:00 p.m., is hereby approved; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby waives the application fee for this event; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Country Fair/Townscape, Inc., c/o James Lull, Councilman; Ken Testa, P.E.; Bruce Johnson, Fire Marshall and the Riverhead Police Department.

THE VOTE

Densleak Yes No Cardinale Yes No

Kent Yes No Lull Yes No *Absent*

Kozaldewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

6/20/00

TOWN OF RIVERHEAD

Adopted

Resolution # 546

ACCEPTS LETTER OF CREDIT OF HDI ENTERPRISES LLC FOR COMMERCE PARK

COUNCILMAN KENT offered the following resolution, was seconded by

COUNCILMAN CARDINALE

WHEREAS, HDI Enterprises LLC has posted a Bridgehampton National Bank Irrevocable Letter of Credit No. 170000298 in the sum of \$27,302.00 (Twenty Seven Thousand Three Hundred Two Dollars) representing the 5% site plan bond for construction of an office building at Commerce Park, Riverhead, New York 11901 pursuant to Section 108-133 I of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said Letter of Credit and deems it to be sufficient in its form.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the Bridgehampton National Bank Letter of Credit #170000298 in the sum of \$27,302.00 (Twenty Seven Thousand Three Hundred Two Dollars) issued to the Town of Riverhead; and be it further

RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to HDI Enterprises LLC, P.O. Box 2100, Greenport, New York 11944; the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Densieski Yes No Cardinale Yes No

Kent Yes No Lull Yes No *absent*

Kozaldewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

6/20/00

1000

Adopted

TOWN OF RIVERHEAD

Resolution # 547

ACCEPTS PERFORMANCE BOND OF LARRY'S LIGHTHOUSE MARINA, INC.

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILMAN KENT

WHEREAS, Larry's Lighthouse Marina, Inc. has posted a Western Surety Company Bond No. 68953054 in the sum of \$26,000.00 (Twenty Six Thousand Dollars) representing the 5% site plan bond for the Replacement of Metal Storage Building at Meetinghouse Creek Road, Aquebogue, New York pursuant to Section 108-133 I of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said performance bond and deems it to be sufficient in its form.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the Western Surety Company Performance Bond No.#68953054 in the sum of \$26,000.00 (Twenty Six Thousand Dollars) issued to the Town of Riverhead; and be it further

RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Larry's Lighthouse Marina, Inc., 249 Meetinghouse Creek Road, Aquebogue, New York 11930; Building Department; the Planning Department and the Town Attorney Office.

THE VOTE

| | | | | | |
|-----------|---|-----------------------------|-------------|---|---|
| Densleski | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | Cardinale | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Kent | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | Lull | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No <i>absent</i> |
| | | | Kozakiewicz | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

TB 6/20/2000

Adopted

TOWN OF RIVERHEAD

Resolution # 548
Adopted June 20, 2000

AWARDS BID ON A NEW SAMSUNG SE210 W-2 WHEELED EXCAVATOR

COUNCILMAN CARDINALE offered the following resolution which was
seconded by COUNCILMAN KENT.

WHEREAS, the Town Clerk was authorized to advertise for sealed bids on a NEW SAMSUNG SE210 W-2 WHEELED EXCAVATOR or EQUAL for the use of the Riverhead Highway Department, and

WHEREAS, all bids were received and read aloud on the 5th of June at 11:00 A.M. at the Town Hall, 200 Howell Avenue, Riverhead, New York the date, time and place given in the Notice to Bidders, and

WHEREAS, one bid was received,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for the New Samsung SE210 W-2 Wheeled Excavator be and is hereby awarded to MALVESE EQUIPMENT CO., 232 East Old Country Road, Riverhead, New York 11901, in the amount of \$132,895.00, One Hundred Thirty Two Thousand Eight Hundred and Ninety Five & 00/100 cents, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Malvese Equipment Co. and the Riverhead Highway Department.

THE VOTE

Densleekl Yes No Cardinale Yes No
 Kent Yes No Lull Yes No *Absent*
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

TB 6/20/2000

TOWN OF RIVERHEAD

Adopted

Resolution # 549

Adopted June 20, 2000

AWARDS BID ON A NEW MOBILE 4 WHEEL SWEEPER

COUNCILMAN DENSIESKI offered the following resolution which was seconded by COUNCILMAN CARDINALE.

WHEREAS, the Town Clerk was authorized to advertise for sealed bids on a NEW MOBILE 4 WHEEL SWEEPER OR EQUAL for the use of the Riverhead Highway Department, and

WHEREAS, all bids were received and read aloud on the 5th of June at 11:05 A.M. at the Town Hall, 200 Howell Avenue, Riverhead, New York the date, time and place given in the Notice to Bidders, and

WHEREAS, one bid was received,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for the New Mobile 4 Wheel Sweeper, be and is hereby awarded to MALVESE EQUIPMENT CO., 232 East Old Country Road, Riverhead, New York 11901 in the amount of \$129,495.00 , One Hundred Twenty Nine Thousand Four Hundred and Ninety Five & 00/100 cents, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Malvese Equipment Co. and the Riverhead Highway Department.

THE VOTE

Densieski Yes No Cardinale Yes No

Kent Yes No Lull Yes No *absent*

Kozakewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD

Adopted

AWARDS BID FOR COFFEE/SNACK TRUCK SERVICE

RESOLUTION # 550

COUNCILMAN DENSIESKI

offered the following resolution, which was seconded by

COUNCILMAN KENT

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for **COFFEE/SNACK TRUCK SERVICE**

WHEREAS, bids were received, opened, and read aloud on the 24TH day of May at 11:00 a.m. at Town Hall, 200 Howell Avenue Riverhead, New York 11901, the date, time, and place given in the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for **COFFEE/SNACK TRUCK SERVICE**, be and is hereby awarded to Thomas Sun, 47 Barker Drive, Stony Brook, N.Y.

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Thomas Sun, Community Development Director, Andrea Lohneiss and the Purchasing Department.

THE VOTE

Densieski Yes No Cardinale Yes No
Kent Yes No Lull Yes No *absent*
Kozakewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

June 20, 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 551

APPROVES TEMPORARY SIGN PERMIT OF RIVERHEAD BLUES FESTIVAL

Adopted _____

COUNCILMAN KENT offered the following resolution, which was
seconded by COUNCILMAN DENSIESKI:

WHEREAS, a temporary sign permit application and sketch were submitted by Riverhead BID for property located at the Rt. 58 Traffic Circle, Riverhead, New York; and

WHEREAS, pursuant to Section 108-56 C (5) of the Code of the Town of Riverhead, the application does not require the recommendation of the Architectural Review Board; and

WHEREAS, the sketch has been approved by three (3) Town Board members;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the temporary sign permit application submitted by for "Riverhead Blues Festival", which application is dated May 30, 2000 and be it further

RESOLVED, that said temporary sign permit shall expire on July 25, 2000, and the applicant shall remove the affected sign, in its entirety, on or before said date; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Riverhead BID, 112 West Main St., Riverhead NY 11901, the Planning Department and the Riverhead Building Department.

THE VOTE

Densieski Yes No Cardinale Yes No

Kent Yes No Lull Yes No *Abent*

Kozakewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

6/20/00

TOWN OF RIVERHEAD

Adopted

Resolution # 552

APPOINTS A FILL-IN LIFEGUARD TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN KENT offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

RESOLVED, that Rocco Pallatto is hereby appointed to serve as a Fill-In Lifeguard, effective, June 24, 2000 to and including, September 4, 2000 to be paid at the rate of \$7.75 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

- 1. All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.

THE VOTE

Densieski Yes No Cardinale Yes No
Kent Yes No Lull Yes No Absent
Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

06/20/00

Adopted

TOWN OF RIVERHEAD

Resolution # 553

RATIFIES APPOINTMENT OF A RECREATION AIDE FOR THE GO GIRLS TITLE V PROGRAM

COUNCILMAN KENT offered the following

resolution, which was seconded by COUNCILMAN DENSIESKI

WHEREAS, The Town of Riverhead has received a grant from the NYS Division of Criminal Justice Services to fund the "Go-Girls" Title V Delinquency Prevention Program

RESOLVED, that Francenia Hopson be appointed to serve as a Recreation Aide effective June 17, 2000 through August 31, 2000 at the rate of \$10.50 per hour, and

BE IT FURTHER, RESOLVED, that this position is subject to the following condition(s):

1. All applications and appropriate forms must be completed (in the Office of Accounting) PRIOR to start date.
2. Pending approval of their applications by the Suffolk County Department of Civil Service.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Francenia Hopson, the Juvenile Aide Department, and the Office of Accounting.

THE VOTE

Densieski Yes No Cardinale Yes No
 Kent Yes No Lull Yes No *absent*
 Kozakewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

06/20/00

Adopted

TOWN OF RIVERHEAD

Resolution # 554

**AUTHORIZES TOWN OF RIVERHEAD TO REMOVE RUBBISH, DEBRIS
AND THE CUTTING OF GRASS AND WEEDS FROM PROPERTY
PURSUANT TO CHAPTER 96 ENTITLED, "TRASH, RUBBISH AND REFUSE
DISPOSAL" OF THE RIVERHEAD TOWN CODE**

COUNCILMAN CARDINALE

offered the following resolution,

COUNCILMAN KENT

which was seconded by

WHEREAS, Section 96-2. B. of the Riverhead Town Code provides that the Town Board may require the removal of rubbish and debris and the cutting of grass and weeds; and

WHEREAS, property located at 11 Patti Lane, Riverhead, New York also known as Suffolk County Tax Map Number 0600-064.00-03-009.00 is not in compliance with the requirements of Section 96 of the Riverhead Town Code; and

WHEREAS, the Town Board of the Town of Riverhead desires to require the removal of the rubbish and debris and the cutting of the grass at the property above mentioned.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Clerk to serve notice upon Wen Yun Tsao, 21 Greentree Drive, Riverhead, New York 11901, by certified mail, returned receipt requested and by regular mail in a plain unmarked wrapper. Such notice is to consist of a certified copy of this resolution and the attached notice of property owner; and

BE IT FURTHER, RESOLVED, that pursuant to Chapter 96, Section 96-2E., all actual expenses incurred by the Town of Riverhead to remove the rubbish/debris, grass and weeds shall be assessed against the owner; and be it further

THE VOTE

Densieski Yes ___ No Cardinali Yes ___ No
Kent Yes ___ No Lull Yes ___ No *Absent*
Kozaldewicz Yes ___ No

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY ADOPTED

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Wen Yun Tsao, 21 Greentree Drive Riverhead, New York 11901; the Building Department, Kenneth Testa, P.E. and the Office of the Town Attorney.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

PUBLIC NOTICE

PLEASE TAKE NOTICE, that pursuant to Chapter 96 of the Code of the Town of Riverhead, hereby requires that you cause the property located at 11 Patti Lane, Riverhead, New York 11901 further described as Suffolk County Tax Map Number 0600-064.00-03-009.00, to be cleaned of all rubbish, refuse and other debris and that all the weeds and grass be mowed within ten (10) days of this notice.

Dated: Riverhead, New York
June 20, 2000

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
BARBARA GRATTAN, Town Clerk

06/20/00

TOWN OF RIVERHEAD

Adopted

Resolution # 555

**AUTHORIZES TOWN OF RIVERHEAD TO REMOVE RUBBISH, DEBRIS
AND THE CUTTING OF GRASS AND WEEDS FROM PROPERTY
PURSUANT TO CHAPTER 96 ENTITLED, "TRASH, RUBBISH AND REFUSE
DISPOSAL" OF THE RIVERHEAD TOWN CODE**

COUNCILMAN CARDINALE

offered the following resolution,

COUNCILMAN DENSIESKI

which was seconded by

WHEREAS, Section 96-2. B. of the Riverhead Town Code provides that the Town Board may require the removal of rubbish and debris and the cutting of grass and weeds; and

WHEREAS, property located at 31 Wildwood Drive, Wading River, New York also known as Suffolk County Tax Map Number 0600-033.00-05-015.01 is not in compliance with the requirements of Section 96 of the Riverhead Town Code; and

WHEREAS, the Town Board of the Town of Riverhead desires to require the removal of the rubbish and debris and the cutting of the grass at the property above mentioned.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Clerk to serve notice upon Michael Haggerty, 25 South Clinton Avenue, Bay Shore, New York 11706, by certified mail, returned receipt requested and by regular mail in a plain unmarked wrapper. Such notice is to consist of a certified copy of this resolution and the attached notice of property owner; and

BE IT FURTHER, RESOLVED, that pursuant to Chapter 96, Section 96-2E., all actual expenses incurred by the Town of Riverhead to remove the rubbish/debris, grass and weeds shall be assessed against the owner; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Michael Haggerty, 25 South Clinton Avenue, Bay Shore, New York 11706; the Building Department, Kenneth Testa, P.E. and the Office of the Town Attorney.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Absent

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

PUBLIC NOTICE

PLEASE TAKE NOTICE, that pursuant to Chapter 96 of the Code of the Town of Riverhead, hereby requires that you cause the property located at 31 Wildwood Drive, Wading River, New York 11792, further described as Suffolk County Tax Map Number 0600-033.00-05-015.01, to be cleaned of all rubbish, refuse and other debris and that all the weeds and grass be mowed within ten (10) days of this notice.

Dated: Riverhead, New York
June 20, 2000

BY ORDER OF THE TOWN
BOARD OF THE TOWN OF
RIVERHEAD
BARBARA GRATTAN, Town
Clerk

June 20, 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 556

AUTHORIZES ATTENDANCE OF A POLICE LIEUTENANT TO FBI ACADEMY

seconded by COUNCILMAN CARDINALE offered the following resolution, which was
COUNCILMAN KENT

WHEREAS, Police Chief Grattan has requested permission to authorize one (1) Police Lieutenant to attend the FBI Academy, commencing September 24, 2000.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the attendance of one (1) Police Lieutenant to attend the FBI Academy.

BE IT FURTHER RESOLVED, that the Town Board authorizes reimbursement of all expenses incurred upon proper submission of receipts; and,

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Chief Grattan and the Office of the Accounting.

THE VOTE

Densieski Yes ___ No ___ Cardinale Yes ___ No ___
Kent Yes ___ No ___ Lull ___ Yes ___ No *Absent*
Kozaldewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY ADOPTED

June 20, 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 557

AUTHORIZES ATTENDANCE OF AN OFFICER AT THE JUVENILE OFFICER BASIC TRAINING COURSE

COUNCILMAN DENSIESKI offered the following resolution, which was
seconded by COUNCILMAN KENT.

WHEREAS, the New York State Juvenile Officer's Association has extended an invitation for one police officer to attend the Juvenile Officer Basic Training Course;

AND WHEREAS, the New York State Juvenile Officer's Association will be hosting this training seminar during the period of September 11 - 15, 2000;

AND WHEREAS, Police Chief Grattan has requested authorization from the Riverhead Town Board for the attendance of one police officer at the aforementioned seminar.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the attendance of one police officer at the aforementioned seminar; and,

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes reimbursement of expenses upon proper submission of receipts; and,

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Chief Grattan and the Office of the Accounting.

THE VOTE

| | | | | | |
|-----------|---|-----------------------------|-------------|---|---|
| Densieski | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | Cardinale | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Kent | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | Lull | <input type="checkbox"/> Yes | <input type="checkbox"/> No <i>Absent</i> |
| | | | Kozakiewicz | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

June 20, 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 558

AUTHORIZES ATTENDANCE FOR THE NATIONAL YOUTH

COURT CONFERENCE 2000

COUNCILMAN DENSIESKI offered the following resolution,
which was seconded by COUNCILMAN CARDINALE

WHEREAS, the National Youth Court Center is conducting a conference in Albuquerque, New Mexico on October 22-24, 2000; and

WHEREAS, expenses for the trip will be funded by the NYS DCJS Youth Court Grant not to exceed \$3,500.00; and

WHEREAS, Charlene Kagel, Chairperson, Youth Court Steering Committee; Judith Doll, Youth Court Coordinator; Cheryl Hardy, Youth Court Assistant; PO Kerri Fetten, Youth Court Steering Committee; have requested to attend this conference; and

NOW, THEREFORE, BE IT, RESOLVED, that the Town Board hereby authorizes the attendance of the aforementioned personnel at the conference in New Mexico; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Chief of Police and the Office of Accounting.

THE VOTE

Densieski Yes No Cardinale Yes No
 Kent Yes No Kull Yes No *Absent*
 Kozakewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

June 20, 2000

TOWN OF RIVERHEAD

Adopted

Resolution # 559

AUTHORIZES ATTENDENCE OF NORTHEAST REGION TRAINING CONFERENCE
NEW YORK STATE D.C.J.S. GRANT PROGRAM
(JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT)

COUNCILMAN DENSIESKI offered the following resolution ,

which was seconded by COUNCILMAN KENT

WHEREAS, the Office of Juvenile Justice & Delinquency Prevention (OJJDP) is conducting a conference on July 19-21, 2000, in Philadelphia, PA entitled "Enhancing the Accountability of Local Juvenile Justice Systems"; and

WHEREAS, the conference will provide participants with information on both the technical and programmatic aspects of the Juvenile Accountability Incentive Block Grants (JAIBG) program and Title V Grant; and

WHEREAS, the expenses of this conference are funded by NYS DCJS Title V Grant; and

NOW, THEREFORE, BE IT, RESOLVED, that the Town Board hereby authorizes the attendance of Charlene Kagel, Chairperson, Youth Court Steering Committee and also the Administrator of JAIBG & Title V programs and Judy Doll, Youth Court Coordinator; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Riverhead Police Department, and the Office of Accounting.

THE VOTE
Densieski Yes No Cardinale Yes No
Kent Yes No Lutz Yes No *Absent*
Kozakewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

6 / 20 / 00

TOWN OF RIVERHEAD
RESOLUTION # 560

Adopted

AUTHORIZES ATTENDANCE OF ASSESSOR AT SEMINAR

COUNCILMAN DENSIESKI offered the following resolution which
was seconded by COUNCILMAN KENT :

WHEREAS, a seminar for assessors is being held at Cornell University, Ithaca, New York, on July 9 through July 14, 2000 and,

WHEREAS, 1 member of the Board of Assessors has expressed a desire to attend seminar.

NOW, THEREFORE, BE IT RESOLVED, that 1 assessor is hereby authorized to attend said seminar, and

BE IT FURTHER RESOLVED, that the use of a Town vehicle is hereby authorized, and

BE IT FURTHER RESOLVED, that all expenses shall be reimbursed by the Town upon submission of proper receipts, and

BE IT FURTHER RESOLVED, that tuition, lodging, meals, and travel expenses are subject to reimbursement by the State to the Town of Riverhead upon completion of said seminar, and

BE IT FURTHER RESOLVED that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the Assessors' Office and the Accounting Department.

THE VOTE

Densieski Yes No Cardinale Yes No
 Kent Yes No Lull Yes No *Absent*
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

JUNE 20, 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 561

SEWER DISTRICT

BUDGET ADJUSTMENT

COUNCILMAN DENSIESKI offered the following resolution,
which was seconded by COUNCILMAN KENT

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

| | | | |
|-------------------|---------------------------|-------|-----------|
| 114.000000.390599 | APPROPRIATED FUND BALANCE | FROM: | \$10,000. |
| 114.081300.547506 | LAB ANALYSIS EXPENSES | TO: | \$10,000. |

THE VOTE

Densieski Yes No Cardinale Yes No
 Kent Yes No Lull Yes No *absent*
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

JUNE 20, 2000

TOWN OF RIVERHEAD

Adopted

Resolution # 562

SECOND STREET DRAINAGE

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN DENSIESKI offered the following resolution ,
which was seconded by COUNCILMAN KENT

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

| | | | |
|-------------------------|--------------|-------|----------|
| 406.085400.547900.40063 | CONTINGENCY | FROM: | \$4,700. |
| 406.085400.523008.40063 | CONSTRUCTION | TO: | \$4,700. |

THE VOTE

Densieski Yes No Cardinale Yes No
 Kent Yes No Lull Yes No *Absent*
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD

Adopted

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 563

COUNCILMAN KENT

_____ offered the following resolution ,

which was seconded by _____ COUNCILMAN CARDINALE

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

| | | |
|-------------------|--------------------------------|------------|
| | FROM: | |
| 001.016250.524175 | BLDGS. & GROUNDS, TRUCKS | \$5,000. |
| 001.016250.541201 | BLDGS. & GROUNDS, BEACH PREP | 1,500. |
| 001.016250.547504 | BLDGS. & GROUNDS, SANITATION | 400. |
| | | TO: |
| 001.016250.524000 | BLDGS. & GROUNDS, EQUIPMENT | \$6,900. |
| | FROM: | |
| 001.010100.542611 | TOWN BD., MAPS, ZONING & OTHER | \$400. |
| | | TO: |
| 001.010100.542612 | TOWN BD., SURVEYS & HOUSE NO. | \$400. |

THE VOTE

Densieski Yes No Cardinale Yes No

Kent Yes No Lull Yes No *absent*

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT _____

THEREUPON DULY ADOPTED

JUNE 20, 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 564

Y2K HIGHWAY VEHICLES EQUIPMENT

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN KENT

_____ offered the following resolution ,

which was seconded by COUNCILMAN CARDINALE

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

406.051300.494200.40075

SERIAL BONDS

FROM:

\$650,000.

TO:

406.051300.524175.40075 VEHICLE ACQUISITION

\$650,000.

THE VOTE

Densieski Yes ___ No ___ Cardinale Yes ___ No ___

Kent Yes ___ No ___ Lull Yes ___ No ___ *Handwritten mark*

Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___

THEREUPON DULY ADOPTED

JUNE 20, 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 565

REEVES/OSBORNE DRAINAGE

CAPITAL PROJECT

BUDGET ADOPTION

COUNCILMAN KENT offered the following resolution ,
which was seconded by ~~COUNCILMAN DENSIESKI~~

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget:

406.085400.494200.40077 SERIAL BOND PROCEEDS

FROM:
\$40,000.

406.085400.523008.40077 CONSTRUCTION

TO:
\$40,000.

THE VOTE

Densieski Yes ___ No ___ Cardinale Yes ___ No ___
Kent Yes ___ No ___ Lull ___ Yes ___ No *Absent*
Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY ADOPTED

JUNE 20, 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 566

HERRICKS LANE WATER EXT. (STOLL ASSOCIATES)

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN KENT offered the following resolution ,
which was seconded by COUNCILMAN CARDINALE

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

| | | | |
|-------------------------|---------------------------|-------|-----------|
| 406.092705.421050.60055 | DEVELOPER FEES | FROM: | \$54,700. |
| | | TO: | |
| 406.083200.523002.60055 | WATER MAIN CONSTRUCTION | | \$36,580. |
| 406.083200.543501.60055 | WATER ENGINEERING EXPENSE | | 9,200. |
| 406.083200.543315.60055 | WATER LEGAL SERVICE | | 3,920. |
| 406.083200.547900.60055 | WATER CONTINGENCY | | 5,000. |

THE VOTE

Densieski Yes No Cardinale Yes No
 Kent Yes No Lull Yes No *Absent*
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

JUNE 20, 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 567

TRANSMISSION MAIN @ CALVERTON ENTERPRISE PARK

CAPITAL PROJECT

BUDGET ADOPTION

COUNCILMAN DENSIESKI

offered the following resolution,

which was seconded by **COUNCILMAN KENT**

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget:

406.083200.492320.30059 FEDERAL AID - EDA

FROM:
\$1,030,000.

| | |
|-------------------------|----------------------|
| 406.083200.523002.30059 | CONSTRUCTION OF MAIN |
| 406.083200.543501.30059 | ENGINEERING |
| 406.083200.547900.30059 | CONTINGENCY |

TO:

| |
|------------|
| \$862,000. |
| 125,000. |
| 43,000. |

THE VOTE

Densieski Yes No Cardinale Yes No
 Kent Yes No Kull Yes No *Absent*
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

June 20, 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 568APPROVES SITE PLAN OF RIVERHEAD CAR WASH

COUNCILMAN DENSIESKI offered the following resolution,
which was seconded by COUNCILMAN KENT:

WHEREAS, a site plan and elevations were submitted by Placido Buda, for construction of an entrance and exit canopy upon an existing building, located at 915 Old Country Rd., Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-108-4-12; and

WHEREAS, the Planning Department has reviewed the site plan dated February 7, 2000, as prepared by AGN, and elevations dated April 27, 2000, as prepared by T.G. Peppe, Inc., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, the Town Board has carefully considered the merits of the site plan application, the SEQRA record to date, the report of the Planning Department, as well as all other relevant Planning, Zoning and Environmental information; and

WHEREAS, a copy of the site plan has been marked and initialed by the Town Board to show changes that are further set forth in this resolution, which site plan shall be on record with the Town Clerk; and

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 17101 of the Office of the Supervisor of the Town of Riverhead; and;

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the site plan application of Placido Buda, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Type II Pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Placido Buda, for construction of an entrance and exit canopy upon an existing building, located at 915 Old Country Rd., Riverhead, New York, site plan dated February 7, 2000, as prepared by AGN , and elevations dated April 27, 2000, as prepared by T.G. Peppe, Inc., be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan proves and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Placido Buda hereby authorizes and consents to the Town of

Riverhead to enter premises at 915 Old Country Rd., Riverhead, New York, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all new utilities shall be constructed underground;
12. That pursuant to Section 108-133(I) of the Code of the Town of Riverhead, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Placido Buda, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE

Densleski Yes ___ No ___ Cardinale Yes ___ No ___

Kent Yes ___ No ___ Kull ___ Yes ___ No ___ *absent*

Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___

THEREUPON DULY ADOPTED

DECLARATION AND COVENANTS

THIS DECLARATION, made the ____ day of _____, 2000, made by Placido Buda, residing at 915 Old Country Rd., Riverhead, Declarant:

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Placido Buda hereby authorizes and consents to the Town of Riverhead to enter premises at 915 Old Country Rd., Riverhead, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

Declarant has hereunto set his/her hand and seal the day and year above first written.

Placido Buda

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

On the _____ day of _____ in the year _____ before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

Adopted

June 20, 2000

TOWN OF RIVERHEAD

Resolution # 569APPROVES SITE PLAN OF LARRY GALASSOCOUNCILMAN KENT

offered the following resolution,

which was seconded by COUNCILMAN CARDINALE:

WHEREAS, a site plan and elevations were submitted by Larry Galasso, for installation of exterior metal stairway and two additional parking stalls, located at Edgar Avenue, Aquebogue, New York, known and designated as Suffolk County Tax Map Number 0600-86-1-38.1; and

WHEREAS, the Planning Department has reviewed the site plan dated June 16, 2000, as prepared by Martin F. Sendlewski, and elevations dated March 12, 2000, as prepared by Martin F. Sendlewski, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, the Town Board has carefully considered the merits of the site plan application, the SEQRA record to date, the report of the Planning Department, as well as all other relevant Planning, Zoning and Environmental information; and

WHEREAS, a copy of the site plan has been marked and initialed by the Town Board to show changes that are further set forth in this resolution, which site plan shall be on record with the Town Clerk; and

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 17105 of the Office of the Supervisor of the Town of Riverhead; and;

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the site plan application of Larry Galasso, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Type II Pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Larry Galasso, for installation of exterior metal stairway and two additional parking stalls, located at Edgar Avenue, Aquebogue, New York, site plan dated June 16, 2000, as prepared by Martin F. Sendlewski, and elevations dated March 12, 2000, as prepared by Martin F. Sendlewski, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan proves and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Larry Galasso hereby authorizes and consents to the Town of

DECLARATION AND COVENANTS

THIS DECLARATION, made the ____ day of _____, 2000, made by Larry Galasso, residing at PO Box 2072, Aquebogue, Declarant:

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

Riverhead to enter premises at Edgar Avenue, Aquebogue, New York, to enforce said handicapped parking regulations;

- 10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
- 11. That all new utilities shall be constructed underground;
- 12. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
- 13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
- 14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Larry Galasso, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE

Densieski Yes No Cardinals Yes No
 Kent Yes No Lull Yes No *Robert*
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Larry Galasso hereby authorizes and consents to the Town of Riverhead to enter premises at Edgar Avenue, Aquebogue, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

Declarant has hereunto set his/her hand and seal the day and year above first written.

Larry Galasso

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

On the ____ day of _____, in the year _____ before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

June 20, 2000

Adopted

TOWN OF RIVERHEAD

Resolution # 570

AMENDS SITE PLAN OF SUNKEN PONDS ESTATES

COUNCILMAN CARDINALE offered the following resolution,

which was seconded by COUNCILMAN KENT:

WHEREAS, by Resolution # 1237, dated December 30, 1999, the Riverhead Town Board did approve the site plan of Sunken Ponds Estates, Inc. (sections 1 and 2) for construction of 192 condominiums located at north side of Middle Road, Riverhead, New York, known and designated as Suffolk County Tax Map Number 600-82-4-209.4, and

WHEREAS, Sunken Ponds Estates, Inc. has requested that a modification of said site plan approval in regard to decreasing the number of units per building from six to four in section 1 be approved by the Riverhead Town Board, and

WHEREAS, the Planning Department has reviewed such modification and has recommended that the Town Board accept such modification, and

WHEREAS, this Town Board has reviewed the modification aforementioned, and

WHEREAS, the site plan amendment fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 17103 of the Office of the Supervisor of the Town of Riverhead;

NOW, THEREFORE BE IT

RESOLVED, that the Riverhead Town Board hereby amends the site plan approval of Sunken Ponds Estates, Inc. to allow revised building construction within section 1 as depicted upon the site plan prepared by Young and Young dated March 3, 2000

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Sunken Ponds Estates, Inc., the Riverhead Planning Department, Building Department, Town Engineer, Assessors' Office, and Office of the Town Attorney.

THE VOTE

Densieski Yes No Cardinale Yes No

Kent Yes No Kull Yes No *Absent*

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

June 20, 2000

TOWN OF RIVERHEAD

Adopted

Resolution # 571

AMENDS SITE PLAN OF CALVERTON LINKS CLUBHOUSE

COUNCILMAN KENT

_____ offered the following resolution,

COUNCILMAN CARDINALE

which was seconded by _____:

WHEREAS, by Resolution # 965, dated November 3, 1999, the Riverhead Town Board did approve the site plan of Calverton Links, Ltd for construction of a clubhouse located at Edwards Avenue, Calverton, New York, known and designated as Suffolk County Tax Map Number 0600-137-1-2.1, and

WHEREAS, Calverton Links, Ltd has requested that a modification of said site plan approval in regard to construction of a revised clubhouse be approved by the Riverhead Town Board, and

WHEREAS, the Planning Department has reviewed such modification and has recommended that the Town Board accept such modification, and

WHEREAS, this Town Board has reviewed the modification aforementioned, and

WHEREAS, the site plan amendment fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 17102 of the Office of the Supervisor of the Town of Riverhead;

NOW, THEREFORE BE IT

RESOLVED, that the Riverhead Town Board hereby amends the site plan approval of Calverton Links, Ltd to allow the construction of a revised clubhouse as depicted upon the site plan as prepared by Young & Young and building elevations prepared by Sullivan Associates dated April 26, 2000

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Calverton Links, Ltd, the Riverhead Planning Department, Building Department, Town Engineer, Assessors' Office, and Office of the Town Attorney.

THE VOTE

Densieski Yes ___ No ___ Cardinale Yes ___ No ___

Kent Yes ___ No ___ Kull Yes ___ *absent*

Kozakewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

Adopted

June 20, 2000

Town of Riverhead

Resolution # 572

AMENDS SITE PLAN OF BAITING HOLLOW COMMONS
(FREDERICK H. TERRY)

COUNCILMAN CARDINALE offered the following resolution
 which was seconded by COUNCILMAN DENSIESKI.

WHEREAS, by resolution number 406 of 1998, this Town board did approve the site plan of Frederick H. Terry for the Conversion of farm buildings to retail and restaurant use upon real property more particularly described as SCTM parcel number 600-42-1-4, and

WHEREAS, Frederick Terry did submit an application for an amendment to the applicable site plan approval depicting modification of the curb detail along Sound Avenue, enlargement of existing building "c" with associated deck and a modification of improvements (berm) along Zdunko lane, as shown upon a site plan prepared by Stephen Marks, L.S. dated April 18, 2000, and

WHEREAS, the Planning Department has recommended approval of the revised site plan with certain conditions, and

WHEREAS, the Town Board has carefully considered the merits of the proposed amendments, and

WHEREAS, the site plan amendment fee, as required by Section 108-131B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 17106 of the Office of the Supervisor of the Town of Riverhead:

THEREFORE BE IT

RESOLVED, that the Riverhead Town Board hereby approves the amended site plan application of Frederick Terry as prepared by Stephen Marks, L.S. dated April 18, 2000 as marked and initialed by the Town Board and subject to the following conditions:

1. That no permanent Certificate of Occupancy shall be issued for the two (2) story restaurant depicted until a satisfactory parking calculation in conformance with the Zoning Ordinance.
2. That the storage trailer located at the southerly property line is removed.

- 3. That the inlet of the drain located in the road bed of Sound Avenue be modified to the satisfaction of the Highway Superintendent to allow the efficient drainage of storm water.

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Frederick H. Terry, the Riverhead Planning Department, Riverhead Building Department and the Town Engineer

THE VOTE

Donsieski Yes ___ No ___ Cardinale Yes ___ No ___

Kent Yes ___ No ___ Lull ___ Yes ___ No ___ *absent*

Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___

THEREUPON DULY ADOPTED

June 20, 2000

Adopted**TOWN OF RIVERHEAD**RESOLUTION # 573**CLASSIFIES ACTION AND DECLARES LEAD AGENCY ON SPECIAL PERMIT (SITE PLAN) OF CHARLES HYDELL AND REFERS PETITION TO PLANNING BOARD**COUNCILMAN DENSIESKI offered the following resolution, which was secondedby COUNCILMAN CARDINALE:

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Charles Hydell pursuant to Sections 108-3 and 108-48 B(2) and (9) of the Town Code for construction, assembly, finishing and storage of wood sheds, gazebos and similar products within existing structures located on a 3.5 acre parcel zoned Industrial 'B' and known specifically as SCTM No. 0600-124-2-24, and

WHEREAS, a Full Environmental Assessment Form was submitted as part of the petition, and

WHEREAS, the Riverhead Planning Department has reviewed these materials and recommended the petition be considered an Unlisted Action for which coordinated review is optional and in this case unnecessary, and

WHEREAS, the Planning Department, by preparation and evaluation of its SEQR staff report, has further recommended that the action will not have a significant effect upon the environment in recognition of existing agency authority, and

WHEREAS, the Town Board desires the recommendations of the Riverhead Planning Board respecting planning and zoning issues, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declare itself to be the Lead Agency in the special permit application of Charles Hydell which is considered to be an Unlisted Action, and

BE IT FURTHER

RESOLVED, that this classification be considered effective for any related site plan approval, and

BE IT FURTHER

RESOLVED, that the Town Clerk be directed to refer the petition to the Riverhead Planning Board for their review and recommendation, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Planning Department and the applicant.

THE VOTE

Densieski Yes ___ No ___ Cardinale Yes ___ No ___
Kent Yes ___ No ___ Lill Yes ___ No ___ *absent*
Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY ADOPTED

STAFF REPORT (SEQR)

DATE: June 13, 2000

INVOLVED AGENCY: Town Board

APPROVAL TYPE: Special Permit (Site Plan)

SEQR: Classification - Unlisted
Significance - Pending (Neg. Dec. recommended)

Name of Action: Charles Hydell

Project: Applicant proposes the construction, assembly, finishing and storage of wood sheds, gazebos, and similar products within four existing structures located on a 3.5 acre parcel zoned Industrial 'B'.

Location: Southside Pulaski Street, between Kratoville and Marcy Avenues, Riverhead Hamlet

S.C.T.M.: 0600-124-2-24

Special Area Concerns: (Critical Environmental Area, Wetlands, Cultural-Archeological Resources) - No such concerns on or adjacent to site. Parcel lies in the Riverhead fire district, the water and sewer districts. Assessor's role indicates the site improvements are hooked up.
Groundwater Management Zone III

SEQR Classification/Lead Agency Status: Unlisted per Part 617. Coordinated review optional and unnecessary. Town Board should assume lead agency role.

Site Visit: (Description)

None. Site is the old Agway facility.

STAFF REPORT (SEQR) - PAGE 2

Current Zoning: Industrial 'B'

File Correspondence:

None pertinent to this review.

Plans Provided:

Survey & Plan of Property, by Joseph Ingegno, last dated 12/10/99. While likely to be an accurate rendering of the site's current condition, its adequacy with respect to the requirements of Section 108-3A(2) and the site plan ordinance (Article XXVI) is less clear.

Maps of uses within 200' and ownership within 500' of the site are also provided which would seem to satisfy 108-3 A(3).

The petition is executed by the applicant Charles Hydell who is not the site's owner (Agway, Inc.). The owner must "join in and swear to the truth" of the petition pursuant to 108-3 A(1).

STAFF REPORT (SEOR) - PAGE 3

Part I (EAF): Notes on applicant provided data – Full EAF by Charles Hydell, dated 3/15/00

A. Site Description:

1. Present use is vacant, past was commercial/retail.
2. No additional site development is involved seemingly.
3. Sheet 44 of the County Soil Survey calls the area out as entirely CuB (cut & fill, gently sloping). It poses no severe developmental restrictions except on landscaping due to sandy surface.
17. Public water and sewerage serves site.

B. Project Description:

12. Would have to expect at the very least that some sanitary flow will result from the intention (see water use of 300 gpd listed in 23). That sewered flow will be a surface water discharge to Peconic River/Bay via the S.T.P..
21. Would also have to expect increased energy use. Electric for lighting and gas or oil most likely for heating.
25. Special permit and related site plan approvals stem from Town Board not Zoning Board of Appeals. County Health involved for Article VII and XII of the Sanitary Code.

C. Zoning & Planning:

1. Again. A special permit and site plan approval is involved.
2. & 3. Industrial B District would permit up to 30% building coverage or about 46,090 square feet on the 3.527 acre parcel.
6. Intent's consistency is dependent on the special permit considerations and determinations rendered by the Board. Includes a determination that it in fact, meets the definition of a non-nuisance industry.
7. Zones: Industrial 'B', Residence 'C', Business 'D'. Uses: Residential, commercial, industrial, institutional (church).
8. Given the area character (as described above) and the seemingly rather innocuous and low intensity nature of the intent and that the past use of the parcel by Agway was not overtly viewed as incompatible, it is likely that this use will not be either.

STAFF REPORT (SEQR) - PAGE 4Part II (EAF): Potentially large impacts

- I. Water: For potential groundwater contamination (public water supply) resulting from toxic or hazardous chemicals stored on site, possibly over 1,100 gallons volume.
- II. Public Health: For the above issue being an impact on the sole source of potable water.
- III. Growth & Community Character: For possible conflict with adopted plans or goals.

STAFF REPORT (SEQR) - PAGE 5Part III (EAF): Impact Evaluation/Significance Determination

I. & II. Although the submitted materials are silent on the issue, the intention to manufacture wood products for outdoor use could include the use and storage of preservatives such as CCA or waterproofing treatments or paints for finish work. Their toxic or hazardous nature is unknown as is the volume of storage. The SEQR hard look demands that maybe answers to such issues be considered yes answers and explored. Upset or chronic release of such materials represents a contamination threat to groundwater which resource is the sole source of the public's water supply. This is especially important in this a deep recharge zone.

The agency notes the following. When this desire was petitioned for along CR 58 in 1998, this issue came up and the petitioner gave verbal assurance that only water based paints were employed. The Board could be satisfied with this or another such assurance but I'd suggest that something be gotten in writing, again to satisfy the hard look. A list of these materials together with their Material Safety Data Sheet (if applicable) and volumes to be on site could suffice but an even stronger demonstration can be achieved by having the petitioner provide evidence of the action's compliance with Articles VII and XII of the Sanitary Code. This ordinance has the safe regulation of the use and storage of toxic and hazardous materials as its sole purpose and provides the maximum practical protection to groundwater along these lines.

III. The plans and goals in question is the zoning ordinance. Not only adherence to the requirements for special permits, but that the intention meets the definition of the specially permitted use requested. All special permits must demonstrate their suitability and compatibility by the considerations and determinations of 108-3 E(3) & (4). The petitioned specially permitted use, non-nuisance industry, must by definition not be detrimental to the environment in which its is located due to its nature, and to be considered an industry it can involve the manufacture only. In the previous action cited above, the petition described itself as manufacture, display and retail sales of the products in question. It was located in the Industrial 'A' district. That district (and this) provided for both non-nuisance industries and wholesale business so when the presence of retail became an issue, the application was resubmitted for a wholesale business. That use prohibits outdoor storage yards or processing. The Planning Board recommended denial of the original petition due to retail and also the modified version citing the outdoor display as evidence of defacto retail sales of the premises despite the altered document. The instant application is pursuant to Section 108-48 B(2) for a non-nuisance industry and B(9) for any other use, except for multiple family dwelling, apartment house, garden apartment or condominium and Camp of Type 2, not herein before permitted. This suggests that the manufacture, display and retail sales are still the actual intent although its not called out on the petition. This may not be the case however. Council to the applicant has stated this citation is made to pursue the intent in the event that it is found not to fit the definition of B(2).

It is the writer's belief that this matter can be sorted out by the Planning and Town Boards through the regular administration of the special permit process without resorting to SEQR. The topic is only brought up here to present it to them. The use of the discovery, mitigative and discretionary authority which results from agency findings on an EIS simply isn't called for.

STAFF REPORT (SEOR) - PAGE 6SIGNIFICANCE

The action is Unlisted without the presumption of significant impact and the above analysis is mostly supportive of that conclusion. The intent reuses existing spaces to locate a new use so developmental impacts are absent or negligible (signage possibly and display of goods perhaps). Ongoing use impacts would be the minimal trips, sanitary flow and solid waste (sawdust, scrap wood). The only issues which emerged to this writer are the possibility of toxic or hazardous materials in connection with this industry and the zoning issues recounted above. Given the ability to reduce or dispel those concerns as outlined, a negative declaration of significance is recommended. Notice will be generated upon the Board's agreement with this position. It shall not require filing. A resolution for referral to the Planning Board is provided.

It should be noted in this consideration that the area character includes industrial and commercial (retail) uses. The presence of St. Isidore across the street must also be taken into account per 108-3 E(4)(c). The subject site itself was long the location of a retail use (Agway) which involved large volume storage of materials of similar concern to those above. Given the satisfaction of the Boards regarding the above issues (or others they may feel are important) or their dismissal of them as important, the considerations and determinations do not appear to be contravened by the intent. Should sales actually become part of the use, provision of proper parking and landscaping will be necessary which can be accomplished by the site plan ordinance.

06/20/00

TOWN OF RIVERHEAD

Adopted

Resolution # 574

AMENDS RESOLUTION #487

COUNCILMAN CARDINALE offered the following
resolution, which was seconded by COUNCILMAN DENSIESKI

WHEREAS, Resolution #487 was adopted June 6, 2000, appointing Conrad Dabrowski Jr. to the position of Seasonal Maintenance Mechanic II at an hourly rate of \$12.50 to work from June 12, 2000 through September 18, 2000, and

WHEREAS, his application was not approved by the Suffolk County Department of Civil Service for this title, and

WHEREAS, the Department of Civil Service has advised us that the title of Seasonal Automotive Equipment Operator would be an appropriate title for this position, and

WHEREAS, his application has been approved for this title by the Suffolk County Department of Civil Service.

THEREFORE, BE IT RESOLVED, that resolution #487 be amended to reflect the appointment of Conrad Dabrowski Jr. as a Seasonal Automotive Equipment Operator to be paid at an hourly rate of \$12.50 to work from June 12, 2000 through September 18, 2000.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Conrad Dabrowski Jr., the Department of Buildings and Grounds and the Office of Accounting.

THE VOTE

Densieski Yes No Cardinale Yes No
 Kent Yes No Lull Yes No *absent*
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

June 20, 2000

TOWN OF RIVERHEAD

Resolution # 575

APPROVES SITE PLAN OF STARR CORP.

~~COUNCILMAN DEB...~~

_____ offered the following resolution,
which was seconded by COUNCILMAN CARDINALE _____:

WHEREAS, a site plan and elevations were submitted by Timothy Yousik, for the construction of general exterior improvements and construction of a 1, 525 square foot outdoor deck on property, located at 65 East Main St., Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-128-6-76.1; and

WHEREAS, the Planning Department has reviewed the site plan dated May 27, 2000, as prepared by James V. DeLucca, R.A., and elevations dated May 27, 2000, as prepared by James V. DeLucca, R.A., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, the Town Board has carefully considered the merits of the site plan application, the SEQRA record to date, the report of the Planning Department, as well as all other relevant Planning, Zoning and Environmental information; and

WHEREAS, a copy of the site plan has been marked and initialed by the Town Board to show changes that are further set forth in this resolution, which site plan shall be on record with the Town Clerk; and

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 17209 of the Office of the Supervisor of the Town of Riverhead; and;

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, That in the matter of the site plan application of Timothy Yousik, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Type II Pursuant to 6NYCRR Part 617

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Timothy Yousik, for construction of general exterior improvement and construction of a 1525 square foot

outdoor deck, located at 65 East Main St., Riverhead, New York, site plan dated May 27, 2000, as prepared by James V. DeLucca, R.A., and elevations dated May 27, 2000, as prepared by James V. DeLucca, R.A., be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan proves and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, G & V Enterprises hereby authorizes and consents to the Town of Riverhead to enter premises at 65 East Main St., Riverhead, New York, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all new utilities shall be constructed underground;
12. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;
15. That planting area shown be planted with a combination of the following grasses;
 - (i) Bronze Veil 2- 3 feet in height
 - (ii) Karl Forrester 3-4 in height
 - (iii) Blue Fescue 12" in height; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Timothy Yousik, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the ____ day of _____, 2000, made by G & V Enterprises, residing at PO Box 689, Riverhead, Declarant:

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, G & V Enterprises hereby authorizes and consents to the Town of Riverhead to enter premises at 65 East Main St., Riverhead, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

Declarant has hereunto set his/her hand and seal the day and year above first written.

G & V Enterprises

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

On the _____ day of _____, in the year _____ before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

THE VOTE

Densleski Yes No Cardinale Yes No

Kent Yes No Lull Yes No *Absent*

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

Adopted

RESOLUTION # 576 ABSTRACT #24-00 JUNE 8, 2000 (TBM 6/20/00)

COUNCILMAN KENT offered the following Resolution which was seconded by
COUNCILMAN CARDINALE

| FUND NAME | | CD-6/5/00 | CHECKRUN TOTALS | GRAND TOTALS |
|---------------------------------|-----|------------------------|------------------------|-------------------------|
| GENERAL TOWN | 001 | \$ 3,000,000.00 | \$ 41,412.72 | \$ 3,041,412.72 |
| PARKING METER | 002 | \$ - | \$ - | \$ - |
| AMBULANCE | 003 | \$ - | \$ - | \$ - |
| POLICE ATHLETIC LEAGUE | 004 | \$ - | \$ 3,150.00 | \$ 3,150.00 |
| TEEN CENTER | 005 | \$ - | \$ - | \$ - |
| RECREATION PROGRAM | 006 | \$ - | \$ 2,281.50 | \$ 2,281.50 |
| SR NUTRITION SITE COUNCIL | 007 | \$ - | \$ - | \$ - |
| D.A.R.E. PROGRAM FUND | 008 | \$ - | \$ 315.00 | \$ 315.00 |
| CHILD CARE CENTER BUILDING FUND | 009 | \$ - | \$ - | \$ - |
| YOUTH COURT SCHOLARSHIP FUND | 025 | \$ - | \$ 550.00 | \$ 550.00 |
| SRS DAYCARE BUILDING FUND | 027 | \$ - | \$ - | \$ - |
| COMMUNITY P.E.T.S. SHELTER | 028 | \$ - | \$ 400.00 | \$ 400.00 |
| EDZ FUND | 030 | \$ - | \$ - | \$ - |
| HIGHWAY | 111 | \$ 500,000.00 | \$ - | \$ 500,000.00 |
| WATER | 112 | \$ 500,000.00 | \$ 24,266.83 | \$ 524,266.83 |
| REPAIR & MAINTENANCE | 113 | \$ - | \$ - | \$ - |
| RIVERHEAD SEWER DISTRICT | 114 | \$ 250,000.00 | \$ 2,431.42 | \$ 252,431.42 |
| REFUSE & GARBAGE COLLECTION | 115 | \$ 425,000.00 | \$ 220.32 | \$ 425,220.32 |
| STREET LIGHTING | 116 | \$ 100,000.00 | \$ 61.32 | \$ 100,061.32 |
| PUBLIC PARKING | 117 | \$ 50,000.00 | \$ - | \$ 50,000.00 |
| BUSINESS IMPROVEMENT DISTRICT | 118 | \$ 30,000.00 | \$ - | \$ 30,000.00 |
| TOR URBAN DEV CORP TRUST ACCT | 119 | \$ - | \$ - | \$ - |
| AMBULANCE DISTRICT | 120 | \$ - | \$ 9.58 | \$ 9.58 |
| CALVERTON SEWER DISTRICT | 124 | \$ 35,000.00 | \$ 4,679.36 | \$ 39,679.36 |
| WORKER'S COMPENSATION FUND | 173 | \$ - | \$ 2,005.96 | \$ 2,005.96 |
| HOSPITALIZATION SELF INSURANCE | 174 | \$ - | \$ - | \$ - |
| RISK RETENTION FUND | 175 | \$ - | \$ 3,613.56 | \$ 3,613.56 |
| UNEMPLOYMENT INSURANCE FUND | 176 | \$ - | \$ - | \$ - |
| MAIN STREET REHAB PROGRAM | 177 | \$ - | \$ - | \$ - |
| REVOLVING LOAN PROGRAM | 178 | \$ - | \$ - | \$ - |
| RESIDENTIAL REHAB | 179 | \$ - | \$ - | \$ - |
| DISCRETIONARY/SMALL CITIES | 180 | \$ - | \$ - | \$ - |
| CDBG CONSORTIUM ACCOUNT | 181 | \$ - | \$ - | \$ - |
| URBAN DEVEL CORP WORKING | 182 | \$ - | \$ - | \$ - |
| RESTORE | 184 | \$ - | \$ - | \$ - |
| PUBLIC PARKING DEBT | 381 | \$ - | \$ - | \$ - |
| SEWER DISTRICT DEBT | 382 | \$ - | \$ 5,837.79 | \$ 5,837.79 |
| WATER DEBT | 383 | \$ - | \$ 380,553.11 | \$ 380,553.11 |
| GENERAL FUND DEBT SERVICE | 384 | \$ - | \$ 405,077.85 | \$ 405,077.85 |
| SCAVENGER WASTE DEBT | 385 | \$ 40,000.00 | \$ - | \$ 40,000.00 |
| COMM DEVEL AGENCY CAP PROJECT | 406 | \$ - | \$ - | \$ - |
| TOWN HALL CAPITAL PROJECTS | 406 | \$ - | \$ 34,783.00 | \$ 34,783.00 |
| EIGHT HUNDRED SERIES | 408 | \$ - | \$ - | \$ - |
| WATER IMPROVEMENT CAP PROJ | 409 | \$ - | \$ - | \$ - |
| NUTRITION CAPITAL IMPS | 441 | \$ - | \$ - | \$ - |
| CHIPS | 451 | \$ - | \$ - | \$ - |
| YOUTH SERVICES | 452 | \$ - | \$ - | \$ - |
| SENIORS HELPING SENIORS | 453 | \$ - | \$ - | \$ - |
| EISEP | 454 | \$ - | \$ - | \$ - |
| SCAVENGER WASTE CAP PROJ | 470 | \$ - | \$ - | \$ - |
| MUNICIPAL FUEL FUND | 625 | \$ - | \$ 6,383.78 | \$ 6,383.78 |
| MUNICIPAL GARAGE | 626 | \$ - | \$ 1,633.61 | \$ 1,633.61 |
| TRUST & AGENCY | 735 | \$ - | \$ 7,830,500.00 | \$ 7,830,500.00 |
| SPECIAL TRUST | 736 | \$ - | \$ - | \$ - |
| COMMUNITY PRESERVATION FUND | 737 | \$ - | \$ - | \$ - |
| CDA-CALVERTON | 914 | \$ - | \$ 1,267.21 | \$ 1,267.21 |
| COMMUNITY DEVELOPMENT AGENCY | 916 | \$ - | \$ - | \$ - |
| JOINT SCAVENGER WASTE | 918 | \$ - | \$ 36.34 | \$ 36.34 |
| CENTRAL CLEARING ACCOUNT | 999 | \$ - | \$ - | \$ - |
| TOTALS | | \$ 4,930,000.00 | \$ 8,751,470.26 | \$ 13,681,470.26 |

**FUND 735 INCLUDES \$7,830,500 OF 1999-2000 SCHOOL/TOWN TAXES

THE VOTE
 Densieski Yes No
 Kent Yes No
 Kozakiewicz Yes No
 Cardinale Yes No
 Lull Yes No
Abent

THE RESOLUTION WAS ADOPTED
 THEREUPON DU Y ADOPTE

COUNCILMAN KENT offered the following Resolution which was seconded by
 COUNCILMAN CARDINALAE

| FUND NAME | | CD-6/9/00 & 6/15/00 | CHECKRUN TOTALS | GRAND TOTALS |
|---------------------------------|-----|---------------------|-----------------|------------------|
| GENERAL TOWN | 001 | \$ 8,200,000.00 | \$ 822,770.49 | \$ 9,022,770.49 |
| PARKING METER | 002 | \$ 9,500.00 | \$ - | \$ 9,500.00 |
| AMBULANCE | 003 | \$ 14,000.00 | \$ - | \$ 14,000.00 |
| POLICE ATHLETIC LEAGUE | 004 | \$ 9,500.00 | \$ - | \$ 9,500.00 |
| TEEN CENTER | 005 | \$ 8,500.00 | \$ - | \$ 8,500.00 |
| RECREATION PROGRAM | 006 | \$ 50,000.00 | \$ 3,785.68 | \$ 53,785.68 |
| SR NUTRITION SITE COUNCIL | 007 | \$ 1,200.00 | \$ 40.00 | \$ 1,240.00 |
| D.A.R.E. PROGRAM FUND | 008 | \$ 500.00 | \$ 187.72 | \$ 687.72 |
| CHILD CARE CENTER BUILDING FUND | 009 | \$ 21,000.00 | \$ 199.60 | \$ 21,199.60 |
| YOUTH COURT SCHOLARSHIP FUND | 025 | \$ - | \$ - | \$ - |
| SRS DAYCARE BUILDING FUND | 027 | \$ - | \$ 1,900.64 | \$ 1,900.64 |
| COMMUNITY P.E.T.S. SHELTER | 028 | \$ - | \$ - | \$ - |
| EDZ FUND | 030 | \$ - | \$ 1,645.82 | \$ 1,645.82 |
| HIGHWAY | 111 | \$ 1,510,000.00 | \$ 390,010.24 | \$ 1,900,010.24 |
| WATER | 112 | \$ 1,960,000.00 | \$ 1,166,323.07 | \$ 3,126,323.07 |
| REPAIR & MAINTENANCE | 113 | \$ 375,000.00 | \$ - | \$ 375,000.00 |
| RIVERHEAD SEWER DISTRICT | 114 | \$ 1,060,000.00 | \$ 227,334.71 | \$ 1,287,334.71 |
| REFUSE & GARBAGE COLLECTION | 115 | \$ 900,000.00 | \$ 53,815.54 | \$ 953,815.54 |
| STREET LIGHTING | 116 | \$ 407,000.00 | \$ 28,743.70 | \$ 435,743.70 |
| PUBLIC PARKING | 117 | \$ 130,000.00 | \$ 27,609.39 | \$ 157,609.39 |
| BUSINESS IMPROVEMENT DISTRICT | 118 | \$ 104,500.00 | \$ 1,942.54 | \$ 106,442.54 |
| TOR URBAN DEV CORP TRUST ACCT | 119 | \$ - | \$ - | \$ - |
| AMBULANCE DISTRICT | 120 | \$ 287,000.00 | \$ 1,172.73 | \$ 288,172.73 |
| CALVERTON SEWER DISTRICT | 124 | \$ 106,000.00 | \$ - | \$ 106,000.00 |
| WORKER'S COMPENSATION FUND | 173 | \$ 150,000.00 | \$ 19.50 | \$ 150,019.50 |
| HOSPITALIZATION SELF INSURANCE | 174 | \$ - | \$ - | \$ - |
| RISK RETENTION FUND | 175 | \$ 135,000.00 | \$ 1,244.25 | \$ 136,244.25 |
| UNEMPLOYMENT INSURANCE FUND | 176 | \$ 9,500.00 | \$ - | \$ 9,500.00 |
| MAIN STREET REHAB PROGRAM | 177 | \$ - | \$ - | \$ - |
| REVOLVING LOAN PROGRAM | 178 | \$ - | \$ - | \$ - |
| RESIDENTIAL REHAB | 179 | \$ - | \$ - | \$ - |
| DISCRETIONARY/SMALL CITIES | 180 | \$ - | \$ - | \$ - |
| CDBG CONSORTIUM ACCOUNT | 181 | \$ - | \$ 779.21 | \$ 779.21 |
| URBAN DEVEL CORP WORKING | 182 | \$ - | \$ - | \$ - |
| RESTORE | 184 | \$ - | \$ - | \$ - |
| PUBLIC PARKING DEBT | 381 | \$ 30,000.00 | \$ - | \$ 30,000.00 |
| SEWER DISTRICT DEBT | 382 | \$ 175,000.00 | \$ - | \$ 175,000.00 |
| WATER DEBT | 383 | \$ 50,000.00 | \$ - | \$ 50,000.00 |
| GENERAL FUND DEBT SERVICE | 384 | \$ - | \$ - | \$ - |
| SCAVENGER WASTE DEBT | 385 | \$ 112,000.00 | \$ - | \$ 112,000.00 |
| COMM DEVEL AGENCY CAP PROJECT | 405 | \$ - | \$ - | \$ - |
| TOWN HALL CAPITAL PROJECTS | 406 | \$ 375,000.00 | \$ 74,717.44 | \$ 449,717.44 |
| EIGHT HUNDRED SERIES | 408 | \$ - | \$ - | \$ - |
| WATER IMPROVEMENT CAP PROJ | 409 | \$ - | \$ - | \$ - |
| NUTRITION CAPITAL IMPS | 441 | \$ - | \$ - | \$ - |
| CHIPS | 451 | \$ 125,000.00 | \$ - | \$ 125,000.00 |
| YOUTH SERVICES | 452 | \$ - | \$ 1,919.56 | \$ 1,919.56 |
| SENIORS HELPING SENIORS | 453 | \$ - | \$ 2,106.02 | \$ 2,106.02 |
| EISEP | 454 | \$ - | \$ 969.05 | \$ 969.05 |
| SCAVENGER WASTE CAP PROJ | 470 | \$ - | \$ - | \$ - |
| MUNICIPAL FUEL FUND | 625 | \$ 150,000.00 | \$ 6,144.17 | \$ 156,144.17 |
| MUNICIPAL GARAGE | 626 | \$ 45,000.00 | \$ 9,723.95 | \$ 54,723.95 |
| TRUST & AGENCY | 735 | \$ - | \$ 917,192.67 | \$ 917,192.67 |
| SPECIAL TRUST | 736 | \$ 300,000.00 | \$ - | \$ 300,000.00 |
| COMMUNITY PRESERVATION FUND | 737 | \$ 350,000.00 | \$ - | \$ 350,000.00 |
| CDA-CALVERTON | 914 | \$ - | \$ 1,995.00 | \$ 1,995.00 |
| COMMUNITY DEVELOPMENT AGENCY | 916 | \$ - | \$ - | \$ - |
| JOINT SCAVENGER WASTE | 918 | \$ - | \$ 23,562.48 | \$ 23,562.48 |
| CENTRAL CLEARING ACCOUNT | 999 | \$ - | \$ - | \$ - |
| TOTALS | | \$ 17,160,200.00 | \$ 3,767,855.17 | \$ 20,928,055.17 |

| RESOLUTION # 576 ABSTRACT #26-00 JUNE 16, 2000 (TBM 6/20/00) | | | |
|---|-----|---------|-----------------|
| <p>COUNCILMAN KENT offered the following Resolution which was seconded by COUNCILMAN CARDINALE</p> | | | |
| FUND NAME | | CD-NONE | CHECKRUN TOTALS |
| | | | GRAND TOTALS |
| GENERAL TOWN | 001 | \$ - | \$ 55.00 |
| PARKING METER | 002 | \$ - | \$ - |
| AMBULANCE | 003 | \$ - | \$ - |
| POLICE ATHLETIC LEAGUE | 004 | \$ - | \$ - |
| TEEN CENTER | 006 | \$ - | \$ - |
| RECREATION PROGRAM | 006 | \$ - | \$ - |
| SR NUTRITION SITE COUNCIL | 007 | \$ - | \$ - |
| D.A.R.E. PROGRAM FUND | 008 | \$ - | \$ - |
| CHILD CARE CENTER BUILDING FUND | 009 | \$ - | \$ - |
| YOUTH COURT SCHOLARSHIP FUND | 025 | \$ - | \$ - |
| SRS DAYCARE BUILDING FUND | 027 | \$ - | \$ - |
| COMMUNITY P.E.T.S. SHELTER | 028 | \$ - | \$ - |
| EDZ FUND | 030 | \$ - | \$ - |
| HIGHWAY | 111 | \$ - | \$ - |
| WATER | 112 | \$ - | \$ - |
| REPAIR & MAINTENANCE | 113 | \$ - | \$ - |
| RIVERHEAD SEWER DISTRICT | 114 | \$ - | \$ - |
| REFUSE & GARBAGE COLLECTION | 115 | \$ - | \$ - |
| STREET LIGHTING | 116 | \$ - | \$ - |
| PUBLIC PARKING | 117 | \$ - | \$ - |
| BUSINESS IMPROVEMENT DISTRICT | 118 | \$ - | \$ - |
| TOR URBAN DEV CORP TRUST ACCT | 119 | \$ - | \$ - |
| AMBULANCE DISTRICT | 120 | \$ - | \$ - |
| CALVERTON SEWER DISTRICT | 124 | \$ - | \$ - |
| WORKER'S COMPENSATION FUND | 173 | \$ - | \$ - |
| HOSPITALIZATION SELF INSURANCE | 174 | \$ - | \$ - |
| RISK RETENTION FUND | 175 | \$ - | \$ - |
| UNEMPLOYMENT INSURANCE FUND | 176 | \$ - | \$ - |
| MAIN STREET REHAB PROGRAM | 177 | \$ - | \$ - |
| REVOLVING LOAN PROGRAM | 178 | \$ - | \$ - |
| RESIDENTIAL REHAB | 179 | \$ - | \$ - |
| DISCRETIONARY/SMALL CITIES | 180 | \$ - | \$ - |
| CDBG CONSORTIUM ACCOUNT | 181 | \$ - | \$ - |
| URBAN DEVEL CORP WORKING | 182 | \$ - | \$ - |
| RESTORE | 184 | \$ - | \$ - |
| PUBLIC PARKING DEBT | 381 | \$ - | \$ - |
| SEWER DISTRICT DEBT | 382 | \$ - | \$ - |
| WATER DEBT | 383 | \$ - | \$ - |
| GENERAL FUND DEBT SERVICE | 384 | \$ - | \$ - |
| SCAVENGER WASTE DEBT | 385 | \$ - | \$ - |
| COMM DEVEL AGENCY CAP PROJECT | 405 | \$ - | \$ - |
| TOWN HALL CAPITAL PROJECTS | 406 | \$ - | \$ - |
| EIGHT HUNDRED SERIES | 400 | \$ - | \$ - |
| WATER IMPROVEMENT CAP PROJ | 409 | \$ - | \$ - |
| NUTRITION CAPITAL IMPS | 441 | \$ - | \$ - |
| CHIPS | 451 | \$ - | \$ - |
| YOUTH SERVICES | 452 | \$ - | \$ - |
| SENIORS HELPING SENIORS | 453 | \$ - | \$ - |
| EISEP | 454 | \$ - | \$ - |
| SCAVENGER WASTE CAP PROJ | 470 | \$ - | \$ - |
| MUNICIPAL FUEL FUND | 625 | \$ - | \$ - |
| MUNICIPAL GARAGE | 626 | \$ - | \$ - |
| TRUST & AGENCY | 735 | \$ - | \$ 614,905.26 |
| SPECIAL TRUST | 736 | \$ - | \$ - |
| COMMUNITY PRESERVATION FUND | 737 | \$ - | \$ - |
| CDA-CALVERTON | 914 | \$ - | \$ - |
| COMMUNITY DEVELOPMENT AGENCY | 915 | \$ - | \$ - |
| JOINT SCAVENGER WASTE | 918 | \$ - | \$ - |
| CENTRAL CLEARING ACCOUNT | 999 | \$ - | \$ - |
| TOTALS | | \$ - | \$ 614,960.26 |

**SPECIAL CHECKRUN DUE TO SCHOOL & TOWN TAXES RECEIVED OF \$614,905.26

Adopted

TOWN OF RIVERHEAD

Resolution 577

TERMINATES CONTRACT WITH TERRY CONTRACTING
& MATERIALS, INC. FOR CLIFF ROAD WEST
DRAINAGE IMPROVEMENT PROJECT

COUNCILMAN KENT offered the following resolution which was seconded by

COUNCILMAN CARDINALE

WHEREAS, on February 1, 2000, the Town Board adopted resolution # 94 entitled "Awards Bid for Cliff Road West Drainage Improvement Project" which awarded said project to Terry Contracting & Materials, Inc., and

WHEREAS, on February 15, 2000, the Town Board adopted resolution # 152 entitled "Corrects Resolution No. 94, "Awards Bid for Cliff Road West Drainage Improvement Project"", correcting the total amount of the base bid plus \$29,000.00 for alternate No. 1., and

WHEREAS, thereafter Terry Contracting & Materials, Inc., materially breached its contract with the Town of Riverhead in that, among other things, it failed to complete said project within the specified time period, i.e. by June 16, 2000.

NOW, THEREFORE, BE IT RESOLVED that the Town of Riverhead hereby authorizes the termination of the contract between Town of Riverhead and Terry Contracting & Materials, Inc., to be effective seven days following the receipt of notice of termination by the Town Attorney in accordance with the contract, and be it further

RESOLVED that the Town Board hereby directs the Town Attorney to advise Terry Contracting & Materials, Inc. of its termination by certified mail, return receipt requested, and be it further

RESOLVED, that the Town Clerk be authorized to forward a copy of this resolution to the Town Engineer, Terry Contracting & Materials, Inc, 840 West Main Street, Riverhead, New York 11901 and the Office of the Town Attorney.

THE VOTE

Cardinale Yes No Cardinale Yes No

Kent Yes No Yes No *absent*

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON BEING ADOPTED