

*Barbara Grattan,
Town Clerk*

**TOWN BOARD MEETING
AGENDA
March 5th, 2002**

ROBERT F. KOZAKIEWICZ, Supervisor

**Edward Densieski, Councilman
James Lull, Councilman**

**Barbara Blass, Councilperson
Rose Sanders, Councilperson**

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

ELECTED OFFICIALS

**Laverne Tennenberg
Madelyn Sendlewski
Paul Leszczynski
Mark Kwasna
Diane M. Stuke
Richard Ehlers
Allen M. Smith**

**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 Thoorn
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 February 20th, 2002,
moved by Councilperson Glass, seconded

by Councilperson Jardens.

*Page 249 - Minutes - Need Review - 1422 - Paragraph E is not adopted
Den - abstain
Sull - yes
Koz - yes
Glass
Jardens*

CONGRATULATIONS TO JUDITH DOLL

CIVIC EMPLOYEE OF THE YEAR

REPORTS

Receiver of Taxes:

Total Collections-\$38,824,487.20

Utility Collections for Feb. 2002-\$131,212.92

Town Clerk:

Monthly Report for Feb. 2002-Total Collected-\$10,064.58

Jamesport Fire District:

Annual Financial Report for Fiscal Year 2001

Open Bid Reports:

Tandem Tractor & Cargo Van-Opened-2/25/02

Tandem Tractor

Trux, Inc.

Bid Amount: \$15,900.00

Cargo Van

Ramp Chevrolet

Bid Amount: \$18,797.00

APPLICATIONS

Site Plan:

Little Flower-construction of respite care facility and infirmary.

And

Special Permit:

CORRESPONDENCE

Riverhead Drive Petition with 48 names in opposition to the
Neighborhood Coalition: condominiums along Riverside Drive.

Terry Hulse: Opposition to the Riverside Drive Condominiums.

Farmland Select & Open
Space Committee: 2001 Annual Report

COMMITTEE REPORTS

PUBLIC HEARINGS

SCHEDULED MARCH 5TH, 2002

- 7:05 p.m.** The Implementation of several improvements to the district's facilities.
- 7:10 p.m.** The Special Permit Petition of Robert Wendt.
- 7:15 p.m.** The Consideration of a Local Law amending Sections 48-7 entitled "Applications for permit; fee" and Section 48-13 entitled "Parking and Parking Permits of Chapter 48 entitled, "Beaches & Recreation Centers".

PUBLIC COMMENT ON ANY RESOLUTIONS LISTED BELOW:
COMMUNITY DEVELOPMENT AGENCY MEETING:

- #3** Authorizes Chairman to Execute License Agreement with Top 20 Lacrosse Camps
- #4** Authorizes Chairman to Execute License Agreement with Suffolk County Police Athletic League

REGULAR TOWN BOARD MEETING:

- #210** Adopts a Local Law Amending Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Penalties, Violation of Approved Site Plan)
- #211** Accepts Draft Environmental Impact Statement of Reliance Leasing Corporation (Crown Sanitation)
- #212** Declares Environmental Significance of Special Permit of Route 58 Riverhead LLC (Riverhead Marquee Plaza)
- #213** Risk Retention Fund Budget Adjustment
- #214** Workers Compensation Fund Budget Adjustment
- #215** 2002 Highway Trucks Capital Project Budget Adoption
- #216** Community Development Agency-Calverton Budget Adjustment
- #217** Landfill Capping & Closure Capital Project Budget Adjustment
- #218** Reeves Golf Water Extension Budget Adoption
- #219** Soundview Meadows Water Extension Capital Project Budget Adjustment
- #220** General Fund Budget Adjustment
- #221** Y2K Recreation Capital Improvement Project Budget Adjustment
- #222** Peconic River Babies Land Acquisition Budget Adjustment
- #223** Supports the Conservation Easement on Property owned by Elizabeth Schaffner Protecting Open Space in the Town of Riverhead

- #224** Supports the Conservation Easement on Property owned by Richard N. Reeve and V. Avis Reeve Protecting Open Space in the Town of Riverhead
- #225** Supports the Conservation Easement on Property owned by Richard Wines and Nancy Gilbert Protecting Open Space in the Town of Riverhead
- #226** Accepts Performance Bonds of Keyspan Corporation Services, LLC.
- #227** Sets Registration Fees for the Riverhead Recreation Department
- #228** Sets Salaries for Summer Personnel for the Riverhead Recreation Department
- #229** Appoints a Park Attendant I to the Riverhead Recreation Department (W. Sumperl)
- #230** Appoints a Park Attendant to the Riverhead Recreation Department (K. Biglin)
- #231** Re-Appoints Members to Town of Riverhead/Suffolk County Empire Zone Administrative Board
- #232** Appoints a Part-Time Recreation Aide to the Riverhead Recreation Department
- #233** Accepts Resignation of Public Safety Dispatcher (R. Miller)
- #234** Authorizes the Supervisor to Execute a Lease Agreement with the Riverhead Fire Department for Property Located on Ostrander Avenue, Riverhead, NY
- #235** Increase Charge for Dishonored Checks
- #236** Authorizes Supervisor to Execute Agreement with Citibank and Suffolk County for the Consortium HIP Program
- #237** Approves Military Leave of Absence for a Police Officer
- #238** Approves Final Contract Extension of Radiac Research Corp.
- #239** Authorizes the Supervisor to Extend Agreement between Crown Sanitation, Inc. and the Town of Riverhead (Disposal of Town of Riverhead Generated Waste)
- #240** Approves Town of Riverhead Investment Policy

- #241 Authorization to Publish Bid for Lime for Use by the Water Department
- #242 Authorization to Publish Bid for Corrosion Control Chemical for Use by the Water Department
- #243 Authorization to Publish Bid for Chemicals for Sewer
- #244 Authorization to Publish Bid for Chlorine for Use by the Water Department
- #245 Authorization to Publish Bid for Grass Seed and Lawn Chemicals
- #246 Awards Bid for 2002 Cargo Van
- #247 Authorizes Town Clerk to Advertise for Bids-Riverhead Water District-RDWD A1-59-Sound Meadows
- #248 Awards Bid for One (1) Used 1991 or Newer Tandem Tractor
- #249 Classifies Action and Declares Lead Agency on Special Permit (Site Plan) of Spa at Fox Hill and Refers Petition to the Planning Board
- #250 Approves Site Plan of Sound Gardens, Inc.
- #251 Calverton Sewer District Increase and Improvements Bond Resolution
- #252 Stotzky Park Skateboard Complex Authorization Bond Resolution
- #253 Public Parking Increase and Improvements Bond Resolution
- #254 Authorizes Special Counsel to Sign Northrop-Grumman Stipulation
- #255 Accepts Special Permit Petition of Riverhead Center, LLC and Refers Special Permit Petition to the Riverhead Planning Board
- #256 Pays Bills

Adopted

3/5/02

Town of Riverhead Community Development Agency

Resolution # 3

Authorizes Chairman to Execute License Agreement with Top 20 Lacrosse Camps

Member **COUNCILWOMAN SANDERS** offered the following resolution,

which was seconded by Member **COUNCILMAN DENSIESKI** :

WHEREAS, Top 20 Lacrosse Camps has requested use of a portion of the Calverton Enterprise Park, as indicated on Exhibit C, from between July 1, 2002 and August 1, 2002 to conduct lacrosse camps for youth; and

WHEREAS, the Town of Riverhead will receive rental income in the amount of \$1,900.00 for use of the facility per Attachment C of the License Agreement.

THEREFORE, BE IT RESOLVED, that the CDA hereby authorizes the Chairman to execute a license agreement in the form attached hereto with Top 20 Lacrosse Camps, subject to the provision of an insurance certificate demonstrating coverages acceptable to the Town Attorney prior to initiation of the camp.

AND BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Agency Director Andrea Lohneiss and Town Attorney Dawn Thomas.

**THE RESOLUTION WAS X WAS NOT
THEREUPON DULY ADOPTED**

3/5/02

Adopted

Town of Riverhead Community Development Agency

Resolution # 4

Authorizes Chairman to Execute License Agreement with Suffolk County Police Athletic League

Member Sanders _____ offered the following resolution,

which was seconded by _____ Member Lull _____:

WHEREAS, Suffolk County Police Athletic League has requested use of a portion of the Calverton Enterprise Park, as indicated on Exhibit C, from between March 5, 2002 and June 30, 2002 to conduct soccer camps for youth; and

WHEREAS, the Town of Riverhead will receive rental income in the amount of \$3,600.00 for use of the facility per Attachment C of the License Agreement.

THEREFORE, BE IT RESOLVED, that the CDA hereby authorizes the Chairman to execute a license agreement in the form attached hereto with Suffolk County Police Athletic League, subject to the provision of an insurance certificate demonstrating coverages acceptable to the Town Attorney prior to initiation of the camp.

AND BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Agency Director Andrea Lohneiss and Town Attorney Dawn Thomas.

The Vote:

Member Sanders	<u>YES</u>
Member Blass	<u>YES</u>
Member Densieski	<u>YES</u>
Member Lull	<u>YES</u>
Chairman Kozakiewicz	<u>YES</u>

The Resolution is ADOPTED.

on behalf of Licensee. Licensee acknowledges that no representations with respect to the condition of the License Premises, or with respect to any improvements or fixtures thereon or attached thereto, have been made to it. Licensee shall provide at its own expense portable bathrooms at or near the License Premises for use during the Term. Further Licensee shall be responsible for leveling and/or mowing and/or spraying of the grounds. Both during and upon completion of the daily use Licensee shall be responsible for daily removal of trash generated during said use. Licensee shall provide monitoring of gate at all times during the event.

Licensee agrees to snowfence the licensed area prior to March 1. Furthermore, all preparation of fields, spraying, leveling, mowing, must be undertaken by the Licensee.

4. **LICENSE FEE.** Simultaneously with the execution hereof, Licensee shall pay to Licensor a fee in the amount of \$3,600.00 for use of the premises between March 5, 2002 and June 30, 2002 as described on Exhibit C.

Licensee covenants and agrees that (i) in no event shall Licensee permit any motor vehicle to (1) enter the Calverton Site other than through the Access Point (Exhibit A) or (2) park anywhere other than the Parking Area and (ii) a representative of Licensee shall be present at the Access Point at all times during the Event. A representative of the Licensee shall obtain key from guard house prior to each use and return key to guard house following each use on a daily basis.

5. **PAYMENT.** (a) The Fee and all other charges, costs and expenses payable by Licensee under this License shall be paid by certified check made payable to the order of The Town of Riverhead Community Development Agency and delivered to Andrea Lohneiss at the address provided for Licensor in the preamble to this License, without notice or demand therefor (except to the extent otherwise expressly provided herein) and without any deduction, credit, set-off, counterclaim or abatement whatsoever. In every case in which Licensee is required to pay to Licensor a sum of money and said sum (or any portion thereof) is not paid when due, interest at an annual rate of 12% shall be payable on such sum (or so much thereof as shall be unpaid) from the date said sum becomes due until the date the unpaid amount is paid. A deposit of \$1,000 will be due on March 1, 2002.

(b) **Security Deposit.** Licensee shall be responsible for removal of all trash and cleanup of the Licensed Premises after each use. In order to ensure that these will be sufficient resources to ensure cleanup by Licensee, if necessary, a security deposit of \$1,000 will be paid to the Licensor by June 1, 2002. Said deposit will be disbursed for damages and cleanup, if necessary. Any unexpended balance will be released upon approval of the condition of the site by the CDA at the conclusion of the License period.

6. **USE; COVENANTS.** (a) Licensee shall use the License Premises consisting of three acres only for the purpose of conducting youth soccer from March 5, 2002 through June 30, 2002, to prepare the License Premises for the same and to clean and restore the License Premises, in each case, in accordance with, and subject to, the terms and provisions of this License. Licensee shall provide portable restroom facilities, as needed.

3/5/02

TOWN OF RIVERHEAD

Resolution # 210

**ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF
THE RIVERHEAD TOWN CODE
(PENALTIES, VIOLATION OF APPROVED SITE PLAN)**

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 20th day of February, 2002 at 7:15 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 108 "Zoning", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Suffolk County Life and to post same on the signboard at Town Hall; 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 Planning Board; the Riverhead Planning Department and the Riverhead Building Department and the Code Revision Committee.

THE VOTE
Senders Yes No Blass Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD
NOTICE OF ADOPTION

388

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on March 5, 2002 as follows:

108-129. Review authorized; approval required; penalties; issuance of permits and certificates of occupancy; expiration.

F. Penalties violation of approved Site Plan

(1) It shall be unlawful for any person, firm or corporation to construct, alter, repair, move, remove, demolish, equip, use, occupy or maintain any real property, building or structure or portion thereof in violation of the approved site plan.

(2) For any and every violation of the approved site plan, the owner or general agent of a building or premises where such violation has been committed or shall exist, and the lessee or tenant of an entire building or entire premises where such violation of approved site plan has been committed or shall exist, and any builder, architect, tenant, contractor, subcontractor, construction superintendent or their agents or any other person taking part or assisting in any such violation of approved site plan, shall upon conviction thereof, be liable to a fine or penalty not exceeding one thousand dollars (\$1000.) for each and every violation. Each day that such violation continues shall constitute a separate and distinct violation of the approved site plan.

Dated: Riverhead, New York
February 5, 2002

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD**

BARBARA GRATTAN, Town Clerk

* Underline represents addition(s)

Adopted

March 5, 2002

TOWN OF RIVERHEAD

Resolution # 211

ACCEPTS DRAFT ENVIRONMENTAL IMPACT STATEMENT OF RELIANCE LEASING CORPORATION (CROWN SANITATION)

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

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a change of zone and special permit petition from Reliance Leasing Corporation to allow the construction of a recycling facility to be located upon real property located at Youngs Avenue, Riverhead; such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-80-2-4.1, and

WHEREAS, by resolution #84 of 2002, the Riverhead Town Board did determine the action to be Type I with potential adverse impacts to the natural and social environment and that a Draft Environmental Impact Statement be prepared, and

WHEREAS, in anticipation of such positive declaration, Reliance Leasing Corporation did submit a Draft Environmental Impact Statement prepared by Nelson, Pope and Voorhis, LLC and dated January 9, 2002, and

WHEREAS, the Town Board has carefully considered the content of the subject DEIS, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby accepts the preliminary DEIS submitted in support of the change of zone and special permit petitions of Reliance Leasing Corporation, as prepared by Nelson, Pope and Voorhis and dated January 9, 2002 as satisfactory and complete with respect to scope content and adequacy, and

BE IT FURTHER

RESOLVED, that the Town Clerk be authorized to publish and post the attached notice of public hearing, and

BE IT FURTHER

RESOLVED, that the Planning Department be directed to prepare those notices of acceptability as prescribed by 6NYCRR Part 617.2, and

BE IT FURTHER

RESOLVED, that a copies of this resolution be forwarded to the Town Attorney, Building Department, Planning Department and Stephen Angel, as attorney for the applicant.

Planning/reliance.tb

THE VOTE
Sanders Yes No Bless Yes No
Denslock Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the ~~3rd~~ day of April, 2002 at 3:00 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the Draft Environmental Impact Statement as prepared by Nelson, Pope and Voorhis, LLC and dated January 9, 2002 submitted in support of the change of zone and special permit petitions of Reliance Leasing Corporation, to allow the construction of a recycling facility upon real property located at Youngs Avenue, Riverhead, New York; such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-80-2-4.1.

DATED: March 5, 2002
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

Adopted

March 5, 2002

TOWN OF RIVERHEAD

Resolution # 212

DECLARES ENVIRONMENTAL SIGNIFICANCE OF SPECIAL PERMIT PETITIONS OF ROUTE 58 RIVERHEAD, LLC (RIVERHEAD MARQUEE PLAZA)

COUNCILMAN LULL

_____ offered the following resolution which

was seconded by _____

COUNCILWOMAN SANDERS

WHEREAS, the Town Board of the Town of Riverhead is in receipt of special permit petitions from Stuart Stein, Esq. on behalf of Route 58 Riverhead, LLC to allow the construction of a multi-screen theater and two (2) restaurants upon real property located at Route 58, Riverhead, New York; such real property more particularly described as Suffolk County Tax Map Nos. 0600-101-1-3 and 0600-119-1-6, and

WHEREAS, a full environmental assessment form and supporting documentation attended the petitions, and

WHEREAS, the Planning Department has prepared a SEQRA report identifying potential adverse impacts associated with the action, and

WHEREAS, the Town Board has carefully considered the merits of the subject special permit petitions, the SEQRA record created to date, the report of the Planning Department as well as all other relevant planning, zoning and environmental information, now

THEREFORE BE IT

RESOLVED, that in the matter of the special permit petitions of Route 58 Riverhead, LLC, the Riverhead Town Board, as lead agency, reaffirms its determination that the action is Type I pursuant to 6NYCRR Part 617 and, due to potentially adverse impacts to the natural and social environment, a Draft Environmental Impact Statement shall be prepared, and

BE IT FURTHER

RESOLVED, that the Planning Department shall file those notices of Positive Declaration as required by 6NYCRR Part 617, and

BE IT FURTHER

RESOLVED, the Town Clerk be authorized to publish and post the attached notice of public hearing in the official newspaper of the Town of Riverhead.

Planning/marquce.tb

THE VOTE
Sanders Yes No Blass Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF SCOPING HEARING**

PLEASE TAKE NOTICE, that a scoping hearing will be held pursuant to the New York State Environmental Conservation Law and its attending regulations will take place on the 3rd day of April, 2002 at 2:00 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the potential adverse impacts to natural and social environment associated with the special permit petitions of Route 58 Riverhead, LLC to allow the construction of a multi-screen theater and two (2) restaurants located at County Route 58, Riverhead, New York; such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-101-1-3- and 0600-119-1-6.

DATED: March 5, 2002
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

Adopted

TOWN OF RIVERHEAD

RISK RETENTION FUND

BUDGET ADJUSTMENT

RESOLUTION # 213

COUNCILWOMAN BLASS

offered the following resolution ,

which was seconded by **COUNCILMAN LULL**

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

	FROM:	
175.092801.481000 GENERAL FUND TRANSFER	\$12,055.	
175.092801.484000 HIGHWAY TRANSFER	4,390.	
175.092801.482200 WATER DIST. TRANSFER	2,980.	
175.092801.482100 RIVERHEAD SEWER DIST. TRANSFER	695.	
175.092801.483300 GARBAGE DISTRICT TRANSFER	805.	
175.092801.488100 MUNICIPAL GARAGE TRANSFER	90.	
175.092801.488200 MUNICIPAL FUEL TRANSFER	360.	

TO:

175.017220.548210 GENERAL FUND EXCESS INSURANCE	12,055.
175.017220.548220 HIGHWAY EXCESS INSURANCE	4,390.
175.017220.548230 WATER DISTRICT EXCESS INSURANCE	2,980.
175.017220.548240 RIVERHEAD SEWER DIST. EXCESS INSURANCE	695.
175.017220.548250 REFUSE & GARBAGE EXCESS INSURANCE	805.
175.017220.548290 MUNICIPAL GARAGE EXCESS INSURANCE	90.
175.017220.548295 MUNICIPAL FUEL EXCESS INSURANCE	360.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

Adopted

TOWN OF RIVERHEAD

WORKERS COMPENSATION FUND

BUDGET ADJUSTMENT

RESOLUTION # 214

COUNCILMAN LULL

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 adjustment:

		FROM:
173.092801.481100	GENERAL FUND TRANSFER	\$8,100.
173.092801.482100	RIVERHEAD SEWER DISTRICT TRANSFER	880.
173.092801.482200	WATER DISTRICT TRANSFER	455.
173.092801.482300	SCAVENGER WASTE TRANSFER	1,380.
173.092801.483200	STREET LIGHTING TRANSFER	100.
173.092801.484000	HIGHWAY TRANSFER	5,225.
173.092801.488100	MUNICIPAL GARAGE TRANSFER	470.

		TO:
173.017220.548210	GENERAL FUND EXCESS INSURANCE	\$8,100.
173.017220.548220	HIGHWAY EXCESS INSURANCE	225.
173.017220.548230	WATER EXCESS INSURANCE	455.
173.017220.548240	RIVERHEAD SEWER EXCESS INSURANCE	880.
173.017220.548260	ST. LIGHTING EXCESS INSURANCE	100.
173.017220.548280	SCAVENGER WASTE EXCESS INSURANCE	1,380.
173.017220.548290	MUNICIPAL GARAGE EXCESS INSURANCE	470.
173.019300.548220	HIGHWAY JUDGEMENT & CLAIMS	5,000.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

Adopted

MARCH 5, 2002

TOWN OF RIVERHEAD

Resolution # 215

2002 HIGHWAY TRUCKS

CAPITAL PROJECT

BUDGET ADOPTION

COUNCILMAN DENSIESKI offered the following resolution ,
which was seconded by COUNCILWOMAN BLASS

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

406.095710.494200.40098	SERIAL BOND PROCEEDS	FROM:	\$600,000.
406.051300.524000.40098	EQUIPMENT	TO:	\$600,000.

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Luli Yes No
 Kozakiewicz Yes No

Adopted

TOWN OF RIVERHEAD

Resolution # 216

COMMUNITY DEVELOPMENT AGENCY - CALVERTON

BUDGET ADJUSTMENT

COUNCILWOMAN BLASS

_____ offered the following resolution ,

which was seconded by **COUNCILWOMAN SANDERS**

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

914.00000.390599	APPROPRIATED FUND BALANCE	FROM: \$5,550.
------------------	---------------------------	-------------------

914.069800.543301	LITIGATION, APPRAISAL & RECORDINGS	TO: \$1,300.
914.069800.547100	PROPERTY TAXES	4,250.

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

Adopted

MARCH 5, 2002

TOWN OF RIVERHEAD

Resolution # 217

LANDFILL CAPPING & CLOSURE

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILWOMAN SANDERS 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 adjustment:

Table with columns for account numbers, descriptions (INVESTMENT EARNINGS, LANDFILL REVENUE SHARING, ENGINEERING EXPENSES), and amounts (\$38,000, \$22,000, \$60,000).

THE VOTE

Voting record for Sanders, Blass, Densieski, Lull, and Kozakiewicz, each with Yes/No checkboxes.

Adopted

MARCH 5, 2002

TOWN OF RIVERHEAD

Resolution # 218

REEVES GOLF

WATER EXTENSION

BUDGET ADOPTION

COUNCILMAN DENSIESKI offered the following resolution ,
which was seconded by COUNCILWOMAN BLASS

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

406.092705.421050.60075	DEVELOPER FEES	FROM:	
		\$4,000.	
406.083200.543501.60075	ENGINEERING EXPENSE	TO:	4,000.

THE VOTE

Sanders <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Blass <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Densieski <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Lull <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kozakiewicz <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

MARCH 5, 2002

Adopted⁴⁰¹

TOWN OF RIVERHEAD

Resolution # 219

SOUNDVIEW MEADOWS WATER EXT.

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILWOMAN BLASS offered the following resolution ,
which was seconded by COUNCILMAN LULL

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

406.092705.421050.60068	DEVELOPER FEES	FROM: \$289,000.
406.083200.523002.60068	CONSTRUCTION OF MAINS	TO: \$229,000.
406.083200.543501.60068	ENGINEERING EXPENSE	34,000.
406.083200.543315.60068	LEGAL EXPENSE	10,000.
406.083200.547900.60068	CONTINGENCY	16,000.

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

MARCH 5, 2002

402

Adopted

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 220

COUNCILMAN LULL

_____ 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 adjustment:

FROM:

001.014200.542614 TOWN ATTORNEY, FOIL EXPENSE \$575.

TO:

001.014200.524380 TOWN ATTORNEY, EQUIPMENT \$575.

FROM:

001.014400.511500 TOWN ENGINEER, PERSONEL SERVICES \$610.

001.014400.542100 TOWN ENGINEER, MISC. OFFICE EXPENSE 250.

TO:

001.014400.524000 TOWN ENGINEER, EQUIPMENT \$860.

FROM:

001.00000.390599 APPROPRIATED FUND BALANCE \$19,000

TO:

001.016230.523020 POLICE, COURT COMPLEX OPERATIONS
FENCE IMPROVEMENT \$19,000.

FROM:

001.031200.524900 POLICE, MISC. EQUIPMENT \$100.

TO:

001.031200.549000 POLICE, MISC. EXPENSE \$100.

001.080900.542100	CAC, OFFICE EXPENSE	FROM:	\$50.
001.080900.524000	CAC, EQUIPMENT	TO:	\$50.
001.000000.390599	APPROPRIATED FUND BALANCE	FROM:	\$9,000.
001.081600.545300	LANDFILL LAND LEASE	TO:	\$9,000.
001.080250.547600	SEED CLAM PROGRAM, SEED CLAMS	FROM:	\$500.
001.080250.540000	SEED CLAM, CONTRACTUAL EXPENSE	TO:	\$500.
001.000000.390599	APPROPRIATED FUND BALANCE	FROM:	\$3,000.
001.050100.541150.	TRANS. ADM., BUILDING MAINT.	TO:	\$3,000.

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

MARCH 5, 2002

Adopted

TOWN OF RIVERHEAD

Resolution # 221

Y2K RECREATION CAPITAL IMPROVEMENT PROJECT

BUDGET ADJUSTMENT

COUNCILWOMAN BLASS offered the following resolution,
which was seconded by COUNCILWOMAN SANDERS

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

406.095031.481900.70046	PARK & RECREATION FEES	FROM: \$1,820.
406.071100.524914.70046	TOWN PARK EQUIPMENT @ MILLBROOK GABLES	TO: \$1,820.

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

MARCH 5, 2002

Adopted⁴⁰⁵

TOWN OF RIVERHEAD

Resolution # 222

PECONIC RIVER BABIES LAND ACQUISITION

BUDGET ADOPTION

COUNCILWOMAN SANDERS

_____ offered the following resolution ,

which was seconded by _____
COUNCILWOMAN CLASS

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

406.019400.494200.42014	SERIAL BOND PROCEEDS	FROM:
		\$140,000.
		TO:
406.019400.521000.42014	LAND ACQUISITION	\$137,000.
406.019400.543000.42014	PROFESSIONAL SERVICES	3,000.

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

Adopted

3/5/02

TOWN OF RIVERHEAD

Resolution # 223

**SUPPORTS THE CONSERVATION EASEMENT ON PROPERTY
OWNED BY ELIZABETH SCHAFFNER
PROTECTING OPEN SPACE
IN THE TOWN OF RIVERHEAD**

COUNCILWOMAN SANDERS

_____ offered the following resolution, was seconded by

COUNCILWOMAN BLASS

WHEREAS, it is the policy of the Town of Riverhead to conserve its open space and scenic vistas; and

WHEREAS, the Riverhead Town's Comprehensive Plan and land use regulations clearly define, delineate and implement its policy of conserving its prime agricultural soils, open space and scenic vistas, specifically by the adoption of:

Section 44 of the Code of the Town of Riverhead known as Agricultural Lands Preservation, for the purpose of protecting preserving, and maintaining the Town's agricultural viability which constitutes important physical, social, aesthetic, recreational and economic assets to existing and future residents of the Town for the protection and well-being of its citizens; and

WHEREAS, Elizabeth Schaffner is the owner of land comprising 29.8-acres, situate Riverhead, New York, further identified as p/o Suffolk County Tax Map Parcels #0600-066.00-04.00-001.003; and

WHEREAS, the subject property located in the New York State Agricultural District #7 and

WHEREAS, the subject Property is contiguous to other protected land; and

WHEREAS, despite the efforts of the Town of Riverhead and other levels of government, open space, woodland, and agricultural land continue to be threatened because of heavy development pressures; and

WHEREAS, the Town Board wishes to encourage other methods of open space and farmland preservation including the voluntary granting of conservation easements by private landowners to the Town or private conservation organizations; and

WHEREAS, Elizabeth Schaffner has granted a Conservation Easement to the Peconic Land Trust, Incorporated on December 26, 2001 and recorded on December 28, 2001 in Liber 12160 page 504 to protect the open space, agricultural land, and scenic vistas on the subject property; and

WHEREAS, the Deed of Conservation Easement restricts the development of the property to no more than four (4) single-family residences and appurtenant structures.

NOW THEREFORE BE IT RESOLVED, that the Town Board finds that the Conservation Easement conveyed by Elizabeth Schaffner to the Peconic Land Trust, Inc. on December 26, 2001 is consistent with the Town's clearly delineated public policy of preserving woodland and reducing density, preserving open space agricultural land, and scenic vistas, and that said conveyance will yield a significant public benefit; and be it further

RESOLVED, that the Town Clerk forward a copy of this resolution to the Grantors at the addresses set forth in the deed; the Farmland Select Committee; the Office of the Town Attorney; the Assessor's Office and Peconic Land Trust, Inc., P.O. Box 1776, Southampton, New York, 11969.

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blasa	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densleki	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lisi	<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

3/5/02

Adopted

TOWN OF RIVERHEAD

Resolution # 224

**SUPPORTS THE CONSERVATION EASEMENT ON PROPERTY
OWNED BY RICHARD N. REEVE AND V. AVIS REEVE
PROTECTING OPEN SPACE
IN THE TOWN OF RIVERHEAD**

Councilwoman Blass offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

WHEREAS, it is the policy of the Town of Riverhead to conserve its open space and scenic vistas; and

WHEREAS, the Riverhead Town's Comprehensive Plan and land use regulations clearly define, delineate and implement its policy of conserving its prime agricultural soils, open space and scenic vistas, specifically by the adoption of:

Chapter 12 of the Town of Riverhead code, Coastal Erosion Hazard Areas, for the purpose of establishing the preservation of important natural protective features such as bluffs, dunes, and vegetation bordering Long Island Sound; and

WHEREAS, Richard N. Reeve & V. Avis Reeve are the owners of a parcel of land comprising 27.037 acres, situate Riverhead, New York, further identified as p/o Suffolk County Tax Map Parcel #0600-18.00-01.00-007.0000; and

WHEREAS, the subject property located in the New York State Agricultural District #7; and

WHEREAS, the property has 860.69 feet of beach front on Long Island Sound, offering protection of the scenic vistas and wildlife habitats of the shoreline, bluffs, and woodland beyond; and

WHEREAS, despite the efforts of the Town of Riverhead and other levels of government, woodland and shoreline along Long Island Sound continue to be threatened because of heavy development pressures; and

WHEREAS, the Town Board wishes to encourage other methods of open space and farmland preservation including the voluntary granting of conservation easements by private landowners to the Town or private conservation organizations; and

WHEREAS, Richard N. Reeve & V. Avis Reeve have conveyed a Deed of Conservation Easement on their property described above to the Peconic Land Trust, Inc. by deed dated August 6, 1999, recorded in the office of the Suffolk County Clerk on August 25, 1999 in Liber 11985 page 174 to protect the open space and scenic vistas on the subject property; and

WHEREAS, the Deed of Conservation Easement reduces the development of the property from a potential of four (4) units, to no more than two (2); with one of the units being a PECONIC LAND TRUST caretaker's cottage for the purpose of an onsite stewardship and maintenance presence.

NOW THEREFORE BE IT RESOLVED, that the Town Board finds that the Conservation Easement conveyed by Richard N. Reeve & V. Avis Reeve to the Peconic Land Trust, Inc. on August 6, 1999 is consistent with the Town's clearly delineated public policy of preserving woodland and shoreline, reducing density, preserving open space and scenic vistas, and that said conveyance will yield a significant public benefit; and be it further

RESOLVED, that the Town Clerk forward a copy of this resolution to the Grantors at the addresses set forth in the deed; the Farmland Select Committee; the Office of the Town Attorney; the Assessor's Office and Peconic Land Trust, Inc., P.O. Box 1776, Southampton, New York, 11969.

THE VOTE

Sanders Yes No Blase Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

Adopted

3/5/02

TOWN OF RIVERHEAD

Resolution # 225

**SUPPORTS THE CONSERVATION EASEMENT ON PROPERTY
OWNED BY RICHARD WINES AND NANCY GILBERT
PROTECTING OPEN SPACE
IN THE TOWN OF RIVERHEAD**

Councilwoman Blass offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

WHEREAS, it is the policy of the Town of Riverhead to conserve its open space and scenic vistas; and

WHEREAS, the Riverhead Town's Comprehensive Plan and land use regulations clearly define, delineate and implement its policy of conserving its prime agricultural soils, open space and scenic vistas, specifically by the adoption of:

Section 107 of the Code of the Town of Riverhead known as Wetlands, Floodplains, Drainage, for the purpose of protecting, preserving, and maintaining the Town's coastal regions in an undisturbed and natural condition, which constitutes important physical, social, aesthetic, recreational and economic assets to existing and future residents of the Town for the protection and well-being of its citizens; and

Section 44 of the Code of the Town of Riverhead known as Agricultural Lands Preservation, for the purpose of protecting preserving, and maintaining the Town's agricultural viability which constitutes important physical, social, aesthetic, recreational and economic assets to existing and future residents of the Town for the protection and well-being of its citizens; and

WHEREAS, Richard Wines and Nancy Gilbert are the owners of land comprising 14.8 acres, situate Riverhead, New York, further identified as p/o Suffolk County Tax Map Parcels #0600-089.00-02.00-057.004, 57.6, and 57.8; and

WHEREAS, the subject property located in the New York State Agricultural District #7 and

WHEREAS, the property has approximately 229 feet of beach front on Great Peconic Bay, offering protection of the scenic vistas and wildlife habitats of the shoreline, wetlands, and woodland beyond; and

WHEREAS, despite the efforts of the Town of Riverhead and other levels of government, open space, wetlands, woodland, and agricultural land continue to be threatened because of heavy development pressures; and

WHEREAS, the Town Board wishes to encourage other methods of open space and farmland preservation including the voluntary granting of conservation easements by private landowners to the Town or private conservation organizations; and

WHEREAS, Richard A. Wines and Nancy Gilbert have conveyed a Deed of Conservation Easement on their property described above to the Peconic Land Trust, Inc. by deed dated December 19th, 2001, recorded in the office of the Suffolk County Clerk on December 21, 2001 in Liber 12159 page 623 to protect the open space, agricultural land, wetlands, and scenic vistas on the subject property; and

WHEREAS, the Deed of Conservation Easement reduces the development of the property from a potential of twenty (20) units, to no more than one (1) single-family residence and appurtenant structures.

NOW THEREFORE BE IT RESOLVED, that the Town Board finds that the Conservation Easement conveyed by Richard A. Wines and Nancy Gilbert to the Peconic Land Trust, Inc. on December 19th, 2001 is consistent with the Town's clearly delineated public policy of preserving woodland and shoreline, reducing density, preserving open space agricultural land, and scenic vistas, and that said conveyance will yield a significant public benefit; and be it further

RESOLVED, that the Town Clerk forward a copy of this resolution to the Grantors at the addresses set forth in the deed; the Farmland Select Committee; the Office of the Town Attorney; the Assessor's Office and Peconic Land Trust, Inc., P.O. Box 1776, Southampton, New York, 11969.

THE VOTE

Sanders Yes No Blas Yes No
 Densleakl Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS NOT
 THEREUPON BEING ADOPTED

TOWN OF RIVERHEAD

Adopted

Resolution # 226

ACCEPTS PERFORMANCE BONDS OF KEYSpan CORPORATION SERVICES, LLC

COUNCILMAN DENSIESKI offered the following resolution,
which was seconded by COUNCILWOMAN SANDERS

WHEREAS, Keyspan Corporation Services, LLC has posted a Performance Bond in the sum of Eleven Thousand Dollars (\$11,000) representing the 5% site plan bond for gas service utility structure and fueling island at Keyspan Operations Center, Doctors Path, Riverhead, New York, Suffolk County Tax Map # 600-084.00-03-040.01 pursuant to Section 108-133 (1) of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% performance bond in the sum of Eleven Thousand Dollars (\$11,000) issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Ronald J. Gulmi, P.E., Keyspan Gas Engineering Department, 175 Old Country Road, Hicksville, New York 11801, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

3/5/02

Adopted

TOWN OF RIVERHEAD

Resolution # 227

SETS REGISTRATION FEES FOR THE RIVERHEAD RECREATION DEPARTMENT

COUNCILWOMAN SANDERS

_____ offered the following resolution,

which was seconded by _____

COUNCILMAN LULL

RESOLVED, that the Town Board sets the Registration Policy and fees for the 2002 Spring/ Summer Recreation Department Program Brochure.

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

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS WAS NOT
THEREFORE ADOPTED

3/5/02

Adopted

TOWN OF RIVERHEAD

Resolution # 228

SETS SALARIES FOR SUMMER PERSONNEL FOR 2002 FOR THE RIVERHAD RECREATION DEPARTMENT

COUNCILMAN DENSIESKI offered
the following resolution, which was seconded
by COUNCILWOMAN SANDERS

RESOLVED, that Town Board sets salaries for summer personnel
2002 for the Recreation Department.

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

THE VOTE
Sanders ✓ Yes ___ No Blass ✓ Yes ___ No
Densieski ✓ Yes ___ No Lull ✓ Yes ___ No
Kozakiewicz ✓ Yes ___ No
THE RESOLUTION WAS WAS NOT ___
THEREUPON BEING ADOPTED



Recreation Department
200 Howell Avenue
Riverhead, NY 11901
(516) 727-5744

PROPOSED SUMMER PERSONNEL SALARIES- 2002

	<u>Lifeguard</u>	<u>WSI</u>	<u>Rec. Aide</u>	<u>Bch. Attn</u>	<u>Park Attn I</u>	<u>Park Attn II</u>	<u>Score Keeper</u>
Lev. I	\$9.00	9.50	7.50	7.00	7.00	9.00	6.50
Lev. II	9.50	10.00	8.00	7.50	7.50		
Lev. III	10.00	10.50	8.50	8.00	8.00		
Lev IV	10.50	11.00	9.00	8.50	8.50		
Lev V	11.00	11.50	9.50	9.00	9.00		
Lev. VI	11.50	12.00	9.75				
Lev. VII	12.00	12.50	10.00				

Summer Rec. Program Leader- \$11.00 with .50 increase to max out at \$14.00

Waterfront Coordinator- \$12.00 with .50 increase to max out at \$14.00

Tennis Seasonal Instructor- \$15.00 (part-time)

***NOTE:** The above salaries are listed on a per hour basis. Experience may influence starting level. Level raise depends upon job performance.

3/5/02

Adopted

TOWN OF RIVERHEAD

Resolution # 229

APPOINTS A PARK ATTENDANT I TO THE RIVERHAD RECREATION DEPARTMENT

COUNCILWOMAN SANDERS

offered

the following resolution, which was seconded
by **COUNCILMAN LULL**

RESOLVED, that William Sumperl is hereby appointed to serve as a Park Attendant I, effective March 5, 2002 to and including December 31, 2002 to be paid at the rate of \$8.00 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):

All applications are appropriate forms to be completed (in the Office of Accounting) **PRIOR** to start date.

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

THE VOTE

Sanders Yes No Blass Yes No
 Densleski Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

03/05/02

Adopted

TOWN OF RIVERHEAD

Resolution # 230

APPOINTS A PARK ATTENDANT I TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILWOMAN SANDERS

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

BE IT RESOLVED, that Kevin Biglin is hereby appointed to serve as a Park Attendant I, effective March 5, 2002 to and including December 31, 2002 to be paid at the rate of \$7.50 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):

All applications are appropriate forms to be completed (in the Office of Accounting) **PRIOR** to start date.

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

Sanders ✓ Yes ___ No Blass ✓ Yes ___ No

Densieski ✓ Yes ___ No Lull ✓ Yes ___ No

Kozakiewicz ✓ Yes ___ No

THE RESOLUTION WAS ~~X~~ WAS NOT

THEREUPON DULY ADOPTED

Adopted

Date March 5, 2002

TOWN OF RIVERHEAD

Resolution # 231

**Re-appoints Members To Town of Riverhead/Suffolk County Empire Zone
Administrative Board**

Councilwoman Sanders offered the following
resolution, which was seconded by **Councilwoman Blass**

WHEREAS, the Town of Riverhead, by Resolution Number 805-1997, authorized submission of an application to the State of New York Empire State Development Corporation for designation of the Calverton Enterprise Park as an Economic Development Zone (EDZ); and

WHEREAS, on June 3, 1998, Governor George Pataki did announce the designation of new zones to include the Calverton Enterprise Park in the Town of Riverhead, Suffolk County; and

WHEREAS, the implementation of Economic Development Zones requires certain actions by the municipality including the establishment of a Zone Administrative Board to be responsible for the operation of the zone and its programs; and

WHEREAS, the Zone Administrative Board must include a representative of local businesses, organized labor, community organizations, financial institutions, local education institutions and residents, as well as the Town Supervisor, an active member of the Riverhead Development Corporation, Community Development Agency (CDA) Director and local utility representative; and

WHEREAS, members of the Empire Zone Administrative Board must be appointed as their terms expire, and, in January, 2002 the terms for representatives for local businesses and community organizations has expired; and

WHEREAS, it is the desire of the Town Board of the Town of Riverhead to appoint Lori Taggert to represent Suffolk County Executive Robert Gaffney

and as chair of the Empire Zone Administrative Board, Jack Kennedy of the Long Island Building and Construction Trades Council.

WHEREAS, the Town Board of the Town of Riverhead has also been notified by the Riverhead Development Corporation that it has designated RDC Member Mark Miller to replace Harvey Hellering.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby re-appointed Lori Taggert, Jack Kennedy and Mark Miller as members of the Empire Zone Administrative Board; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Lori Taggert at the Office of Suffolk County Executive Robert Gaffney, and Jack Kennedy, care of Long Island Building and Construction Trades Council; Mark Miller, care of Miller Environmental (Edwards Avenue in Calverton); Riverhead Community Development Agency; Riverhead Industrial Development Agency; the Town Attorney's Office and the Accounting Office of Personnel.

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

The Resolution Was Was Not
 Thereupon Duly Declared Adopted

3/5/02

Adopted

TOWN OF RIVERHEAD

Resolution # 232

APPOINTS A PART-TIME RECREATION AIDE
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILWOMAN SANDERS

_____ offered the following resolution,

which was seconded by **COUNCILMAN LULL**

RESOLVED, that Christine Spero is hereby appointed to serve as a Part-time Recreation Aide effective March 5, 2002, to and including December 31, 2002 and to be paid at the rate of \$7.50 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):

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

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

Sanders ✓ Yes ___ No ___ Blass ✓ Yes ___ No ___
 Densieski ✓ Yes ___ No ___ Lull ✓ Yes ___ No ___
 Kozakiewicz ✓ Yes ___ No ___

THE RESOLUTION WAS ~~X~~ WAS NOT
 THEREUPON DULY ADOPTED

March 5, 2002

Adopted

TOWN OF RIVERHEAD

Resolution # 233

ACCEPTS RESIGNATION OF PUBLIC SAFETY DISPATCHER

COUNCILMAN LULL
seconded by **COUNCILMAN DENSIESKI** offered the following resolution, which was

WHEREAS, Chief of Police Joseph Grattan has received a letter of resignation submitted by Public Safety Dispatcher Robert L. Miller, effective March 8, 2002.

NOW, THEREFORE, BE IT RESOLVED that the letter of resignation submitted by Robert L. Miller is accepted.

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

THE VOTE

Sanders Yes ___ No ___ Blass Yes ___ No ___
 Densieski Yes ___ No ___ Lull Yes ___ No ___
 Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
 THEREUPON DULY ADOPTED

Adopted

3/5/02

Resolution # 234

AUTHORIZES THE SUPERVISOR TO EXECUTE A LEASE AGREEMENT WITH THE RIVERHEAD FIRE DISTRICT FOR PROPERTY LOCATED ON OSTRANDER AVE., RIVERHEAD, NEW YORK

COUNCILMAN LULL offered the following resolution, was seconded by **COUNCILWOMAN SANDERS**:

WHEREAS, it is in the interest of the Town to improve, promote and encourage use along the Peconic River waterfront located in the downtown Riverhead area; and

WHEREAS, it is in the interest of the Town to generally encourage and promote tourism and the public's safe use and enjoyment of the Town's natural resources and the Peconic River Waterfront; and

WHEREAS, the Riverhead Fire District is the owner of a certain premises located on Ostrander Ave. having a tax lot designation of 600-127-2-29; and

WHEREAS, The Town desires to lease said premises from the Riverhead Fire District for use as a parking lot to be available to the residents of, and visitors to, the Town of Riverhead, said lease to continue in full force and effect through December 31, 2002;

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute a lease agreement between the Town of Riverhead and the Riverhead Fire District for property located at Ostrander Ave.; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Office of the Supervisor, the Office of the Town Attorney and Jack Hansen, Financial Administrator.

THE VOTE

Sanders Yes No Blass Yes No
Densleski Yes No Lull Yes No
Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

MARCH 5, 2002

TOWN OF RIVERHEAD

Adopted

235

INCREASE CHARGE FOR DISHONORED CHECKS

COUNCILMAN DENSIESKI offered the following resolution,
which was seconded by COUNCILWOMAN BLASS

WHEREAS, Chapter 474 of General Municipal Law has been amended to broaden the definition of dishonored checks and what charge can be imposed and the amendment became effective January 1, 2002; and

WHEREAS, the Town previously authorized the imposition of a \$15.00 charge for checks returned for insufficient funds; and

NOW THEREFORE BE IT RESOLVED, that the Town will impose a charge of twenty dollars (\$20.00) to be added to any account owing the Town of Riverhead where a tendered payment of such account was dishonored or unpaid by a bank or depository institution and will be effective March 6, 2002.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

Adopted

3/5/02

Town of Riverhead

Resolution # 236

Authorizes Supervisor to Execute Agreement with Citibank and Suffolk County for the Consortium HIP Program

COUNCILWOMAN BLASS

_____ offered the following resolution,

which was seconded by **COUNCILMAN LULL** _____:

WHEREAS, the Town of Riverhead has an ongoing home improvement program, funded in part with CDBG funds from the U.S. Department of Housing and Urban Development; and

WHEREAS, Suffolk County has established a lump sum drawdown account at Citibank for the drawdown and disposition of funds for loans at below current market interest rates and to be used as allocated to guarantee home improvement loans made at below interest market rates to eligible borrowers; and

WHEREAS, the HUD funds deposited in this account shall earn interest for use by the town.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to execute the attached contract between the Town of Riverhead, Citibank, N.A., and the County of Suffolk.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Director Andrea Lohneiss, Financial Administrator Jack Hansen and Suffolk County Community Development Director Joe Sanseverino.

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT _____
THEREUPON DULY ADOPTED

CONSORTIUM HOME IMPROVEMENT PROGRAM
AGREEMENT

THIS AGREEMENT (the "AGREEMENT") is between the COUNTY OF SUFFOLK ("COUNTY"), a municipal corporation of the State of New York, having its principal office at the County Center, Riverhead, New York 11901, acting through its duly constituted OFFICE OF COMMUNITY DEVELOPMENT, located at 100 Veterans Memorial Highway, P.O. Box 6100, Hauppauge, N.Y. 11788; and

CTTBANK, N.A. ("BANK"), a state chartered banking corporation, having an office at 1 Court Square, 37th floor, Zone 3, Long Island City, NY 11120, and

The TOWN OF RIVERHEAD ("MUNICIPALITY" and/or "Participating Municipality").

The parties hereto desire to make available U.S. Department of Housing and Urban Development (HUD) Block Grant funds for a loan pool to provide home improvement loans to income eligible families, such loans shall be at below current market interest rates.

TERMS OF AGREEMENT: Shall be December 1, 2000 to November 30, 2002.

TERMS AND CONDITIONS: Shall be as set forth in Exhibits A through D attached.

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT as of the latest date written below.

CTTBANK, N.A.

COUNTY OF SUFFOLK

BY: _____
Sandra A. Reilly
National Director of
Community Lending

BY: _____
Eric A. Kopp
Chief Deputy County Executive

TOWN OF RIVERHEAD

BY: _____
Robert Kozakiewicz
Supervisor

APPROVED:
OFFICE OF COMMUNITY
DEVELOPMENT

BY: Barbara Mack
Barbara Mack
Assistant Director

DATE: 1/28/02

APPROVED AS TO FORM
NOT REVIEWED AS TO EXECUTION

Robert J. Cimino
County Attorney

BY: Marisa G. Marletti
Marisa G. Marletti
Assistant County Attorney

DATE: 1/15/02

General Terms and Conditions

WHEREAS, the Secretary of the U.S. Department of Housing and Urban Development is authorized, under Title I of the Housing and Community Development Act of 1974, as amended, to make grants to states and other units of general local government to help finance Community Development Programs; and

WHEREAS, the COUNTY, as the recipient of Community Development Block Grant funds under Title I of the Housing and Development Act of 1974, as amended, for the Suffolk County Community Development Consortium, pursuant to Resolution Number 282-2000, is desirous of establishing for participating municipalities a loan pool to provide home improvement loans to income eligible families, who are creditworthy and a loan pool to guarantee home improvement loans, at below current market interest rates; and

WHEREAS, the BANK agrees to participate in said loan program by making loans at a reduced rate of interest to eligible homeowners of residential properties located within the MUNICIPALITY,

NOW, THEREFORE, in consideration of the premises and the mutual covenants and conditions herein contained, the parties hereto agree as follows:

1. The COUNTY and the MUNICIPALITY shall place on deposit with the BANK, within ten business days of the final execution of this contract, the sum of \$ 881, 000 in an interest bearing Money Market account (hereinafter referred to as the Rehabilitation Account) as described in Exhibit B. At no time during the term of this AGREEMENT shall the interest rate on each Rehabilitation Account be less than three points below the rate on a one year treasury obligation at constant maturity, as referenced in the Federal Reserve Statistical Release H.15 (519) published weekly.
2. The COUNTY and the MUNICIPALITY shall have the use of the funds on deposit in the Rehabilitation Account to make grants, interest subsidies, loan guarantees and payment of allowable program costs associated with the implementation of rehabilitation activities for which the MUNICIPALITY has placed funds on deposit. The BANK shall place no restrictions on the funds in the Rehabilitation Account, except as otherwise specified in the BANK's internal guidelines pertaining to money market accounts provided to other customers and applicable law.
3. In consideration for the maintenance of the Rehabilitation Accounts, the BANK agrees to make available loans up to an aggregate amount of \$300,000 for loans at a fixed interest rate of 8% per annum for creditworthy individuals homeowners who are approved by the COUNTY and considered creditworthy by the BANK ("the Creditworthy Loans") and to make available Guaranteed Loans in an aggregate amount of up to \$200,000, at a fixed interest rate of 6% per annum to individual homeowners who are approved and designated by the COUNTY but who do not meet the BANK's credit criteria ("the Guaranteed Loans").

4. CREDITWORTHY LOANS:

- a. The COUNTY shall forward to the BANK a completed loan application and any related forms and documents requested by the BANK which will enable the BANK to make a credit decision. When the decision is made, the BANK will notify the COUNTY through a loan disposition sheet. The BANK agrees to process the loan application in a timely manner, if the loan application is approved. The BANK agrees to provide funding for the approved loan in a reasonably timely manner.
- b. Upon loan approval, the BANK will send an Installment Loan Note and Security Agreement ("NOTE") to the COUNTY for execution by the Borrower(s). The COUNTY shall hold the Note pending receipt of a certification by the

Community Development Building Inspector evidencing completion of the improvement project and adherence to local building laws.

- c. Upon BANK's receipt of the executed Note and instructions from COUNTY, the BANK shall disburse the proceeds of the Creditworthy Loan by issuing checks made payable to the contractor or any other person or entity as may be designated in writing by the COUNTY for each approved Loan. The BANK shall send the check to the COUNTY for distribution to the contractor.
- d. The BANK shall collect Creditworthy Loan repayments in accordance with its normal operating policies and procedures.
- e. Loan terms shall be for 60 months. Minimum and maximum dollar amounts for each Creditworthy Loan shall be \$1,500 - \$25,000. The determination of loan terms and amounts shall be at the Bank's sole discretion.

5. GUARANTEED LOANS:

- a. The COUNTY shall place with the BANK, at the time of disbursement of the Guaranteed Loan, a sum of money equal to fifty percent of the aggregate net principal unpaid balance of each Guaranteed Loan (hereinafter referred to as "Collateral"), for the life of the loan, which sums shall be used to secure half of said Guaranteed Loan.
- b. The COUNTY and the MUNICIPALITY shall establish all requirements which must be met by all Borrowers in order to be eligible for Guaranteed Loans. The COUNTY shall designate approved homeowners by sending to the BANK a completed loan application, any related documentation, and a completed form of the BANK's Installment Loan Note and Security AGREEMENT.
- c. The BANK agrees to accept any Guaranteed Loan approved and designated by the COUNTY. The BANK shall process all loans in a timely fashion. The BANK shall only have the right to decline Guaranteed Loans in cases in which the applicant may have a prior derogatory record with the BANK by reason of fraud, litigation, bankruptcy within the past seven years and there has not been a reestablishment of credit, or there is an unsatisfied default.
- d. The COUNTY and the MUNICIPALITY shall have the option of requiring the Borrower to execute a mortgage on the property that is the subject of the Guaranteed Loan for fifty percent of the loan principal.
- e. The BANK shall have the option of requiring the Borrower to execute a mortgage for fifty percent of the original loan principal. The COUNTY and MUNICIPALITY agree to expressly subordinate its mortgage lien to lien of the BANK if the BANK elects to exercise its option to file a mortgage.
- f. The BANK shall keep the COUNTY informed according to legal notifications as to the status of any delinquent Guaranteed Loans. The BANK shall follow its normal collection efforts until a loan is 90 days delinquent. After a 90 day delinquency, the Suffolk County Community Development Office and/or the MUNICIPALITY will assume counseling efforts. After a loan is 120 days delinquent, the BANK may debit the respective collateral funds for fifty percent of the outstanding principal loan balance.

6. CREDIT LIFE INSURANCE:

The BANK shall offer credit life insurance to each eligible Borrower. However, credit life insurance shall not be required and a borrower's refusal to obtain credit life insurance shall have no influence on the credit decision on the application. If the Borrower elects the credit life insurance, the BANK shall arrange for coverage at the Borrower's expense.

7. REVOLVING ACCOUNTS:

- (a) The BANK agrees to establish and maintain Money Market Accounts for the MUNICIPALITY (hereafter referred to as the "Revolving Account"). Such Revolving Accounts shall be established for the deposit of program income. The BANK agrees to accept additional deposits of program income in the Revolving Account.
- (b) The BANK will place no restrictions on funds in the Revolving Accounts which shall be used to make grants, subsidize the interest rates on loans, guarantee future loans and other matters in connection with this Community Development Housing Rehabilitation Program, provided, however, that the accounts shall be subject to the Rules and Regulations relating to similar accounts. Funds from the Collateral Account which are no longer encumbered because of the full repayment of Guaranteed Loans shall be returned to the Revolving Accounts.

8. ADDITIONAL FUNDS:

The BANK agrees, if requested by the COUNTY, to accept additional funds (in excess of the amount set forth in Exhibit B, entitled "Suffolk County Participating Consortium Member Funds).

9. ADDITIONAL MUNICIPALITIES:

The COUNTY and the BANK agree that any additional municipality in the consortium which establishes a rehabilitation program or any municipality in Suffolk County that joins the consortium while this AGREEMENT is in effect, shall be eligible to execute an AGREEMENT with similar terms and conditions as set forth herein.

10. The COUNTY shall initiate and the BANK agrees to permit the use of rehabilitation funds within 45 days of the deposit.

11. The BANK shall supply the COUNTY with monthly statements showing account activity and closing balances as of the end of each month for the Rehabilitation Accounts and the Revolving Accounts. The BANK shall provide the COUNTY on a quarterly basis the number and dollar amounts of each loan approved during the quarter by the MUNICIPALITY and a statement indicating the total dollar amount required as collateral to cover the unpaid loan balance of Guaranteed Loans.

12. The BANK shall maintain full and complete books and records for all accounts established pursuant to this AGREEMENT, in accordance with its generally accepted accounting practices. Such books and records pertaining to this program shall be retained for a period of five (5) years from the termination of this AGREEMENT and shall, upon reasonable notice, and at reasonable times, be available for audit and inspection by the County Comptroller or his duly-designated representative or a duly-designated member of the Suffolk County Community Development staff.

13. The COUNTY and the BANK understand that at the termination of the AGREEMENT all unobligated funds in the Collateral, Rehabilitation and Revolving Accounts not expended or disbursed or owed to the BANK shall be transferred and directed to the COUNTY's Fund 352.

14. Termination of this AGREEMENT shall not affect loans made prior to termination.

15. NOT IN ARREARS OR DEFAULT:

The BANK warrants that it is not in arrears to the COUNTY or the MUNICIPALITY upon debt or contract and is not in default as surety, contractor or otherwise on any obligation to the COUNTY or the MUNICIPALITY.

16. NO AGENCY OR PARTNERSHIP:

Nothing in this AGREEMENT shall be construed to express or imply that the COUNTY or any of its employees, agents, representatives or subcontractors are the employees, agents, representatives or subcontractors of the BANK or that the BANK or any of its employees, agents, representatives or subcontractors are the employees, agents, representatives or subcontractors of the COUNTY. Each of the parties to this AGREEMENT shall be an independent contractor and shall have responsibility for and control over the means of performance under this AGREEMENT and compliance with all federal, state and local laws, rules and regulations applicable to the parties' respective obligations under this AGREEMENT.

17. NO ASSIGNMENT:

The BANK shall not assign, transfer, convey or otherwise dispose of this AGREEMENT without the prior written consent of the COUNTY.

18. INDEMNIFICATION:

The BANK shall indemnify and hold harmless the COUNTY, its consultants (if any), employees, agents and other persons from and against all claims, costs, judgments, liens, encumbrances and expenses, including attorneys' fees, arising out of the acts or omissions or negligence of the BANK, its agents, employees or subcontractors in connection with the services described or referred to in this AGREEMENT.

19. The COUNTY acknowledges that the BANK is subject to various federal, state and local laws, rules and regulations (the "Laws and Regulations") and the COUNTY agrees that these Laws and Regulations will take precedence over any requirements set forth in the AGREEMENT. To the extent any provision of this AGREEMENT is deemed by the BANK to violate or conflict with the Laws and Regulations, the AGREEMENT shall be modified so as to avoid such violation or conflict.

20. SEVERABILITY:

It is expressly agreed that if any term or provision of this AGREEMENT, or the application thereof to any person or circumstances, shall be held invalid or unenforceable to any extent, the remainder of this AGREEMENT shall not be affected thereby, and every other term and provision of this AGREEMENT shall be valid and shall be enforced to the fullest extent permitted by law.

21. NO MODIFICATION/ENTIRE AGREEMENT:

It is expressly agreed that this instrument represents the entire AGREEMENT of the parties and that all previous understandings are merged in this AGREEMENT, and that no modifications hereof shall be valid unless written evidence thereof shall be executed by the parties thereof shall be executed by the parties hereto.

22. This AGREEMENT is subject to the laws of the State of New York and is subject to Federal provisions governing Lump Sum Drawdown AGREEMENTs for property rehabilitation.

23. The parties shall comply with all laws, rules, orders, regulations and requirements of federal, state and local governments relating hereto as if they were set forth herein at length.

24. GRATUITIES:

The BANK represents and warrants that it is not offered or given any gratuity to any official, employee or agent of Suffolk County, New York State, or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement, or the making of any determinations with respect to the performance of this AGREEMENT, and that the signer of this AGREEMENT representing the BANK has read and is familiar with the provisions of Local Law #32/1980, (Chapter 386 of the Suffolk County Code) attached as Exhibit C.

25. COLLATERALIZATION OF DEPOSITS

The BANK expressly represents and warrants its compliance with the provisions of General Municipal Law, Section 10 and Suffolk County Local Law No. 4-1995 attached as Exhibit D.

26. NON-DISCRIMINATION REQUIREMENTS

In accordance with Article 15 of the New York State Executive Law (also known as the Human Rights Law) and all other state and federal statutory and constitutional non-discrimination provisions, the BANK shall not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, age, disability or marital status or Vietnam Era Veteran status.

27. NON-DISCRIMINATION IN SERVICES

During the performance of this AGREEMENT, the BANK will not, on the grounds of race, creed, color, national origin, sex, age, disability, marital status or Vietnam Era Veteran status deny any individual any service(s) or other benefits provided under the program described herein or provide any service(s) or other benefits to an individual which are different, or are provided in a different manner from those provided to others under the program.

28. COUNTERPARTS

This Agreement may be executed in any number of counterparts and each of such counterparts shall for all purposes be deemed to be an original; and all such counterparts shall together constitute but one and the same Agreement.

END OF TEXT

EXHIBIT A

Suffolk County Participating Consortium Member

Funds

Community Development funds to be on deposit with Citibank, N.A. at the time of execution of this Agreement for the Consortium Home Improvement Program shall not be less than the following:

		Funds to be Deposited	
Suffolk County		<u>2,001</u>	- 0 -
			<u>2,002</u>
TOWNS:	Brookhaven	\$550,000.00	
	East Hampton	30,000.00	
	Riverhead	fully spent - 0 -	27,000
	Smithtown	85,000.00	
	Southampton	100,000.00	
	Southold	20,000.00	
VILLAGES:	Village of Lake Grove	\$10,000.00	
	Village of Patchogue	4,000.00	
	Village of Port Jefferson	82,000.00	

END OF TEXT

EXHIBIT B

RESOLUTION NO. 1118-1980, ADOPTING LOCAL LAW NO. 32 YEAR 1980, A LOCAL LAW CONCERNING THE OFFERING, GIVING OR RECEIVING OF A GRATUITY TO OR BY AN OFFICIAL OF A POLITICAL PARTY.

WHEREAS, there was duly presented and introduced to this County Legislature at a regular meeting held on December 9, 1980, a proposed Local Law entitled, "A LOCAL LAW CONCERNING THE OFFERING, GIVEN OR RECEIVING OF A GRATUITY TO OR BY AN OFFICIAL OF A POLITICAL PARTY," and said Local Law in final form is the same as when presented and introduced; now, therefore, be it

RESOLVED, that said Local Law be enacted in form as follows:

LOCAL LAW NO. 32 YEAR 1980, SUFFOLK COUNTY, NEW YORK

LOCAL LAW CONCERNING THE OFFERING, GIVING OR RECEIVING OF A GRATUITY TO OR BY AN OFFICIAL OF A POLITICAL PARTY.

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK AS FOLLOWS:

Section 1. Definitions

(a) As used herein, the word "Agreement" means any written or oral contract, or any implied contract, including, but not limited to, a contract for the sale of goods or services, a construction contract or a lease or contract relating to real or personal property. The term "Agreement" shall also include transaction whereby a person agrees to sell goods or services or both the County pursuant to a successful bid.

(b) As used herein, the word "Gratuity" means any money, benefit, entertainment, gift, or any other consideration whatsoever.

(c) As used herein, the phrase "official of a political party" shall mean a party officer as defined by Section 1-104(5) of the Election Law.

(d) As used herein, the word "person" means any individual, partnership, firm, corporation, or other legal entity, as well as their employees, agents or representatives.

(e) As used herein, the phrase "political party" shall mean a party as defined by Section 1-104(3) of the Election Law.

Section 2. Prohibitions

(a) It shall be a crime for any person to offer or give any gratuity to an official of any political party, with the purpose or intent of securing or obtaining an Agreement with the County of Suffolk, securing favorable treatment with respect to the awarding or amending of such Agreement, or the making of any determination with respect to the performance of an Agreement.

(b) It shall be a crime for an official of a political party to solicit, receive or accept a gratuity in connection with securing or obtaining an Agreement with the County of Suffolk, securing favorable treatment with respect to the awarding or amending of such Agreement, or the making of a determination with respect to the performance of such Agreement.

In all Agreements with the County of Suffolk, made after the effective date of this Law, there shall be a written representation by the person entering the Agreement with the County that he has not offered or given any gratuity to any official, employee or agent of Suffolk County, New York State, or of any political party, with the purpose or intent of securing an Agreement or securing favorable treatment with respect to the awarding or amending of an Agreement, and that such person has read and is familiar with the provisions of this Local Law.

Section 4. Penalties

(a) Criminal. A violation of Section 2 of this Local Law shall be a Class A Misdemeanor and shall be punishable by a sentence of not more than one (1) year in prison or a fine of not more than one thousand dollars, or by such fine and imprisonment.

(b) Civil Remedies. A violation of Section 2 or 3 of this Local Law shall give the County the option, among other civil remedies of either terminating the Agreement or deducting the value of the gratuity from any amount due or to become due from the County thereunder.

Section 5. Exceptions

This Local Law shall not apply to contributions to political parties, committees or candidates as defined by Section 14-100(19) of the Election Law. Such contributions shall be excluded from and shall not be in violation of this Local Law.

Section 6. Separability

If any part of this Local Law shall be declared unconstitutional by any Court, such declaration shall not affect the constitutionality of any other part.

Section 7.

This Law shall take effect immediately.

DATED: December 9, 1980

END OF TEXT

EXHIBIT C

EXHIBIT D

LOCAL LAW NO. 4 YEAR 1995
 CONCERNING ESTABLISHING AN
 INVESTMENT POLICY FOR SUFFOLK COUNTY

Section 1. Legislative Intent

General Municipal Law Section 39 requires the adoption of an investment policy by the County of Suffolk, with approval by the County Legislature. The County Treasurer has proposed an investment policy for the County of Suffolk based upon criteria delineated in a model investment policy, which has been approved by the Office of the State Comptroller.

Section 2. Scope

This investment policy applies to all moneys and other financial resources available for investment by Suffolk County on its own behalf.

Section 3. Objectives

The primary objectives of the local government's investment activities are, in priority order,

- to conform with all applicable federal, state and other legal requirements (legal);
- to adequately safeguard principle (safety);
- to provide sufficient liquidity to meet all operating requirements (liquidity); and
- to obtain a reasonable rate of return (yield).

Section 4. Delegation of Authority

The Suffolk County Legislature's responsibility for administration of the investment program is delegated to the Suffolk County Treasurer as set forth by the County Charter, Article XV, establishing the Department of Finance and Taxation, the head of which shall be the County Treasurer. The Charter provides that the County Treasurer shall receive and have custody of all public funds belonging to or handled by the County. The County shall have a written investment program which shall include procedures for adequate internal control which provide a satisfactory level of accountability based on records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

Section 5. Prudence

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in Suffolk County to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

Section 6. Diversification

It is the policy of Suffolk County to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

Section 7. Internal Controls

It is the policy of Suffolk County for all moneys collected by any officer or employee of Suffolk County to transfer those funds to the Treasurer within ten (10) days after the end of the month, or within the time specified by law, whichever is shorter.

Pursuant to Resolution No. 1054 of 1983 and Resolution No. 15 of 1986, county departments are to deposit all income into interest-bearing accounts. Standard Operating Procedure D-08, dated October 21, 1992, directs departments to prepare and submit monthly SCIN Form 212 to the County Treasurer indicating the balance in each bank account.

The Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

Section 8. Designation of Depositories

The banks and trust companies authorized for the deposit of County monies are designated each year at the organizational meeting of the Suffolk County Legislature, currently Resolution No. 8 dated January 3, 1994, is in effect pursuant to Section 212 of the New York County Law.

Section 9. Collateralizing of Deposits

In accordance with the provisions of General Municipal Law, Section 10, all deposits of Suffolk County, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured by a pledge of "eligible securities" with an aggregate "market value", or provided by General Municipal Law, Section 10, equal to the aggregate amount of deposits from the categories designated in Section 15 of this local law.

Section 10. Safekeeping and Collateralization

Eligible securities used for collateralizing deposits shall be held by a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed-upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Treasurer or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the banking for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities which a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

Section 11. Permitted Investments

As authorized by General Municipal Law, Section 11, Suffolk County authorizes the Treasurer to invest monies not required for immediate expenditure for terms not to exceed its projected cash flow in the following types of investments:

Special time deposit accounts;

Certificates of deposit;

Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;

Obligations of the State of New York;

Obligations issued pursuant to New York Local Finance Law Section 24.00 or 25.00 (with approval of the State Comptroller) by any municipality school district or district corporations other than Suffolk County)

All investments obligations shall be payable or redeemable at the option of the County of Suffolk within such times as the proceeds will be needed to meet expenditures for purposes for which the monies were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the County of Suffolk within two years of the date of purchase.

Section 12. Authorized Financial Institutions and Dealers

Suffolk County shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be creditworthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of Suffolk County. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

Section 13. Purchase of Investments

The Treasurer is authorized to contract for the purchase of investments directly, including through a repurchase agreement, from an authorized trading partner.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to Suffolk County by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Section 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the banking for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

Section 14. Repurchase Agreement

Repurchase agreements are authorized subject to the following restrictions:

All repurchase agreements must be entered into subject to a Master Repurchase Agreement.

Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.

Obligations shall be limited to obligations of the United States of America and obligations of agencies of the United States of America where principal and interest are guaranteed by the United States of America.

No substitution of securities will be allowed.

The custodian shall be a party other than the trading partner.

Section 15. Schedule of Eligible Securities

- (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- (ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.
- (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.
- (iv) Obligations issued or fully insured or guaranteed by the State of New York obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposition of public moneys.

Section 16. Severability

If any clauses, sentence, paragraph or subdivision of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not effect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance, directly involved in the controversy in which such judgement shall be rendered.

Section 17. Effective Date

The law shall take effect immediately upon filing in the Office of the Secretary of State.

END OF TEXT

EXHIBIT D

March 5, 2002

Adopted

TOWN OF RIVERHEAD

Resolution # 237

APPROVES MILITARY LEAVE OF ABSENCE FOR A POLICE OFFICER

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

WHEREAS, Police Officer Mark Roberts is a member of the Department of the Air Force; and

WHEREAS, Police Officer Roberts has military orders, issued by the Department of the Air Force, assigning him to active duty effective February 18, 2002; and,

WHEREAS, Police Officer Roberts has made application to the Chief of Police of the Town of Riverhead and the Riverhead Town Board for an unpaid military leave of absence from May 1, 2002 through December 31, 2002; and,

WHEREAS, Police Officer Mark Roberts will be using accrued time and military leave from February 18, 2002, to and including April 30, 2002.

NOW, THEREFORE, BE IT RESOLVED that the application for the aforementioned unpaid military leave of absence be approved; and

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

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" 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

MARCH 5, 2002

Adopted

TOWN OF RIVERHEAD

238

APPROVES FINAL CONTRACT EXTENSION OF RADIAC RESEARCH CORP.

COUNCILMAN LULL _____ offered the following resolution,
which was seconded by **COUNCILWOMAN SANDERS** _____

WHEREAS, a contract for Household Hazardous Waste was awarded to Radiac Research Corp in May of 1999; and

WHEREAS, the bid documents in 1999 authorized the ability to extend this contract from two 1 year extensions with the approval of both parties; and

WHEREAS, in May of 2000, the contract with Radiac Research Corp was extended for the first 1 year period and Radiac Research Corp is willing to extend the contract for the second 1 year period; and

NOW, THEREFORE, BE IT RESOLVED, that the 1 year contract extension ending May 31, 2002 is hereby approved with Radiac Research Corp.; and

BE IT FURTHER, RESOLVED, that the Town is hereby directed to forward a copy of this resolution to the Accounting Department.

THE VOTE

Sanders <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Blass <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Densieski <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Lull <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kozakiewicz <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Adopted

3/5/02

TOWN OF RIVERHEAD

Resolution # 239

AUTHORIZES THE SUPERVISOR TO EXTEND AGREEMENT BETWEEN CROWN SANITATION, INC. AND THE TOWN OF RIVERHEAD (DISPOSAL OF TOWN OF RIVERHEAD GENERATED WASTE)

COUNCILWOMAN SANDERS offered the following resolution, was seconded
by

COUNCILWOMAN BLASS :

WHEREAS, the Town Board of the Town of Riverhead hereby authorizes the Supervisor to extend an agreement between Crown Sanitation, Inc. and the Town of Riverhead in connection with the disposal of Town of Riverhead generated waste for a period of one (1) year to December 31, 2002 (copy of original agreement attached herewith); and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Crown Sanitation, Inc., P.O. Box 865, Youngs Avenue, Riverhead, New York, 11901; Kenneth Testa, P.E., John Reeve; the Office of Accounting and the Office of the Town Attorney.

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densleski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" 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

AGREEMENT BETWEEN

THE TOWN OF RIVERHEAD, a municipal corporation with offices at 200 Howell Avenue, Riverhead, New York 11901, hereinafter referred to as "TOWN" and 865 YOUNGS AVE CORP., a New York corporation d/b/a. CROWN RECYCLING FACILITY, with offices at 865 Youngs Avenue, Riverhead, New York 11901, hereinafter referred to as "CONTRACTOR"

WITNESSETH

WHEREAS, the Town, due to the DEC closure of the Town landfill is no longer able to dispose of the Solid Waste generated in the offices and facilities owned and/or operated by the Town; and

WHEREAS, Public Notice to Bidders was published and posted, requested sealed bids which were opened at the Office of the Town Clerk; and

WHEREAS, one bid was received from the Contractor for disposal of the Town's solid waste as follows: Sixty-four and No/100 (\$64.00) Dollars per ton for solid waste; and Forty and No/100 (\$40.00) Dollars per ton for source-separated mixed paper.

IT IS HEREBY AGREED, by the Town and Contractor as follows:

1. The term shall be for one year, commencing on January 1, 1999 and continuing through and including December 31, 1999. The agreement may be amended from time to time, upon the same terms and conditions, for additional terms of one year, running from January 1 through December 31. Not later than November 30, 1999 or any successive years, the Contractor shall notify the Town in writing that it wishes to continue providing services for an additional year upon the same conditions and terms. The Town shall reply in writing not later than December 15, 1999⁹ or any successive years whether it wishes to continue using the

MARCH 5, 2002

TOWN OF RIVERHEAD

240

APPROVES TOWN OF RIVERHEAD INVESTMENT POLICY

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

BE IT RESOLVED, that the Town Board approves the attached Investment Policy for the Town of Riverhead.

THE VOTE

Sanders Yes No Blass Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No

**INVESTMENT POLICY
FOR THE
TOWN OF RIVERHEAD**

444

I SCOPE

This investment policy applies to all moneys and other financial resources available for investment on its behalf or on behalf of any other entity or individual.

II OBJECTIVES

The primary objectives of the local government's investment activities are, in primary order:

- to conform with all applicable federal, state and other legal requirement (legal);
- to adequately safeguard principal (safety)
- to provide sufficient liquidity to meet all operating requirements (liquidity); and
- to obtain a reasonable rate of return (yield).

III DELEGATION OF AUTHORITY

The Town Board's responsibility for administration of the investment program is delegated to the Town Supervisor who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a database or records incorporating description and amounts of investments, transaction dates and other relevant information and regulate the activities of subordinate employees.

IV PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town of Riverhead to govern effectively.

Investments shall be made with judgement and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the

investment program, or which could impair their ability to make impartial investment decisions.

V DIVERSIFICATION

It is the policy of the Town of Riverhead to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

VI INTERNAL CONTROLS

It is the policy of the Town of Riverhead for all moneys collected by any officer or employee of the government to transfer those funds to the Town Supervisor within ten days of deposit, or within the time period specified in law, whichever is shorter.

The Town Supervisor is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

VII DESIGNATION OF DEPOSITORIES

The banks and trust companies authorized for the deposit of Town funds:

Depository Name

Suffolk County National Bank	North Fork Bank & Trust Co.
Citibank	JP Morgan Chase
Fleet Bank	The Bank of New York

VIII COLLATERALIZATION OF DEPOSITS

In accordance with the provisions of General Municipal Law, Section 10, all deposits of the Town of Riverhead, including certificates of deposits and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

- 1) By a pledge of "eligible securities" with an aggregate "market value", or provided by General Municipal Law, Section 10, equal to the aggregate amount of deposits from the categories designated Appendix A to this policy.
- 2) By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate

value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.

- 3) By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims – paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

IX SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure the Town's deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collections of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the Town of Riverhead to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the Town, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Town of Riverhead or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for the Town of Riverhead, will be kept separate and apart from the general assets of the custodian bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitute of securities when a change in the rating of a security may cause in-eligibility. Such agreement shall include all provisions necessary to provide the Town of Riverhead a perfected interest in the securities.

As authorized by General Municipal Law, Section 11, the Town Board authorizes the Town Supervisor to invest moneys not required for immediate expenditure for terms not to exceed Town's projected cash flow needs in the following types of investment:

- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL Section 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district cooperation other than the Town of Riverhead;
- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments;
- Certificates of Participation (COPs) issued pursuant to GML, Section 109-b;
- Obligations of the Town of Riverhead, but only with any moneys in a reserve fund established pursuant to GML, Section 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Town of Riverhead within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Town of Riverhead within two years of the date of purchase.

XI **AUTHORIZED FINANCIAL INSTITUTES AND DEALERS**

The Town of Riverhead shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the Town conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition at the request of the Town. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Town Supervisor is responsible for evaluating the financial position and maintaining a listing of proposed depositories,

trading partners and custodians. Such listing shall be evaluated at least⁴⁸ annually.

XII PURCHASE OF INVESTMENT

The Town Supervisor is authorized to contract for the purposes of investment:

- 1) Directly, including through a repurchase agreement, from an authorized trading partner.
- 2) By participating in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion #88-46, and the specific program has been authorized by the Town Board.
- 3) By utilizing an ongoing investment program with an authorized tracking partner pursuant to a contract authorized by the Town Board.

All purchased obligations, unless registered or inscribed in the name of the Town, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Town of Riverhead by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Section 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the Town of Riverhead, will be kept separate and apart from the general assets of the custodian bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the Town a perfected interest in the securities.

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations of agencies of the United States of America where principal and interest are guaranteed by the United States of America.
- No substitution of securities will be allowed
- The custodian shall be a party other than the trading partner.

Schedule of Eligible Securities

- _____ (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- _____ (ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.
- _____ (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.
- _____ (iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.
- _____ (v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- _____ (vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- _____ (vii) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- _____ (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- _____ (ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
- _____ (x) Commercial paper and bankers' acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.
- _____ (xi) Zero coupon obligations of the United States government marketed as "Treasury strips".

March 5, 2002

TOWN OF RIVERHEAD

Adopted

Resolution # 241

AUTHORIZATION TO PUBLISH BID FOR LIME FOR USE BY THE WATER DEPARTMENT**COUNCILWOMAN BLASS** offered the following resolution,which was seconded by **COUNCILMAN DENSIESKI**

WHEREAS,; the Town Clerk was authorized to publish and post a notice to bidders for DRY HYDRATED LIME FOR USE BY THE WATER DEPARTMENT and ;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the MARCH 25TH, 2002 issue of the Suffolk County Life.

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the Purchasing Department and the Water Department.

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

452

Sealed bids for the purchase of DRY HYDRATED LIME (CALCIUM HYDROXIDE) for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:45 a.m. on MARCH 25TH, 2002.

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

All bids are to be submitted in a sealed envelope bearing the designation BIDS FOR DRY HYDRATED LIME.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

COMPANY NAME: _____

2

Adopted

March 5, 2002

TOWN OF RIVERHEAD**Resolution # 242****AUTHORIZATION TO PUBLISH BID FOR CORROSION CONTROL
CHEMICAL FOR USE BY THE WATER DEPARTMENT****COUNCILMAN DENSIESKI** offered the following resolution,which was seconded by **COUNCILWOMAN SANDERS**

WHEREAS,; the Town Clerk was authorized to publish and post a notice to bidders for CORROSION CONTROL CHEMICAL FOR USE BY THE WATER DEPARTMENT and ;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the MARCH 25TH, 2002 issue of the Suffolk County Life.

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the Purchasing Department and the Water Department.

THE VOTESanders Yes No Blass Yes NoDensieski Yes No Lull Yes NoKozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

454

Sealed bids for the purchase of CORROSION CONTROL CHEMICAL for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:15 AM on **MARCH 25TH, 2002.**

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

All bids are to be submitted in a sealed envelope bearing the designation BIDS FOR CHEMICALS.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

March 5, 2002

Adopted**TOWN OF RIVERHEAD****Resolution # 243****AUTHORIZATION TO PUBLISH BID FOR CHEMICALS FOR SEWER****COUNCILWOMAN SANDERS** offered the following resolution,which was seconded by **COUNCILMAN LULL**

WHEREAS,; the Town Clerk was authorized to publish and post a notice to bidders for CHEMICALS FOR SEWER and ;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the MARCH 25TH, 2002 issue of the Suffolk County Life.

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the Purchasing Department and the Sewer Department.

THE VOTESanders Yes NoBlass Yes NoDensieski Yes NoLull Yes NoKozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

456

Sealed bids for the purchase of CHEMICALS FOR SEWER for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 10:45 a.m. on MARCH 25TH, 2002.

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

All bids are to be submitted in a sealed envelope bearing the designation BIDS FOR CHEMICALS.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD**

Barbara Grattan, Town Clerk

March 5, 2002

Adopted**TOWN OF RIVERHEAD****Resolution # 244****AUTHORIZATION TO PUBLISH BID FOR CHLORINE FOR USE BY THE
WATER DEPARTMENT****COUNCILWOMAN BLASS**

offered the following resolution,

which was seconded by **COUNCILMAN DENSIESKI**

WHEREAS,; the Town Clerk was authorized to publish and post a notice to bidders for DRY HYDRATED CHLORINE FOR USE BY THE WATER DEPARTMENT and ;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the MARCH 25TH, 2002 issue of the Suffolk County Life.

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the Purchasing Department and the Water Department.

THE VOTESanders Yes No Blass Yes NoDensieski Yes No Lull Yes NoKozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

458

Sealed bids for the purchase of SODIUM HYPOCHLORITE (CHLORINE) for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:30 a.m. on MARCH 25TH, 2002.

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

All bids are to be submitted in a sealed envelope bearing the designation BIDS FOR CHLORINE.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

COMPANY NAME: _____

2

3/5/02

Adopted**TOWN OF RIVERHEAD****Resolution # 245****AUTHORIZATION TO PUBLISH BID FOR GRASS SEED & LAWN
CHEMICALS****COUNCILMAN DENSIESKI**

offered the following resolution,

which was seconded by

COUNCILMAN LULL

WHEREAS; the Town Clerk was authorized to publish and post a notice to bidders for GRASS SEED & LAWN CHEMICALS and ;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the March 13th, 2002 issue of the Suffolk County Life and;

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the Purchasing Department.

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

460

Sealed bids for the purchase of GRASS SEED & LAWN CHEMICALS for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:00 a.m. on MARCH 25TH, 2002.

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation BIDS FOR GRASS SEED & LAWN CHEMICALS.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

TOWN OF RIVERHEAD

Adopted

Resolution # 246

AWARDS BID FOR 2002 CARGO VAN

COUNCILMAN LULL

offered the following resolution,

which was seconded by **COUNCILWOMAN SANDERS**

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for 2002 CARGO VAN and ;

WHEREAS, bids were received, opened and read aloud on the 25th day of February, 2001 at 11:05 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders.

NOW THEREFORE BE IT

RESOLVED, that the bid for 2002 CARGO VAN ,be and hereby is, awarded to Ramp Chevrolet for the amount of \$18,797.00.

RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Ramp Chevrolet, the Sewer Department and the Purchasing Department.

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

03/05/02

Adopted

TOWN OF RIVERHEAD

Resolution # 247

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS
RIVERHEAD WATER DISTRICT
RDWD A1-59 - SOUND MEADOWS

COUNCILWOMAN SANDERS offered the following
resolution, which was seconded by COUNCILWOMAN BLASS

RESOLVED, that the Town Clerk be and is authorized to publish in the March 13, 2002 issue of the Suffolk County Life and post the attached Notice to Bidders with regard to receiving bids for the construction of water mains and appurtenances RDWD A1-59 - Sound Meadows.

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Frank Isler, Esq, H2M and Gary Pendzick.

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

The Town Board of Riverhead will receive bids for the following contract:

Installation of Water Mains and Appurtenances
Project No.: RDWD A1-59, Sound Meadows
(Town #60068)

for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, until 11:00 AM, prevailing time, on **Monday, March 25, 2002**, at which time and place all bids will be publicly opened and read.

Contract documents, including drawings and technical specifications, are on file at the following offices:

Town Clerk, Town of Riverhead
Town Hall, 200 Howell Avenue
Riverhead, New York 11901

Holzmacher, McLendon & Murrell, P.C.
575 Broad Hollow Road
Melville, New York 11747

Copies of the contract documents may be obtained at the above locations *on or after March 13, 2002* upon deposit of Fifty Dollars (\$50.00) in cash, certified check, bank money order or postal money order, made payable to the TOWN OF RIVERHEAD for each set furnished.

Deposits for Plans and Specifications will be refunded to Bidders who return same in good condition within ten (10) days. Other deposits will either be partially or not refunded if the Plans and Specifications have not been returned in good condition within thirty (30) days after bids have been opened.

Each proposal must be accompanied by a bid bond in the amount of five percent (5%) of the total bid, or a certified check made payable to the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

The right is reserved to reject any or all bids, to waive any informalities, and to accept the lowest responsible bid.

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD
SUFFOLK COUNTY, NEW YORK

ACTING AS THE GOVERNING BODY
OF THE RIVERHEAD WATER DISTRICT

BARBARA GRATTAN, TOWN CLERK

DATED: March 13, 2002

Adopted

TB 03/05/02

TOWN OF RIVERHEAD

Resolution # 248
Adopted March 5, 2002

AWARDS BID ON ONE USED 1991 OR NEWER TANDEM TRACTOR

COUNCILWOMAN BLASE offered the following resolution which was
seconded by COUNCILMAN DENSIESKI

WHEREAS, the Town Clerk was authorized to advertise for sealed bids on one USED 1991 or NEWER TANDEM TRACTOR for the use of the Riverhead Highway Department, and

WHEREAS, all bids were received and read aloud on the 25th of February 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 Used 1991 or Newer Tandem Tractor be and is hereby awarded to TRUX, INC., 1365 Lakeland Ave., Bohemia, N.Y. 11716 in the amount of \$15,900.00, and

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

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS NOT

March 5, 2002

TOWN OF RIVERHEAD

Resolution # 249

CLASSIFIES ACTION AND DECLARES LEAD AGENCY
ON SPECIAL PERMIT(SITE PLAN), OF
SPA AT FOX HILL AND REFERS
PETITION TO THE PLANNING BOARD

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

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Neil Rego pursuant to Sections 108-3 and 108-125 B.(3) of the Riverhead Town Code to construct a 48 suite health spa and related site improvements on a 6.9 acre portion of a 144 acre parcel zoned Recreational: such property more particularly described as SCTM 0600-40-2-p/o6.3, and

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

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

WHEREAS, the Planning Department has prepared a staff SEQR report respecting the project's impacts, and

WHEREAS, the Town Board desires the recommendations of the Riverhead Planning Board respecting planning and zoning issues prior to a determination of significance, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declares itself to be the lead agency for the special permit application of Spa at Fox Hill which it considers to be an Unlisted action, and

BE IT FURTHER

RESOLVED, that this classification be considered effective on the 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 is hereby authorized to forward a certified copy of this resolution to the Planning Department and to the applicant or his agent.

THE VOTE
Sanders Yes No Bless Yes No
Denisecki Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREFORE ADOPTED

March 5th, 2002

TOWN OF RIVERHEAD

Resolution # 250

APPROVES SITE PLAN OF SOUND GARDENS, INC.

COUNCILMAN LULL

_____ offered the following resolution,

which was seconded by **COUNCILWOMAN SANDERS** _____ :

WHEREAS, a site plan and elevations were submitted by Anna LaFata, for placement of four (4) temporary 10' x 12' sheds for an existing garden nursery, located at the northwest corner of SR 25A and Wading River - Manorville Road, Wading River, New York 11792, known and designated as Suffolk County Tax Map Number 0600-74-1-65.1; and

WHEREAS, the Planning Department has reviewed the site plan dated February 11th, 2002, as prepared by Howard W. Young, L.S., 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 20020220 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 Anna LaFata, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Unlisted pursuant to 6NYCRR Part 617.

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Anna LaFata, for placement of four (4) temporary 10' x 12' sheds for an existing garden nursery, located at

Northwest corner of SR25A and Wading River - Manorville Road, Wading River, New York 11792, site plan dated February 11th, 2002, as prepared by Howard W. Young, L.S., 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 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;
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, Anna LaFata hereby authorizes and consents to the Town of Riverhead to enter premises at northwest corner of SR 25A and Wading River -

Manorville Road, Wading River, New York 11792, 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; and
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 Anna LaFata, 6332 Route 25A, PO Box 452, Wading River, New York 11792, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the ____ day of _____, 2002, made by Belinda Bender, Little Bay Realty Inc., Route 25A, Wading River, New York 11792, 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, Belinda Bender hereby authorizes and consents to the Town of Riverhead to enter premises at northwest corner of SR 25A and Wading River - Manorville Road, Wading River, New York 11792, 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 and that any landscaping which presents a traffic hazard by interfering with adequate sightlines shall be corrected.;
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.

Belinda Bender

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

Councilman Lull offered the resolution, which was seconded by Councilman Densieski.

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, in said Town, on the 5th day of March, 2002, at 7:00 o'clock P.M., Prevailing Time.

PRESENT:

Robert F. Kozakiewicz
Supervisor

Edward Densieski
Councilman

James B. Lull
Councilman

Barbara Blass
Councilman

Rose Sanders
Councilman

-----X
:
In the Matter :
of :
the Increase and Improvement of the :
Facilities of the Calverton Sewer :
District of the Town of Riverhead, :
Suffolk County, New York. :
:
-----X

ORDER CALLING
PUBLIC HEARING

WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Calverton Sewer District in the Town of Riverhead, Suffolk County, New York, including replacement of

equipment, pump controls, partial reconstruction of tanks and facilities at the existing treatment plant and related improvements, including incidental expenses in connection therewith, at a maximum estimated cost of \$250,000; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of the Calverton Sewer District in the manner described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. A public hearing will be held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on the 2nd day of April, 2002, at 7:05 o'clock P.M., Prevailing Time, on the question of increasing and improving the facilities of the Calverton Sewer District within the Town of Riverhead, Suffolk County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in Suffolk County Life the official newspaper of said Town, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the following form:

Section 4. This order shall take effect immediately.

<u>Supervisor Kozakiewicz</u>	VOTING	<u>Yes</u>
<u>Councilman Lull</u>	VOTING	<u>Yes</u>
<u>Councilman Densieski</u>	VOTING	<u>Yes</u>
<u>Councilwoman Blass</u>	VOTING	<u>Yes</u>
<u>Councilwoman Sanders</u>	VOTING	<u>Yes</u>

The resolution was thereupon declared duly adopted.

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No
 THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, will meet at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on the 2nd day of April, 2002, at 7:05 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing on the increase and improvement of the facilities of the Calverton Sewer District in the Town of Riverhead, Suffolk County, New York, within said Town, including replacement of equipment, pump controls, partial reconstruction of tanks and facilities at the existing treatment plant and related improvements, including incidental expenses in connection therewith. The maximum estimated cost of the aforesaid increase and improvement of the facilities of the Calverton Sewer District in said Town is \$250,000.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Riverhead, New York
March 5, 2002

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF RIVERHEAD,
SUFFOLK COUNTY, NEW YORK

By: Barbara Grattan
Town Clerk

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on March 5, 2002, at 7 o'clock P.M., Prevaling Time.

The meeting was called to order by SUPERVISOR KOZAKIEWICZ, and upon roll being called, the following were

- PRESENT:
- SUPERVISOR KOZAKIEWICZ
 - COUNCILMAN LULL
 - COUNCILMAN DENSIESKI
 - COUNCILWOMAN SANDERS
 - COUNCILWOMAN BLASS

ABSENT:

The following resolution was offered by Councilman SANDERS, who moved its adoption, seconded by Councilman DENSIESKI, to-wit:

BOND RESOLUTION DATED MARCH 5, 2002.

A RESOLUTION AUTHORIZING THE APPROPRIATION OF \$665,000 FUNDS FROM THE PARK AND RECREATION FUND OF THE TOWN OF RIVERHEAD TO PAY ADDITIONAL COSTS OF THE ORIGINAL IMPROVEMENT AND EMBELLISHMENT OF STOTZKY PARK, BY THE CONSTRUCTION OF A SKATE BOARD COMPLEX THEREIN, IN AND FOR SAID TOWN.

WHEREAS, by bond resolution dated December 28, 2000, the Town Board of the Town of Riverhead, Suffolk County, New York, authorized the issuance of an aggregate \$950,000 serial bonds of said Town to pay the cost of the original improvement and embellishment of Stotzky Park, by the construction of a skate board complex therein, including parking and ancillary facilities therefor and incidental expenses in connection therewith; and

WHEREAS, it has now been determined that the maximum estimated cost of the aforescribed original improvement and embellishment of Stotzky Park is \$1,615,000, an increase of \$665,000 over that previously authorized; and

WHEREAS, is it now desired to provide for the appropriation of \$665,000 funds from the Park and Recreation Fund of said Town to pay additional costs thereof; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. For the specific object or purpose of paying additional costs of the original improvement and embellishment of Stotzky Park, by the construction of a skate board complex therein, including parking and ancillary facilities therefor, in and for the Town of Riverhead, Suffolk County, New York, including incidental improvements and expenses in connection therewith, there are hereby appropriated \$665,000 from the Park and Recreation Fund of said Town.

Section 2. It is hereby determined that the maximum estimated cost of such specific of object or purpose is now determined to be \$1,615,000, and that the plan for the financing thereof is as follows:

- a. By the issuance of the \$950,000 serial bonds of said Town authorized to be issued pursuant to bond resolution dated December 28, 2000; and
- b. By the appropriation of \$665,000 from the Park and Recreation Fund of said Town appropriated pursuant to this resolution.

Section 3. This resolution takes effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

<u>Supervisor Kozakiewicz</u>	<u>VOTING</u>	<u>Yes</u>
<u>Councilman Lull</u>	<u>VOTING</u>	<u>Yes</u>
<u>Councilman Densieski</u>	<u>VOTING</u>	<u>Yes</u>
<u>Councilwoman Blass</u>	<u>VOTING</u>	<u>Yes</u>
<u>Councilwoman Sanders</u>	<u>VOTING</u>	<u>Yes</u>

The resolution was thereupon declared duly adopted.

* * * *

STATE OF NEW YORK)
)ss:
 COUNTY OF SUFFOLK)

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO
 HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board
 of said Town, including the resolution contained therein, held on March 5, 2002, with the original
 thereof on file in my office, and that the same is a true and correct transcript therefrom and of the
 whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open
 Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public
 notice of the time and place of said meeting to be given to the following newspapers and/or other
 news media as follows:

Newspaper and/or other news media

Date given

Suffolk County Life

March 7, 2002

I FURTHER CERTIFY that PRJOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice

Date of Posting

Town Clerk's Bulletin Board

March 6, 2002

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on March 5, 2002.

Barbara Grattan

Town Clerk

(CORPORATE
SEAL)

Adopted

253

RESOLUTION # _____

072113-_____P

COUNCILMAN LULL OFFERED THE RESOLUTION,
WHICH WAS SECONDED BY COUNCILMAN DENSIESKI.

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, in said Town, on the 5th day of March, 2002, at 7:00 o'clock P.M., Prevailing Time.

PRESENT:

Robert F. Kozakiewicz
Supervisor

Edward Densieski
Councilman

James B. Lull
Councilman

Barbara Blass
Councilman

Rose Sanders
Councilman

-----X
:
In the Matter :
of :
the Increase and Improvement of the :
Facilities of the Riverhead Parking :
District No. 1 of the Town of :
Riverhead, Suffolk County, New :
York. :
:
-----X

ORDER CALLING
PUBLIC HEARING

WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Riverhead Parking District No. 1 in the Town of Riverhead, Suffolk County, New York, including

reconstruction of parking area access roads and parking area improvements for the Riverhead Parking District No. 1, including a dumpster enclosure on leased land and related concrete aprons, sidewalks, fencing, curbing and gates, including incidental expenses in connection therewith, at a maximum estimated cost of \$402,000; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of the Riverhead Parking District No. 1 in the manner described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. A public hearing will be held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on the 2nd day of April, 2002, at 7:10 o'clock P.M., Prevailing Time, on the question of increasing and improving the facilities of the Riverhead Parking District No. 1 within the Town of Riverhead, Suffolk County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in Suffolk County Life the official newspaper of said Town, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, will meet at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on the 2nd day of April, 2002, at 7:10 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing on the increase and improvement of the facilities of the Riverhead Parking District No. 1 in the Town of Riverhead, Suffolk County, New York, within said Town, including reconstruction of parking area access roads and parking area improvements for the Riverhead Parking District No. 1, including a dumpster enclosure on leased land and related concrete aprons, sidewalks, fencing, curbing and gates, including incidental expenses in connection therewith. The maximum estimated cost of the aforesaid increase and improvement of the facilities of the Riverhead Parking District No. 1 in said Town is \$402,000.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Riverhead, New York
March 5, 2002

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF RIVERHEAD,
SUFFOLK COUNTY, NEW YORK

By: Barbara Grattan
Town Clerk

Section 4. This order shall take effect immediately.

<u>Supervisor Kozakiewicz</u>	VOTING	<u>Yes</u>
<u>Councilman Lull</u>	VOTING	<u>Yes</u>
<u>Councilman Densieski</u>	VOTING	<u>Yes</u>
<u>Councilwoman Blass</u>	VOTING	<u>Yes</u>
<u>Councilwoman Sanders</u>	VOTING	<u>Yes</u>

The resolution was thereupon declared duly adopted.

THE VOTE

Sanders ___ Yes ___ No Blass ___ Yes ___ No
Densieski ___ Yes ___ No Lull ___ Yes ___ No
Kozakiewicz ___ Yes ___ No

THE RESOLUTION WAS ___ WAS NOT ___
THEREUPON DULY ADOPTED

Adopted

Date March 5, 2002

TOWN OF RIVERHEADResolution # 254**Authorizes Special Counsel To Sign
Northrop-Grumman Stipulation****COUNCILWOMAN BLASS**

offered the following

resolution, which was seconded by **COUNCILMAN DENSIESKI**

BE IT RESOLVED, that the Town Board of the Town of Riverhead does hereby authorize Francis J. Yakaboski, special Counsel to the Town Board of the Town of Riverhead, to sign a Stipulation of Settlement and related settlement documents on behalf of the Town of Riverhead in connection with the matter of the County of Suffolk and the Town of Riverhead, Plaintiffs against the former Grumman Aerospace Corporation, now know as Northrop Grumman Corporation.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the County of Suffolk; Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP; Town of Riverhead Accounting Department and Town Attorney's Office.

THE VOTESanders Yes NoBlass Yes NoDensieski Yes NoLull Yes NoKozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

Adopted

03/05/02

TOWN OF RIVERHEAD

Resolution # 255

Accepts Petition to Amend Special Permit of RIVERHEAD CENTRE, LLC
and Refer Petition to the Planning Board

Councilman Densie offered the following resolution which was seconded by

Councilman Lull

The Riverhead Town Board is in receipt of a petition from Riverhead Centre, LLC, pursuant to Town Code Section 108-3, to amend one of two Special Permits granted by Town Board Resolution No. 158 of 2001, pertaining to property owned by Riverhead Centre, a portion of which is zoned Business B and a portion of which is zoned Industrial A and known as SCTM No. 0600-101-02-11.1; and

WHEREAS, one of the Special Permits granted by Resolution No. 158 permitted an increase of coverage on the portion of the property that is zoned Business B from 15 to 16.32% and the application for such Special Permit was accompanied by a single site plan that illustrated the proposed development for both the Business B and Industrial A portions of the property; and

WHEREAS, the sole purpose of the proposed amended Special Permit is to have the Special Permit pertaining to the Business B portion of the property conform to the underlying site plan which is being amended to substitute additional retail and commercial for former theater space on the Business B portion of the property with no change in coverage; and

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

WHEREAS, a list of uses within a radius of two hundred (200) feet and of property owners within a radius of five hundred (500) feet of the subject property was submitted with the petition; and

WHEREAS, the Town Board was the lead agency for purposes of the State Environmental Quality Act ("SEQRA") review of the application for special permits previously granted by Resolution No. 158 and continues to be the lead agency with regard to the new petition;

WHEREAS, the project for which the special permits were previously granted by Resolution No. 158 has been fully reviewed by the Town Board in draft and final environmental impact statements, and draft and final supplemental environmental impact statements, and the Town Board has previously adopted SEQRA findings based on that prior review; and

WHEREAS, the Town's prior SEQRA review and SEQRA findings for the project for which special permits are sought were challenged in two Article 78 proceedings before the Supreme Court, Suffolk County, entitled *Miller, et al. v. Kozakiewicz, et al.*, Index No. 00-7159, *Miller, et al. v. Kozakiewicz, et al.*, Index No. 00-14530, and upheld by Justice Dunn; and

WHEREAS, the Town Board's SEQRA review, as well as the zoning of the property were upheld by the December 24, 2001, decision of the Appellate Division, Second Department; and

WHEREAS, Riverhead Centre's proposed re-allocation of theater space to retail and other permitted uses on the Business B portion of the property constitutes a change proposed for the project that may result in environmental impacts that were either not addressed or inadequately addressed in the prior SEQRA review, and

WHEREAS, reports are annexed to the EAF analyzing potentially (a) different traffic conditions, (b) different impacts on existing retail use in downtown Riverhead and the CR 58 corridor, (c) different wastewater flow, and (d) different parking requirements resulting from the proposed re-allocation of space on the Business B portion of the property; and

WHEREAS, the Riverhead Town Board desires a report from the Riverhead Planning Board with regard to the petition, pursuant to the Riverhead Zoning Ordinance,

THEREFORE, BE IT RESOLVED, that the Town Board deems the petition to amend the existing Special Permit of Riverhead Centre, LLC, pertaining to the Business B portion of its property to be complete, and

BE IT FURTHER RESOLVED, that the Town Clerk be directed to refer the petition to the Riverhead Planning Board for its report and recommendation; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Planning Department, Planning Board, to Richard Leland and Charles Cuddy, as attorneys for the applicant.

THE VOTE

Sanders ✓ Yes ___ No ___ Bias ✓ Yes ___ No ___
 Denieski ✓ Yes ___ No ___ Lull ✓ Yes ___ No ___
 Kozakiewicz ✓ Yes ___ No ___

THE RESOLUTION WAS WAS NOT
 THEREUPON PUBLICLY ADOPTED

Adopted

RESOLUTION # 256 ABSTRACT #08-02 FEBRUARY 21, 2002 (TBM 03/05/02)

COUNCILMAN LULL

Councilwoman Glass

offered the following Resolution which was seconded by

FUND NAME		CD- 02/19/02	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ 5,850,000.00	\$ 567,624.80	\$ 6,417,624.80
POLICE ATHLETIC LEAGUE	004	\$ 7,500.00	\$ -	\$ 7,500.00
TEEN CENTER	005	\$ 12,000.00	\$ -	\$ 12,000.00
RECREATION PROGRAM	006	\$ 55,000.00	\$ 1,047.98	\$ 56,047.98
SR NUTRITION SITE COUNCIL	007	\$ 300.00	\$ -	\$ 300.00
D.A.R.E. PROGRAM FUND	008	\$ 1,200.00	\$ -	\$ 1,200.00
CHILD CARE CENTER BUILDING FUND	009	\$ 45,000.00	\$ 202.04	\$ 45,202.04
AG-FEST COMMITTEE FUND	021	\$ 2,000.00	\$ -	\$ 2,000.00
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 2,386.75	\$ 2,386.75
COMMUNITY P.E.T.S. SHELTER	028	\$ 10,000.00	\$ -	\$ 10,000.00
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ 12,000.00	\$ 439.26	\$ 12,439.26
HIGHWAY	111	\$ 775,000.00	\$ 54,653.81	\$ 829,653.81
WATER	112	\$ 2,200,000.00	\$ 39,714.64	\$ 2,239,714.64
REPAIR & MAINTENANCE	113	\$ 725,000.00	\$ -	\$ 725,000.00
RIVERHEAD SEWER DISTRICT	114	\$ 1,825,000.00	\$ 60,989.68	\$ 1,885,989.68
REFUSE & GARBAGE COLLECTION	115	\$ 580,000.00	\$ 5,212.37	\$ 585,212.37
STREET LIGHTING	116	\$ 435,000.00	\$ 34,775.07	\$ 469,775.07
PUBLIC PARKING	117	\$ 155,000.00	\$ 4,442.05	\$ 159,442.05
BUSINESS IMPROVEMENT DISTRICT	118	\$ 18,000.00	\$ 6,000.00	\$ 24,000.00
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ 245,000.00	\$ 2,408.55	\$ 247,408.55
CALVERTON SEWER DISTRICT	124	\$ 70,000.00	\$ 7,283.98	\$ 77,283.98
RIVERHEAD SCAV WASTE DISTRICT	128	\$ -	\$ 17,357.99	\$ 17,357.99
WORKER'S COMPENSATION FUND	173	\$ 860,000.00	\$ 336.41	\$ 860,336.41
RISK RETENTION FUND	175	\$ 75,000.00	\$ -	\$ 75,000.00
UNEMPLOYMENT INSURANCE FUND	176	\$ 105,000.00	\$ -	\$ 105,000.00
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 553.17	\$ 553.17
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ 12,000.00	\$ -	\$ 12,000.00
SEWER DISTRICT DEBT	382	\$ 130,000.00	\$ -	\$ 130,000.00
WATER DEBT	383	\$ -	\$ -	\$ -
GENERAL FUND DEBT SERVICE	384	\$ 6,100,000.00	\$ -	\$ 6,100,000.00
SCAVENGER WASTE DEBT	385	\$ 295,000.00	\$ -	\$ 295,000.00
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 279,283.34	\$ 279,283.34
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ 1,855.74	\$ 1,855.74
SENIORS HELPING SENIORS	453	\$ -	\$ 1,652.03	\$ 1,652.03
EISEP	454	\$ -	\$ 1,193.31	\$ 1,193.31
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ 230,000.00	\$ 206.25	\$ 230,206.25
MUNICIPAL GARAGE	626	\$ 85,000.00	\$ 15,537.21	\$ 100,537.21
TRUST & AGENCY	*735*	\$ -	\$ 1,032,584.84	\$ 1,032,584.84
SPECIAL TRUST	736	\$ 370,000.00	\$ -	\$ 370,000.00
COMMUNITY PRESERVATION FUND	737	\$ 1,850,000.00	\$ -	\$ 1,850,000.00
CDA-CALVERTON	914	\$ 7,000,000.00	\$ 1,200.00	\$ 7,001,200.00
COMMUNITY DEVELOPMENT AGENCY	915	\$ 140,000.00	\$ -	\$ 140,000.00
JOINT SCAVENGER WASTE	918	\$ 50,000.00	\$ 149.13	\$ 50,149.13
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ 30,325,000.00	\$ 2,139,090.48	\$ 32,464,090.48

THE VOTE
 Sanders ✓ Yes
 Denstest ✓ Yes
 Kocakowicz ✓ Yes
 THE RESOLUTION WAS ~~NOT~~ ADOPTED
 THEREUPON DULY APPROVED

Adopted

RESOLUTION # 256 ABSTRACT # 9-02 FEBRUARY 28, 2002 (TBM 3/5/02)				
COUNCILMAN LULL		offered the following Resolution which was seconded by		
COUNCILWOMAN BLASS				
FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ 3,025,000.00	\$ 144,450.79	\$ 3,069,450.79
POLICE ATHLETIC LEAGUE	004	\$ -	\$ -	\$ -
TEEN CENTER	005	\$ 3,000.00	\$ 15.98	\$ 3,015.98
RECREATION PROGRAM	006	\$ 14,500.00	\$ 678.64	\$ 15,178.64
SR NUTRITION SITE COUNCIL	007	\$ 250.00	\$ -	\$ 250.00
D.A.R.E. PROGRAM FUND	008	\$ 2,000.00	\$ -	\$ 2,000.00
CHILD CARE CENTER BUILDING FUND	009	\$ 10,000.00	\$ 1,180.67	\$ 11,180.67
AG-FEST COMMITTEE FUND	021	\$ -	\$ -	\$ -
YOUTH COURT SCHOLARSHIP FUND	025	\$ 500.00	\$ -	\$ 500.00
SRS DAYCARE BUILDING FUND	027	\$ -	\$ -	\$ -
COMMUNITY P.E.T.S. SHELTER	028	\$ 15,000.00	\$ -	\$ 15,000.00
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ 12,000.00	\$ -	\$ 12,000.00
HIGHWAY	111	\$ 710,000.00	\$ 46,406.96	\$ 756,406.96
WATER	112	\$ 325,000.00	\$ 239,283.09	\$ 564,283.09
REPAIR & MAINTENANCE	113	\$ 560,000.00	\$ -	\$ 560,000.00
RIVERHEAD SEWER DISTRICT	114	\$ 675,000.00	\$ 12,255.43	\$ 687,255.43
REFUSE & GARBAGE COLLECTION	115	\$ 335,000.00	\$ 149,785.57	\$ 484,785.57
STREET LIGHTING	116	\$ 170,000.00	\$ 8,303.67	\$ 178,303.67
PUBLIC PARKING	117	\$ 65,000.00	\$ 1,672.23	\$ 66,672.23
BUSINESS IMPROVEMENT DISTRICT	118	\$ 46,000.00	\$ 136.12	\$ 46,136.12
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ 140,000.00	\$ 862.47	\$ 140,862.47
CALVERTON SEWER DISTRICT	124	\$ 60,000.00	\$ 3,096.45	\$ 63,096.45
RIVERHEAD SCAV WASTE DISTRICT	128	\$ 7,500.00	\$ 5,540.33	\$ 13,040.33
WORKER'S COMPENSATION FUND	173	\$ 920,000.00	\$ 10,666.29	\$ 930,666.29
RISK RETENTION FUND	175	\$ 405,000.00	\$ -	\$ 405,000.00
UNEMPLOYMENT INSURANCE FUND	176	\$ 3,200.00	\$ -	\$ 3,200.00
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ 441.25	\$ 441.25
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 1,145.97	\$ 1,145.97
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ 33,693.37	\$ 33,693.37
SEWER DISTRICT DEBT	382	\$ 340,000.00	\$ 3,011.00	\$ 343,011.00
WATER DEBT	383	\$ -	\$ 587,561.90	\$ 587,561.90
GENERAL FUND DEBT SERVICE	384	\$ 210,000.00	\$ 359,787.36	\$ 569,787.36
SCAVENGER WASTE DEBT	385	\$ 26,000.00	\$ 38,102.37	\$ 64,102.37
TOWN HALL CAPITAL PROJECTS	400	\$ -	\$ 376,933.24	\$ 376,933.24
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ 270,000.00	\$ -	\$ 270,000.00
YOUTH SERVICES	452	\$ -	\$ 74.04	\$ 74.04
SENIORS HELPING SENIORS	453	\$ -	\$ 31.39	\$ 31.39
EISEP	454	\$ -	\$ 85.78	\$ 85.78
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ 185,000.00	\$ 7,931.00	\$ 192,931.00
MUNICIPAL GARAGE	626	\$ 8,500.00	\$ 11,223.37	\$ 19,723.37
TRUST & AGENCY	735	\$ -	\$ 13,948.31	\$ 13,948.31
SPECIAL TRUST	736	\$ 350,000.00	\$ -	\$ 350,000.00
COMMUNITY PRESERVATION FUND	737	\$ 1,595,000.00	\$ -	\$ 1,595,000.00
CDA-CALVERTON	914	\$ 90,000.00	\$ -	\$ 90,000.00
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ 6,170.22	\$ 6,170.22
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ 11,308,450.00	\$ 2,064,765.26	\$ 13,453,215.26

THE VOTE
 Sanders ✓ Yes ___ No ___ Blinn ✓ Yes ___ No ___
 Dembeck ✓ Yes ___ No ___ Lull ✓ Yes ___ No ___
 Kozlowski ✓ Yes ___ No ___
THE RESOLUTION WAS ADOPTED
THEREUPON DULY ADOPTED

Adopted

March 7, 2002

TOWN OF RIVERHEAD

Resolution # 257

APPROVES AMENDED SPECIAL PERMIT PETITION OF SPLISH-SPLASH

Councilwoman Sanders offered the following resolution which was seconded by Councilwoman Blass

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit petition from Splish Splash at Adventureland, Inc. to amend an existing special permit to allow the construction of a waterslide, attending parking area and tramway upon real property located at New York State Route 25, Calverton; such real property particularly described as Suffolk County Tax Map Number 0600-118-1-2.2, and

WHEREAS, by resolution #1249 of 2001 this Town Board did declare itself to be lead agency in this matter and did further determine the petition to be a Type I action pursuant to 6NYCRR Part 617, and

WHEREAS, upon such determination and pursuant to the Riverhead Zoning Ordinance, the Town Board did refer the petition to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending to the Town Board that the petition be granted subject to certain conditions, and

WHEREAS, pursuant to the Charter of the County of Suffolk, the Town Clerk has referred the petition to the Suffolk County Planning Commission for its report and recommendation; such Commission determining the matter to be one of local determination, and

WHEREAS, pursuant to the Riverhead Zoning Ordinance, on the 19th day of February, 2002, the Riverhead Town Board did hold a public hearing respecting the subject petition, and

WHEREAS, the Riverhead Town Board has carefully considered the merits of the special permit petition, the SEQRA record created to date, the report of the Planning Department, the report of the Riverhead Planning Board, the report of the Suffolk County Planning 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 special permit petition of Splish-Splash at Adventureland, Inc., the Riverhead Town Board hereby makes the following findings:

1. That the premises is located within the Industrial A Zoning Use District;
2. That the Industrial A Zoning Use District provides for recreational uses by special permit;
3. That by resolution #552 of 1990, the Riverhead Town Board did approve a special permit petition to allow the construction of a water park upon the adjoining property to the east;
4. That by resolution #646 of 1995, the Riverhead Town Board did approve a special permit petition to allow the construction of an attendant parking area upon adjoining property to the west;
5. That the conceptual site plan attending the special permit petition depicted the construction of a water slide, tramway and a car/bus parking area;
6. That the environmental assessment form attending the petition described the relationship of the proposed parking area to the existing water park;
7. That the proposed water slide and parking areas will rely upon existing curb cuts at Splish Splash Drive for motor vehicle access;
8. That the proposed waterslide is not expected to generate significant additional motor vehicle traffic as it is being constructed in order to reduce existing queues at a similar waterslide located upon the adjoining improved property to the east and will not result in increased visitors beyond that number identified in the relevant environmental impact statement;
9. That the proposed parking area of 330 cars and 37 buses is designed to accommodate peak day parking requirements for the existing water slide parking which currently overflows onto the subject unimproved parcel;
10. That the expected water use of 5,000 gpd to be purchased from the Riverhead Water District will be re-cycled in order to mitigate impacts to water supplies;
11. That the beam construction of the proposed waterslide is of a nature as not to require the regrading of the construction area, and

BE IT FURTHER

RESOLVED, that based upon its findings, the Riverhead Town Board, as lead agency in the New York State Environmental Quality Review, further determines that the project design provides adequate measures to mitigate all potentially significant adverse environmental impacts, that the action will not have significant adverse impacts to either the natural or social environment and that a Draft Environmental Impact Statement need not be prepared, and

BE IT FURTHER

RESOLVED, that based upon its findings and determinations, the Riverhead Town Board hereby grants the special permit petition of Splish-Splash at Adventureland, Inc. to allow the construction of a waterslide, attending parking area and tramway upon real property designated as Suffolk County Tax Map Number 0600-118-1-2.2 subject to the following conditions:

FIRST: that this special permit approval is limited to the construction of those outdoor recreational uses depicted upon the conceptual site plan attending the instant special permit petition as prepared by the H₂M Group and dated February 15, 2002;

SECOND: that upon site control by Splish-Splash at Adventureland, Inc. of SCTM parcel numbers 0600-117-2-14, Splish-Splash at Adventureland, Inc. shall suitably screen the parking area currently existing upon the real property subsequent to site approval by the Town Board pursuant to Article XXVI of the Riverhead Zoning Ordinance;

THIRD: that the contemplated site plan petition to be made pursuant to Article XXVI of the Riverhead Zoning Ordinance depict landscaped areas with species of sufficient mature canopy to suitably screen the waterslide from view from public highways;

FOURTH: that this special permit shall not be assignable to another party without the consent of the Town Board;

FIFTH: that Splish-Splash at Adventureland, Inc. shall complete the construction of the outdoor recreational use within two (2) years of the date of the adoption of this resolution, and

BE IT FURTHER

RESOLVED, that a copies of this resolution be forwarded to the Town Attorney, Building Department, Planning Department and Splish-Splash at Adventureland, Inc. or their agent.

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD

Resolution # 258

APPROVES SITE PLAN OF SPLISH SPLASH AT ADVENTURELAND, INC.

Councilwoman Blass offered the following resolution,
which was seconded by Councilwoman Sanders :

WHEREAS, a site plan was submitted by Splish Splash at Adventureland, Inc., for construction of a water slide, tramway and a car/bus parking area to support an existing water theme park facility located at Middle Country Road (SR25), Calverton, New York 11933, known and designated as Suffolk County Tax Map Number 0600-118-002.2; and

WHEREAS, the Planning Department has reviewed the site plan dated February 15th, 2002, as prepared by Donald Sioss, P.E., for the H2M Group 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 subject 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 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 Splish Splash at Adventureland, Inc., the Riverhead Town Board hereby reaffirms those SEQRA determinations made with regard to this application with Resolution Number 258 of 2002; and

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Splish Splash at Adventureland, Inc., for construction of a water slide, tramway and a car/bus parking area supporting an existing water theme park facility, located at Middle Country Road (SR25), Calverton, New York 11933, as prepared by Donald Sioss, P.E., and dated February 15th, 2002 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 review 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, Splish Splash at Adventureland Inc. hereby authorizes and

consents to the Town of Riverhead to enter premises at Middle Country Road (SR25), Calverton, New York 11933, 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 Splish Splash at Adventureland, Inc. shall augment existing screen planting on the frontage of Suffolk County Tax Map Parcel Number 0600-018-01-002.1 with four (4) Weeping Willows; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to John L. Ciarelli, Esq., agent for Splish Splash at Adventure Land, Inc., Ciarelli & Dempsey, 737 Roanoke Avenue, P.O. Box 488, Riverhead, New York 11901, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2002, made by Splish Splash at Adventureland Inc., residing at P.O. Box 1090, Riverhead, New York 11901, 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, Splish Splash at Adventureland Inc. hereby authorizes and consents to the Town of Riverhead to enter premises at Middle Country Road (SR25), Calverton, New York 11933, 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.

Splish Splash at Adventureland Inc.

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

Sanders Yes No Bless Yes No
Denslekt Yes No Lull Yes No
Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT _____
THEREUPON DULY ADOPTED

Adopted

03-07-02

TOWN OF RIVERHEAD

Resolution # 259

APPOINTS VALERIE MARVIN, ESQ. AS A HEARING OFFICER IN THE MATTER OF A DISCIPLINARY PROCEEDING AGAINST A TOWN EMPLOYEE

COUNCILWOMAN SANDERS offered the following resolution, which was seconded by COUNCILWOMAN BLASS

WHEREAS, the Town Board wishes to appoint a hearing officer to consider disciplinary charges against an employee and suspending that employee without pay pursuant to the terms of the CSEA Collective Bargaining Agreement; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby appoints Valerie Marvin, Esq. As the hearing officer in the disciplinary charges brought against a Town employee; and

FURTHER, BE IT, RESOLVED, that the Town Board reconfirms that the employee is suspended without pay for up to 30 days pending the determination of the charges; and

RESOLVED, that the Town Clerk be directed to forward a copy of this resolution to Valerie Marvin, Esq., Richard Zuckerman, Esq. and the Accounting Department.

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blas	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Danielski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" 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