

Town Clerk,
Barbara Grattan

TOWN BOARD MEETING
AGENDA
MAY 21 , 2002

ROBERT F. KOZAKIEWICZ, Supervisor

Edward Densieski, Councilman
James Lull, Councilman

Barbara Blass, Councilperson
Rose Sanders, Councilperson

woman

Barbara Grattan, Town Clerk
Dawn Thomas, Town Attorney

ELECTED OFFICIALS

Laverne Tennenberg
Madelyn Sendlewski
Paul Leszczynski
Mark Kwasna
Maryann Wowak Heilbrunn
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 E. Barnes, Jr.
Andrea Lohneiss
Ken Testa
Richard Hanley
Chief David Hegermiller
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 May 7th, 2002, moved by Councilperson _____, seconded by Councilperson _____. And

Special Board Meeting of May 16, 2002

COMMUNITY AWARENESS PROGRAM'S
SAY NO TO DRUGS DAY
MAY 31, 2002

Syes

REPORTS

Receiver of Taxes: Total Taxes collected to date: \$43,545,367.98

Water District: 2001 Drinking Water Report.

Juvenile Aid Bureau: Monthly Report for April, 2002

Open Bid Reports: Quick Lube Maintenance @ Water Department
Opened: 5/8/02 @11:00 a.m. (3 Bids received)

Well & Pump Emergency Service
Opened: 5/8/02 @11:00 a.m. (Four Bids received)

APPLICATIONS

Shows & Exhibition: Riverhead Central School District-June 21st, 4 p.m. thru June 22nd-9 a.m. Fund Raiser-Cancer Society

Radio Shack-June 14 to June 16-Tent Sale

Allen Edmonds Shoe Store-May 23rd to June 2nd- Tent Sale

Parade Permit: *Parade*
CAP-May 31 at 10:00 a.m.

Site Plan: Neefus Stype Insurance-Build Office Building

Special Permit: T-Jay's Transmission-construction of motor vehicle repair shop

CORRESPONDENCE

COMMITTEE REPORTS

Densieski -

Boat Show

Sanders - Rec Advisory

Shate Park

Sull - Traffic Study
SK Dun

PUBLIC HEARINGS

SCHEDULED MAY 21st, 2002

- 7:05 p.m. The Considered Proposed Local Law to Amend Chapter 101 entitled, "Vehicles & Traffic."
Intersection: Charles Street
Stop Sign: Signal Avenue
Entrance from: South

- 7:10 p.m. The Considered Proposed Local Law to Amend Chapter 101 entitled, "Vehicles & Traffic."
Intersection: Dogwood Lane (running north & south)
Stop Sign: Dogwood Lane (running east & west)
Entrance from: West

- 7:10 p.m. The Considered Proposed Local Law to Amend Chapter 101 entitled, "Vehicles & Traffic."
Section 101-8-Weight Limits

- 7:15 p.m. The Considered Proposed Local Law to Amend Chapter 101 entitled, "Vehicles & Traffic."
Article IV-Traffic Control Signals-Section 101-9 Installation & Maintenance

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

#10 Authorizes Chairman to Execute Contract

REGULAR TOWN BOARD MEETING:

- #518 Sets the Fees for Usage of Recreation Facilities
- #519 Supports the Acquisition of Property through the Partnership of the Town of Riverhead and the County of Suffolk
- #520 Kulesa Water Ext. #73 Capital Project Budget Adoption
- #521 Emergency Generator @ Plant #9 Budget Adoption
- #522 2002 Water Plant #12 Improvements Budget Adoption
- #523 Highway Department Budget Adjustment
- #524 Authorizes the Town Clerk to Publish and Post Notice for a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code
- #525 Authorizes the Town Clerk to Publish and Post Notice for a Local Law to Repeal and Replace Article XXXVI Entitled, "Site Plan Review" of the Riverhead Town Code
- #526 Allows the Erection of Off-Premises Signs for Sky Dive Long Island
- #527 Appoints Student Intern in the Accounting Department (J. Velys)
- #528 Appoints Student Intern in the Accounting Department (M. Fraine)
- #529 Appoints Summer Intern in the Engineering Dept. (J. Sollazzo)
- #530 Appoints Historic & Cultural Resource Intern in the Engineering Department (M. Brown)
- #531 Appoints Waterfront Personnel for 2002 to the Recreation Department
- #532 Ratifies the Appointment of a P/T Recreation Aide to the Recreation Dept. (J. Gillen)
- #533 Appoints a Scorekeeper to the Recreation Dept. (K. Walters)
- #534 Ratifies the Appointment of a P/T Recreation Aide to the Recreation Dept (J. Cunniff)
- #535 Appoints Summer Personnel for 2002 to the Recreation Dept.
- #536 Amends Resolution #1097-2001

- #537 Appoints a Recreation Aide to the Riverhead Recreation Dept. (G. Spero)
- #538 Appoints Empire Development Zone Coordinator to Promote Industrial Development at EPCAL
- #539 Approves Special Permit of TC 58, Inc. (Formerly Felice Enterprises)
- #540 Accepts Final Scope of Issues SEQRA Review of Special Permit Petition of Route 58 Riverhead, LLC (Riverhead Marquee Plaza)
- #541 Approves Amended Site Plan of Apple Honda
- #542 Approves Amended Site Plan of Aircraft Warehousing, Inc. (Unit #1 & #2)
- #543 Approves Utility Consultant Name Change and Fee Schedule
- #544 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, "Zoning" of The Riverhead Town Code (Business D District)
- #545 Extends Time to Take Action Regarding Cablevision Franchise Agreement
- #546 Authorizes Town Supervisor to Execute Change Order for Iron Pier Beach Plumbing Construction
- #547 Authorizes Town Supervisor to Execute Change Order for Grangebél Park Bulkhead Replacement
- #548 Authorizes Supervisor to Submit Grant Application for Financial Assistance to the New York State Office of Parks, Recreation and Historic Preservation Pursuant to Title 9 of the Environmental Protection Act of 1993 and Title 3 of the 1996 Clean Water/Clean Air Bond Act for Project Known as the Calverton Enterprise Park Recreation Improvement Project and Recommitment of Matching Funds
- #549 Authorizes and Endorses Submission of Grant Application to the New York State Office of Parks, Recreation and Historic Preservation
- #550 Authorizes the Supervisor to Execute an Agreement with Thomas Conoscenti & Associates, Inc. in Connection with the Assessing the Need to Establish Additional Industrial Zoning at Enterprise Park at Calverton
- #551 Authorizes the Supervisor to Execute an Agreement with Landauer Realty Group, Inc. to Conduct a Full Appraisal of Enterprise Park at Calverton

- #552 Authorizes the Supervisor to Execute Addendum to Contract Between Town of Riverhead and the Riverhead Business Improvement District Management Association (Staffing of the Riverhead Train Station)
- #553 Authorizes Town Clerk to Increase the Fee of the Riverhead Town Code Books
- #554 Approves the Application of Allen Edmonds Shoe Store (Tanger)
- #555 Approves Chapter 90 Application of Radio Shack Located in Riverhead
- #556 Authorize Supervisor to Request State for Speed for State Zone Change
- #557 Authorizes Town Clerk to Post and Publish a Help Wanted Ad for Engineering Intern
- #558 Authorizes Town Clerk to Post and Publish a Help Wanted Ad for Jr. Civil Engineer Trainee
- #559 Authorizes the Town Clerk to Post and Publish a Public Notice to Bidders for East End Arts Council Site Handicap Accessibility Modifications
- #560 Awards Bid for New Generator at Plant No. 12- RWD
- #561 Awards Bid-Granular Activated Carbon Replacement at Plant No. 12-RWD
- #562 Rejects Bids and Authorizes Town Clerk to Re-Advertise for Bids-RWD-Repainting of Pulaski Street Tank
- #563 Authorizes the Town Clerk to Post and Publish a Notice to Bidders for the Standby Power Generator Installation-Police Department and Town Hall
- #564 Awards Bid on Five (5) Combination Dump Body/Spreaders, Power Reversible Snow Plow and Low Mount Hitches
- #565 Rejects Bids for Corrosion Control Chemical and Authorizes Town Clerk to Publish and Post Notice to Bidders
- #566 Awards Bid for Well & Pump Emergency Service- RWD
- #567 Awards Bid for Quick Lube Maintenance-RWD
- #568 Order Establishing Extension #70 to the Riverhead Water District-Mid Road Properties
- #569 Order Establishing Extension #71 to the Riverhead Water District-Country Trails Subdivision

- #570 Order Establishing Extension #72 to the Riverhead Water District-
Reeves Farms
- #571 Order Establishing Extension #74 to the Riverhead Water District-
Wiana Realty-Riverhead Bay Motors
- #572 Approves Riverhead Center, LLC Petition to Amend Special Permit
- #573 Pays Bills
- #574 Rescinding in Part Resolution #1009 of 2001 and Ratifying the
Site Plan Approval Granted to the Riverhead Fire District
Training Facility

5/22/02

Adopted

Town of Riverhead CDA

Resolution # 10

Authorizes Chairman to Execute Contract

COUNCILMAN DENESKI

_____ offered the following resolution,

which was seconded by _____:

COUNCILWOMAN SANDERS

WHEREAS, the Town of Riverhead has offered low interest loans and grants to homeowner occupants for more than 25 years; and

WHEREAS, the need for assistance among Riverhead's low income residents and particularly fixed-income senior citizens has increased, while federal HUD funding has decreased; and

WHEREAS, other sources of funds have become necessary to support this program; and

WHEREAS, the New York State Affordable Housing Corporation offers funding to provide for improvement of owner-occupied housing and the stabilization and preservation of neighborhoods and communities; and

WHEREAS, New York State AHC has approved the Town of Riverhead CDA application for \$150,000 in Home Improvement Project funds for townwide home improvement projects.

THEREFORE, BE IT RESOLVED that the CDA hereby authorizes the Chairman to execute the attached contract with New York State AHC.

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

THE VOTE

Gardner Yes No
 Glavin Yes No
 Donskoff Yes No
 Luf Yes No
 Kozakewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

**NEW YORK STATE
AFFORDABLE HOUSING CORPORATION**

GRANT AGREEMENT

**Town of Riverhead Community
Development Agency**

AHC # 9BB07

Affordable Home Ownership Development
Program Home Improvement Project

Riverhead, New York

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GRANT AGREEMENT

This Grant Agreement entered into as of this _____ day of May, 2002 by and between the NEW YORK STATE AFFORDABLE HOUSING CORPORATION, a public benefit corporation created and existing as a subsidiary of the New York State Housing Finance Agency pursuant to Section 45-b of the Private Housing Finance Law ("Corporation" or "AHC") having its principal place of business at 641 Lexington Avenue, New York, New York 10022 and the Town of Riverhead Community Development Agency having its offices at 200 Howell Avenue, Riverhead, New York, 11901("Grantee").

W I T N E S S E T H:

WHEREAS, pursuant to Section 1112 of the Private Housing Finance Law, the Corporation is authorized to enter into contracts with eligible applicants for the purpose of providing affordable homes for families and individuals for whom there are no other reasonable and affordable home ownership alternatives in the private market; and

WHEREAS, Grantee submitted an application ("Application") to the Corporation for a grant to finance the acquisition, construction, rehabilitation, or improvement of a certain project(s) located in a specified project area, all as more fully described in Exhibit A hereof ("Project"); and

WHEREAS, pursuant to the Application, the Corporation has awarded the Grantee a grant in the amount of \$150,000 for the Project ("Grant"), which the Grantee wishes to accept;

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, the Corporation hereby agrees to make the Grant and the Grantee agrees to take the Grant upon the following terms and conditions:

ARTICLE I

GENERAL PROVISIONS

1.1 Contents of Agreement. This agreement will consist of this Grant Agreement, the Application and the Regulations. The Application and Regulations are incorporated herein as if fully set forth.

1.2 Exhibits Incorporated. All exhibits ("Exhibit(s)") which are referred to in this Grant Agreement or are attached hereto are incorporated and made a part hereof.

1.3 General Definitions. Unless specifically provided otherwise or the context otherwise requires, when used in this Grant Agreement:

- (a) "Act" will mean Article 19 of the Private Housing Finance Law (Section 1110 et seq.) as the same may be amended from time to time;
- (b) "Affirmative Marketing Plan" will mean those portions of the Grantee's Marketing Plan set forth in Exhibit C that are designated as an Affirmative Marketing Plan, which will require or be deemed to require compliance with all applicable fair housing laws and will describe the Grantee's plans to promote fair access to Homes in the Project by eligible Home Buyers or Home Owners, including an explanation of any preference or priority system and any special marketing efforts to reach out to minority, disadvantaged, or other groups; the Affirmative Marketing Plan will state the rationale for such plans and discuss the likely impact of such efforts within the context of the Grantee's overall housing efforts or any applicable municipal community development plan.
- (c) "Application" will mean the application submitted by the Grantee pursuant to the Corporation's request for proposals;
- (d) "Contractor" will mean builder, developer, or general contractor, other than Grantee, that is a Participating Party under this Grant Agreement;
- (e) "Corporation" will mean the Affordable Housing Corporation created by Section 45-b of the Private Housing Finance Law and its successors or assigns;
- (f) "Eligible Costs" will mean costs related to the acquisition, construction, rehabilitation, or

improvement of one to four family dwellings, including cooperatives and condominiums, which are or will be owner occupied and specifically excluding all of the following: (i) administrative costs incurred by the Grantee and any costs which are not directly related to the acquisition, construction, rehabilitation or improvement of Homes; (ii) in the event that Homes are to be located in a mixed use structure, then ineligible costs include any costs associated with the nonresidential uses;

- (g) "Exhibit(s)" shall mean any exhibit which is referred to in this Grant Agreement or attached hereto; the Exhibits are incorporated herein and made a part hereof.
- (h) "Grant" will mean those funds to be provided by the Corporation to the Grantee pursuant to the terms of this Grant Agreement, as specified in Exhibit B in which the Financial Plan for the Project is set forth;
- (i) "Grantee" will mean the party named as the Grantee in the first paragraph of the preamble hereto (the preamble appears on the first page of the text of this Grant Agreement);
- (j) "Grantee Activities" will mean those activities of the Project to be carried out by the Grantee, or an agent or agency of the Grantee, which activities are described in the Management Plan set forth in Exhibit C of this Grant Agreement;
- (k) "Home" will mean a one to four family dwelling which has at least one owner occupant or an owner occupied unit in a cooperative or a condominium, as described in the Exhibits;
- (l) "Home Buyer(s)" will mean individuals or households for whom there are no other reasonable and affordable home ownership, alternatives, in the private market, as determined by the Grantee pursuant hereto, and who will occupy Homes assisted under the Act as their principal place of residence;
- (m) "Home Improvement" will mean the improvement of a Home in which the owner is in residence at or prior to the time of the commencement of such improvement;

- (n) "Home Improvement Contract(s)" will mean the written agreements entered into between a Home Owners and a Contractors for the improvement of Homes;
- (o) "Home Owner" will mean an individual or family residing in a Home needing work to prolong its useful life, to correct basic structural defects or to repair basic building systems which threaten or, if not corrected or repaired, could threaten the health and safety of the residents;
- (p) "Management Plan" will mean the plans, procedures, and efforts to be employed by the Grantee and Participating Parties with respect to the Project's development and management, as outlined in Exhibit C.
- (q) "Marketing Plan" will mean the plans, procedures, and efforts to be employed by the Grantee and Participating Parties with respect to marketing the Homes, to do outreach, advertising, selection, and qualification of Home Buyers and Home Owners, as described in Section 3 of Exhibit C.
- (r) "Material" will have the meaning set forth in Section 5.1(b) of this Grant Agreement;
- (s) "Non-Grantee" or "Participating Party" Activities" will mean those activities of the Project to be carried out by Participating Parties, other than the Grantee or an agent or agency of the Grantee, which activities are outlined in Section 2 of Exhibit C of this Grant Agreement;
- (t) "Participating Party" will mean any person, firm, corporation or entity identified as such in Section 2 of Exhibit C or elsewhere in this Grant Agreement. Identification as a "Participating Party" signifies that the Corporation, in selecting the Grantee for the award of the Grant, relied in material part upon a representation that the party so identified will complete a specified portion of the Project or a specific activity necessary for the completion of the Project;
- (u) "Plans" will have the meanings set forth in Sections 7.1(a) and 7.2(a) of the Grant Agreement;
- (v) "Project" will mean the construction, rehabilitation, acquisition in conjunction with new construction or rehabilitation, or improvement of Homes, as more fully described in Exhibit A;

- (w) "Project Close-out" will have the meaning set forth in Article 14 of this Grant Agreement;
- (x) "Project Document(s)" will mean all the agreements, deeds, contracts, commitments, undertakings, by and among the Grantee and the Participating Parties, evidentiary materials, and other documentation necessary to carry out the Project as set forth in this Grant Agreement;
- (y) "Program" will mean the Affordable Home Ownership Development Program created by the Act;
- (z) "Program Income" will have the meaning set forth in Article 8 of this Grant Agreement;
- (aa) "Property" will mean the land or lands upon which the Project is to be located;
- (ab) "Recipient(s)" will mean any individuals, partnerships, corporations or other entities which receive Grant funds from the Grantee or a Participating Party;
- (ac) "Rehabilitation" will mean the substantial renovation or reconstruction of a building; and
- (ad) "Regulations" will mean the Program regulations adopted by the Corporation pursuant to Section 1113(1) of the Act, as the same may be amended from time to time.

ARTICLE II

TERM

The term of this Grant Agreement will commence on the date first set forth above, and, unless otherwise terminated in accordance with the terms contained in this Grant Agreement, will expire on the later of a) the date when the latest-expiring recapture period specified in a grant enforcement mortgage and note, executed by a Home Buyer or Home Owner under the Project as required by Section 10.4, has passed and its conditions for reduction of the recapture obligation to zero have been satisfied, b) the date when the last of the amounts, if any, due from Home Buyers or Home Owners have been recaptured by the Grantee and paid over to the Corporation, or c) the date when the Corporation has agreed in writing to accept the performance of the Grantee as satisfying its obligations under this Grant Agreement.

ARTICLE III

SCOPE OF SERVICES

The Grantee will have overall responsibility for the timely completion of the Project in accordance with the terms and conditions set forth in this Grant Agreement. In addition, the Grantee will have primary responsibility for the Grantee Activities listed in Exhibit C.

ARTICLE IV

AMOUNT AND AUTHORIZED USES OF GRANT FUNDS

4.1 In consideration of the various obligations undertaken by the Grantee pursuant to this Grant Agreement, and in consideration of the obligations to be undertaken by Participating Parties, as represented by the Grantee in the Application, the Corporation agrees, subject to the terms and conditions set forth herein, to provide the Grantee with the Grant in the amount specified in Exhibit B.

4.2 The Grantee will apply Grant funds exclusively to Eligible Costs of the Project as described in Exhibit A of this Grant Agreement and in the amounts budgeted in Exhibit B of this Grant Agreement.

4.3 The Grant has been awarded in reliance upon the Grantee's plan to produce Homes or Home Improvements affordable by individuals and families within the income limits by family size as specified in the Exhibits. Any change in the cost of the Project that would require higher income levels must have the prior written approval of the Corporation.

4.4 The amount of the Grant has been determined by the Corporation in reliance upon the cost estimates of the Grantee with respect to the activities set forth in the Application and the investment commitments and contractual undertakings of Participating Parties. The Corporation reserves the right to reduce the Grant: (a) if there is any revision proposed by the Grantee and approved by the Corporation with respect to the Exhibits of this Grant Agreement; (b) if the actual costs for activities are lower than those set forth in Exhibit B; (c) if the investment by Participating Parties is less than the amount(s) specified in the Exhibits and Project Documents; or (d) if the grant exceeds the lesser of: (1) \$20,000 or, in the case of a high cost project or a project which will receive a federal farmers home administration loan, \$25,000 per dwelling unit, or (2) sixty per cent of the cost of the work done in connection with the Project with respect to each Home.

4.5 With respect to the acquisition of the Property, the Grantee will not pay and the Corporation will not reimburse the Grantee for or disburse Grant funds in excess of the appraisal submitted pursuant to Section 7.1(f) of this Grant Agreement. If Property is acquired for a cost materially in excess of the appraisal submitted under circumstances that will increase the cost of homes to Home Buyers, the Corporation, in its discretion, may terminate this Grant Agreement.

ARTICLE V

THIRD PARTY CONTRACT REQUIREMENTS

5.1 The Grantee will incorporate, either directly or indirectly by side agreement, the provisions of this Article 5 in the appropriate contractual obligations of the relevant Participating Parties involving activities to be paid for with Grant funds or other uses of Grant funds, the following:

- (a) a provision establishing a stated price for the performance of Project work, requiring completion within a specified time period, and setting forth a specified, limited profit in accordance with the formula established by the Grantee and approved by the Corporation, except that in the case of Home Improvement Contracts, where an alternative method of limiting profit has been implemented, then a specified profit limit need not be stated;
- (b) a provision that during the term of this Grant Agreement, after a contract with a Participating Party has been submitted, approved or accepted by the Corporation, such contract will not be amended in any material respect without the prior written

approval of the Corporation. "Material" will be anything which cancels or reduces any developmental, construction, or financial obligation of any Participating Party by more than ten percent (10%), changes the sites or character of any development activity, increases any time for performance by a party by more than thirty (30) days or increases by more than ten percent (10%) the amount that may be paid for the goods or services of any Participating Party or increases the cost of any Home to a Home Buyer by any amount;

- (c) a provision that the Grantee and each Participating Party has obtained, or has reasonable assurance that it will obtain, on a timely basis all federal, state and local governmental approvals and reviews required by law to be obtained by the Grantee or Participating Party for the Project;
- (d) an acknowledgment by all Participating Parties, other than lenders, that the Corporation, in selecting the Grantee for the award of this Grant, has relied in material part upon the assured completion of the Project by the Participating Parties within the costs and times reflected in their contracts and in the Exhibits, and the Participating Parties assurance that their obligations shall be completed and that they will not permit or engage in any activities which would prevent the timely completion of the Project as provided herein;
- (e) a provision that any Program Income received by the Participating Party will be returned to the Grantee;
- (f) a provision requiring that each Participating Party: (1) keep and maintain books, records and other documents relating directly to the Project; and (2) agree that any duly authorized representative of the Corporation will, at all reasonable times, have access to and the right to inspect, copy and audit all such books, records and other documents of such Participating Party until the completion of Project Close-out and the final settlement and conclusion of all issues arising out of this Grant;
- (g) a requirement in all Rehabilitation or Home Improvement projects, that no Rehabilitation or Home Improvement will be financed with Grant proceeds unless more than fifty percent of the cost

of the Rehabilitation or Home Improvement will be used to perform work which prolongs the useful life of the Home or repairs basic building systems or corrects basic structural defects which threaten or if not corrected or repaired could threaten the health and safety of the dwelling's residents;

- (h) a provision that each Participating Party agrees that any duly authorized representative of the Corporation will, at all reasonable times, have access to any portion of the Project in which a Participating Party is involved until Project Close-out or until such other time as agreed to by the Corporation;
- (i) an acknowledgment and agreement by the Participating Party that no transfer of Grant funds by the Grantee to the Participating Party will be or be deemed to be an assignment of Grant funds, and that such Participating Party will neither succeed to any rights, benefits or advantages of the Grantee under this Grant Agreement, nor attain any rights, privileges, authorities or interests in or under this Grant Agreement;
- (j) an acknowledgment that nothing contained in this Grant Agreement, or in the contracts between the parties, nor any act of the Corporation, the Grantee, or any of the parties, will be deemed or construed by any of the parties, or by third persons, to create any relationship of third party beneficiary, principal and agency, limited or general partnership, or joint venture, or of any association or relationship involving the Corporation. Notwithstanding anything in the Grant Agreement and Project Documents to the contrary, to the extent of any conflict or inconsistency between the provisions of this Grant Agreement and the Project Documents, as such conflict or inconsistency may refer to the Grant, the provisions and intent of this Grant Agreement shall control. It is understood by the parties hereto that funding is provided by the Corporation in connection with the Project as a conditional subsidy pursuant to the provisions hereof and that such understanding will not effect the rights of any Participating Party with respect to funds or assistance provided thereby in connection with the Project. Notwithstanding anything herein to the contrary, the provisions of this subsection and of similar provisions in the Project Documents, as they relate to or affect the Grant, shall be for

the benefit of the mortgagors, and shall not be deemed to violate the provisions of this subsection regarding the creation of third party beneficiary relationships;

- (k) notwithstanding of the provisions of Section 5.1(j) hereof, an acknowledgment that the Grant will be furnished to the Grantee by the Corporation as funds held in trust to be used solely for Eligible Costs in the manner set forth in the Exhibits hereto;
- (l) acknowledgment that the Grantee will not be liable to any Participating Party, or to any party except the Corporation, for completion of, or the failure to complete, any activities which are a part of the Project, except those specified in the Exhibits and Project Documents;
- (m) conflicts of interest provisions consistent with Article 17 of this Grant Agreement; and
- (n) a project sign provision acceptable to the Corporation and such additional provisions regarding acknowledgment of and publicity for the Corporation's support for and contribution to the Project as the Corporation may reasonably require.

5.2 All Participating Parties will be subject to the approval of the Corporation.

ARTICLE VI

SUPPORTING MATERIALS

6.1 In selecting the Grantee for the award of this Grant, and in entering into this Grant Agreement, the Corporation has relied upon the representations of the Grantee that the Grantee and the Participating Parties identified in Exhibit C together: (a) have or will have control of the sites for the Project; (b) have, or will obtain, the financial capability to ensure the carrying out of the activities to their completion; (c) will undertake specified activities connected with the Project; and (d) will invest, or cause to be invested, a specified amount in money, goods or services in the Project; (e) will complete those activities in a timely and skillful manner, and (f) that the Project will be completed without material defect.

6.2 In support of these representations, the Grantee has submitted, except as provided in Section 6.3, to the Corporation the deeds, contracts, commitments and all other relevant documents necessary to complete the Project (the "Project Documents"), which

documents are attached to this Grant Agreement as Exhibit F. Supporting materials submitted for acceptance by the Corporation will include: (a) a complete index describing the materials submitted; (b) a legally binding and enforceable commitment of each Participating Party to undertake and complete specified activities connected with the Project and to expend on the Project a specified minimum amount of funds or other form of investment; (c) in the case of Contractors, binding commitments including the price to be paid for Homes to be constructed or rehabilitated and the time within which the work will be completed; and (d) evidence that the Participating Parties have on hand, or will have available to them, any finances or other resources necessary to carry out the activities contemplated in their commitments; and (e) an opinion of counsel to the Grantee in accordance with Section 6.5.

6.3 In the event that all the Project Documents necessary to demonstrate the obligations or financial capabilities specified in Section 6.2 are not obtainable prior to the execution of this Grant Agreement, the Project Documents not previously submitted and a further counsel's opinion without exceptions will be submitted for the approval of the Corporation prior to any requisition for the disbursement of Grant funds.

6.4 All submissions pursuant to this Article will be subject to Corporation approval as to form and content. All documentary evidence of commitments, contracts, site control or any other requirement to be submitted to the Corporation for its approval will be in the form of either (i) a duplicate original, or (ii) a photocopy of the fully executed original of the documents. Supporting materials which have been submitted to and approved by the Corporation will not be amended in any material respect without prior written approval of the Corporation.

6.5 The opinion of counsel to the Grantee referred to in Section 6.2 shall list the Project Documents and any other pertinent sources that counsel has examined, shall state that the Project Documents constitute all necessary undertakings and documentation needed to carry out the terms of this Grant Agreement and that the parties all validly exist and are empowered to engage in the transactions contemplated and shall give a description of any exceptions to be submitted in accordance with Section 6.3. The Grantee's counsel shall list and attach copies of the opinions of counsel to other parties on which Grantee's counsel has relied in reaching his opinion.

6.6 If, under the terms of a Project Document serving as a loan commitment, the making of the loan is contingent upon the happening of any condition precedent, then the approval of the commitment by the Corporation as satisfying the requirement for supporting materials may be conditioned by the Corporation upon the submittal and acceptance of further evidence that such

contingencies have been satisfied or removed or that the loan has closed.

ARTICLE VII

DISBURSEMENT OF GRANT

7.1 Prior to the disbursement of any Grant funds, the Grantee will submit the following for each Project except as provided in Section 7.2 with respect to Home Improvement:

- (a) A certification that the Grantee or a Participating Party will require the preparation of and work in accordance with final plans and specifications for the completion of the Project (the "Plans"), which will be certified by a registered architect or licensed engineer, to be retained by Grantee or a Participating Party;
- (b) A certification that the Grantee has executed all contracts with the Participating Parties that are necessary for it to effectuate the construction and completion of the Project in conformity with the Exhibits;
- (c) A certification by the Grantee that the Grantee and the Participating Parties have obtained (i) all worker's compensation, disability benefits and other insurance required by law; (ii) such other coverage as the Grantee or Participating Parties may require to insure the work to be performed under the Project which shall include comprehensive general liability insurance, with a minimum limit of liability of Five Hundred Thousand Dollars (\$500,000) for bodily injury and property damage and casualty and fire insurance in the minimum amount of ninety percent (90%) of replacement value of the Homes covered by each Participating Party's contract, which policy will provide "All Risk" builders risk insurance, including collapse coverage and flood insurance (if the subject property is located in a HUD designated flood hazard area), unless different coverage is specified in Exhibit G, Insurance;
- (d) With respect to Grantees other than municipalities, evidence of fidelity bonds covering the employees of the Grantee who will handle Grant funds in the minimum amount of the maximum anticipated disbursement to be requested by the Grantee;

- (e) Payment and performance bonds for the Project in such form as the Corporation may require or such other commitments or obligations to secure payment and performance as the Corporation has approved, provided, however, no payment and performance bonds will be required by the Corporation where Grant funds will be advanced to the Home Buyer or Contractor upon completion of work;
- (f) If the Corporation approves the use of any portion of the Grant funds for the acquisition of any Property, a copy of the contract for such acquisition, an appraisal, all other agreements relating thereto and any other documents or information that the Corporation may require;
- (g) In the case of all cooperative or condominium conversions of occupied buildings, a copy of the acceptance for filing by the Department of Law of the State of New York of the offering statement and a copy of any other relevant approvals or acceptances by the Department of Law, the Department of State and any other state agencies;
- (h) Evidence that the Project, upon completion, will be in compliance with all applicable laws including building codes and zoning ordinances;
- (i) Evidence of the establishment of a system for the maintenance, disbursement, and expenditure of Grant funds in a manner acceptable to the Corporation in its sole discretion;
- (j) Such arbitrage rebate compliance documentation and remission(s) of funds as may be required by the Corporation pursuant to a Rebate Compliance Agreement between the New York State Housing Finance Agency and the Corporation, among others ("Rebate Compliance Agreement"); and
- (k) Submission of all supporting materials required pursuant to Exhibit F, at least twenty days prior to the time for a disbursement where submission of any supporting materials prior to the execution of this Grant Agreement was waived by the Corporation.

7.2 In the case of Home Improvement, prior to the disbursement of any Grant funds, Grantee will submit the following items for each Project:

- (a) A certification that the Grantee will require work in accordance with plans for the Home Improvement

(the "Plans"), certified by a registered architect or licensed engineer when required by law, and which have been approved by each Home Owner for the completion of work on his Home;

- (b) A certification by the Grantee that the Grantee or the Participating Parties have obtained (i) all worker's compensation, disability benefits and other insurance required by law; (ii) such other coverage as the Grantee may require to insure the work to be performed under the Project which shall include comprehensive general liability insurance, with a minimum limit of liability of Three Hundred Thousand Dollars (\$300,000) for bodily injury and property damage unless different coverage is specified in Exhibit G, Insurance;
- (c) With respect to Grantees other than municipalities, evidence of fidelity bonds covering the employees of the Grantee who will handle Grant funds in the minimum amount of the maximum anticipated disbursement to be requested by the Grantee;
- (d) Payment and performance bonds for the Project in such form as the Corporation may require or such other commitments or obligations to secure payment and performance as the Corporation has approved, such as the retainage by the Grantee of a material portion of the contract price until the completion of the work has been approved by the Home Owner;
- (e) A certification that the Grantee will obtain assurance, prior to final payment of Grant funds to a Contractor, that the Project upon completion will be in compliance with all applicable laws including building codes and zoning ordinances; and;
- (f) Evidence of the establishment of an interest bearing Federal Deposit Insurance Corporation insured bank account to be used exclusively for the deposit and withdrawal of the Grant funds for the Projects under this Grant Agreement ("Project Account");
- (g) Such arbitrage rebate compliance documentation and remissions of funds as may be required pursuant to a Rebate Compliance Agreement between the New York State Housing Finance Agency and the Corporation among others;

7.3 The proceeds of the Grant will be applied only to costs for acquisition of Property for new construction or rehabilitation,

to work items shown in the Plans referred to in Section 7.1 (a) or 7.2 (a) or in Home Improvement Contracts or to the purchase of Homes by Home Buyers and only in accordance with Exhibit B.

7.4 Disbursement of Grant proceeds will be made on a periodic basis. Except as may be otherwise provided in Section 7.5 hereof pertaining to Home Improvement projects, or in the Exhibits and any appendix annexed hereto with respect to requisition documentation, the sequence and timing of drawdowns of the respective sources of acquisition, construction, rehabilitation, or improvement financing, or concerning retainage, or other requirements, such disbursements will be made upon requisitions of the Grantee certifying the Project work completed or the acquisition to be funded, and that 75% of all prior disbursements have been expended or committed to current payments to Contractors or to closings with Home Buyers, provided the cumulative ratio of other funds to Grant funds does not fall below 1 to 1.5, (i.e. 40% other funds to 60% Grant funds); provided, each such requisition must be accompanied by a current bank statement concerning the account established pursuant to this Grant Agreement.

7.5 With respect to Home Improvement projects, no greater than twenty-five percent of the Grant amount will be disbursed upon satisfaction of the requirements of Section 7.2 hereof and each additional disbursement will be in an amount no greater than twenty-five percent of the Grant funds (unless different percentages or provisions for disbursements are set forth in the Exhibits) and provided that, prior to the disbursement of additional Grant funds: (i) a minimum of seventy-five percent of all prior disbursements has been expended or committed pursuant to Home Improvement contracts and Plans, if such Plans are required by law; and (ii) the Grantee will provide a certification that either the Grantee or a participating Party has received: (a) evidence of site control and ownership of each unit of the Home improved or to be improved on the part of the respective Homeowner to be benefited by the Grant funds; and (b) a Home Improvement contract and Plans, if such Plans are required by law, for each unit improved or to be improved through such prior disbursement; and provided that each such requisition must be accompanied by a bank statement concerning the project account established pursuant to this Grant Agreement.

ARTICLE VIII

PROGRAM INCOME

Program Income will mean any Grant funds disbursed by the Corporation to the Grantee or Sub-grantee, payments of principal and interest on any deposits made by Grantee and any Sub-grantee with Grant funds, net proceeds allocable to the Grant and payable to the Grantee or Sub-grantee from the disposition of real property financed in whole or in part with Grant funds, investment income on

Grant funds and any funds recaptured or repaid in connection with Property of a Home Buyer or Home Owner who fails to comply with his/her obligations with respect to participation under the Program. All Program Income not offset against the disbursement of Grant funds for Eligible Costs will be returned to the Corporation by the Grantee.

ARTICLE IX

REPRESENTATIONS, WARRANTIES, AND SPECIFIC OBLIGATIONS

9.1 The Grantee has, through consultations among all appropriate members of the Grantee's governing body and its officers, examined into each of the following and by its execution of this Grant Agreement the Grantee does, upon information and belief, represent and warrant to the Corporation that:

- (a) The Grantee is duly organized and validly existing under the laws of the jurisdiction under which the Grantee was created, and has all requisite power and authority to enter into this Grant Agreement;
- (b) As identified in such certification all resolutions, motions, orders, ordinances or other necessary formalities necessary to authorize the execution and delivery of this Grant Agreement on behalf of the Grantee by the person executing this Grant Agreement have been, respectively, fully adopted, passed or enacted as an official act of the Grantee's governing body or chief executive officer;
- (c) This Grant Agreement has been executed and delivered by the Grantee in such manner and forms to comply with all applicable laws to make this Grant Agreement the valid and legally binding act and agreement of the Grantee;
- (d) There is no action, proceeding, or investigation now pending, nor any basis therefor, known or believed to exist by the Grantee, which (i) questions the validity of this Grant Agreement, or any action taken or to be taken under it, or (ii) is likely to result in any material adverse change in the authorities, properties, assets, liabilities, or conditions (financial or otherwise) of the Grantee which would materially and substantially impair the Grantee's ability to perform any of the obligations imposed upon the Grantee by this Grant Agreement;

- (e) The representations, statements, and other matters contained in the Application were true and complete in all material respects as of the date of filing. The Grantee is aware of no event which would require any amendments to the Application (other than an amendment which has been filed with and approved by the Corporation) in order to make such representations, statements, and other matters true, complete and current at the time of the execution of this Grant Agreement and not misleading in any material respect. The Grantee is aware of no event or other fact which should have been, and has not been reported in the Application as material information;
- (f) The Grantee has obtained, or has reasonable assurances that it will obtain on a timely basis, all federal, state and local government approvals and reviews required by law to be obtained by the Grantee for the Project; and all Participating Parties have obtained, or the Grantee has reasonable assurances that such Participating Parties will obtain, all such approvals and reviews required by law to be obtained by the Participating Parties for the Project;
- (g) Insofar as the capacity of the Grantee to carry out any obligation under this Grant Agreement is concerned, (i) the Grantee is not in material violation of its charter or certificate of incorporation, as the case may be, or any mortgage, indenture, agreement, instrument, judgment, decree, order, statute, rule or regulation and (ii) the execution and performance of this Grant Agreement will not result in any such violation;
- (h) The Project will be constructed in accordance with the Plans or Home Improvement Contracts, the Schedule of Activities in Exhibit D and the Financial Plan established for the Project in Exhibit B;
- (i) Contractors, as defined in Section 1.3(c), have executed or will enter into contracts for a stated price and providing for a limited profit in accordance with a formula established by the Grantee and approved by the Corporation, except that in the case of Home Improvement, if the Grantee establishes an alternative method to limit profit (which method will be described in the Exhibits), then the Grantee hereby warrants and represents that all Home Improvement Contracts will

be entered into in accordance with such alternative method;

- (j) In the case of Rehabilitation and Home Improvement, a majority of the assistance provided by the Grantee with respect to each Home will be used to perform work which prolongs the useful life of the Home or corrects basic structural defects or repairs basic building systems which threaten or if not corrected or repaired could threaten the health and safety of the dwelling's residents;
- (k) The Grantee acknowledges that nothing contained in this Grant Agreement, nor any act of the Corporation, the Grantee, or any of the parties, will be deemed or construed to create: (i) any of third party beneficiaries, or (ii) any principal and agency, partnership, or joint venture, or of any similar association or relationship involving the Corporation other than the obligation of the Grantee with respect to the grant enforcement notes and Mortgages set forth in Section 10.4. The above provisions of this Subsection 9.1(k) notwithstanding, the Grantee acknowledges that the Corporation is furnishing the Grant to the Grantee as funds held in trust to be used solely for Eligible Costs in the manner set forth herein. The Grant funds are understood not to be funds of the Grantee. Notwithstanding anything in the Grant Agreement and Project Documents to the contrary, to the extent of any conflict or inconsistency between the provisions of this Grant Agreement and the Project Documents, as such conflict or inconsistency may refer to the Grant, the provisions and intent of this Grant Agreement shall control. It is understood by the parties hereto that funding is provided by the Corporation in connection with the Project as a conditional subsidy pursuant to the provisions hereof and that such understanding will not effect the rights of any Participating Party with respect to funds or assistance provided thereby in connection with the Project. Notwithstanding anything herein to the contrary, the provisions of this subsection and of similar provisions in the Project Documents, as they related to or affect the Grant, shall be for the benefit of the mortgagors, and shall not be deemed to violate the provisions of this subsection regarding the creation of third party beneficiary relationships.
- (l) The Grantee will comply with the requirements of the Corporation with respect to arbitrage rebate

documentation and remission(s) of funds to be rebated, pursuant to the Rebate Compliance Agreement.

9.2 The Grantee will use its best efforts to ensure the completion of the Management Plan, including Grantee Activities and Non-Grantee Activities, described in Exhibit C of this Grant Agreement within the time periods specified in Exhibits D and E.

9.3 The Grantee will comply with the Regulations of the Corporation, including provision of any certifications required therein.

9.4 Promptly upon the discovery of any default, as defined in Section 12.1 of this Grant Agreement, involving any Participating Party, the Grantee will:

- (a) give prompt written notice to the Corporation;
- (b) vigorously pursue, to the fullest extent possible, all remedies available to Grantee to remove or cure such default, obtain redress therefor and minimize the effects of the default, including all efforts to obtain reimbursement for any Grant funds expended on the Project;
- (c) endeavor to inform Home Buyers and Home Owners of the provisions of warranties legally available to them and to enforce such warranties when such default involves a defect in the quality of design or workmanship; and
- (d) keep the Corporation fully informed as to the status of such actions.

9.5 The Grantee will comply with all applicable federal, state, and local fair housing laws and may not engage in any practice or foster any pattern of illegal discrimination including but not limited to discrimination based on race, religion, disability, marital status, or age. Exhibit C contains provisions describing the Marketing Plan, which includes the process of outreach, advertising, and selection of applicants to receive Grant funds hereunder, and includes an Affirmative Marketing Plan to ensure that each element of the selection process is open, fair, and equitable. The Affirmative Marketing Plan furnished to the Corporation in connection herewith is subject to the approval of the Corporation in its sole discretion and may not be modified or amended without its prior written consent. Any system of preference of priority with respect to the solicitation of applicants, selection, and qualification of Home Buyers, marketing of Homes, or allocation and distribution of Grant funds must be fully set forth and justified in the Affirmative Marketing Plan,

which will include an explanation of the need for and likely impact of such preference or priority on the disposition of the Homes in the Project within the context of the Grantee's affirmative marketing efforts and any applicable municipal community development plan. Any system of preference or priority must comply with federal and state fair housing laws and may not foster racial, religious, or other illegal form of discrimination.

9.6 Unless the Corporation approves another plan for owner occupancy monitoring, during the applicable period of required owner occupancy of the Homes subsidized hereunder, the Grantee will use its best efforts to verify compliance with owner occupancy requirements, including but not limited to employment of methods such as annually mailing a letter to each Home Buyer requesting verification that the respective Home is being occupied as the Home Buyer's primary residence. The envelope containing such requests must display the following endorsement: "ADDRESS CORRECTION REQUESTED/DO NOT FORWARD".

9.7 The Grantee will develop and include provisions in Paragraph G of Section 3 (Marketing Plan) of the Management Plan (Exhibit C), which will be subject to the Corporation's approval, for publicizing the Corporation's contribution to the Project. Such provisions will include a plan requiring the placement of a sign, in a format acceptable to the Corporation, at the Project site or sites, inclusion in marketing materials of appropriate acknowledgments of the Corporation's participation in financing the Project, and such additional or alternative methods of acknowledging and publicizing the Corporation's support for and contribution to the Project as may be deemed reasonable, necessary, and convenient.

ARTICLE X

REGULATORY PROVISIONS

10.1 In selecting Home Buyers, the Grantee will (a) adhere to the Marketing Plan in Exhibit C; and (b) ensure that the sale prices, carrying charges, and initial rents provided in the Exhibits and Project Documents are not exceeded.

10.2 In the case of Home Improvement, the Grantee will certify to the Corporation, in such manner as the Corporation may require, the dates of completion of each Home Improvement.

10.3 Grantee will comply with its temporary occupant relocation plan, if applicable; in the event that such a plan is applicable, it will be attached hereto as Exhibit I.

10.4 The Grantee will, without cost to the Corporation, (a) cause all Home Buyers or Home Owners to execute a grant enforcement note and mortgage in a form supplied by the Corporation, secured by

their respective Homes, which contains provisions acceptable to the Corporation to ensure that all units in the project are affordable, and under which the Home Buyer or Home Owner will agree to pay the amount required by the recapture provisions if the Home Buyer or Home Owner does not occupy his/her Home for the minimum period required pursuant to the Regulations and the Act and specified in the grant enforcement note and mortgage; (b) record such mortgages on behalf of the Corporation; (c) arrange for the return of the mortgage to the Corporation; and (d) cooperate with the Corporation with respect to enforcement of the recapture provisions in connection with such mortgages.

10.5 For any Project involving relocation of current occupants, a temporary occupant relocation plan will be attached as Exhibit I.

10.6 As required by the Act, the Grantee will establish a reasonable system satisfactory to the Corporation to monitor the requirement that the Home is occupied by the Home Buyer or Home Owner during the applicable recapture period required by the grant enforcement note and mortgage instruments or the Regulations and to notify the Corporation of any non-compliance. Notwithstanding any other provision contained in this Grant Agreement, this provision will survive the Project Close-Out of this Grant Agreement.

ARTICLE XI

INSPECTION AND REVIEW

11.1 The Grantee will, and the Grantee will cause Participating Parties to, keep and maintain such books, records and other documents as will be required under rules and regulations applicable to grants made under the Program, and as may be reasonably necessary to reflect and disclose fully the amount and disposition of the Grant funds, the total cost of the activities paid for, in whole or in part, with Grant funds, and the amount and nature of and earnings from all investments made with Grant funds.

11.2 All such books, records and other documents will be available for a minimum period of three years from the date of Project Close-out at the offices of the Grantee (except that books, records and other documents of a Participating Party which are subject to this Agreement may be maintained at the offices of such Participating Party) for inspection, copying and audit at all reasonable times by any duly authorized representative of the Corporation.

11.3 During the course of construction and until the sale of all Homes in the respective Project, any duly authorized representative of the Corporation will, at all reasonable times, have access to all portions of the Project.

ARTICLE XII

DEFAULTS AND REMEDIES

12.1 A default will consist of

- (a) any use of Grant funds for any purpose other than activities related to the Project as described in Exhibit A, the services to be performed by the Grantee and the Participating Parties, all as described in the Exhibits, and the costs and uses of funds as itemized in the Financial Plan set forth in Exhibit B;
- (b) any breach of any covenant, agreement, provision, representation, or warranty of (i) the Grantee made in this Grant Agreement, (ii) the Grantee made in any agreement entered into between the Grantee and any Participating Party relating to the Project, and (iii) any Participating Party made in any agreement specified in Exhibit F;
- (c) the failure to perform in accordance with the Schedule of Activities in Exhibit D of this Grant Agreement;
- (d) an assignment for the benefit of creditors or admission in writing of its inability to pay its debts generally as they become due, the appointment of a receiver, liquidator or trustee of the Grantee, or an adjudication of the Grantee a bankrupt or insolvent, or the filing of any petition for bankruptcy, reorganization or arrangement pursuant to the federal Bankruptcy Reform Act, or any similar Federal or state statute by or against the Grantee; or any proceeding for the dissolution, reorganization or liquidation of the Grantee is instituted; unless any such appointment, adjudication, petition, or proceeding is involuntary and not consented to by the Grantee and the same is discharged, stayed or dismissed within 60 days after it is instituted; and
- (e) a failure by the Grantee to commence, to the satisfaction of the Corporation, work under the Project within ninety days of the date first set forth in this Grant Agreement; and failure to progress with the work in accordance with the

schedules required hereby unless the Grantee can demonstrate, to the satisfaction of the Corporation, good cause why the time period should be extended so that such event will not be deemed a default.

12.2 Upon the occurrence of any default the Corporation may reduce or recapture the Grant, except for amounts already obligated, or take other appropriate action. For purposes of this section, "other appropriate action" means any remedial action legally available, including, without limitation, demanding in writing that the Grantee reimburse (and the Grantee will reimburse) the Corporation in the amount of any use of Grant funds for Ineligible Costs, bringing affirmative litigation, such as suits for declaratory judgment, specific performance, temporary or permanent injunctions and any other available remedies. In the event that the Corporation makes such a determination, then the Grantee will deliver to the Corporation all original documents relevant to the Project, including but not limited to, any construction agreements, loan documents and any other related documents that the Corporation may require.

12.3 In addition to any other rights or remedies, if a default consists of the Grantee's failure to submit the supporting materials described in Exhibit F of this Grant Agreement on a timely basis that would assure the Schedule of Activities in Exhibit D of this Grant Agreement will be met, the Corporation will have the right to terminate this Grant Agreement and the award of Grant funds to which this Grant Agreement relates by delivery of written notice to the Grantee. Upon such termination, all obligations of the Corporation pursuant to this Grant Agreement and such award will cease and the Grantee will neither have nor retain any rights whatsoever with respect to the Grant funds to have been provided under this Grant Agreement.

12.4 The obligations of the Grantee and the rights and remedies available to the Corporation in the event of a suspension or termination of this Grant Agreement will survive such suspension or termination.

ARTICLE XIII

CERTIFICATIONS BY GRANTEE

13.1 Execution by the Grantee of each request for a disbursement of Grant funds will constitute a certification that:

- (a) All of the representations and warranties of the Grantee as set forth in Section 9.1 of this Grant Agreement continue to be valid, true, and in full force and effect;

- (b) The Grantee is in compliance with all of the Grantee's obligations specified in this Grant Agreement which, by their terms or intent, are applicable at the time of the disbursement of Grant funds;
- (c) The Grant funds to be drawn will be used for Eligible Costs actually incurred or to be incurred in accordance with the Exhibits to this Grant Agreement; and
- (d) The payment requested does not duplicate a payment or reimbursement of costs and services received from any other source.

13.2 Within thirty (30) days after the completion of all Grantee Activities, the Grantee will submit to the Corporation a written certification, executed by the chief executive officer of the Grantee, stating that all Grantee Activities have been completed consistent with the terms of this Grant Agreement, and specifying the date of completion and the cost for each Grantee Activity.

13.3 Within thirty (30) days after the completion of all Non-Grantee Activities, the Grantee will submit to the Corporation a written certification, executed by the chief executive officer of the Grantee, stating that all Non-Grantee Activities have been completed consistent with the terms of this Grant Agreement, and specifying the date of completion and the cost for each Non-Grantee Activity. The certification will have attached to it a statement from each Participating Party that the information in the certification with respect to the Non-Grantee Activities carried out by that Participating Party is complete and correct.

ARTICLE XIV

PROJECT CLOSE-OUT

Project Close-out will occur when all costs to be paid with Grant funds have been incurred, all Homes in the Project have been sold to a Home Buyer, when the last progress report has been submitted, and no later than six months after the date for completion set forth in Exhibit D, or at such other time as the Corporation may establish. At such time, the Grantee must submit, in accordance with the Corporation's requirements, documentation of its Grant disbursements and records, a certification of completion and final cost. Any Grant funds advanced in excess of the requirements of Section 4.2 of this Grant Agreement must be refunded to the Corporation.

ARTICLE XV

REPORTS

15.1 Grantee will submit such reports related to its activities under the Program as the Corporation may reasonably require.

15.2 During the term of this Grant Agreement, Grantee must submit progress reports in such form and by such dates as the Corporation may require, on a quarterly or more frequent basis, which will include, but will not be limited to, information concerning the construction schedule, construction costs, project occupancy, data on occupants' income levels, problems, if any, encountered by Grantee in carrying out its Project(s) or program, and information concerning compliance with the Equal Employment Opportunity Agreement and the Minority and Women-owned Business Utilization Plan which are included in the Exhibits. Such progress reports may also be required by the Corporation to contain any information necessary under the Rebate Compliance Agreement.

15.3 Grantee will promptly notify the Corporation as to the existence of litigation which may affect the Grantee's Project(s) or program.

15.4 In addition to the reports required under Section 15.2 above, Grantee will submit by December 15 of each year during the term of this Grant Agreement, in such format as the Corporation may require, a summary report on the Grantee's Project(s) or program concerning each annual period of December 1 through November 30 indicating whether the construction, rehabilitation, or improvement has commenced and is underway or is completed. The initial report will cover the period from the date of this Grant Agreement through November 30 of the same calendar year in which this Grant Agreement was executed. Thereafter, each annual summary report will include both a statement of accomplishments during the annual period and a cumulative statement for the period from the date of the execution of this Grant Agreement to the reporting date.

15.5 The summary report will include:

- (a) The amount of each payment or grant made by Grantee and the identity of Recipients thereof;
- (b) The amount of outstanding payments or grants made by Grantee and the identity of Recipients thereof;

- (c) A narrative description of the specific activities performed by the Grantee and the results thereof expressed in number of housing units;
- (d) A narrative description of the specific activities performed by Participating Parties;
- (e) Location of Homes;
- (f) Number of units in each category of Homes completed during the year or in process and a cumulative statement of such information from the date of execution of this Grant Agreement to the reporting date;
- (g) A report of the Grantee's continued monitoring of construction progress and conditions for recapture of funds, and if applicable, for the limitation of the resale price of Homes;
- (h) A description of any problems encountered in advancing the project(s) or program, solutions developed to meet such problems, and whether any problems are currently outstanding;
- (i) If the Grantee is other than a municipality, an audited financial statement concerning the Grantee prepared by an independent, certified public accountant, relating to the Grantee's most recent fiscal year, if the Grantee's fiscal year coincides with the calendar year, notwithstanding the provisions of Section 15.4 requiring the submission by December 15, such statement must be submitted within 90 days after the close of the Grantee's fiscal year; and
- (j) A statement of costs (including expended and/or incurred costs) concerning the Project or program certified by the Grantee and relating to the period covered by the report.

ARTICLE XVI

EQUAL OPPORTUNITY

16.1 The Grantee will require all developers, builders and contractors performing work related to this Grant Agreement to enter into an Equal Employment Opportunity Agreement substantially in the form of the Exhibits attached hereto.

16.2 The Grantee will comply with the Minority and Women-owned Business Utilization Plan included in the Exhibits.

ARTICLE XVII

CONFLICTS OF INTEREST

17.1 The officers, directors and employees of each Grantee should pursue a course of conduct which will not raise the appearance of any impropriety or conflict of interest with respect to any funds awarded by the Corporation.

17.2 No person who is a member of the governing body of the Grantee, an officer, or an employee or the immediate family members of such a person, or any person or business entity having a direct or indirect financial relationship with such a person, will be eligible to participate or benefit financially from the Grantee's Project or program, except that, in the case of a municipality, this provision with respect to employees applies only to employees or the immediate family member of employees of the departments or agencies directly involved in the municipality's project(s) or program.

17.3 No individual who is an elected official at the State or local level, a paid staff person to such an official, a leader or chairman of a political party at any jurisdictional level, or an immediate family member of any such person will be eligible to participate or benefit financially from the Grantee's Project or program.

17.4 Upon a written showing of good cause by the Grantee, the Corporation may, in its discretion, grant a waiver of the prohibitions contained in Sections 17.2 and 17.3 of this Article, provided that the prohibited participation or benefit is not otherwise illegal. In the event the Corporation grants such a waiver, the fact and circumstances surrounding such participation or benefit shall be fully disclosed in the Exhibits and to such other persons or entities as the Corporation may require.

ARTICLE XVIII

MISCELLANEOUS

18.1 All amendments, notices, requests, objections, waivers, rejections, agreements, approvals, disclosures and consents of any kind made pursuant to this Grant Agreement will be in writing.

18.2 Any such communication will be deemed effective for all purposes as of the date such communication is mailed, postage prepaid, by registered or certified mail, return receipt requested,

to be delivered only to the office of the addressee, addressed as follows:

- (a) to the Corporation at its address first set forth above, marked - Attention: Director, Affordable Home Ownership Development Program, New York State Affordable Housing Corporation, with a copy to the Program Executive; and
- (b) to the Grantee at its address first set forth above, or such other address as may be furnished by the Grantee to the Corporation.

18.3 No right, benefit, or advantage inuring to the Grantee under this Grant Agreement and no burden imposed on the Grantee hereunder may be assigned without the prior written approval of the Corporation. An authorization by the Corporation for the transfer of Grant funds by Grantee to a Participating Party will not be deemed an authorization for an assignment, and such Participating Party will not succeed to any rights, benefits or advantages of the Grantee hereunder.

18.4 This Grant Agreement will bind, and the rights, benefits and advantages will inure to, the Grantee's successors.

18.5 No delay or omission of the Corporation in exercising any right or remedy available under this Grant Agreement will impair any such right or remedy, or constitute a waiver of any default, or an acquiescence therein.

18.6 All rights and remedies of the Corporation under this Grant Agreement will be cumulative.

18.7 The invalidity of any article, section, subsection, clause or provision of this Grant Agreement will not affect the validity of the remaining articles, sections, subsections, clauses or provisions hereof.

18.8 This Grant Agreement constitutes the entire agreement between the Corporation and the Grantee and supersedes all prior oral and written agreements between the parties hereto with respect to the Grant. Notwithstanding the provisions of Section 1.1 of this Grant Agreement, in the event of any inconsistency between the provisions of this Grant Agreement and anything contained in the Application, the provisions of this Grant Agreement will prevail.

18.9 This Grant Agreement may be executed in any number of counterparts. All such counterparts will be deemed to be originals and together will constitute but one and the same instrument.

18.10 The title of the Articles and any headings of the Sections set forth herein are not a part of this Grant Agreement and will not be deemed to affect the meaning or construction of any of its provisions.

18.11 This Grant Agreement, or any part hereof, may be amended from time to time hereafter only in writing executed by the Corporation and the Grantee.

18.12 This Grant Agreement as it may affect the rights, remedies, duties, and obligations of the Corporation will be governed by and construed in accordance with the laws of the State of New York.

18.13 The Corporation reserves and will have the exclusive right to waive, at the sole discretion of the Corporation, and to the extent permitted by law, any requirement or provision under this Grant Agreement. No act by or on behalf of the Corporation will be, or be deemed or construed to be, any waiver of any such requirement or provision, unless the same be in writing, signed by an authorized officer of the Corporation, and expressly stated to constitute such waiver.

IN WITNESS WHEREOF, the parties have caused this Grant Agreement to be duly executed by their respective, duly authorized representatives, as of the day and year first written above.

NEW YORK STATE AFFORDABLE
HOUSING CORPORATION

By:

Name: Wanda Graham

Title: Vice President

Town of Riverhead Community Development Agency

By:

Name:

Title:

(Print Name and Title)

ACKNOWLEDGMENT BY CORPORATE GRANTEE

STATE OF NEW YORK)
) ss.:
COUNTY OF _____)

On the ____ day of _____ in the year 199_, before me, the undersigned, a notary public in and for said state, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose names(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 on behalf of which the individual(s) acted, executed the instrument.

Notary Public

Commission expires:

ACKNOWLEDGMENT BY MUNICIPAL GRANTEE

STATE OF NEW YORK)
) ss.:
COUNTY OF _____)

On the ____ day of _____ in the year 200_, before me, the undersigned, a notary public in and for said state, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose names(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 on behalf of which the individual(s) acted, executed the instrument.

Notary Public

Commission expires:

ACKNOWLEDGMENT BY NEW YORK STATE
AFFORDABLE HOUSING CORPORATION

STATE OF NEW YORK)
) SS.:
COUNTY OF)

On the _____ day of _____ in the year 200__, before me, the undersigned, a notary public in and for said state, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose names(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 on behalf of which the individual(s) acted, executed the instrument.

Notary Public

Commission expires _____

5/22/02

989
Adopted

TOWN OF RIVERHEAD

Resolution # 518

SETS THE FEES FOR USAGE OF RECREATION FACILITIES

COUNCILMAN DENISE ESKI

offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS

RESOLVED, that the Town Board does authorize the Recreation Department to set the following fees for the 2002 calendar year.

PARK / BEACH RESERVATIONS

- 1. Group Picnic/ Beach Party/ Field Use (Resident/ Business) \$5.00 Application fee
- 2. Group Picnic/ Beach Party/ Field Use (Non Profit Group) \$5.00 Application fee
- 3. Park/ Beach Attendant (After Hours) \$10.00 per hour
- 4. Field Lights & Attendant (Residents Only) \$25.00 per hour
- 5. Tournament Reservations \$250.00 per day/ Field

TOWN RECREATION BUILDINGS

- 1. Fees for After hours and Weekend Use (Residents and nonprofit Groups Only) \$5.00 Application fee \$20.00 per hour

VEHICLE USAGE

- 1. Bus Rental Fee (Riverhead Sponsored Groups Only) \$25.00 per hour

ROLLER RINK

- 1. Group Party/ Rink Use (Residents Only) \$5.00 Application Fee \$20.00 per hour (min 2 hrs)

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.¹

¹ Rec.Doris/ Resolution Facility usage fees

THE VOTE

Sanders Yes No
 Densleki Yes No
 Bless Yes No
 Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

May 22, 2002

TOWN OF RIVERHEAD

Resolution # 519

SUPPORTS THE ACQUISITION OF PROPERTY THROUGH THE PARTNERSHIP OF THE TOWN OF RIVERHEAD AND THE COUNTY OF SUFFOLK

COUNCILMAN LULL

_____ offered the following resolution which

was seconded by _____

COUNCILMAN DENI^{ESKI}

WHEREAS, the Riverhead Town Board is in receipt of a petition from the River Club, LLC to allow the construction of a 222 unit condominium complex with associated amenities upon real property located at Riverside Drive, Riverhead, New York, and

WHEREAS, by resolution #105 dated January 15, 2002 the Riverhead Town Board did accept a Draft Environmental Impact Statement ("DEIS") prepared in support of the petition, and

WHEREAS, the referenced DEIS did advance government acquisition for open space as a "no-build" project alternative, and

WHEREAS, by resolution of the Suffolk County Legislature, the Suffolk County Planning Commissioner has been authorized to undertake "planning steps" to initiate the acquisition of the real property by the County of Suffolk , and

WHEREAS, the Town Board desires to participate as an equal partner with the County of Suffolk to acquire the promises or a portion thereof upon an appraisal of the premises and upon terms acceptable to the Town, now

THEREFORE, BE IT

RESOLVED, that the Town Clerk be authorized to transmit a certified copies of this resolution to the Office of the Presiding Office of the Suffolk County Legislature; Michael J. Caracciolo, Legislator, First District, Suffolk County Executive Robert Gaffney.

RH/Planning

THE VOTE

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

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

MAY 22, 2002

Adopted

TOWN OF RIVERHEAD

Resolution # 520

KULESA WATER EXT. #73

CAPITAL PROJECT

BUDGET ADOPTION

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:

406.092705.421050.60077

DEVELOPERS FEES

FROM:
\$4,000.

406.083200.543501.60077 ENGINEERING EXPENSE

TO:
\$4,000.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

MAY 22, 2002

Adopted

TOWN OF RIVERHEAD

Resolution # 521

EMERGENCY GENERATOR @ WATER PLANT #9

BUDGET ADOPTION

COUNCILWOMAN SANDERS

_____ 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:

406.083200.482220.30020	TRANSFER FROM REPAIR & MAINTENANCE	FROM:	\$40,000.
-------------------------	------------------------------------	--------------	-----------

406.083200.524232.30020	GENERATOR EQUIPMENT	TO:	\$30,000.
406.083200.543501.30020	ENGINEERING EXPENSE		6,000.
406.083200.547900.30020	CONTINGENCY		4,000.

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

MAY 22, 2002

TOWN OF RIVERHEAD

Resolution # 522

2002 WATER PLANT # 12 IMPROVEMENTS
BUDGET ADOPTION

COUNCILWOMAN SANDERS

offered the following resolution ,

which was seconded by **COUNCILMAN DENYESKI**

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

406.083200.482220.30021 TRANSFER FROM REPAIR & MAINTENANCE **FROM:** \$292,000.

406.083200.523011.30021	CARBON UNIT IMPROVEMENTS	TO: \$50,000.
406.083200.524232.30021	GENERATOR EQUIPMENT	150,000.
406.083200.523020.30021	FENCE INSTALLATION	40,000.
406.083200.543501.30021	ENGINEERING EXPENSE	28,000.
406.083200.547900.30021	CONTINGENCY	24,000.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

MAY 22, 2002

Adopted

TOWN OF RIVERHEAD

HIGHWAY DEPARTMENT
BUDGET ADJUSTMENT

RESOLUTION # 523

COUNCILMAN DENESKI 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:

111.051420.540000 SNOW REMOVAL CONTRACTUAL EXP \$7,000.

111.051400.549000 MISCELLANEOUS EXPENSE

TO:
\$7,000.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

Adopted

5/22/02

TOWN OF RIVERHEAD

Resolution # 524

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE FOR A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE

COUNCILMAN DENALESKI offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

RESOLVED, the Town Clerk be and is hereby authorized to publish the attached public notice to consider a local law to amend sections of Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the May 29, 2002 issue of the Suffolk Life, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Riverhead Planning Department; the Riverhead Planning Board; the Riverhead Building Department; the Office of the Town Supervisor and the Office of the Town Attorney.

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

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 4th day of June, 2002 at 7:20 p.m. to consider a local law to amend sections of Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

§ 108-31.1. Review of site plan.

Before issuing a building permit, each application, other than single-family residences, together with the accompanying site plan, shall be subject to the site plan review requirements of this Chapter, referred by the Zoning Officer within seven days to the Town Board for its review and recommendation. Such site plan shall include parking, traffic flow, planting buffers with designation as to types of vegetation, on-site drainage, ground elevations, architectural features, architectural elevations of all sides of buildings, including materials, colors and textures, and signage. Within 60 days of receipt of said application, the Town Board shall approve, modify or disapprove said site plan and shall state its reason for any modifications or disapproval. If the Town Board takes no action within 60 days of receipt of the application from the Zoning Officer, the plan shall be deemed approved. The Zoning Officer shall not issue a permit for any plan which does not have Town Board approval; however, if the applicant consents to any modifications made by the Town Board, the Zoning Officer may thereupon issue a permit conforming to such modified plan without further submission to the Town Board.

§ 108-38. Review of site plan.

Before issuing a building permit, each application, together with the accompanying site plan, shall be subject to the site plan review requirements of this Chapter, referred by the Zoning Officer within seven (7) days to the Town Board for its review and its recommendation. Within sixty (60) days of receipt of said application, the Town Board shall approve, modify or disapprove said site plan and shall state its reason for any modifications or disapproval. If the Town Board takes no action within sixty (60) days of receipt of the application from the Zoning Officer, the plan shall be deemed approved. The Zoning Officer shall not issue a permit for any plan which does not have Town Board approval; however, if the applicant consents to any modifications made by the Town Board, the Zoning Officer may thereupon issue a permit conforming to such modified plan without further submission to the Town Board.

§ 108-41.1. Review of site plan.

Before issuing a building permit, each application, together with the accompanying site plan, shall be subject to the site plan review requirements of this Chapter, referred by the Zoning Officer within seven (7) days to the Town Board for its review and its recommendation. Within

~~sixty (60) days of receipt of said application, the Town Board shall approve, modify or disapprove said site plan and shall state its reason for any modifications or disapproval. If the Town Board takes no action within sixty (60) days of receipt of the application from the Zoning Officer, the plan shall be deemed approved. The Zoning Officer shall not issue a permit for any plan which does not have Town Board approval; however, if the applicant consents to any modifications made by the Town Board, the Zoning Officer may thereupon issue a permit conforming to such modified plan without further submission to the Town Board.~~

§ 108-44.1. Review of site plan.

~~Before issuing a building permit, each application, together with the accompanying site plan, shall be subject to the site plan review requirements of this Chapter, referred by the Zoning Officer within seven (7) days to the Town Board for its review and its recommendation. Within sixty (60) days of receipt of said application, the Town Board shall approve, modify or disapprove said site plan and shall state its reason for any modifications or disapproval. If the Town Board takes no action within sixty (60) days of receipt of the application from the Zoning Officer, the plan shall be deemed approved. The Zoning Officer shall not issue a permit for any plan which does not have Town Board approval; however, if the applicant consents to any modifications made by the Town Board, the Zoning Officer may thereupon issue a permit conforming to such modified plan without further submission to the Town Board.~~

§ 108-47.1. Review of site plan.

~~Before issuing a building permit, each application, together with the accompanying site plan, shall be subject to the site plan review requirements of this Chapter, referred by the Zoning Officer within seven (7) days to the Town Board for its review and its recommendation. Within sixty (60) days of receipt of said application, the Town Board shall approve, modify or disapprove said site plan and shall state its reason for any modifications or disapproval. If the Town Board takes no action within sixty (60) days of receipt of the application from the Zoning Officer, the plan shall be deemed approved. The Zoning Officer shall not issue a permit for any plan which does not have Town Board approval; however, if the applicant consents to any modifications made by the Town Board, the Zoning Officer may thereupon issue a permit conforming to such modified plan without further submission to the Town Board.~~

§ 108-50.1. Review of site plan.

~~Before issuing a building permit, each application, together with the accompanying site plan, shall be subject to the site plan review requirements of this Chapter, referred by the Zoning Officer within seven (7) days to the Town Board for its review and its recommendation. Within sixty (60) days of receipt of said application, the Town Board shall approve, modify or disapprove said site plan and shall state its reason for any modifications or disapproval. If the Town Board takes no action within sixty (60) days of receipt of the application from the Zoning Officer, the plan shall be deemed approved. The Zoning Officer shall not issue a permit for any plan which does not have Town Board approval; however, if the applicant consents to any modifications made by the Town Board, the Zoning Officer may thereupon issue a permit~~

~~conforming to such modified plan without further submission to the Town Board.~~

Dated: Riverhead, New York
May 22, 2002

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

May 22, 2002

TOWN OF RIVERHEAD

Resolution # 525

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE FOR A LOCAL LAW TO REPEAL AND REPLACE ARTICLE XXVI ENTITLED "SITE PLAN REVIEW" OF THE RIVERHEAD TOWN CODE

COUNCILMAN DENESKI offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

RESOLVED, the Town Clerk be and is hereby authorized to publish the attached public notice to consider a local law repealing and replacing Article XXVI entitled "Site Plan Review" of the Riverhead Town Code once in the May 29, 2002 issue of the Suffolk Life, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Riverhead Planning Department; the Riverhead Planning Board; the Riverhead Building Department; the Office of the Town Supervisor and the Office of the Town Attorney.

THE VOTE

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

THE RESOLUTION WAS WAS NOT ___
 THEREUPON FULLY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 4th day of June, 2002 at 7:35 a.m. to consider a local law to repeal and replace Article XXVI entitled "Site Plan Review" of the Riverhead Town Code.

A copy of the entire text of the proposed local law may be reviewed at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

Dated: Riverhead, New York
May 22, 2002

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

05/22/02

TOWN OF RIVERHEAD**Resolution # 526****ALLOWS THE ERECTION OF OFF-PREMISE SIGNS FOR
SKY DIVE LONG ISLAND****COUNCILMAN DENYESKI** offered the following resolution,which was seconded by **COUNCILMAN LULL**

WHEREAS, Sky Dive Long Island has acquired all necessary applications to erect two (2) off-premise signs :

- Grumman Boulevard, TM# 135.00-01-007.05
(corner Grumman Boulevard & Wading River Road) as attached
- Grumman Boulevard, TM# 142.00-01-001.03
(Swan Lake Golf Club property) as attached

NOW, THEREFORE BE IT RESOLVED, that Sky Dive Long Island is authorized to erect said signs in accordance with Chapter 108-56 of the Town of Riverhead Code, specifically 108-56P;

BE IT FURTHER, RESOLVED, that the Town Clerk be and is authorized to forward a copy of this resolution to the Building Department Administrator and Sky Dive Long Island, 4062 Grumman Boulevard, Calverton, New York 11933.

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

Adopted

May 22, 2002

TOWN OF RIVERHEAD

Resolution # 527

APPOINTS STUDENT INTERN
IN THE ACCOUNTING DEPARTMENT

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

WHEREAS, it is beneficial to the Town to hire student interns to work cooperatively with individual Departments; and

WHEREAS, it is the desire of the Accounting Department to have a student intern appointed to work during the summer months to complete various annual projects.

NOW, THEREFORE, BE IT RESOLVED, that effective May 28, 2002, the Town Board hereby appoints Jennifer Velys to the position of Student Intern in the Accounting Department at the hourly rate of pay of \$9.50; and

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

THE VOTE

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

May 22, 2002

Adopted

TOWN OF RIVERHEAD

Resolution # 528

APPOINTS STUDENT INTERN
IN THE ACCOUNTING DEPARTMENT

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

WHEREAS, it is beneficial to the Town to hire student interns to work cooperatively with individual Departments; and

WHEREAS, it is the desire of the Accounting Department to have a student intern appointed to work during the summer months to complete various annual projects.

NOW, THEREFORE, BE IT RESOLVED, that effective May 28, 2002, the Town Board hereby appoints Melanie Fraine to the position of Student Intern in the Accounting Department at the hourly rate of pay of \$9.50; and

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

THE VOTE

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

Adopted

MAY 22, 2002

TOWN OF RIVERHEAD

RESOLUTION # 529

APPOINTS SUMMER INTERN IN THE ENGINEERING DEPARTMENT

COUNCILMAN LULL offered the following resolution, which was

seconded by COUNCILWOMAN BLASS.

WHEREAS, it is beneficial to the Town to hire interns to work cooperatively with individual departments; and

WHEREAS, it is the desire of the Engineering Department to have an intern appointed to work during the summer months to complete various annual projects.

NOW, THEREFORE, BE IT RESOLVED, that effective May 28, 2002, the Town Board hereby appoints Jill Sollazzo to the position of Summer Intern in the Engineering Department at the hourly rate of pay of \$9.20; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Jill Sollazzo, Ken Testa, P.E. and the Office of Accounting.

Engineering 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 ADOPTED

MAY 22, 2002

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 530

APPOINTS HISTORIC & CULTURAL RESOURCE INTERN IN ENGINEERING DEPARTMENT

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

WHEREAS, the Town has applied for grant funds from the Preservation League of New York State to photograph, catalogue and document historic sites in the Town of Riverhead; and

WHEREAS, it is beneficial to the Town to hire interns to work cooperatively with individual departments; and

WHEREAS, it is the desire of the Engineering Department to have a Historic and Cultural Intern appointed to work on this project.

NOW, THEREFORE, BE IT RESOLVED, that effective May 28, 2002, the Town Board hereby appoints Mandi Brown to the position of Historic & Cultural Resource Intern in the Engineering Department at the hourly rate of pay of \$8.00 to be reimbursed from grant funds; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Mandi Brown, 5 Shore Drive North, Copaugue, NY 11726, Kenneth Testa, P.E., Vince Taldone and the Office of Accounting.

THE VOTE

Sanders Yes No Blass Yes No
Densieski Yes No Lull Yes No
Kozaklewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON BEING ADOPTED

5/22/02

Adopted

TOWN OF RIVERHEAD

Resolution # 531

APPOINTS WATERFRONT PERSONNEL FOR 2002 TO THE RECREATION DEPARTMENT

COUNCILWOMAN SANDERS offered the following resolution,

which was seconded by COUNCILMAN LULL

RESOLVED, that the Town Board appoints the attached list of waterfront personnel effective May 22, 2002 to and including September 2, 2002.

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.

abstain

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

**RECREATION DEPARTMENT APPOINTMENTS
5/22/02 TOWN BOARD MEETING**

<u>Last</u>	<u>First</u>	<u>Title</u>	<u>Start Date</u>	<u>End Date</u>	<u>Salary</u>	<u>*Special Note</u>
Flood	Daniel	Fill-in Beach Attnd. Level I	5/22/02	9/2/02	\$7.00	1
Flood	Elizabeth	Beach Attendant Level III	5/22/02	9/2/02	\$8.00	1
Fredericks	Craig	Beach Attendant Level IV	5/22/02	9/2/02	\$8.50	1
Galla	Ashley	Beach Attendant Level II	5/22/02	9/2/02	\$7.50	1
Mittleman	G.J.	Fill-in Beach Attnd. Level II	5/22/02	9/2/02	\$7.50	1
Welsh	James	Beach Attendant Level V	5/22/02	9/2/02	\$9.00	1
Baird	Brandon	Fill-in Lifeguard Level I	5/22/02	9/2/02	\$9.00	1,2
Bekiesz	Steven	Lifeguard Level I	5/22/02	9/2/02	\$9.00	1,2
Buchholz	Evan	Lifeguard Level VI	5/22/02	9/2/02	\$11.50	1,2
Burns	Chris	Lifeguard Level I	5/22/02	9/2/02	\$9.00	1,2
Everitt	Michael	Fill-in Lifeguard Level I	5/22/02	9/2/02	\$9.00	1,2
Fox	Robert	Fill-in Lifeguard Level V	5/22/02	9/2/02	\$11.00	1,2
Collins	Kerin	Lifeguard Level III	5/22/02	9/2/02	\$10.00	1,2
Collins	Kathleen	Lifeguard Level III	5/22/02	9/2/02	\$10.00	1,2
May	Michael	Lifeguard Level I	5/22/02	9/2/02	\$9.00	1,2
Monahan	Elizabeth	Fill-in Lifeguard Level III	5/22/02	9/2/02	\$10.00	1,2
Monahan	Jeremiah	Lifeguard Level III	5/22/02	9/2/02	\$10.00	1,2
Raynor	Michelle	Fill-in Lifeguard Level I	5/22/02	9/2/02	\$9.00	1,2
Sanders	Greg	Fill-in Lifeguard Level III	5/22/02	9/2/02	\$10.00	1,2
Vandercreek	Dorie	Lifeguard Level III	5/22/02	9/2/02	\$10.00	1,2
Fox	Robert	Water Safety Instructor IV	5/22/02	9/2/02	\$11.00	1,3
Sanders	Greg	Water Safety Instructor III	5/22/02	9/2/02	\$10.50	1,3
Schmitt	Paul	Water Safety Instructor III	5/22/02	9/2/02	\$10.50	1,3
Sanders	Matthew	Waterfront Coordinator	5/22/02	9/2/02	\$13.00	1,3

- *
1: All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date.
2: Subject to Suffolk County Lifeguard Certification.
3: Current American Red Cross Instructor Certification.

5/22/02

Adopted

TOWN OF RIVERHEAD

Resolution # 532

RATIFIES APPOINTMENT OF A P/T RECREATION AIDE TO THE RIVERHEAD RECREATION DEPARTMENT

Councilwoman Sanders offered the following resolution, which was seconded by Councilman Densieski.

RESOLVED, that Johnathan Gillen is hereby appointed to serve as a P/T Recreation Aide, effective May 10, 2002 to be paid at the rate of \$7.00 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 and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

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

Councilwoman Blass offered the resolution to be amended, which was seconded by Councilman Densieski.

All Members in favor of amending the resolution
Rec. Doris/Resolution.Rec.Aide Skate Doc 2

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

5/22/02

Adopted

TOWN OF RIVERHEAD

Resolution # 533

APPOINTS OF A SCOREKEEPER TO THE RIVERHEAD RECREATION DEPARTMENT

Councilwoman Blass offered the following resolution, which was seconded by Councilman Lull.

RESOLVED, that Kimberly Walters is hereby appointed to serve as a Scorekeeper, effective May 10, 2002 to be paid at the rate of \$6.50 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; and

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

Councilwoman Blass offered the resolution to be amended, which was seconded by Councilman Densieski.

All members in favor of amending the resolution.

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

5/22/02

Adopted

TOWN OF RIVERHEAD

Resolution # 534

RATIFIES APPOINTMENT OF A P/T RECREATION AIDE TO THE RIVERHEAD RECREATION DEPARTMENT

Councilman Lull offered the following resolution, which was seconded by Councilwoman Sanders.

RESOLVED, that Jon Cunniff is hereby appointed to serve as a P/T Recreation Aide, effective May 10, 2002 to be paid at the rate of \$7.00 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 and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and

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

Councilwoman Blass offered the resolution to be amended, which was seconded by Councilman Densieski.

All members in favor of amending the resolution.

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

Adopted

5/22/01

TOWN OF RIVERHEAD

Resolution # 535

APPOINTS SUMMER PERSONNEL FOR 2002
TO THE
RECREATION DEPARTMENT

COUNCILWOMAN SANDERS

_____ offered the following resolution,

which was seconded by _____

COUNCILWOMAN BLASS

RESOLVED, that the Town Board appoints the attached list of summer personnel effective June 3, 2002 to and including August 23, 2002.

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 ~~✓~~ WAS NOT ___
THEREUPON DULY ADOPTED



Recreation Department
200 Howell Avenue
Riverhead, NY 11901
(631) 727-5744

RECREATION DEPARTMENT APPOINTMENTS
5/22/02 TOWN BOARD MEETING

<u>Last</u>	<u>First</u>	<u>Title</u>	<u>Start Date</u>	<u>End Date</u>	<u>Salary</u>	<u>*Special Note</u>
Barta	Morgan	Summer Rec. Aide Level II	6/03/02	8/23/02	\$8.00	1
Blackmore	David	Summer Rec. Aide Level I	6/03/02	8/23/02	\$7.50	1
Bucholz	Amanda	Summer Rec. Aide Level II	6/03/02	8/23/02	\$8.00	1
Cook	Jennifer	Summer Rec. Aide Level II	6/03/02	8/23/02	\$8.00	1
Dangelmaier	Amanda	Summer Rec. Aide Level III	6/03/02	8/23/02	\$8.50	1
Donoghue	Timothy	Summer Rec. Aide Level III	6/03/02	8/23/02	\$8.50	1
Hollies	Jermaine	Summer Rec. Aide Level III	6/03/02	8/23/02	\$8.50	1
Koroleski	Cori	Summer Rec. Aide Level III	6/03/02	8/23/02	\$8.50	1
Kowalsick	Christopher	Summer Rec. Aide Level II	6/03/02	8/23/02	\$8.00	1
Lasna	Amanda	Summer Rec. Aide Level I	6/03/02	8/23/02	\$7.50	1
Abbate	Theresa	Summer Rec. Aide Level I	6/03/02	8/23/02	\$7.50	1
Lewin	Anita	Summer Rec. Aide Level IV	6/03/02	8/23/02	\$9.00	1
McCafferty	Ashley	Summer Rec. Aide Level I	6/03/02	8/23/02	\$7.50	1
Montalbano	Nicole	Summer Rec. Aide Level VI	6/03/02	8/23/02	\$9.75	1
Pantaleo	Kathleen	Summer Rec. Aide Level II	6/03/02	8/23/02	\$8.00	1
Rollins	Dana	Summer Rec. Aide Level I	6/03/02	8/23/02	\$7.50	1
Sheehan	Anna	Summer Rec. Aide Level III	6/03/02	8/23/02	\$8.50	1
Warner	Jackie	Summer Rec. Aide Level II	6/03/02	8/23/02	\$8.00	1
Dierberger	Joanna	Summer Program Leader	6/03/02	8/23/02	\$12.00	1
Kirk	Edward	Summer Program Leader	6/03/02	8/23/02	\$11.00	1
Lindsay	Lisa	Summer Program Leader	6/03/02	8/23/02	\$11.00	1
MacLeod	James	Summer Program Leader	6/03/02	8/23/02	\$11.50	1

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

Rec. Doris/ Res Summer 2002 Kellys people

Visit us on the web at; www.riverheadli.com

5/22/02

TOWN OF RIVERHEAD

Resolution # 536

AMENDS RESOLUTION 1097

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

WHEREAS, Resolution # 1097 was adopted by this Town Board on November 7, 2001, appointing Frank Phillips as a Volleyball Official which stated : effective December 4, 2001 to and including April 17, 2002 to be paid at the rate of \$8.00 per game,

NOW, THEREFORE, BE IT RESOLVED, that Resolution # 1097 adopted November 17, 2001, appointing Frank Phillips as a Volleyball Official to the Riverhead Recreation Department be changed to read: effective December 4, 2001 to and including April 17, 2002, to be paid at the rate of \$9.00 per game.

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward a certified copy of this resolution to Frank Phillips, 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

¹ Rec. Doris/ Amended Res.

5/22/02

TOWN OF RIVERHEAD

Resolution # 537

**APPOINTS A RECREATION AIDE
TO THE RIVERHEAD RECREATION DEPARTMENT**

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

RESOLVED, that George Spero is hereby appointed to serve as a Recreation Aide effective May 22, 2002, to and including December 31, 2002 and to be paid at the rate of \$7.00 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 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.

Councilman Densieski offered the resolution to be amended, which was seconded by Councilwoman Blass.

All members in favor of amending the resolution.

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 May 22, 2002

TOWN OF RIVERHEAD

Resolution # 538

APPOINTS EMPIRE DEVELOPMENT ZONE COORDINATOR

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

WHEREAS, the Civil Service non-competitive position of Economic Development Coordinator for the Town of Riverhead exists to promote industrial development within the Empire Development Zone; and

WHEREAS, the position was posted; and

WHEREAS, it is the recommendation of the members of the Empire Development Zone Board to appoint Tracy Stark to the position.

NOW, THEREFORE, BE IT RESOLVED, effective Monday, June 3, 2002, the Town Board of the Town of Riverhead, in conjunction with the Economic Development Zone Board, hereby appoints Tracy Stark to the position of Economic Development Zone Coordinator to promote industrial and economic development within the Empire Development Zone at an annual Step P, Group 7 of the Administrative Salary Schedule of the current CSEA Contract; and

BE IT FURTHER, RESOLVED that Tracy Stark is directed to report directly to the Town of Riverhead Community Development Agency, and to file copies of all reports with the Riverhead Industrial Development Agency and the Supervisor's Office; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Tracy Stark, Lori Taggart (County Executive's office), Fred DiMaggio (New York State Empire Development Zone Office), the Riverhead Industrial Development Agency, the Riverhead Community Development Agency and the Riverhead 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 Declared Adopted

Councilwoman Blass offered the resolution to be amended, which was seconded by Councilwoman Sanders.

All members in favor of the amendment.

Councilman Lull offered the resolution for adoption, which was seconded by Councilwoman Blass.

All members in favor of adopting the resolution.

May 22, 2002

TOWN OF RIVERHEAD

Resolution # 539

**APPROVES SPECIAL PERMIT PETITION OF TC 58, INCORPORATED
(FORMERLY FELICE ENTERPRISES)**

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 a special permit petition from James Tsunis, TC 58, Inc. pursuant to Sections 108-3 and 108-45 B(3) of the Code of the Town of Riverhead for construction of an 89 room motel facility located on 2.03 acres of land zoned Industrial A at Old Country Road, Riverhead and known by Suffolk County Tax Map Number 0600-119-1-9.1 and 9.2, and

WHEREAS, the Riverhead Town Board by resolution No. 395 of 2000 did declare themselves to be the lead Agency, and

WHEREAS, the Riverhead Town Board has referred the petition to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending the granting of the petition subject to certain conditions, and

WHEREAS, the Town Clerk has referred the petition to the Suffolk County Planning Commission; such Commission determining the petition to be a matter of local determination, and

WHEREAS, a public hearing was held upon the petition on November 20, 2001, and

WHEREAS, the 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 Planning Board, the commentary made 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 TC 58, Incorporated to allow the construction of an 89 room motel upon real property located at Route 58, Riverhead, New York, the Riverhead Town Board hereby makes the following findings:

1. That the premises is located with tin the Industrial A Zoning Use District;

2. That the proposed use has been reduced to 89 rooms rather than the original 96 rooms;
3. That the proposed use will not include the serving of food or beverage as accessory uses;
4. That the real property is encumbered with rights of way to neighboring property owners and easement areas;
5. That the development of the property will be constrained by the existence of sloped areas which extend into the neighboring parcel to the east;
6. That the regrading of sloped areas could require the construction of high retaining walls and could further impact upon the visual quality of the Route 58 corridor;
7. That the design of the proposed building is of such a nature that it can be considered a motel pursuant to the definitions section of the Riverhead Zoning Ordinance; and

BE IT FURTHER

RESOLVED, that as the lead agency, the Riverhead Town Board hereby determines the action to be Unlisted without a significant impact upon either the natural or social environment and that a Draft Environmental Impact Statement need not be prepared, and

BE IT FURTHER

RESOLVED, that the Planning Department be directed to publish and post those notices of non-significance as required by 6NYCRR Part 617, and

BE IT FURTHER

RESOLVED, that based upon its findings, the Riverhead Town Board hereby grants the special permit application of TC 58 Incorporated subject to the following conditions:

1. That no site plan approval shall issue prior to the applicant securing an agreement with neighboring property owners to allow for a coordinated grading plan for the immediate vicinity as to obviate the need for the retaining of sloped areas and to provide for appropriate landscaped areas;
2. That due to Comprehensive Plan recommendations pending within the general vicinity, the contemplated site plan shall depict the following:
 - i. a minimum 50 linear foot landscaped area maintained perpetually in the front yard measured from the property line to the curb line;
 - ii. maximum building area not to exceed fifteen percent (15%);
 - iii. adequate buffer yards to residential land uses;
 - iv. the provision of one landscaped island at a rate of twenty percent (20%) of the total parking area;
 - v. that no site plan approval shall issue prior to the consideration by the Suffolk County Department of Public Works of a restricted

access limiting traffic movement to eastbound entrance and eastbound exit only;

- 3. That in the event that prior to the issuance of a certificate of occupancy "hotels" become a permissible land use upon the subject property, the applicant will so modify building plans to cause the construction of a hotel, and

BE IT FURTHER

RESOLVED, that a copies of this resolution be forwarded to the Town Attorney, Building Department, Planning Department and TC 58 Incorporated or their agent.

RH/Planning

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

May 22, 2002

TOWN OF RIVERHEAD

Resolution # 540

ACCEPTS FINAL SCOPE OF ISSUES SEQRA REVIEW OF SPECIAL PERMIT PETITION OF ROUTE 58 RIVERHEAD, LLC (RIVERHEAD MARQUEE PLAZA)

COUNCILMAN DENFESKI offered the following resolution which was seconded by **COUNCILMAN LULL**

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Stuart Stein, Esq. on behalf of Route 58 Riverhead, LLC to allow the construction of an indoor theater and restaurants upon real property located at Route 58, Riverhead, New York; such real property more particularly described as Suffolk County Tax Map Parcel Numbers 0600-101-1-3; 8 and 0600-119-1-6, and

WHEREAS, upon a review of the environmental assessment form attending the petition, the Riverhead Planning Department recommended that the action be considered Type I and that a Draft Environmental Impact Statement ("DEIS") be prepared, and

WHEREAS, by resolution dated February 5, 2002 the Riverhead Town Board did declare itself to be the lead agency in the SEQRA review of the petition and did further determine the action to be Type I with potentially significant adverse impacts upon the natural and social environment and that a DEIS be prepared, and

WHEREAS, a scoping hearing was held on April 3, 2002 in order to identify the significant environmental issues to be assessed within the DEIS, and

WHEREAS, the Planning Department has reviewed the draft scope of issues as prepared by the applicant pursuant to 6NYCRR Part 617 as well as the record of the aforementioned scoping hearing, and

WHEREAS, the Planning Department recommends that the Town Board accept the draft scope as a final with certain additions, now

THEREFORE, BE IT

RESOLVED, that the Town Board hereby accepts the attached document as the final scope of issues to be used in the preparation of the DEIS to support the special permit petitions of Route 58 Riverhead, LLC and

BE IT FURTHER

RESOLVED, that the Town Board hereby directs the Planning Department to transmit the final scope of issues contained herein to all involved agencies and parties of interest as required by 6NYCRR Part 617.8.

RH/Planning

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

May 22nd, 2002

TOWN OF RIVERHEAD

Resolution # 541

APPROVES AMENDED SITE PLAN OF APPLE HONDA

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

WHEREAS, a site plan and elevations were submitted by Irwin L. Garsten, to construct a 40' x 60' (2,400 sq. ft.) metal building to support existing auto dealership facility, located at Old Country Road (CR58), Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-108-2-8; and

WHEREAS, the Planning Department has reviewed the site plan dated May 17th, 2002, as prepared by Howard Young, L.S., and elevations dated March 4th, 2002, as prepared by Martin Sendlewski, AIA, 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 6615 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 Irwin L. Garsten, 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 and that an Environmental Impact Statement need not be prepared; and

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Irwin L. Garsten, to construct a 40' x 60' (2,400 sq. ft.) metal building to support existing auto dealership facility, located at Old Country Road (CR58), Riverhead, New York, site plan dated May 17th, 2002, as prepared by Howard Young, L.S., and elevations dated March 4th, 2002, as prepared by Martin Sendlewski, AIA, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

of Riverhead to enter premises at Old Country Road (CR58), Riverhead , New York, to enforce said handicapped parking regulations;

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Irwin L. Garsten, 1375 Old Country Road, 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 Irwin L. Garsten, residing at 1375 Old Country Road, 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, Irwin L. Garsten hereby authorizes and consents to the Town of Riverhead to enter premises at Old Country Road (CR58), Riverhead , New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen

14. That the display or parking of motor vehicles shall not be permitted in landscaped or grassed areas.

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

Irwin L. Garsten

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

THE RESOLUTION WAS WAS NOT _____
THEREUPON DULY ADOPTED

Adopted

May 21st, 2002

TOWN OF RIVERHEAD

Resolution # 542

APPROVES AMENDED SITE PLAN OF AIRCRAFT WAREHOUSING, INC.
Unit #1 and Unit #2

COUNCILMAN DENNESKI

offered the following resolution,

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

WHEREAS, a site plan and elevations were submitted by Aircraft Warehousing Inc., for exterior renovations to an existing industrial building, located at 4195 Middle Country Road, Calverton, New York, known and designated as Suffolk County Tax Map Number 0600-116-1-7.4; and

WHEREAS, the Planning Department has reviewed the site plan dated June 12, 2001, as prepared by Brian A. Fisher, R.A., and elevations dated February 1, 2002 (Unit #1) and February 18th, 2002 (Unit #2), as prepared by Brian A. Fisher, R.A., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 30207 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 Aircraft Warehousing Inc., 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 and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Aircraft Warehousing Inc., for exterior renovations to an existing industrial building, located at 4195 Middle Country Road, Calverton, New York, site plan dated June 12, 2001, as prepared by Brian A. Fisher, R.A., and elevations dated February 1, 2002 (Unit #1) and February 18th, 2002 (Unit #2), as prepared by Brian A. Fisher, R.A., be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan 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, Aircraft Warehousing Inc. hereby authorizes and consents to

the Town of Riverhead to enter premises at 4195 Middle Country Road, Calverton, New York, to enforce said handicapped parking regulations;

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Aircraft Warehousing Inc., 1637 Broadhollow Road, Farmingdale, New York 11735, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2002, made by Aircraft Warehousing Inc., residing at 1637 Broadhollow Road, Farmingdale, New York 11735, 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, Aircraft Warehousing Inc. hereby authorizes and consents to the Town of Riverhead to enter premises at 4195 Middle Country Road, Calverton, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

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

Aircraft Warehousing 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 Blass ✓ Yes ___ No
Densleski ✓ Yes ___ No Lull ✓ Yes ___ No
Kozakiewicz ✓ Yes ___ No
THE RESOLUTION WAS ~~✓~~ WAS NOT ___
THEREUPON DULY ADOPTED

MAY 22, 2002

TOWN OF RIVERHEAD

1034
Adopted

APPROVES UTILITY CONSULTANT NAME

CHANGE AND FEE SCHEDULE

RESOLUTION # 543

COUNCILWOMAN BLASS offered the following Resolutions which was
seconded by COUNCILMAN LULL.

WHEREAS, TBR #38 contained a listing of the Town's consultants for the fiscal year 2002, and

WHEREAS, Strategic Power Management Inc was listed as the Town's utility consultant, and

WHEREAS, this consultant's name has been changed to Strategic Power Energy Services, Inc. and has provided a new fee schedule for their services effective January 1, 2002, and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby approves Strategic Power Energy Services Inc. as it's utility consultant and the attached rate schedule is hereby approved effective May 23, 2002, and

BE IT FURTHER, RESOLVED, a certified copy of this resolution is forwarded to Strategic Power Energy Services Inc., the Office of Community Development and the Accounting Department.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

STRATEGIC POWER ENERGY SERVICES, INC.

Professional Fee Schedule for Municipal and Not-for-Profit Clients
(Effective January 1, 2002)

	Hourly Rate
Principal	\$165.00
Consultant	\$150.00
Associate	\$120.00
Senior Information Analyst	\$100.00
Information Analyst	\$ 60.00
Clerical/Data Entry	\$ 30.00

Disbursements are billed at cost.

No expenses will be incurred in excess of \$500.00 without first receiving approval.

Invoices are due and payable within 20 days of presentation.

Tax Id. 06-1552476

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 4th day of June, 2002 at 7:15 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

**Article X
Business D District (General Business)**

§108-42. Uses.

A. Permitted uses.

(19) Residential apartment units with a minimum living space of 800 square feet.

B. Special exception and special permit uses. Except where Town Board approval is required herein for a special exception or special permit use, such use shall be subject to approval by the Board of Appeals pursuant to Article XVII, § § 108-75, 108-76 and 108-77 of this chapter.

Dated: Riverhead, New York
May 22, 2002

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

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)
- Overstrike represents deletion(s)

Adopted

5/22/02

TOWN OF RIVERHEAD

Resolution # 544

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (BUSINESS D DISTRICT)

COUNCILMAN LULL _____ offered the following resolution, was seconded by

COUNCILWOMAN SANDERS _____ :

RESOLVED, the Town Clerk be and is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the May 29, 2002 issue of the Suffolk County Life, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Riverhead Planning Department; the Riverhead Planning Board; the Riverhead Building Department 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
Densieski	<input type="checkbox"/> Yes	<input checked="" 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

May 22, 2002

Adopted

TOWN OF RIVERHEAD

RESOLUTION

545

EXTENDS TIME TO TAKE ACTION REGARDING CABLEVISION
FRANCHISE AGREEMENT

COUNCILMAN DENNESKI offered the following resolution which was seconded by **COUNCILWOMAN BLASS**.

WHEREAS, the Town Board adopted resolution 1271-01 directing the Supervisor to "take specified action" regarding the Cablevision franchise agreement with the Town of Riverhead, and specifically to enforce the agreement against Cablevision with respect to breaches of that agreement including: 1) refusing to place in operation a PEG channel to which the Town is entitled, 2) refusing to honor the senior citizen discount provisions, and 3) refusing to produce required financial accountings and payments, and

WHEREAS, the Town Board has been working together with Cablevision to reach an accord with respect to these past breaches as well as a franchise renewal agreement which agreement will better serve the needs of the residents in the Town, and

WHEREAS, agreement has been reached between the parties with respect to the PEG channel issue and Cablevision has produced the requisite financial documents, and

WHEREAS, the parties are continuing in good faith to work toward resolution of the senior citizen discount issue, and

WHEREAS, in light of the progress made toward resolution of past breaches, as well as negotiation of the new franchise agreement, Cablevision has agreed to resume video taping of the Town Board meetings at no cost to the Town through July 17, 2002.

NOW, THEREFORE, BE IT

RESOLVED, that the Town agrees to continue to work in good faith toward a resolution of the senior discount issue as well as the franchise

renewal, and further commits to submitting a draft agreement on or before June 10, 2002, and to continue to meet with Cablevision representatives as is necessary, but no less frequently than one time every three weeks, unless otherwise agreed by the parties, to finalize a settlement of the past franchise breaches as well as a franchise renewal prior to July 17, 2002, and;

BE IT FURTHER

RESOLVED, that with the hope that an accord on both the past breaches and the franchise renewal agreement can be reached, and in an effort to keep legal expenses to a minimum, the Town Board will suspend any enforcement action of the prior franchise agreement though July 17, 2002, without prejudice, and;

BE IT FURTHER

RESOLVED, that it is understood and acknowledged that, should the parties not reach an accord concerning the breaches of the previous Cablevision franchise agreement or the approval of the franchise renewal on or before July 17, 2002, Cablevision will to no longer provide video taping of Town Board meetings after July 17, 2002, and;

BE IT FURTHER

RESOLVED, that the Town Clerk is authorized and directed to forward a copy of this resolution to Cablevision, 1600 Motor Parkway, Hauppauge, New York 11788-9006, to the attention of Joan Gilroy, the Town Board and the Town Attorney.

THE VOTE

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

THE RESOLUTION WAS WAS NOT ___
 THEREUPON DULY ADOPTED

MAY 22, 2002

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 546

AUTHORIZES TOWN SUPERVISOR TO EXECUTE CHANGE ORDER FOR IRON PIER BEACH PLUMBING CONSTRUCTION

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

WHEREAS, on January 16, 2001, the Riverhead Town Board adopted Resolution No. 76 entitled, "Awards Bid for Iron Pier Reconstruction and Improvements" and

WHEREAS, the plumbing construction bid was awarded to Carter-Melence, Inc. in the amount of Forty Seven Thousand, Two Hundred Sixty & 00/100 (\$47,260.00); and

WHEREAS, the Town Engineer has recommended that it was necessary to purchase and install ADA center mounted bathroom sinks and a wall hung concession area stainless steel sink in the amount of Three Thousand Twelve & 00/100 (\$3,012.00).

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute a change order for Carter-Melence, Inc. in the amount of \$3,012.00; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to execute a change order for Carter-Melence, Inc., 104 New York Avenue, Sound Beach, NY 11789, Kenneth Testa, P.E. and the Office of Accounting.

Engineering Department

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

MAY 22, 2002

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 547

AUTHORIZES TOWN SUPERVISOR TO EXECUTE CHANGE ORDER FOR GRANGEBEL PARK BULKHEAD REPLACEMENT PROJECT

COUNCILWOMAN SANDERS offered the following resolution which

was seconded by COUNCILMAN LULL.

WHEREAS, on June 19, 2001, the Riverhead Town Board adopted Resolution No. 684 entitled, "Awards Bid for Grangebél Park Bulkhead Replacement Project" and

WHEREAS, the bid was awarded to South Shore Docks, Inc. in the amount of Two Hundred Seven Thousand Seven Hundred and 00/100 (\$207,700.00); and

WHEREAS, the Town Engineer has recommended that additional work is required to install extended pilings and it was also necessary to remove two large trees in order to correctly position the new bulkheading in the amount of Thirteen Thousand Four Hundred Twenty Five & 00/100 (\$13,425.00).

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute a change order for South Shore Docks, Inc. in the amount of \$13,425.00; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to South Shore Docks, Inc., P. O. Box 37, East Quogue, NY 11942-0037, Kenneth Testa, P.E., Andrea Lohneiss and the Office of Accounting.

Engineering Department

THE VOTE

Sanders Yes No Blass Yes No
 Densieakl Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

Adopted

5/22/02

Town of Riverhead

Resolution # 548

Authorizes Supervisor to Submit Grant Application for Financial Assistance to the New York State Office of Parks, Recreation and Historic Preservation Pursuant to Title 9 of the Environmental Protection Act of 1993 and Title 3 of the 1996 Clean Water/Clean Air Bond Act for Project Known as the Calverton Enterprise Park Recreation Improvement Project and Recommitment of Matching Funds

COUNCILMAN LULL

_____ offered the following resolution,

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

WHEREAS, the Town of Riverhead Community Development Agency (CDA) has acquired property from the U.S. Navy and had identified 62 acres to be designated for development of park space to provide recreational opportunities for residents of the Town of Riverhead and particularly those residents presently underserved by the centralized recreational facilities in the hamlet of the Town of Riverhead; and

WHEREAS, the improvements will include both active and passive recreational components consistent with the Comprehensive Reuse Plan for the site undertaken and adopted by the Town of Riverhead in 1996; and

WHEREAS, the improvements are incorporated in the SEQRA determination dated October 6, 1998 and are to be located on lands determined to have low archeological sensitivity; and

WHEREAS, the site is located within an Empire Zone, previously known as an Economic Development Zone, and is therefore a priority site for the allocation of funds under the Environmental Protection Fund and the Clean Water/Clean Air Bond Act Programs; and

WHEREAS, it is a priority of the Town of Riverhead Recreation Committee that this site be properly planned and improved to provide recreational facilities for the community to meet the growing need for publicly accessible ball fields, courts and playgrounds in areas where the population is underserved; and

WHEREAS, the proposed project will be initiated promptly upon award of a grant and provision of a Project Agreement.

WHEREAS, due to delays in the appropriation of 2001 funds by the New York State Legislature for the Environmental Protection Fund Program, decisions have been postponed by the Office of Parks, Recreation and Historic Preservation.

THEREFORE, BE IT RESOLVED, that the Town Supervisor of the Town of Riverhead is hereby authorized and directed to refile an application for grant funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the Provisions of the Title 9 of the Environmental Protection Act of 1993 and Title 3 of the Clean Water/Clean Air Bond Act, in an amount not to exceed \$350,000 and upon approval of said request to enter into and execute a project agreement with the State of New York for such financial assistance to the Town of Riverhead for Calverton Enterprise Park Recreation Improvement Project.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Board commits to provide the required matching funds in an amount not to exceed \$350,000 in order to complete this important project.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Town Engineer Kenneth Testa, the Accounting Department and Community Development Director Andrea Lohneiss.

THE VOTE

Sanders Yes No Blass Yes No
Densiecki Yes No Lull Yes No
Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

Adopted

MAY 22, 2002

TOWN OF RIVERHEAD

RESOLUTION # 549

AUTHORIZES AND ENDORSES SUBMISSION OF GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

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

WHEREAS, the Town of Riverhead is applying for funds from the New York State Office of Parks, Recreation and Historic Preservation for the purpose of erosion control at Reeves Beach in the Town of Riverhead; and

WHEREAS, the Town has applied for and received a New York State Department of Environmental Conservation Permit for the erosion stabilization of the east bluff at Reeves Beach; and

WHEREAS, the program requires a matching grant amount of \$20,000; and

WHEREAS, a priority of the Town Board is to address the need for erosion stabilization of the east bluff at Reeves Beach.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Supervisor to file an application for grant funds from the New York State Office of Parks, Recreation and Historic Preservation in an amount not to exceed \$20,000 and upon approval of said request to enter into and execute a project agreement with the State of New York for such financial assistance to the Town of Riverhead for the erosion stabilization of the east bluff at Reeves Beach; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Riverhead hereby allocates \$20,000 in Recreation Development Fees to this project as the required match for the \$20,000 New York State grant; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Kenneth Testa, P.E., Andrea Lohneiss and the Office of Accounting.

Engineering 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 ADOPTED

Adopted

May 22, 2002

TOWN OF RIVERHEAD

Resolution # 550

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT
WITH THOMAS CONOSCENTI & ASSOCIATES, INC.
IN CONNECTION WITH THE ASSESSING THE NEED TO ESTABLISH
ADDITIONAL INDUSTRIAL ZONING AT ENTERPRISE PARK AT CALVERTON**

Councilman Ed Densieski offered the following resolution,

was seconded by **Councilwoman Barbara Blass**:

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute an agreement between Thomas Conoscenti & Associates, Inc. for Thomas Conoscenti to provide the Town of Riverhead with a needs assessment study as outlined in his proposal, dated November 10, 1999 and confirmed in his letter, dated May 8, 2002; and

BE IT FURTHER RESOLVED, that the study to be conducted by Thomas Conoscenti & Associates, Inc. shall not exceed the cost of \$10,000; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Thomas Conoscenti & Associates, Inc., Town Attorney's Office and the Town's 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 Declared Adopted

Adopted

May 22, 2002

TOWN OF RIVERHEAD

Resolution # 551

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT
WITH LANDAUER REALTY GROUP, INC
TO CONDUCT A FULL APPRAISAL OF ENTERPRISE PARK AT CALVERTON**

Councilman Jim Lull offered the following resolution,

was seconded by **Councilwoman Rose Sanders**:

WHEREAS, the Town Board of the Town of Riverhead has agreed that it would be prudent to obtain an appraisal of the remaining land at Enterprise Park at Calverton in order to better plan the further redevelopment of some 2,200 acres remaining in the town's possession.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute an agreement between the Town of Riverhead and Landauer Realty Group, Inc to provide the Town Board with a full appraisal of the 2,200 acres of vacant land that is within the Planned Recreational zoning District within Enterprise Park at Calverton, Suffolk County, New York; and

BE IT FURTHER RESOLVED, that said appraisal to be conducted by Landauer Realty Group, Inc., a Grubb & Ellis Company, shall not exceed the cost of \$11,000; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Landauer Realty Group, Inc. (55 East 59th Street, Fourth Floor, New York, NY 10022), Town Attorney's Office and the Town's Office of Accounting.

THE VOTESanders Yes No Blass Yes NoDensieski Yes No Lull Yes NoKozakiewicz Yes NoThe Resolution Was Was Not
Thereupon Duly Declared Adopted

Adopted

May 21, 2002

TOWN OF RIVERHEAD

Resolution # 552

AUTHORIZES THE SUPERVISOR TO EXECUTE ADDENDUM TO CONTRACT BETWEEN TOWN OF RIVERHEAD AND THE RIVERHEAD BUSINESS IMPROVEMENT DISTRICT MANAGEMENT ASSOCIATION (STAFFING OF THE RIVERHEAD TRAIN STATION)

COUNCILWOMAN BLASS

_____ offered the following resolution, was seconded by

COUNCILMAN LULL

WHEREAS, the Town of Riverhead and the Riverhead Business Improvement District Management Association (RDMA) desires to have the RDMA provide staffing to the Town licensed Riverhead Train Station located on Railroad Avenue.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute an Addendum to Contract in connection with the staffing of the Riverhead Train Station; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Riverhead Business Improvement District Management Association; the Office of the Town Attorney and the Accounting Department.

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

Adopted

05/22/02

TOWN OF RIVERHEAD

AUTHORIZES TOWN CLERK TO INCREASE THE FEE OF THE RIVERHEAD TOWN CODE BOOKS

Resolution # 553

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

WHEREAS, there has been an increase in the cost of printing and publishing the Riverhead Town Code Book,

NOW, THEREFORE BE IT RESOLVED, effective as of May 22, 2002, the cost of the Riverhead Town Code Book will increase from \$275.00 to \$350.00 per set of Riverhead Town Code books.

BE IT FURTHER RESOLVED, that the Town Clerk is authorized to send a copy of this resolution to the Accounting 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 ADOPTED

5/22/02

TOWN OF RIVERHEAD

Resolution # 554

APPROVES THE APPLICATION OF ALLEN EDMONDS SHOE STORE (TANGER)

COUNCILWOMAN BLASS

_____ offered the following resolution, was seconded by

COUNCILMAN DENESLEKJ _____ :

WHEREAS, Allen Edmonds Shoe Store has submitted an application for the purpose of conducting a tent sale to be held at Tanger I, Tanger Outlet Center, (Liz Claiborne parking lot) 1770 West Main Street, Riverhead, New York, on May 23, 2002 through June 2, 2002 between the hours of 9:00 a.m. and 9:00 p.m., Monday through Saturday and 10:00 a.m. and 8:00 p.m. on Sunday; and

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

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

NOW THEREFORE BE IT RESOLVED, that the application of Allen Edmonds Shoe Store for the purpose of conducting a tent sale to be held at Tanger I, Tanger Outlet Center, (Liz Claiborne parking lot) 1770 West Main Street, Riverhead, New York, on May 23, 2002 through June 2, 2002 between the hours of 9:00 a.m. and 9:00 p.m., Monday through Saturday and 10:00 a.m. and 8:00 p.m. on Sunday, is hereby approved; and be it further

RESOLVED, that a fire safety inspection by the Town Fire Marshall is required prior to the opening of this event to the public. The Riverhead Fire Marshal shall be contacted at (631) 727-3200 extension 209, for the purpose of arranging the "pre-opening" inspection appointment at least three days in advance; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Allen Edmonds Shoe Store, Tanger Outlet Center, Inc., 1770 West Main Street, Suite 807, Riverhead, New York, 11901; the Riverhead Fire Marshal and the Riverhead Police Department.

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

Adopted

May 21, 2002

TOWN OF RIVERHEAD

Resolution # 555

APPROVES CHAPTER 90 APPLICATION OF RADIO SHACK LOCATED IN RIVERHEAD

COUNCILMAN DENESKI offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

WHEREAS, Radio Shack, 1081 Old Country Road, Riverhead, New York, has submitted an application pursuant to Chapter 90 "Shows and Exhibitions" for the purpose of conducting a Tent Sale to be held at 1081 Old Country Road, Riverhead, New York, from June 14 through June 16, 2002 between the hours of 8:00 a.m. and 6:00 p.m.; and

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

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

NOW THEREFORE BE IT RESOLVED, that the application of Radio Shack for the purpose of conducting a Tent Sale to be held at 1081 Old Country Road, Riverhead, New York, on from June 14 through June 16, 2002 between the hours of 8:00 AM and 6:00 PM, is hereby approved with the following conditions:

- A pre-opening inspection to be conducted by the Riverhead Town Fire Marshal at (631) 727-3200 ext. 209;
- Applicant must provide written certification of what type of EMS provisions will be provided and by whom;

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Louis A. Kaleb, 1081 Old Country Road, Riverhead, New York 11901; the Riverhead Police Department and the Riverhead Town Fire Marshal.

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

Date: 05/22/02

TOWN OF RIVERHEAD

Resolution # 556

Authorize Supervisor To Request
State For Speed Zone Change

COUNCILMAN LULL

offered the following

resolution, which was seconded by

COUNCILWOMAN SANDERS

WHEREAS, numerous residents along Pulaski Street in Riverhead have requested that the Town of Riverhead reduce the speed zone for traffic vehicles from 45 miles per hour to 30 miles per hour; and

WHEREAS, the Town Board of the Town of Riverhead believes that a speed zone study should be conducted by the New York State Department of Transportation for safety reasons; and

WHEREAS, the expansion of Stotsky Memorial Park to include more comprehensive children's parks, playgrounds and adult day care center; and

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be directed, under Section 1622.1 of the Vehicle and Traffic Law of New York State, to file such request with the New York State Department of Transportation and the Suffolk County Department of Public Works by filing State Form TE-9-A; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution and State Form TE-9-A to the New York State Department of Transportation, the Suffolk County

abstain 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

Department of Public Works, the Riverhead Town Police Department, the Riverhead Department of Highways, Councilman Jim Lull (liaison to the Riverhead Highways Committee), Councilman Ed Densieski and Councilwoman Rose Sanders (liaison to the Recreation Committee).

at 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

Adopted

MAY 22, 2002

TOWN OF RIVERHEAD

RESOLUTION # 557

AUTHORIZES TOWN CLERK TO POST AND PUBLISH HELP WANTED AD FOR
ENGINEERING INTERN

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

BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the attached
Help Wanted Ad in the May 26 – June 1, 2002 issue of Newsday ; and

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

Engineering Department

THE VOTE

Sanders Yes No Blass Yes No
 Deniscki Yes No Luti Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED

Riverhead Town, Engineering Summer Intern. Public works project under Professional Engineer – Second and third year students or science majors are encouraged to apply. EOE 631-727-3200, Ext. 279.

MAY 22, 2002

Adopted

TOWN OF RIVERHEAD

RESOLUTION #558 _____

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST A HELP WANTED AD FOR JR. CIVIL ENGINEER TRAINEE

COUNCILWOMAN BLASS _____ offered the following resolution which

was seconded by **COUNCILMAN LULL** _____.

BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the May 26 – June 1, 2002 issue of Newsday ; and

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

Engineering Department

THE VOTE

Sanders Yes No Bless Yes No

Donsieski Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

JR. CIVIL ENGINEER TRAINEE

Riverhead Town: Requires BS in Engineering, Auto Cad exp. preferred. Deadline ~~7777~~
631-727-3200, Ext. 279 EOE

MAY 22, 2002

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 559

AUTHORIZES THE TOWN CLERK TO POST AND PUBLISH A NOTICE TO
BIDDERS FOR EAST END ARTS COUNCIL SITE HANDICAP ACCESSABILITY
MODIFICATIONS

COUNCILMAN DENESKI offered the following resolution which
was seconded by COUNCILWOMAN SANDERS.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the
attached Notice to Bidders in the May 29, 2002 issue of the official Town newspaper for
the East End Arts Council Site Handicap Accessibility Modifications; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to
forward a certified copy of this resolution to Kenneth Testa, P.E., Andrea Lohness 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

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed proposals for the East End Arts Council Site Handicap Accessibility Modifications, Riverhead, New York will be received by the Town of Riverhead at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:00 am on June 17, 2002 at which time they will be publicly opened and read aloud.

Plans and specification may be examined and obtained on or about May 30, 2002 at the office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays.

A fee of \$50.00 will be required for each copy of the contract documents.

Each proposal must be submitted on the form provided in a sealed envelope clearly marked "East End Arts Council Site Handicap Accessibility Modifications".

The Town of Riverhead reserves the right to reject any and all bids.

BY ORDER OF THE RIVERHEAD TOWN BOARD
Barbara A. Grattan, Town Clerk
Riverhead, NY 11901

Dated: May 22, 2002

5/22/02

1060
Adopted

AWARDS BID
NEW GENERATOR AT PLANT NO. 12
RIVERHEAD WATER DISTRICT

RESOLUTION # 560

Adopted 5/22/02

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

WHEREAS, this Town Board did authorize the advertisement for bids for the purchase of a new generator at plant No. 12, and

WHEREAS, the Town Clerk was authorized to advertise for such bids, and

WHEREAS, all bids received were opened and read aloud on the date and time advertised in the notice, and

WHEREAS, by letter dated May 13, 2002, H2M, consulting engineers to the Riverhead Water District, did recommend that the bid be awarded to Hinck Electric Inc., of Islip Terrace, New York, in the amount of \$111,760, (the sum of items 1 to 5), and

NOW, THEREFORE, BE IT

RESOLVED, that the bid for the purchase of a new generator at Plant No. 12 be and is hereby awarded to Hinck Electric, Inc. of Islip Terrace, New York, in the amount of \$111,760.00, and be it further

RESOLVED, that the Town Clerk forward certified copies of this resolution to Hinck Electric, Inc.; Frank Isler, Esq.; H2M, Riverhead Water District, and the Accounting Department, be it further

RESOLVED, that the Town Clerk is hereby authorized to return to all the unsuccessful original bidders their respective bid security and it is further

RESOLVED, that upon completion of fully executed contracts and the filing of said contract with the Town Clerk, the Town Clerk is hereby authorized to release to the successful bidder the bidder's bid security.

THIS RESOLUTION PREPARED BY FRANK A. ISLER FOR THE RIVERHEAD WATER DISTRICT

THE VOTE
Sanders Yes ___ No ___ Blass Yes ___ No ___
Densleki Yes ___ No ___ Lull Yes ___ No ___
Kozakiewicz Yes ___ No ___
THE RESOLUTION WAS WAS NOT

5/22/02

106
Adopted

AWARDS BID
GRANULAR ACTIVATED CARBON REPLACEMENT
AT PLANT NO. 12
RIVERHEAD WATER DISTRICT

RESOLUTION # 561
Adopted 5/22/02

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

WHEREAS, this Town Board did authorize the advertisement for bids for the granular activated carbon replacement at Plant No. 12, and

WHEREAS, the Town Clerk was authorized to advertise for such bids, and

WHEREAS, all bids received were opened and read aloud on the date and time advertised in the notice, and

WHEREAS, by letter dated May 7, 2002, H2M, consulting engineers to the Riverhead Water District, did recommend that the bid be awarded to Philip Ross Industries of Wyandanch, New York, in the amount of \$47,636.00, and

NOW, THEREFORE, BE IT

RESOLVED, that the bid for the granular activated carbon replacement at Plant No. 12 be and is hereby awarded to Philip Ross Industries of Wynadanch, New York, in the amount of \$47,636.00, and be it further

RESOLVED, that the Town Clerk forward certified copies of this resolution to Philip Ross Industries; Frank Isler, Esq.; H2M, Riverhead Water District, and the Accounting Department, be it further

RESOLVED, that the Town Clerk is hereby authorized to return to all the unsuccessful original bidders their respective bid security and it is further

RESOLVED, that upon completion of fully executed contracts and the filing of said contract with the Town Clerk, the Town Clerk is hereby authorized to release to the successful bidder the bidder's bid security.

THIS RESOLUTION PREPARED BY FRANK A. ISLER FOR THE RIVERHEAD WATER DISTRICT

THE VOTE
Sanders Yes No Blass Yes No
Deneski Yes No Lutz Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

1062
Adopted

5/22/02

REJECTS BIDS AND
AUTHORIZES TOWN CLERK TO RE-ADVERTISE FOR BIDS
RIVERHEAD WATER DISTRICT
REPAINTING OF PULASKI STREET TANK

RESOLUTION # 562

Adopted 5/22/02

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

RESOLVED, that pursuant to letter of H2M dated May 7, 2002, all bids received, opened, and read aloud on May 6, 2002, for the repainting of the Pulaski Street Tank be and are hereby rejected, and be it further

RESOLVED, that the Town Clerk be and is authorized to publish in the May 29, 2002, edition of The Suffolk Life Newspapers and post the attached Notice to Bidders with regard to receiving bids for the repainting of the Pulaski Street Tank, and be it further

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

THIS RESOLUTION PREPARED BY FRANK A. ISLER FOR RIVERHEAD WATER DISTRICT

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

H2M GROUP

NOTICE TO BIDDERS

The Town Board of Riverhead will receive bids for:

REPAINTING OF PULASKI STREET TANK
REBID

For the Riverhead Water District. Bids will be received at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, at 11:00 AM, prevailing time, on Tuesday June 11, 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 May 29, 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: May 29, 2002

MAY 22, 2002

TOWN OF RIVERHEAD

RESOLUTION # 563

AUTHORIZES THE TOWN CLERK TO POST AND PUBLISH A NOTICE TO BIDDERS FOR THE STANDBY POWER GENERATOR INSTALLATION POLICE DEPARTMENT AND TOWN HALL

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

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached Notice to Bidders in the May 29, 2002 issue of the official Town newspaper for the Installation of a Standby Generator for the Town of Riverhead Police Department and Town Hall; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Kenneth Testa, P.E. , Jack Hansen and the Office of Accounting.

Engineering Department

THE VOTE
Sanders ✓ Yes ___ No ___ Blass ✓ Yes ___ No ___
Densleki ✓ Yes ___ No ___ Lull ✓ Yes ___ No ___
Kozakiewicz ✓ Yes ___ No ___
THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed proposals for the installation of a Standby Power Generator for the Town of Riverhead Police Department and Town Hall, Riverhead, New York will be received at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:00 am on June 24, 2002 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and obtained on or about May 29, 2002 in the Office of the Town Clerk between the hours of 8:30 am and 4:30 am weekdays, except holidays.

Each proposal must be submitted on the form provided in a sealed envelope clearly marked "Standby Power Generator Installation" and must be accompanied by a bid surety as stated in the Instructions to Bidders.

The Town of Riverhead reserves the right to reject any and all bids.

BY ORDER OF THE RIVERHEAD TOWN BOARD
Barbara A. Grattan, Town Clerk
Riverhead, NY 11901

Dated: May 22, 2002

TB 05/22/02

TOWN OF RIVERHEAD

Adopted

Resolution # 564
Adopted May 22, 2002

AWARDS BID ON FIVE COMBINATION DUMP BODY/SPREADERS,
POWER REVERSIBLE SNOW PLOW & LOW MOUNT HITCHES

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

WHEREAS, the Town Clerk was authorized to advertise for sealed bids on five COMBINATION DUMP BODY/SPREADERS, POWER REVERSIBLE SNOW PLOW & LOW MOUNT HITCHES for the use of the Riverhead Highway Department, and

WHEREAS, all bids were received and read aloud on the 18TH of April 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 Five Combination Dump Body/Spreaders, Power Reversible Snow Plow & Low Mount Hitches be and is hereby awarded to ADVANCED EQUIPMENT, INC., 75 Cedarhurst Ave., Medford, NY 11763.

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

Hwy/sb

THE VOTE
Sanders Yes No Bliss Yes No
Donsleski Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

May 22, 2002

1067
Adopted

TOWN OF RIVERHEAD

REJECTS BIDS FOR CORROSION CONTROL CHEMICAL AND
AUTHORIZES TOWN CLERK TO PUBLISH & POST NOTICE TO BIDDERS

RESOLUTION # 565

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
corrosion control chemical for use by the Riverhead Water District; and

WHEREAS, bids were received, opened and read aloud on the 25th day of March, 2002,
at 11:15 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York 11901, the date, time
and place given in the notice to bidders; and

WHEREAS, the Town Board hereby rejects said bids.

NOW, THEREFORE, BE IT

RESOLVED, that the bids for corrosion control chemical for use by the Riverhead
Water District be and is hereby rejected; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a
notice to bidders for corrosion control chemical; 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 Water District 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 ADOPTED

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

1068

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 A.M. on **JUNE 11, 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 **BID FOR CORROSION CONTROL CHEMICAL**.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

COMPANY NAME: _____

2

May 22, 2002

Adopted¹⁰⁶⁶

TOWN OF RIVERHEAD

AWARDS BID FOR WELL & PUMP EMERGENCY SERVICE
RIVERHEAD WATER DISTRICT

RESOLUTION # 566

COUNCILMAN LULL

_____ offered the following resolution, which was
seconded by **COUNCILWOMAN BLASS** _____:

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for well and pump emergency service for the Riverhead Water District; and

WHEREAS, bids were received, opened and read aloud on the 8th day of May, 2002, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York 11901, the date, time and place given in the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for well and pump emergency service for the Riverhead Water District be and is hereby awarded to Delta Well & Pump Co., Inc.; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Delta Well & Pump Co., Inc., 97 Union Avenue, PO Box 1309, Ronkonkoma, New York, 11779, the Riverhead Water District and the Purchasing Department.

THE VOTE

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

THE RESOLUTION WAS Z WAS NOT ___
 THEREUPON DULY ADOPTED

May 22, 2002

1070
Adopted

TOWN OF RIVERHEAD

AWARDS BID FOR QUICK LUBE MAINTENANCE
RIVERHEAD WATER DISTRICT

RESOLUTION # 567

COUNCILWOMAN BLASS

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

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for quick lube maintenance of diesel motors for the Riverhead Water District; and

WHEREAS, bids were received, opened and read aloud on the 8th day of May, 2002, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York 11901, the date, time and place given in the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for quick lube maintenance of diesel motors for the Riverhead Water District be and is hereby awarded to North Shore Generator Systems, Inc.; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to North Shore Generator Systems, Inc., 1860 Pond Road, Ronkonkoma, New York, 11779, the Riverhead Water District and the Purchasing Department.

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

Adopted

5/22/02

TOWN OF RIVERHEAD

ORDER ESTABLISHING EXTENSION 70
TO THE RIVERHEAD WATER DISTRICT
MID ROAD PROPERTIES

RESOLUTION #- 568

Adopted _____

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

WHEREAS, a petition has been filed by the developers for Mid Road Properties covering property located along the northerly and southerly sides of Middle Road west of its intersection with Mill Road and along both sides of Deep Hole Road just west of its intersection with Middle Road, and

WHEREAS, a map and plan detailing the proposed construction of water mains and appurtenances has been prepared by H2M, consulting engineers to the Riverhead Water District for an extension to the Riverhead Water District to be known as Extension No. 70, and

WHEREAS, the cost for the installation of said mains and appurtenances shall be borne solely by the developer with no portion thereof to be borne by the district as a whole, and

WHEREAS, the cost of the proposed extension is \$418,000, to be borne by the applicant and no public monies shall be expended for this extension, and

WHEREAS, the petitioner will be required to pay key money in the amount of \$157,500, and

WHEREAS, the Town Board called a public hearing for May 7, 2002, which hearing was held and all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED that the Town Board, upon the proceeding and record of the hearing had herein, determines that the extension to the Riverhead Water District to be known as Extension No. 70 as shown on Exhibit A attached is in the best interest of the district and will benefit the property to be served, which extension shall serve property located along the northerly and southerly sides of Middle Road west of its intersection with Mill Road and along both sides of Deep hole Road just west of its intersection with Middle Road, and

BE IT FURTHER RESOLVED that the Town Board determines that the installation of the water mains and appurtenances is a Type II action pursuant to the State Environmental Quality Review Act which will not have a significant impact upon the environment, and

BE IT FURTHER RESOLVED, that this extension is conditioned and shall not become effective until the conditions contained herein are complied with, and

BE IT FURTHER RESOLVED, that the cost of installation of said mains and appurtenances is \$418,000, all being constructed subject to the following conditions:

1. The owners grant a permanent, unobstructed subsurface easement for the installation and maintenance of water mains and appurtenances within the proposed extension;

2. The developer has deposited cash, bank or certified check with the Town of Riverhead prior to the award of the bid covering the cost of construction in the amount of \$418,000 and key money in the amount of \$157,500;

3. That the petitioner execute an acknowledgment evidencing their acceptance of the terms and conditions of this resolution and agree to be bound by it before it shall become effective; such acknowledgment to be filed with the Town Clerk, and it is further

RESOLVED, that when the conditions called for herein have been completed, the Town Clerk shall cause a copy of this Order to be recorded in the Office of the Clerk of Suffolk County and filed with the New York State Comptroller, and it is further

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

THIS RESOLUTION PREPARED BY FRANK A. ISLER FOR THE RIVERHEAD WATER DISTRICT

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

EXHIBIT "A"**RIVERHEAD WATER DISTRICT****PROPOSED EXTENSION NO. 70****MID ROAD PROPERTIES****DESCRIPTION OF EXTENSION****MARCH 2002****PARCEL A**

All this certain lot, parcel of land, said property being known as Section 081, Block 01, Lot 001.1, situated and lying and being at Riverhead, Town of Riverhead, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a point formed by the northerly right-of-way of Middle Road and the westerly right-of-way of Mill Road.

Traveling westerly along the northerly right-of-way of Middle Road a distance of approximately 259 feet to a point formed by the northerly right-of-way of Middle Road and the easterly property line of Section 81, Block 1, Lot 1.1. This being the POINT OF BEGINNING.

From said POINT OF BEGINNING, running westerly along the southerly property line of Section 81, Block 1, Lot 1.1 the following two (2) bearings and distances:

1. South 89° - 13' - 05" West; 794.85 feet,
2. South 82° - 27' - 05" West; 294.27 feet,

to a point formed by the northerly right-of-way of Middle Road and the southwestly property corner of Section 81, Block 1, Lot 1.1.

THENCE running northerly along the westerly property line of Section 81, Block 1, Lot 1.1 the following eighteen (18) bearings and distances:

1. North 34° - 54' - 25" West; 347.53 feet,
2. North 32° - 25' - 25" West; 213.81 feet,
3. North 34° - 22' - 55" West; 220.49 feet,
4. North 33° - 34' - 25" West; 175.51 feet,
5. North 34° - 22' - 55" West; 255.65 feet,
6. North 33° - 35' - 25" West; 267.65 feet,
7. North 32° - 50' - 55" West; 171.43 feet,
8. North 36° - 38' - 55" West; 160.68 feet,
9. North 33° - 59' - 55" West; 91.00 feet,
10. North 36° - 32' - 55" West; 106.77 feet,
11. North 30° - 46' - 55" West; 175.06 feet,
12. North 34° - 08' - 55" West; 185.29 feet,
13. North 32° - 50' - 25" West; 123.18 feet,
14. North 32° - 37' - 20" West; 245.70 feet,
15. North 34° - 50' - 20" West; 160.00 feet,
16. North 33° - 03' - 20" West; 279.40 feet,
17. North 33° - 51' - 20" West; 283.80 feet,
18. North 32° - 42' - 45" West; 23.04 feet,

to a point known as the northwesterly property corner of Section 81, Block 1, Lot 1.1.

THENCE running easterly along the northerly property line of Section 81, Block 1, Lot 1.1 the following bearing and distance:

North 55° - 32' - 15" East; 804.10 feet,

to a point known as the northeasterly property corner of Section 81, Block 1, Lot 1.1.

THENCE running southerly along the easterly property line of Section 81, Block 1, Lot 1.1 the following five (5) bearings and distances:

1. South 34° - 27' - 45" East; 675.52 feet,
2. South 30° - 01' - 45" East; 180.86 feet,
3. South 32° - 14' - 15" East; 343.22 feet,
4. South 35° - 50' - 45" East; 102.20 feet,
5. South 21° - 51' - 20" East; 94.15 feet,

to a point known as the southwesterly property corner of Section 80, Block 3, Lot 13.

THENCE running easterly along the southerly property line of Section 80, Lot 3, Block 13 the following bearing and distance:

North 41° - 08' - 15" East; 166.92 feet,

to a point known as the northwesterly property corner of Section 81, Block 1, Lot 15.

THENCE running southerly along the easterly property line of Section 81, Block 1, Lot 1.1 the following two (2) bearings and distances:

1. South 33° - 24' - 05" East; 1,666.89 feet,
2. South 32° - 34' - 45" East; 1,039.42 feet,

to a point formed by the easterly property line of Section 81, Block 1, Lot 1.1 and the northerly right-of-way line of Middle Road. This point being the said POINT OF BEGINNING.

END OF DESCRIPTION

FOR

PARCEL A

Exhibit "A" - 3

PARCEL B

All this certain lot, parcel of land, said property being known as Section 080, Block 002, Lot 010, Section 100, Block 002, Lots 023.1, 023.2, 024 and 027 situated and lying and being at Riverhead, Town of Riverhead, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a point formed by the northerly right-of-way of Middle Road and the westerly right-of-way of Mill Road.

Traveling westerly along the northerly right-of-way of Middle Road a distance of approximately 1,348 feet to a point formed by the northerly right-of-way line of Middle Road and the easterly property line of Section 080, Block 002, Lot 010. This being the POINT OF BEGINNING.

From said POINT OF BEGINNING, running westerly along the northerly right-of-way of Middle Road a distance of approximately 1,362 feet to a point formed by northerly right-of-way line of Middle Road and the easterly property line of Section 100, Block 002, Lot 027.

THENCE running westerly along the southerly property lines of Section 100, Block 002, Lots 027, 024, 023.2 and 023.1 to a point formed by the westerly property line of Section 100, Block 002, Lot 023.1 and the northerly right-of-way line of Deep Hole Road.

THENCE running along the southerly property line of Section 080, Block 002, Lot 003.1 a distance of approximately 514 feet to a point formed by the northerly property line of Section 100, Block 002, Lot 027 and the southerly property line of Section 080, Block 002, Lot 003.1.

THENCE running along the westerly property line of Section 080, Block 002, Lot 010 a distance of approximately 1,163 feet to a point formed by the easterly property line of Section 080, Block 002, Lot 003.1 and the northerly property line of Section 080, Block 002, Lot 010.

THENCE running easterly along the northerly property line of Section 080, Block 002, Lot 010 a distance of approximately 1,296 feet to a point formed by the northerly property line of Section 080, Block 002, Lot 010 and the westerly property line of Section 081, Block 001, Lot 001.1.

THENCE running southerly along the easterly property line of Section 080, Block 002, Lot 010 a distance of approximately 1,787 feet to a point formed by the easterly property line of Section 080, Block 002, Lot 010 and the northerly right-of-way line of Middle Road. This point being the said POINT OF BEGINNING.

**END OF DESCRIPTION
FOR
PARCEL B**

PARCEL C

All this certain lot, parcel of land, said property being known as Section 100, Block 002, Lots 20.3, 20.4 and 22.1 situated and lying and being at Riverhead, Town of Riverhead, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a point formed by the northerly right-of-way of Middle Road and the southerly right-of-way of Deep Hole Road. This being the POINT OF BEGINNING.

From said POINT OF BEGINNING running southerly along the northerly right-of-way line of Middle Road a distance of approximately 211 feet to a point formed by the northerly right-of-way line of Middle Road and the southerly property line of Section 100, Block 002, Lot 022.1.

THENCE running westerly along the southerly property line of Section 100, Block 002, Lot 022.1 a distance of approximately 207 feet to a point formed by the northerly property line of Section 100, Block 002, Lot 22.2 and the easterly property line of Section 100, Block 002, Lot 020.3.

THENCE running southerly along the easterly property line of Section 100, Block 002, Lot 020.3 a distance of approximately 489 feet to a point formed by the easterly property line of Section 100, Block 002, Lot 020.3 and the northerly property line of Section 100, Block 002, Lot 019.6.

THENCE running westerly along the southerly property line of Section 100, Block 002, Lot 020.3 a distance of approximately 254 feet to a point formed by the northerly property line of Section 100, Block 002, Lot 019.6 and the southerly property line of Section 100, Block 002, Lot 020.3.

THENCE running northerly along the westerly property lines of Section 100, Block 002, Lots 020.3 and 20.4 a distance of approximately 528 feet to a point formed by the westerly property line of Section 100, Block 002, Lot 20.4 and the southerly right-of-way line of Deep Hole Road.

THENCE running easterly along the southerly right-of-way line of Deep Hole Road a distance of approximately 1,025 feet to a point formed by the southerly right-of-way line of Deep Hole Road and the northerly right-of-way line of Middle Road. This point being the said POINT OF BEGINNING.

**END OF DESCRIPTION
FOR
PARCEL C**

Exhibit "A" - 6

PARCEL D

All this certain lot, parcel of land, said property being known as Section 100, Block 003, Lots 010.5 and 012 situated and lying and being at Riverhead, Town of Riverhead, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a point formed by the southerly right-of-way of Middle Road and the westerly right-of-way of Mill Road.

Traveling westerly along the southerly right-of-way of Middle Road a distance of approximately 1,358 feet to a point formed by the southerly right-of-way line of Middle Road and the easterly property line of Section 100, Block 003, Lot 012. This being the POINT OF BEGINNING.

From said POINT OF BEGINNING, running southerly along easterly property line of Section 100, Block 003, Lot 012 a distance of approximately 321 feet to a point formed by the easterly property line of Section 100, Block 003, Lot 012 and the northerly property line of Section 101, Block 001, Lot 006.3.

THENCE running westerly along the southerly property line of Section 100, Block 003, Lot 012 a distance of approximately 1,356 feet to a point formed by the southerly property line of Section 100, Block 003, Lot 012 and the easterly property line of Section 100, Block 003, Lot 010.5.

THENCE running southerly along the easterly property line of Section 100, Block 003, Lot 010.5 a distance of approximately 686 feet to a point formed by the southerly property line of Section 100, Block 003, Lot 010.5 and the westerly property line of Section 101, Block 001, Lot 006.3.

THENCE running westerly along the southerly property line of Section 100, Block 003, Lot 010.5 a distance of approximately 684 feet to a point formed by the westerly property line of Section 100, Block 003, Lot 010.5 and the easterly property line of Section 100, Block 003, Lot 010.3.

THENCE running northerly along the westerly property line of Section 100, Block 003, Lot 010.5 a distance of approximately 1,224 feet to a point formed by the westerly property line of Section 100, Block 003, Lot 010.5 and the southerly right-of-way line of Middle Road.

THENCE running along the southerly right-of-way line of Middle Road a distance of approximately 44 feet to a point formed by the southerly right-of-way line of Middle Road and the southerly property line of Section 100, Block 003, Lot 011.

THENCE running along the southerly, easterly and northerly property lines of Section 100, Block 003, Lot 011 a distance of approximately 598 feet to a point formed by the northerly property line of Section 100, Block 003, Lot 011 and the southerly right-of-way line of Middle Road.

THENCE running easterly along the southerly right-of-way line of Middle Road a distance of approximately 1,558 feet to a point formed by the southerly right-of-way line of Middle Road and the easterly property line of Section 100, Block 003, Lot 012. This point being the said POINT OF BEGINNING.

**END OF DESCRIPTION
FOR
PARCEL D**

PARCEL E

All this certain lot, parcel of land, said property being known as Section 101, Block 001, Lot 007 situated and lying and being at Riverhead, Town of Riverhead, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a point formed by the southerly right-of-way of Middle Road and the westerly right-of-way of Mill Road.

Traveling westerly along the southerly right-of-way of Middle Road a distance of approximately 289 feet to a point formed by the southerly right-of-way line of Middle Road and the easterly property line of Section 101, Block 001, Lot 007. This being the POINT OF BEGINNING.

From said POINT OF BEGINNING, running southerly along easterly property line of Section 101, Block 001, Lot 007 a distance of 300.00 feet to a point formed by the easterly property line of Section 101, Block 001, Lot 007 and the northerly property line of Section 101, Block 001, Lot 006.1.

THENCE running westerly along the southerly property line of Section 101, Block 001, Lot 007 a distance of 157.06 feet to a point formed by the southerly property line of Section 101, Block 001, Lot 007 and the northerly property line of Section 101, Block 001, Lot 006.1.

THENCE running northerly along the westerly property line of Section 101, Block 001, Lot 007 a distance of 399.98 feet to a point formed by the westerly property line of Section 101, Block 001, Lot 007 and the southerly right-of-way line of Middle Road.

THENCE running easterly along the southerly right-of-way of Middle Road a distance of approximately 200 feet to a point formed by the southerly right-of-way line of Middle Road and

the easterly property line of Section 101, Block 001, Lot 007. This point being the said POINT OF BEGINNING.

**END OF DESCRIPTION
FOR
PARCEL E**

Adopted

5/22/02

TOWN OF RIVERHEAD

ORDER ESTABLISHING EXTENSION 71
TO THE RIVERHEAD WATER DISTRICT
COUNTRY TRAILS SUBDIVISION

RESOLUTION # 569Adopted 5/22/02

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

WHEREAS, a petition has been filed by the developers for Country Trails Subdivision covering property located at the southeasterly corner of the intersection of Mill Road and Osborne Avenue, and

WHEREAS, a map and plan detailing the proposed construction of water mains and appurtenances has been prepared by H2M, consulting engineers to the Riverhead Water District for an extension to the Riverhead Water District to be known as Extension No. 71, and

WHEREAS, the cost for the installation of said mains and appurtenances shall be borne solely by the developer with no portion thereof to be borne by the district as a whole, and

WHEREAS, the cost of the proposed extension is \$148,500, to be borne by the applicant and no public monies shall be expended for this extension, and

WHEREAS, the petitioner will be required to pay key money in the amount of \$2,500 for each proposed dwelling unit for a total cost of \$65,000, and

WHEREAS, the Town Board called a public hearing for May 7, 2002, which hearing was held and all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED that the Town Board, upon the proceeding and record of the hearing had herein, determines that the extension to the Riverhead Water District to be known as Extension No. 71 as shown on Exhibit A attached is in the best interest of the district and will benefit the property to be served, which extension shall serve property located at the intersection of Mill Road and Osborne Avenue, and

BE IT FURTHER RESOLVED that the Town Board determines that the

installation of the water mains and appurtenances is a Type II action pursuant to the State Environmental Quality Review Act which will not have a significant impact upon the environment, and

BE IT FURTHER RESOLVED, that this extension is conditioned and shall not become effective until the conditions contained herein are complied with, and

BE IT FURTHER RESOLVED, that the cost of installation of said mains and appurtenances is \$148,500, all being constructed subject to the following conditions:

1. The owners grant a permanent, unobstructed subsurface easement for the installation and maintenance of water mains and appurtenances within the proposed extension;

2. The developer has deposited cash, bank or certified check with the Town of Riverhead prior to the award of the bid covering the cost of construction in the amount of \$148,500 and key money in the amount of \$65,000;

3. That the petitioner execute an acknowledgment evidencing their acceptance of the terms and conditions of this resolution and agree to be bound by it before it shall become effective; such acknowledgment to be filed with the Town Clerk, and it is further

RESOLVED, that when the conditions called for herein have been completed, the Town Clerk shall cause a copy of this Order to be recorded in the Office of the Clerk of Suffolk County and filed with the New York State Comptroller, and it is further

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

THIS RESOLUTION PREPARED BY FRANK A. ISLER FOR THE RIVERHEAD WATER DISTRICT

THE VOTE

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

THE RESOLUTION WAS WAS NOT
 THEREUPON ADOPTED

EXHIBIT "A"

RIVERHEAD WATER DISTRICT

PROPOSED EXTENSION NO. 71

COUNTRY TRAILS SUBDIVISION

DESCRIPTION OF EXTENSION

MARCH 2002

All this certain lot, parcel of land, said property being known as Section 081, Block 01, Lot 017, situated and lying and being at Riverhead, Town of Riverhead, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a point formed by the easterly right-of-way of Mill Road and the westerly right-of-way of Osborn Avenue.

Traveling southerly along the westerly right-of-way of Osborn Avenue a distance of approximately 290 feet to a POINT OF BEGINNING.

Said POINT OF BEGINNING described herein being a point formed by the westerly right-of-way line Osborn Avenue and the southerly property line of Section 081, Block 01, Lot 016.

From said POINT OF BEGINNING running easterly a distance of approximately 50 feet to a point formed by the southerly property line of Section 080, Block 02, Lot 015.2 and the easterly right-of-way line of Osborn Avenue.

THENCE running southerly along the easterly right-of-way line of Osborn Avenue the following two (2) bearings and distances:

1. South 51° - 20' - 50" East; approximately 1,590 feet

2. South 45° - 01' - 00" East; approximately 336.5 feet

to a point formed by a line perpendicular to a point formed by the northerly property line of Section 081, Block 01, Lot 022 and the westerly right-of-way of Osborn Avenue.

THENCE running westerly perpendicular to the easterly right-of-way of Osborn Avenue a distance of approximately 50 feet to a point formed by the northerly property line of Section 81, Block 1, Lot 22 and the westerly right-of-way line of Osborn Avenue.

THENCE running westerly along the northerly property line of Section 81, Block 1, Lot 22 the following bearing and distance:

South 82° - 21' - 00" West; 186.30 feet

to a point known as the northwesterly property corner of Section 81, Block 1, Lot 22.

THENCE running southerly along the westerly property line of Section 81, Block 1, Lots 22, 21.8, 21.9 and 21.10 the following two (2) bearings and distances:

1. South 8° - 29' - 00" East; 97.2 feet
2. South 8° - 20' - 00" East; 351.79 feet

to a point formed by the northeasterly property corner of Section 81, Block 1, Lot 20.1 and the southeasterly property corner of Section 81, Lot 1, Block 17.

THENCE running westerly along the southerly property line of Section 81, Block 1, Lot 17 the following bearing and distance:

South 83° - 46' - 40" West; approximately 328 feet;

to a point formed by the southerly property line of Section 81, Block 1, Lot 17 and a line running parallel to the easterly right-of-way line of Mill Road. The said herein line being a parallel distance of 500 feet from the easterly right-of-way line of Mill Road.

THENCE running northerly along the aforementioned parallel line the following bearing and distance:

North 19° - 33' - 50" West; approximately 1,347 feet;

to a point formed by the aforementioned parallel line and the westerly right-of-way line of Osborn Avenue.

THENCE running northerly along the westerly right-of-way line of Osborn Avenue the following bearing and distance:

North 51° - 20' - 50" West; approximately 751 feet;

to the said POINT OF BEGINNING.

END OF DESCRIPTION

Adopted

5/22/02

TOWN OF RIVERHEAD

ORDER ESTABLISHING EXTENSION 72
TO THE RIVERHEAD WATER DISTRICT
REEVES FARMS

RESOLUTION # 570Adopted 5/22/02

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

WHEREAS, a petition has been filed by the developers for Reeves Farms covering property located along the east and west sides of Roanoke Avenue just south of Reeves Avenue and along the north and south sides of Reeves Avenue just east of Roanoke Avenue to provide water facilities to their proposed development which is located outside the boundaries of the existing Water District, and

WHEREAS, a map and plan detailing the proposed construction of water mains and appurtenances has been prepared by H2M, consulting engineers to the Riverhead Water District for an extension to the Riverhead Water District to be known as Extension No. 72, and

WHEREAS, the cost for the installation of said mains and appurtenances shall be borne solely by the developer with no portion thereof to be borne by the district as a whole, and

WHEREAS, the cost of the proposed extension is \$392,000, to be borne by the applicant and no public monies shall be expended for this extension, and

WHEREAS, the petitioner will be required to pay key money in the amount of \$2,500 for each proposed dwelling unit for a total cost of \$187,500, and

WHEREAS, the Town Board called a public hearing for May 7, 2002, which hearing was held and all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED that the Town Board, upon the proceeding and record of the hearing had herein, determines that the extension to the Riverhead Water District to be known as Extension No. 72 as shown on Exhibit A attached is in the best interest of the district and will benefit the property to be served, which extension shall serve property located at Roanoke Avenue and Reeves Avenue, and

BE IT FURTHER RESOLVED that the Town Board determines that the installation of the water mains and appurtenances is a Type II action pursuant to the State Environmental Quality Review Act which will not have a significant impact upon the environment, and

BE IT FURTHER RESOLVED, that this extension is conditioned and shall not become effective until the conditions contained herein are complied with, and

BE IT FURTHER RESOLVED, that the cost of installation of said mains and appurtenances is \$392,000, all being constructed subject to the following conditions:

1. The owners grant a permanent, unobstructed subsurface easement for the installation and maintenance of water mains and appurtenances within the proposed extension;

2. The developer has deposited cash, bank or certified check with the Town of Riverhead prior to the award of the bid covering the cost of construction in the amount of \$392,000 and key money in the amount of \$187,500;

3. That the petitioner execute an acknowledgment evidencing their acceptance of the terms and conditions of this resolution and agree to be bound by it before it shall become effective; such acknowledgment to be filed with the Town Clerk

and it is further

RESOLVED, that when the conditions called for herein have been completed, the Town Clerk shall cause a copy of this Order to be recorded in the Office of the Clerk of Suffolk County and filed with the New York State Comptroller, and it is further

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

THIS RESOLUTION PREPARED BY FRANK A. ISLER FOR THE RIVERHEAD WATER DISTRICT

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 FULLY ADOPTED

EXHIBIT "A"
RIVERHEAD WATER DISTRICT
PROPOSED EXTENSION NO. 72
REEVES FARMS
DESCRIPTION OF EXTENSION

APRIL 2002

All this certain lot, parcel of land, said property being known as Section 042, Block 002, Lots 003.1 and 004, Section 043, Block 001, Lot 1.1, Section 063, Block 002, Lots 003, 004, 005.2, 005.3 and 006 and Section 064, Block 001, Lots 001, 003, 006.1, 007.1 and 057 situated and lying and being at Riverhead, Town of Riverhead, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a point formed by the northerly right-of-way of Joyce Drive and the easterly right-of-way of Roanoke Avenue.

Traveling northerly along the westerly right-of-way of Roanoke Avenue a distance of approximately 1,930 feet to a point formed by the easterly right-of-way of Roanoke Avenue and a line. This said line being the existing Riverhead Water District boundary line. This being the POINT OF BEGINNING.

From said POINT OF BEGINNING, running westerly perpendicular to the easterly right-of-way of Roanoke Avenue a distance of approximately 50 feet to a point formed by the westerly right-of-way of Roanoke Avenue and the aforementioned existing Riverhead Water District boundary line.

THENCE running northerly along the westerly right-of-way of Roanoke Avenue a distance of approximately 1,490 feet to a point formed by the westerly right-of-way of Roanoke Avenue and the southerly property line Section 063, Block 002, Lot 004.

THENCE running westerly along the southerly property line of Section 063, Block 002, Lot 004 a distance of approximately 677 feet to a point formed by the southerly and westerly property lines of Section 063, Block 002, Lot 004.

THENCE running northerly along the westerly property line of Section 063, Block 002, Lot 004 a distance of approximately 1,365 feet to a point formed by the westerly property line of Section 063, Block 002, Lot 004 and the southerly property line of Section 063, Block 002, Lot 003.

THENCE running westerly along the southerly property line of Section 063, Block 002, Lot 003 a distance of approximately 13 feet to a point formed by the southerly and westerly property lines of Section 063, Block 002, Lot 003.

THENCE running northerly along the westerly property line of Section 063, Block 002, Lot 003 a distance of approximately 639 feet to a point formed by the westerly and northerly property lines of Section 063, Block 002, Lot 003.

THENCE running easterly along the northerly property line of Section 063, Block 002, Lot 003 a distance of approximately 700 feet to a point formed by the northerly property line of Section 063, Block 002, Lot 003 and the westerly right-of-way line of Roanoke Avenue..

THENCE running northerly along the westerly right-of-way line of Roanoke Avenue a distance of approximately 598 feet to a point formed by the westerly right-of-way of Roanoke Avenue and the southerly right-of-way of Reeves Avenue.

THENCE running northerly a distance of approximately 50 feet to a point formed by the northerly right-of-way of Reeves Avenue and the westerly right-of-way of Roanoke Avenue.

THENCE running northerly along the westerly right-of-way of Roanoke Avenue a distance of approximately 35 feet to a point formed by the apparent intersection of the northerly right-of-way of Reeves Avenue and the westerly right-of-way of Roanoke Avenue.

THENCE running easterly a distance of approximately 50 feet to a point formed by the easterly right-of-way of Roanoke Avenue and the northerly right-of-way of Reeves Avenue.

THENCE running northerly along the westerly property line of Section 042, Block 002, Lot 003.1 a distance of approximately 1,068 feet to a point formed by the easterly right-of-way of Roanoke Avenue and the northerly property line of Section 042, Block 002, Lot 003.1.

THENCE running easterly along the northerly property line of Section 042, Block 002, Lot 003.1 a distance of approximately 815 feet to a point formed by the northerly and easterly property lines of Section 042, Block 002, Lot 003.1.

THENCE running northerly along the westerly property line of Section 042, Block 002, Lot 004 a distance of approximately 370 feet to a point formed by the westerly and northerly property lines of Section 042, Block 002, Lot 004.

THENCE running easterly along the northerly property lines of Section 042, Block 002, Lot 004 and Section 043, Block 001, Lot 001.1 a distance of approximately 1,329 feet to a point formed by the northerly and easterly property lines of Section 043, Block 001, Lot 001.1.

THENCE running southerly along the easterly property line of Section 043, Block 001, Lot 001.1 a distance of approximately 785 feet to a point along the easterly property line of Section 043, Block 001, Lot 001.1

Thence running easterly along the northerly property line of Section 043, Block 001, Lot 001.1 a distance of approximately 336 feet to a point formed by the easterly and northerly property lines of Section 043, Block 001, Lot 001.1.

THENCE running southerly along the easterly property line of Section 043, Block 001, Lots 001.1 a distance of approximately 686 feet to a point formed by the easterly property line of Section 043 Block 001, Lot 001.1 and the northerly property line of Section 043, Block 001, Lot 001.2.

THENCE running westerly along the northerly property lines of Section 043, Block 001, Lots 001.2, 001.3 and 001.4 a distance of approximately 425 feet to a point formed by the northerly and westerly property lines of Section 043, Block 001, Lot 001.4.

THENCE running southerly along the westerly property line of Section 043, Block 001, Lot 001.4 a distance of approximately 260 feet to a point formed by the westerly property line of Section 043, Block 001, Lot 001.4 and the northerly right-of-way line of Reeves Avenue.

THENCE running westerly along the northerly right-of-way of Reeves Avenue a distance of approximately 50 feet to a point along the northerly right-of-way of Reeves Avenue.

THENCE running southerly, perpendicular to the northerly right-of-way of Reeves Avenue a distance of approximately 50 feet to a point formed by the easterly property line of Section 064, Block 001, Lot 006.1 and the southerly right-of-way of Reeves Avenue.

THENCE running southerly along the easterly property line of Section 064, Block 001, Lot 006.1 a distance of 2,030.15 feet to a point known as the southwesterly property corner of Section 064, Block 001, Lot 004.1.

THENCE running easterly along the southerly property line of Section 064, Block 001, Lot 004.1 a distance of 519.00 feet to a point known as the southeasterly property corner of Section 064, Block 001, Lot 004.1.

THENCE running southerly along the easterly property line of Section 064, Block 001, Lot 006.1 a distance of 324.64 feet to a point located along the westerly property line of Section 064, Block 002, Lot 001.1.

THENCE running westerly along the northerly property line of Section 064, Block 002, Lot 002 a distance of 346.20 feet to a point known as the northwesterly property corner of Section 064, Block 002, Lot 002.

THENCE running southerly along the westerly property line of Section 064, Block 002, Lot 002 a distance of 448.15 feet to a point known as the northeasterly property corner of Section 062, Block 004, Lot 226.5.

THENCE running westerly along the northerly property line of Section 062, Block 004, Lot 226.5 a distance of 236.96 feet to a point located along the northerly property line of Section 062, Block 004, Lot 226.5.

THENCE running southerly along the easterly property line of Section 064, Block 001, Lot 006.1 the following distances 794.74 feet and 868.95 feet to a point known as the southeasterly property corner of Section 064, Block 001, Lot 006.1.

THENCE running westerly along the southerly property line of Section 064, Block 001, Lot 006.1 the following distances 238.14 feet and 970.66 feet to a point known as the southwesterly property corner of Section 064, Block 001, Lot 006.1.

THENCE running northerly along the westerly property line of Section 064, Block 001, Lot 006.1 a distance of approximately 435 feet to a point formed by the westerly property line of

Section 064, Block 001, Lot 006.1 and a line. This line being the existing Riverhead Water District boundary line.

THENCE running westerly along the aforementioned Riverhead Water District boundary line a distance of approximately 880 feet to a point formed by the Riverhead Water District boundary line and the easterly right-of-way of Roanoke Avenue. This being the said POINT OF BEGINNING.

END OF DESCRIPTION

Adopted

5/22/02

TOWN OF RIVERHEAD

ORDER ESTABLISHING EXTENSION 74
TO THE RIVERHEAD WATER DISTRICT
WIANA REALTY - RIVERHEAD BAY MOTORS

RESOLUTION # 571Adopted 5/22/02

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

WHEREAS, a petition has been filed by Wiana Realty - Riverhead Bay Motors covering property located at the south side of Old Country Road (Route 58) approximately 1,200 feet east of Mill Road to provide water facilities to their parcel of land located just outside the boundaries of the existing Water District, and

WHEREAS, a map and plan detailing the proposed construction of water mains and appurtenances has been prepared by H2M, consulting engineers to the Riverhead Water District for an extension to the Riverhead Water District to be known as Extension No. 74, and

WHEREAS, the cost for the installation of said mains and appurtenances shall be borne solely by the developer with no portion thereof to be borne by the district as a whole, and

WHEREAS, the cost of the proposed extension is \$28,000, to be borne by the applicant and no public monies shall be expended for this extension, and

WHEREAS, the petitioner will be required to pay key money in the amount of \$7,500, and

WHEREAS, the Town Board called a public hearing for May 7, 2002, which hearing was held and all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED that the Town Board, upon the proceeding and record of the hearing had herein, determines that the extension to the Riverhead Water District to be known as Extension No. 74 as shown on Exhibit A attached is in the best interest of the district and will benefit the property to be served, which extension shall serve property located on the south side of Old Country Road (Route 58) approximately, 1,200 feet east of Mill Road, and

BE IT FURTHER RESOLVED that the Town Board determines that the

installation of the water mains and appurtenances is a Type II action pursuant to the State Environmental Quality Review Act which will not have a significant impact upon the environment, and

BE IT FURTHER RESOLVED, that this extension is conditioned and shall not become effective until the conditions contained herein are complied with, and

BE IT FURTHER RESOLVED, that the cost of installation of said mains and appurtenances is \$28,000, all being constructed subject to the following conditions:

1. The owners grant a permanent, unobstructed subsurface easement for the installation and maintenance of water mains and appurtenances within the proposed extension;

2. The developer has deposited cash, bank or certified check with the Town of Riverhead prior to the award of the bid covering the cost of construction in the amount of \$28,000 and key money in the amount of \$7,500;

3. That the petitioner execute an acknowledgment evidencing their acceptance of the terms and conditions of this resolution and agree to be bound by it before it shall become effective; such acknowledgment to be filed with the Town Clerk, and it is further

RESOLVED, that when the conditions called for herein have been completed, the Town Clerk shall cause a copy of this Order to be recorded in the Office of the Clerk of Suffolk County and filed with the New York State Comptroller, and it is further

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

THIS RESOLUTION PREPARED BY FRANK A. ISLER FOR THE RIVERHEAD WATER DISTRICT

THE VOTE

Sanders Yes No Glass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON ADOPTED

EXHIBIT "A"**RIVERHEAD WATER DISTRICT****PROPOSED EXTENSION NO. 74****WIANA REALTY – RIVERHEAD BAY MOTORS****DESCRIPTION OF EXTENSION****MARCH 2002**

All this certain lot, parcel of land, said property being known as Section 101, Block 002, Lots 016, 017 and 018 and Section 121, Block 001, Lots 001, 002, 003 and 004 situated and lying and being at Riverhead, Town of Riverhead, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a point formed by the extreme easterly end of the arc of a curve connecting the northerly right-of-way of Pulaski Street and the easterly right-of-way of Mill Road.

Traveling easterly along the northerly right-of-way of Pulaski Street a distance of approximately 955 feet to a point formed by the northerly right-of-way of Pulaski Street and the westerly property line of Section 101, Block 002, Lot 018. This being the POINT OF BEGINNING.

From said POINT OF BEGINNING, running northerly along the westerly property line of Section 101, Block 002, Lot 018 to a point formed by the westerly property line of Section 101, Block 002, Lot 018 and a line. The said herein line being the existing boundary line of the Riverhead Water District.

5/22/02

1099
Adopted

TOWN OF RIVERHEAD
Resolution # 572

Approves Riverhead Centre, LLC's Petition to Amend Special Permit

Councilwoman Blass offered the following resolution which was seconded
by Councilman Densieski

WHEREAS, the Riverhead Town Board is in receipt of petition from Riverhead Centre, LLC ("Riverhead Centre"), 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, specifically known as SCTM No. 0600-101-02-11.1; and

WHEREAS, one of the Special Permits granted by Resolution No. 158 permitted an increase in coverage on the portion of the property that is zoned Business B from 15 to 16.32% and the petition 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 other Special Permit granted by Resolution No. 158 permitted the construction of a Home Depot as a lumberyard, with an accessory use garden center, on the Industrial A portion 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 space for former theater space on the Business B portion of the property; and

WHEREAS, pursuant to Town Code § 108-3(A)(2), the petition was accompanied by a conceptual site plan that shows the proposed location of all proposed buildings, parking stalls, access locations, as well as front, rear and side yard setbacks on both the Business B and Industrial A portions of the property, and is signed, sealed and certified by a New York State licensed engineer; and

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

WHEREAS, a full environmental assessment form was submitted as part of the petition; and

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

WHEREAS, the project for which the amended Special Permit is sought 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 SEQRA review of the project for which the amended Special Permit is sought was 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 and SEQRA Findings, as well as the zoning of the property were upheld by a December 24, 2001 decision of the Appellate Division, Second Department; and

WHEREAS, Riverhead Centre has submitted reports (the "Environmental Reports") 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, by Resolution 255 of 2002, the Town Board referred the petition to the Riverhead Planning Board for its report with regard to the petition, pursuant to the Riverhead Zoning Ordinance and, by Resolution dated May 16, 2002, the Riverhead Planning Board resolved to recommend approval of the petition; and

WHEREAS, the Town Board referred the petition to the Suffolk County Planning Commission, and, by letter dated April 25, 2002, the Suffolk County Planning Department, on behalf of such Commission, advised the Town Board that the Commission's prior disapproval of the Riverhead Centre development project remained in force and applicable to the instant petition, and such disapproval requires the Town Board to approve the petition by a vote of at least 4 to 1; and

WHEREAS, a public hearing duly noticed on the petition was held by the Town Board on May 7, 2002 pursuant to Section 108-3(E)(2) of the Riverhead

Zoning Ordinance and Section 265 of the Town Law, in which all testimony was given under oath; and

WHEREAS, the Town Board has carefully considered the merits of the petition, the recommendations of the Riverhead Planning Board, the recommendations of the Suffolk County Planning Commission, this Town Board's prior resolutions, the full SEQRA record, the sworn testimony given at the public hearing, as well as all other relevant planning, zoning and environmental information, now,

THEREFORE, BE IT

RESOLVED, that in the matter of the petition of Riverhead Centre to amend the previously granted Special Permit relating to the Business B portion of the property, the Town Board hereby finds:

FIRST: That the conceptual site plan submitted with the Petition does not change in any material respect the site plan previously approved as to the portion of the property zoned Industrial A;

SECOND: That the conceptual site plan reflects the intended development of various commercial and retail uses totaling approximately 259,000 square feet on the Business B portion of the property, which constitutes 16.32% coverage on the 36.4 acre Business B portion of the property;

THIRD: That the proposed development reflected on the conceptual site plan is consistent with the prior Special Permits granted by Town Board Resolution No. 158 of 2001;

FOURTH: That the Environmental Reports submitted with the petition demonstrate that the proposed reconfiguration of the Business B portion of the Property to provide for the removal of the movie theater and its replacement with additional retail use will result in no significant adverse environmental impacts that were not previously studied or adequately studied in the prior environmental impact statements for the project; and

FIFTH: That the findings set forth in this Town Board's prior Resolution No. 158 of 2001 relating to the prior Special Permits, including those findings made by the Town Board as required pursuant to the Riverhead Zoning Ordinance § 108-3(E)(3), are applicable to the subject petition and are incorporated herein by reference.

BE IT FURTHER

RESOLVED, that based upon its prior SEQRA review, its other findings set forth herein, and the Town Board's findings set forth in Town Board Resolution No. 158 of 2001, which are incorporated herein by reference, the Town Board hereby overrides each and every objection to the proposed development set forth in the Suffolk County Planning Commission's prior

disapproval of the Riverhead Centre development project, and approves the instant petition to have the Special Permit pertaining to the Business B portion of the property granted by Resolution No. 158 of 2001 conform to the underlying site plan, which is being amended to substitute additional retail and commercial space for former theater space on the Business B portion of the property.

BE IT FURTHER

RESOLVED, that the Town Board hereby acknowledges the substitution of the conceptual site plan that accompanied the instant petition for the site plan that underlies the special permit previously granted by Resolution No. 158 pertaining to the Industrial A portion of the property.

BE IT FURTHER

RESOLVED, that beginning one (1) year after the issuance of a certificate of occupancy for the completed proposed development, Riverhead Centre shall engage the services of a professional engineering entity to perform a survey of the actual utilization of parking spaces in connection with the operation of the development, including utilization on weekends and shall deliver such report to the Town Board. In the event that such report indicates that the actual number of parking spaces needed for the development are less than those provided for in the conceptual site plan upon which the instant petition is based, the Town Board may, in its discretion, require that excess parking spaces be land banked; provided, however, that in no event shall any reduction in the number of parking spaces for the development: (a) reduce the number of spaces in the portion of the Riverhead Centre property that is zoned Industrial A; (b) reduce the number of parking spaces in the portion of the Riverhead Centre property that is zoned Business B below the number of spaces required by the Town Code; or (d) in violation of any lease to which Riverhead Centre is a party. Spaces, if any, to be land banked shall be those designated as "head-in" spaces along the curved roadway on the east side of the supermarket parking lot..

RESOLVED, that Riverhead Centre shall complete construction of the proposed development within three years from the date of this Town Board's Resolution No. 158 of 2001.

BE IT FURTHER

RESOLVED, that copies of this resolution be forwarded to the Town Board of the Town of Riverhead, the Town Attorney and Riverhead Centre's counsel, Charles R. Cuddy and Richard G. Leland.

Adopted

RESOLUTION # 573 ABSTRACT #19-02 MAY 09, 2002 (TBM 05/21/02)

COUNCILMAN LULL

offered the following Resolution which was seconded by

COUNCILWOMAN BLASS

FUND NAME		CD NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 90,055.76	\$ 90,055.76
POLICE ATHLETIC LEAGUE	004	\$ -	\$ 1,671.50	\$ 1,671.50
TEEN CENTER	005	\$ -	\$ -	\$ -
RECREATION PROGRAM	006	\$ -	\$ 773.14	\$ 773.14
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ 534.00	\$ 534.00
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ 20.36	\$ 20.36
AG-FEST COMMITTEE FUND	021	\$ -	\$ -	\$ -
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ -	\$ -
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ -	\$ -
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ 350.00	\$ 350.00
EDZ FUND	030	\$ -	\$ 7,619.00	\$ 7,619.00
HIGHWAY	111	\$ -	\$ 9,534.17	\$ 9,534.17
WATER	112	\$ -	\$ 16,254.68	\$ 16,254.66
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
RIVERHEAD SEWER DISTRICT	114	\$ -	\$ 13,413.47	\$ 13,413.47
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 27.50	\$ 27.50
STREET LIGHTING	116	\$ -	\$ 1,171.83	\$ 1,171.83
PUBLIC PARKING	117	\$ -	\$ 2,909.32	\$ 2,909.32
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ 55.00	\$ 55.00
TOR URBAN DEV CORP TRUST ACCT	110	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ 901.11	\$ 901.11
CALVERTON SEWER DISTRICT	124	\$ -	\$ -	\$ -
RIVERHEAD SCAV WASTE DISTRICT	128	\$ -	\$ 15,015.61	\$ 15,015.61
WORKER'S COMPENSATION FUND	173	\$ -	\$ 14,839.78	\$ 14,839.78
RISK RETENTION FUND	175	\$ -	\$ -	\$ -
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	170	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 5,882.99	\$ 5,882.99
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT	382	\$ -	\$ -	\$ -
WATER DEBT	383	\$ -	\$ -	\$ -
GENERAL FUND DEBT SERVICE	384	\$ -	\$ -	\$ -
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 173,561.54	\$ 173,561.54
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ -	\$ -
SENIORS HELPING SENIORS	453	\$ -	\$ -	\$ -
EISEP	454	\$ -	\$ -	\$ -
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ -	\$ 2,212.07	\$ 2,212.07
MUNICIPAL GARAGE	626	\$ -	\$ 12,712.75	\$ 12,712.75
TRUST & AGENCY	735	\$ -	\$ 800,366.99	\$ 800,366.99
SPECIAL TRUST	736	\$ -	\$ -	\$ -
COMMUNITY PRESERVATION FUND	737	\$ -	\$ -	\$ -
CDA-CALVERTON	914	\$ -	\$ -	\$ -
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ -	\$ -
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$	\$ 1,169,682.55	\$ 1,169,682.55
			\$ 0	

THE VOTE
 Council Yes No Blank Abs No
 Demos Yes No Abs No
 Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
 THERE FULLY ADOPTED

RESOLUTION 57 ABSTRACT #20-02 MAY 16, 2002 (TBM 05/21/02)				
COUNCILMAN LULL		offered the following Resolution which was seconded by		
COUNCILWOMAN BLASS				
FUND NAME		CD 05/15/02	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ 5,150,000.00	\$ 657,201.91	\$ 5,807,201.91
POLICE ATHLETIC LEAGUE	004	\$ 15,000.00	\$ -	\$ 15,000.00
TEEN CENTER	005	\$ 12,000.00	\$ -	\$ 12,000.00
RECREATION PROGRAM	006	\$ 65,000.00	\$ 2,097.31	\$ 67,097.31
SR NUTRITION SITE COUNCIL	007	\$ 500.00	\$ -	\$ 500.00
D.A.R.E. PROGRAM FUND	008	\$ 1,800.00	\$ -	\$ 1,800.00
CHILD CARE CENTER BUILDING FUND	009	\$ 45,000.00	\$ 98.95	\$ 45,098.95
AG-FEST COMMITTEE FUND	021	\$ 2,000.00	\$ -	\$ 2,000.00
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 2,386.84	\$ 2,386.84
COMMUNITY P.E.T.S. SHELTER	028	\$ 10,500.00	\$ -	\$ 10,500.00
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ 240.00	\$ 240.00
EDZ FUND	030	\$ 19,000.00	\$ 2,328.56	\$ 21,328.56
HIGHWAY	111	\$ 210,000.00	\$ 455,067.57	\$ 665,067.57
WATER	112	\$ 1,055,000.00	\$ 1,107,204.85	\$ 2,162,204.85
REPAIR & MAINTENANCE	113	\$ 980,000.00	\$ -	\$ 980,000.00
RIVERHEAD SEWER DISTRICT	114	\$ 950,000.00	\$ 791,979.19	\$ 1,741,979.19
REFUSE & GARBAGE COLLECTION	115	\$ 435,000.00	\$ 24,511.87	\$ 459,511.87
STREET LIGHTING	116	\$ 375,000.00	\$ 93,105.33	\$ 468,105.33
PUBLIC PARKING	117	\$ 115,000.00	\$ 13,845.54	\$ 128,845.54
BUSINESS IMPROVEMENT DISTRICT	118	\$ 7,000.00	\$ 9,551.30	\$ 16,551.30
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ 205,000.00	\$ 2,752.35	\$ 207,752.35
CALVERTON SEWER DISTRICT	124	\$ 50,000.00	\$ -	\$ 50,000.00
RIVERHEAD SCAV WASTE DISTRICT	128	\$ 10,000.00	\$ 16,870.18	\$ 26,870.18
WORKER'S COMPENSATION FUND	173	\$ 1,150,000.00	\$ 40,109.20	\$ 1,199,109.20
RISK RETENTION FUND	175	\$ 25,000.00	\$ 72,613.00	\$ 97,613.00
UNEMPLOYMENT INSURANCE FUND	176	\$ 104,000.00	\$ -	\$ 104,000.00
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 554.27	\$ 554.27
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ 1,500.00	\$ -	\$ 1,500.00
SEWER DISTRICT DEBT	382	\$ 825,000.00	\$ -	\$ 825,000.00
WATER DEBT	383	\$ 1,020,000.00	\$ -	\$ 1,020,000.00
GENERAL FUND DEBT SERVICE	384	\$ 6,285,000.00	\$ -	\$ 6,285,000.00
SCAVENGER WASTE DEBT	385	\$ 295,000.00	\$ 87,436.54	\$ 382,436.54
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 219,162.37	\$ 219,162.37
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ 54,610.00	\$ 54,610.00
YOUTH SERVICES	452	\$ -	\$ 3,022.75	\$ 3,022.75
SENIORS HELPING SENIORS	453	\$ -	\$ 1,754.21	\$ 1,754.21
EISEP	454	\$ -	\$ 1,274.71	\$ 1,274.71
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ 225,000.00	\$ 3,290.50	\$ 228,290.50
MUNICIPAL GARAGE	626	\$ 180,000.00	\$ 18,288.98	\$ 198,288.98
TRUST & AGENCY	735	\$ -	\$ ** 4,815,798.88	\$ 4,815,798.88
SPECIAL TRUST	738	\$ 260,000.00	\$ 275,500.00	\$ 535,500.00
COMMUNITY PRESERVATION FUND	737	\$ 1,880,000.00	\$ 80,000.00	\$ 1,960,000.00
CDA-CALVERTON	914	\$ 6,880,000.00	\$ -	\$ 6,880,000.00
COMMUNITY DEVELOPMENT AGENCY	915	\$ 140,000.00	\$ -	\$ 140,000.00
JOINT SCAVENGER WASTE	918	\$ 30,000.00	\$ 1,883.16	\$ 31,883.16
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ 28,913,300.00	\$ 8,663,340.32	\$ 37,776,640.32
** SCHOOL/TOWN TAXES			\$ -	\$ -

THE VOTE

Sanders Yes No Blank Yes No
 Demick Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON IT WAS ADOPTED

5/21/02

TOWN OF RIVERHEAD

1103
Adopted

Resolution # 574

RESCINDING IN PART RESOLUTION # 1009 OF 2001 AND RATIFYING THE
SITE PLAN APPROVAL GRANTED TO THE RIVERHEAD FIRE DISTRICT
TRAINING FACILITY

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

WHEREAS, a site plan and elevations were submitted by Cashin Associates, P.C. on behalf of the Riverhead Fire District to construct a fire training facility and associated site improvements on real property located at the northwest corner of Northville Turnpike (CR43) and Cross River Drive (CR105), Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-44-2010.3; and

WHEREAS, in seeking site plan approval for this project, the Riverhead Fire District requested an exemption from the permitted use provisions applicable to the Agriculture A zoning district where this property is situated; and

WHEREAS, after public hearing, the Town Board adopted Resolution # 1009 of 2001 granting the exemption applied for and granting site plan approval subject to the conditions enumerated in the resolution; and

WHEREAS, it the construction of a fire training facility is a permitted land use under the Town's Zoning Code § 108-54 which permitted construction of municipal buildings in all zoning districts, and thus no exemption from the use provisions of zoning are needed by the Riverhead Fire District to construct the proposed building; and

WHEREAS, the site plan complies with all other requirements of Chapter 108 as required under § 108-54;

NOW BE IT RESOLVED, that the proposed construction of a fire training building is a municipal building permitted use under § 108-54 and therefore no municipal exemption from zoning requirements is needed for the approval of the site plan submitted herein; and be it further

RESOLVED, that Town Board Resolution # 1009 of 2001, to the extent that it addressed and granted an exemption from

zoning use requirements to the Riverhead Fire District, is hereby rescinded; and be it further

RESOLVED, that Town Board Resolution # 1009 of 2001 is hereby ratified in all respects to the extent that it granted site plan approval, subject to the conditions set forth therein, which approval and conditions remain in full force and effect; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP.; the Town Attorney; the Town Attorney; Cashin Associates, P.C.; the Riverhead Fire District; the Riverhead Building Department; and the Town Engineer.

THE VOTE

Sanders Yes No Blass Yes No *abstain*

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED