

Town Clerk

**TOWN BOARD MEETING
AGENDA
ROBERT F. KOZAKIEWICZ, Supervisor**

February 19th , 2003

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

**Barbara Blass, Councilwoman
Rose Sanders, Councilwoman**

**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**

**Judy Doll
John Reeve
Michael Reichel
Gary Pendzick**

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

Call to Order and Salute to the Flag

Approves Minutes of Town Board Meeting of February 4th, 2003

Blass

Offered the minutes to be
approved, which was seconded by

Sanders

REPORTS

*1 yes
1 absent*

Receiver of Taxes: Total Collections to Date: \$41,344,605.05

Police Dept.: Annual Report for 2002
Monthly Report for December, 2002

Open Bid Report: 1. 1998 Godwin Dri-Prime Diesel Pump
Opened: 2/11/03-One Bid was received

Trius, Inc. Bid Amount: \$21,877.00

2. 2003 (2) Chevrolet Silverado Pickups
Opened: 2/11/03-Two Bids received

1. Buss Chew Bid Amount: \$23,817.00 each
2. Eagle Chevrolet Bid Amount: \$53,658.00 for two

APPLICATIONS

CORRESPONDENCE

COMMITTEE REPORTS

Solid Waste Committee - B Blass

PUBLIC HEARINGS

- 7:05 p.m. The Special Permit Petition of Heritage Property Investment LP.
- 7:10 p.m. The Special Permit Petition of East End Wireless, Inc. Omnipoint Communications, Inc. and NY SMSA Limited Partnership d/b/a/ Verizon Wireless.
- 7:15 p.m. The Purchase of Development Rights of 14.5 acres of agricultural lands owned by Austin T. and Rita Funfgeld located on the southerly side of Middle Road, Calverton, at \$30,000 per acre.
- 7:20 p.m. The Purchase of Development Rights of 22 acres of agricultural lands owned by Mary Crowder located on the northerly side of State Router 25S, Calverton, at \$35,000 per acre.

**PUBLIC COMMENT ON ANY RESOLUTIONS LISTED
BELOW:**

COMMUNITY DEVELOPMENT AGENCY MEETING:

- #2** Authorizes the Chairman to Execute an Easement in Favor of the People of the State of New York
- #3** Authorizes Chairman to Take Necessary Actions in Connection with Island Water Park Corp. Closing
- #4** Authorizes the Supervisor to Execute an Agreement Between the Riverhead Community Development Agency and Robert Ginsberg D/B/A Rosewood Management Inc. in Connection with the North Fork Classic Show
- #5** Authorizes Chairman to Execute Agreement with the Council for the Vail Leavitt Music Hall, Inc.
- #6** Authorizes the Chairman to Execute a License Agreement with Festival Holdings

REGULAR TOWN BOARD MEETING:

- #184** Authorized Service Agreement RE: Calverton Sewer District
- #185** Authorizes Supervisor to Execute Agreement with New York State Empire State Development Corporation (ESDC) for Main Street Grant
- #186** Deputy Tax Receiver Stipend
- #187** Approves Request for Leave of Absence
- #188** Appoints Chaperone for the Recreation Department
- #189** Amends Resolution #128
- #190** Appoints Maintenance Mechanic II in the Water Department (J. Impellizzeri)

- #191 Appoints Full-Time Account Clerk Typist (C. DelVecchio)
- #192 Appoints a P/T Recreation Aide (Teen Center) to the Recreation department (C. Janiecek)
- #193 Appoints a Park Attendant I to the Recreation Department (C. Janiecek)
- #194 Appoints a Scorekeeper to the Recreation Department (C. Janiecek)
- #195 Appoints a Beach Attendant to the Recreation Department (. Janiecek)
- #196 Highway Department Budget Adjustment
- #197 Calverton Rail Spur Improvement Budget Adoption
- #198 Irma Murphy Open Space Acquisition Budget Adoption
- #199 Water Transmission Main@ Calverton Park Capital Project Budget Adjustment
- #200 DiMola/Dalton Farmland Rights Capital Project Budget Adjustment
- #201 General Fund Budget Adjustment
- #202 Authorizes the Town to Join in the Application of the Subdivision Map of Long Island Housing Partnership, Inc. for Affordable Housing
- #203 Authorizes Town Clerk to Publish and Post Notice of Public Hearing-Special Permit of William & Frances Schaefer
- #204 Authorizes Town Clerk to Publish and Post Notice of Public Hearing-Special Permit of Paul Martin/Riverhead Commerce Park

- #205 Authorizes Town Clerk to Publish and Post Notice of Public Hearing-Special Permit of KKNY, LLC (Krispy Kreme, Riverhead Centre)
- #206 Authorization to Discard Fixed Assets
- #207 Establishing Imprest Petty Cash Fund for Recreation Department
- #208 Reduces Performance Bond of Birchwood at Wading River, NY-Section 1 Formerly Known as the Links at Wading River
- #209 Resolution Amending Order Establishing Extension No. 61-RWD-Island Water Park
- #210 Authorizes Publication of Notice to Bidders for Improvements to Hallockville Museum
- #211 Awards Bid on One (1) Godwin Dri-Prime Diesel Powered Dewatering Pump
- #212 Awards Bid on Two (2) 2003 Chevrolet Silverado 2500HD Pickup Trucks or Equal
- #213 Awards Bid for Landfill Reclamation Project
- #214 Authorization to Publish Advertisement for Sealed Bids for Kitchen Equipment
- #215 A Resolution Authorizing the Issuance of \$200,000 Serial Bonds of the Town of Riverhead, Suffolk County, NY to Pay the Cost of the Dredging of the Wading River Creek in said Town of Riverhead
- #216 Accepts 5% Security Bond of Great Rock Golf, Inc.
- #217 Authorizes the Town of Riverhead to Secure, Demolish or Remove Unsafe Structure Pursuant to Chapter 54 of the Riverhead Town Code (Delphine Booker and James Langhorne, 9 Zion Street, Aquebogue)

- #218 2003 Recreation Capital Improvement Project Budget Adoption
- #219 Recreation Program Fund Budget Adjustment
- #220 Town Board Special Program Fund Budget Adjustment
- #221 VITA Grant Program Budget Adoption
- #222 Approves Request for Leave of Absence
- #223 Lead Agency Status as to the Siting of a Temporary, Portable Asphalt Manufacturing Plant as Part of the Reclamation Project at the Young's Avenue Landfill in Accordance with the State Environmental Quality Review Act (SEQRA)
- #224 Amends Site Plan Approval Resolution (#175-2003) of Island Water Park
- #225 Pays Bills

Adopted

February 19, 2003

TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY

Resolution # 2

AUTHORIZES THE CHAIRMAN TO EXECUTE AN EASEMENT IN FAVOR OF THE PEOPLE OF THE STATE OF NEW YORK

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

WHEREAS, In 1998 the New York State Department of Environmental Conservation received an easement from the Department of the Navy to access a Hunters Parking Area and the Peconic River Boat Launching Site off Connecticut Avenue in Calverton; and

WHEREAS, the transfer of said easement predates the transfer of the "Grumman Property" to the Town of Riverhead CDA; and

WHEREAS, said easement was never recorded by the Department of Environmental Conservation; and

WHEREAS, the Department of Environmental Conservation operates a boat launching site and a hunters parking area in the easement area; and

WHEREAS, the granting of an easement by the Town of Riverhead CDA in favor of the People of the State of New York acting through the Department of Environmental Conservation, for the areas above described, is mutually beneficial to the Town of Riverhead and the State of New York.

NOW THEREFORE BE IT HEREBY RESOLVED, that the CDA Board of the Town of Riverhead hereby authorizes the Chairman to execute an easement in favor of the State of New York to access a Hunters Parking Area and the Peconic River Boat Launching Site off Connecticut Avenue in Calverton; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Janet Longo, New York State Department of Environmental Conservation, Real Property Bureau Building 40 SUNY, Stony Brook, New York 11790-2356, the Office of the Town Attorney, the Office of Supervisor and CDA Director Andrea Lohneiss.

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

TOWN OF RIVERHEAD

Community Development Agency

Resolution # 3

AUTHORIZES CHAIRMAN TO TAKE NECESSARY ACTIONS IN CONNECTION WITH ISLAND WATER PARK CORP. CLOSING

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

WHEREAS, on April 10, 2000, the Town of Riverhead Community Development Agency (the "Agency") entered into an Agreement of Sale (the "Agreement") with Island Water Park Corp. (the "Buyer") for the sale of approximately 40 acres of property located at the former Naval Weapons Industrial Reserve Plant, now know as Calverton Enterprise Park (the "Property"), and

WHEREAS, the Agency and the Buyer have reached an accord on all issues that have arisen during the pendency of the sale and now desire to complete the closing, and

NOW, THEREFORE, BE IT

RESOLVED, that the Board of the Town of Riverhead Community Development Agency hereby authorizes the Chairman to take all necessary actions (including, without limitation, the execution of all closing documents contemplated in the Agreement) in order to complete the closing pursuant to the Agreement, and be it further,

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Robert F. Kozakiewicz, Chairman, Town of Riverhead Community Development Agency, Town of Riverhead Community Development Agency, Andrea Lohneiss, Director, Town of Riverhead Community Development Agency, Town Attorney, Willkie, Farr & Gallagher, Charles R. Cuddy, Esq., and Island Water Park Corp.

THE VOTE

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

2/4/03

Tabled

TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY

Resolution #4

AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT BETWEEN THE RIVERHEAD COMMUNITY DEVELOPMENT AGENCY AND ROBERT GINSBERG D/B/A ROSEWOOD MANAGEMENT INC. IN CONNECTION WITH THE NORTH FORK CLASSIC HORSE SHOW

COUNCILMAN LULL offered the following resolution, was seconded by
COUNCILWOMAN SANDERS TO BE TABLED

WHEREAS, Rosewood Management Inc. (RMI) desires to stage and promote an outdoor horse show event commonly known as "The North Fork Classic " to be held at the Calverton Enterprise Park property on August 7, 2003 through August 25, 2003; and

WHEREAS, RMI and the Riverhead Community Development Agency have agreed to terms under which RMI will be granted the use of certain land, buildings facilities and/or equipment at the EPCAL property.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute an agreement between Rosewood Management, Inc. (RMI) and the Riverhead Community Development Agency, which agreement provides for terms under which RMI will be granted the use of certain land, buildings facilities and/or equipment at the EPCAL property; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Rosewood Management Inc., _____, New York, 11779; the Supervisor's Office; Andrea Lohneiss, Director, CDA; the Office of Accounting and the Office of the Town Attorney.

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

Tabled

2/19/03

Tabled

Town of Riverhead

Resolution # 5

RIVERHEAD COMMUNITY DEVELOPMENT AGENCY

Authorizes Chairman to Execute Agreement with the Council for the Vail Leavitt Music Hall, Inc.

COUNCILWOMAN BLASS

offered the following resolution,

COUNCILWOMAN SANDERS

which was seconded by _____:

WHEREAS, the Town of Riverhead has supported the Council for the Vail Leavitt Music Hall for 20 years, including the procurement of numerous grants to provide for the acquisition and restoration of the National Historic Landmark.

WHEREAS, the Council for the Vail Leavitt Music Hall Inc. requires further exterior and/or interior capital improvements, furnishings and equipment for refurbishment of the Vail Leavitt Music Hall; and

WHEREAS, the Town of Riverhead in recognition of the importance of completing the restoration of the Vail Leavitt Music Hall as a tourist attraction in downtown Riverhead, and consistent with the goals and objectives of the East Main Street Urban Renewal Plan, desires to encourage those projects that generate visitors to the downtown business district; and

THEREFORE BE IT RESOLVED, that the CDA Chairman is hereby authorized to execute an agreement with the Council for the Vail Leavitt Music Hall, Inc. to provide for a grant of \$50,000 to the Council.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Agency Director Andrea Lohneiss and the Council for the Vail Leavitt Music (PO Box 147, Riverhead, NY 11901).

COUNCILWOMAN SANDERS OFFERED THE RESOLUTION TO BE TABLED, WHICH WAS SECONDED BY COUNCILWOMAN BLASS.

THE VOTE

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

Tabled

AGREEMENT

Between the **Town of Riverhead Community Development Agency**, a public benefit corporation, located at 200 Howell Avenue, Riverhead, NY, hereinafter referred to as the "CDA" and the **Council for the Vail Leavitt Music Hall**, a not-for-profit corporation, located at 18 Peconic Avenue, Riverhead, NY 11901, hereinafter referred to as the "Council."

WITNESSETH

WHEREAS, the CDA in recognition of the importance of completing the restoration of the Vail Leavitt Music Hall as a tourist attraction in downtown Riverhead, and consistent with the goals and objectives of the East Main Street Urban Renewal Plan, desires to encourage those projects that generate visitors to the downtown business district; and

WHEREAS, significant progress has been made by the Council to complete improvement necessary to accommodate the public for cultural venues; and

WHEREAS, the Council requires exterior and/or interior capital improvements, furnishings and equipment for refurbishment of the Vail Leavitt Music Hall.

THEREFORE IT IS HEREBY AGREED, by the CDA and the Council as follows:

1. The Council shall utilize funding provided by the CDA for capital improvements, furnishings and equipment, and shall provide documentation of all expenditures made with said grant funds within 60 days from receipt of funds from the CDA.
2. In recognition of the above, the CDA shall provide the Council the sum of \$50,000.

DATED: Riverhead, New York

Town of Riverhead CDA

By: _____
Chairman

Grantee

By: _____
President-Trustee

Not Adopted

02/18/03

TOWN OF RIVERHEAD

COMMUNITY DEVELOPMENT AGENCY

Resolution # 6

AUTHORIZES THE CHAIRMAN TO EXECUTE A LICENSE AGREEMENT WITH FESTIVAL HOLDINGS, LLC

Councilwoman Sanders offered the following resolution, was seconded by

Councilman Lull :

WHEREAS, Festival Holdings, LLC has submitted an application for the purpose of conducting the Music Festival to be held on the Calverton Enterprise Park picnic grounds at Rte. 25, Calverton, New York, in August 2003; and

WHEREAS, the land upon which the Festival is to be held is owned by the Town of Riverhead Community Development Agency; and

WHEREAS, Festival Holdings, LLC, requires the additional approval of the Town Board for a Special Event pursuant to Chapter 90 of the Town Code of the Town; and

WHEREAS, Festival Holdings, LLC, requires a license from the CDA to utilize the aforementioned land.

NOW THEREFORE BE IT RESOLVED, that the CDA authorizes the Chairman to execute a license agreement with Festival Holdings, LLC; and be it further

RESOLVED, that this approval is subject to the applicant obtaining approval pursuant to Chapter 90 of the Riverhead Town Code; and be it further

RESOLVED, that a fire safety inspection by the Town Fire Marshal is required prior to the opening of this event to the public; be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Festival Holdings, LLC; 1128 Dublin Street, Suite 200, New Orleans, Louisiana, 70118 ; Ken Testa, P.E. and Chief David Hegermiller, Riverhead Police Department; Office of the Town Attorney and Office of Accounting.

THE VOTE

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

abstain

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

February 19, 2003

Adopted

TOWN OF RIVERHEAD

184

AUTHORIZED SERVICE AGREEMENT RE: CALVERTON SEWER DISTRICT.

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

WHEREAS, currently Water & Sewage Treatment Enterprises Inc. is under control with the Calverton Sewer District to provide for the daily operation, maintenance and necessary testing to meet permit and treatment requirements; and

WHEREAS, the Adopted 2003 Budget of the Calverton Sewer District provides for the continued services of the contractor; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute the attached one year service agreement between the Calverton Sewer District and Water and Sewage Treatment Enterprises, Inc.; and

BE IT FURTHER RESOLVED, that the Town Clerk forward certified copies of this resolution to the Accounting Department, H2M Group, Frank Isler, Esq. and W.A.S.T.E. Inc.

THE VOTE

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

PROTECTION OF PERSONS AND PROPERTY

Contractor shall be responsible for initiating, maintaining, and supervising all safety precautions and programs required in connection with the Work. Contractor shall take all necessary precautions for the safety of, and shall provide protection to prevent damage, injury, or loss to (1) any employee or other person on the work site, (2) all materials to be incorporated into the Work, and (3) the work site and any improvements or other personal property located on the work site. Contractor assumes all risks of damage or injury for whatever cause to property or persons used or employed on or in the property where ever located, resulting from any action or operation under this Agreement or in connection with the work.

Contractor shall provide Owner with a copy of ALL accident reports, including all OSHA 100 recordable injuries and illnesses, related to performance of the Work.

Contractor hereby acknowledges that it has read the OSHA rules and will abide by them. No smoking is permitted at any time on the work site. The obligations of Contractor under this section extends to Contractor's employees, subcontractors, suppliers or others who may be performing work under this Agreement. Contractor agrees to pay just charges assessed by Owner for removal of surplus materials, containers and/or rubbish left by Contractor (or its subcontractors) including any charges for removal repair. All damage or loss of any property caused in whole or in part by Contractor, any subcontractor, or anyone directly or indirectly employed by any of them, or by anyone for whose acts any of them may be liable, shall be remedied by Contractor.

INDEMNIFICATION

Contractor shall indemnify and hold Owner, the Town of Riverhead ("Owner"), Owner's lessees and sublessees, and their respective agents and employees harmless from and against any and all claims, damages, liability, losses and expenses, including reasonable attorney fees, associated with:

- a) Bodily injury, personal injury, sickness, disease or death to any person (without limitation by any Workers Compensation or Disability Actor other insurance coverage);
- b) Damage to, or destruction of, any portion of the property, any adjoining building or structure, or any other real or persona property;

to the extent that any such damage, loss or expense is caused in whole or in part by the negligent act or omission of the Contractor, any subcontractor, any individual directly or indirectly employed by them, or anyone for whose acts they may be liable, regardless of whether caused in part by any indemnified party, and for which Contractor is legally held responsible or directly related to

INSURANCE

Prior to the commencement of any work, Contractor shall procure and maintain for the duration of this Agreement the following policies of insurance:

- a) Workers Compensation Insurance to the extent required by law, with Employer's Liability coverage in an amount not less than \$1,000,000 covering all personnel employed by Contractor. If coverage is provided by a State Fund or if Contractor has qualified, as a self-insurer, separate certification must be furnished that coverage is in the State Fund or that Contractor has State approval to be a self insurer. Any policy of insurance must contain a provision or endorsement providing that the insurer's rights of subrogation against Owner and its employees are waived.
- b) Comprehensive General Liability Insurance in a form satisfactory to Owner (including contractual liability coverage covering all liability assumed by Contractor in this Agreement) in an amount not less than \$2,000,000 insuring Owner against claims for personal injury or death and property damage caused by, resulting from, arising out of, or occurring in connection with the performance of the Work.
- c) Automobile liability insurance for any vehicle owned or leased or used by Contractor with limits of \$500,000 for injury or death of any one person, \$1,000,000 for injury or death of two or more persons in any occurrence and property damage with a limit of \$500,000 for each accident.

The insurance policies described above shall be placed with an insurance company that is authorized to do business and settle claims in the state in which the Work is to be performed. Each policy shall name the Owner as additional insured and shall provide that Owner shall receive twenty (20) days written notice of cancellation.

Each policy of insurance shall contain provisions to the effect that (i) the insolvency or bankruptcy of the insured (or his estate) shall not release the insurer from its obligations to satisfy claims otherwise covered by the policy and (ii) that the insurer will pay on behalf of the insured all sums which the insured would be legally obligated to pay as a result of liability arising under this Agreement or caused by, resulting from, arising out of, or occurring in connection with the work performed under this Agreement. Contractor shall require that each subcontractor performing work under this Agreement obtain and provide evidence of the same type and amount of insurance as set out above.

A certificate evidencing each policy of insurance, in sufficient detail to verify compliance with this section, and policy deductible shall be delivered to Owner prior to commencement of work.

In the event that any required policy of insurance shall expire or be canceled during the term of this Agreement, Contractor agrees to promptly replace such insurance and to provide Owner with certificate(s) which evidence such coverage not less than fifteen (15) days prior to the expiration or cancellation of such insurance. If contractor fails to provide such coverage within five (5) days

following written notice from Owner, then Owner may procure such insurance coverage and charge the cost of such coverage to the Contractor.

TERMINATION

Owner may terminate this Agreement, or any portion of this Agreement, without cause by giving Contractor two (2) days written notice of termination. For cause, Owner may terminate this Agreement immediately upon written notice. Contractor may terminate this Agreement by giving Owner ninety (90) days written notice of termination. Upon termination of this Agreement, Contractor shall remove any and all of its equipment and tools from the site and thereafter not have access to the site without permission of Owner.

ASSIGNMENT AND SUBCONTRACTING

Any assignment or attempt to assign any portion of its rights or obligations by Contractor, including the right to receive money that may become due to Contractor under this Agreement, shall be void and of no force and effect unless Contractor shall have obtained the written consent to such assignment from the Owner. Owner retains the right to assign this Agreement to Owner or Owner's nominee upon written notice to Contractor of its intention to do so. Contractor shall not subcontract any of the Work to be performed under this Agreement without first obtaining the written approval of Owner. Such approval, if given, shall not release the Contractor from any responsibility or liability under this Agreement.

LIENS

To the full extent possible under applicable law, Contractor nor any of its subcontractors, materialmen, laborers, or other person(s) agrees not to file a mechanic's lien for labor or materials provided under this Agreement.

NONDISCRIMINATION

Contractor agrees that it will not discriminate against any employee or applicant because of race, color, religious preference, sex, sexual orientation, age, national origin, disability, veteran status or any other factor that is not related to legitimate business interests. Their standards apply to employment, promotion, demotion, recruitment or condition of employment. Contractor agrees to include the provisions of this section in any subcontract entered into in connection with this Agreement.

NOTICE

Notice under this Agreement shall be sufficient if sent by US Mail or with a recognized overnight carrier, postage prepaid, to the address of the addressee set out below:

Owner
Calverton Sewer District
c/o Town of Riverhead
200 Howell Ave.
Riverhead, NY 11901

Contractor
Water and Sewage Treatment Ent. Inc.
1 Oak Street
Poquott
East Setauket, NY 11733
Attn: Attn: Richard Crescenzo

Notice shall be deemed given forty-eight (48) hours after deposited in the US Mail.

MODIFICATION

This Agreement may be modified only by written amendment or other form of modification executed by the parties. It may not be modified by any oral agreement, by implied agreement or custom, or by any waiver of any of its terms unless in writing.

SUCCESSORS

Assignment shall not be assignable.

GOVERNING LAW

This Agreement shall be construed, governed and enforced in accordance with the laws of the jurisdiction in which the Property is located and the Work is being performed.

INFORMATION

Contractor shall not disclose to any person or organization any information concerning the Owner, or the business of Owner, which Contractor may acquire during the course on the performance of the Work under this Agreement. Limited disclosure of such information may be made to employees and subcontractors of Contractor, but only the extent that such information is required to enable such employees and subcontractors to perform their work. This section shall survive this Agreement and remain in full force and effect until otherwise agreed by Owner. Contractor shall

advise its employees of Contractor's obligation with respect to information of Owner and its clients. Each of Contractor's employees and subcontractors, whose services are required at the Property, may be required to sign a confidential disclosure agreement prior to commencement of work.

SECTION HEADINGS

The section headings contained in the Agreement are provided for convenience only and do not affect the interpretation of this Agreement or the rights and obligations of the parties.

ENTIRE AGREEMENT

This Agreement, as well as any and all exhibits and/or attachments specified herein contains all the agreements, forms, understandings and terms and conditions made between the parties, and may not be modified orally or in any manner other than by agreement in writing signed by both parties. It is also understood and agreed that in the event of any and all conflicts between the terms of this Agreement and the terms of any other documents referencing and/or concerning the Work and/or this Agreement, the terms of this Agreement prevail and final interpretation is at the sole discretion of the Owner.

IN WITNESS WHEREOF, the parties hereto, by their representatives having the ability to legally bind Contractor and Owner, have executed this Agreement as of the day and year first written above.

WITNESS:

SIGNATURE

PRINTED NAME

DATE

TITLE

SIGNATURE

WITNESS:

("Contractor")

Water And Sewage Treatment Enterprises, Inc.

*One Oak Street • Poquott • East Setauket, NY 11733
(516) 981-8570*

Calverton Sewer District
C/o Town of Riverhead
200 Howell Ave
Riverhead, NY 11901

12/14/2001

Contract through December 31, 2002
Calverton Sewer District

1. W.A.S.T.E. INC. will assume responsible control and supply qualified personnel to operate the existing wastewater treatment plant and three remote pump stations as described below for the monthly fee of \$3660.00. Applicable taxes are additional.
2. W.A.S.T.E. INC. personnel will be on duty at the Calverton Sewer District site for a minimum of one visit daily.
3. Daily operational log to be maintained on site as directed by Calverton Sewer District and remain sole property of Calverton Sewer District.
4. Operator will maintain lab room in clean and operable condition.
5. On site daily laboratory testing will include, but not be limited to: dissolved oxygen, temperature, flow, pH, settleable solids, mixed liquor settleable solids. Results will be entered into daily log.
6. Monthly laboratory testing will be performed as per New York State permit monitoring requirements. The cost for the present monthly monitoring requirements will be a monthly fee of \$763.00. quarterly lab testing \$221.00. Lab testing fees will change to reflect any change to SPEDES permit.
7. W.A.S.T.E. INC. will inspect and adjust as necessary, all mechanical equipment in accordance with manufacturer's guidelines and specifications. Deficiencies will be reported immediately to Calverton Sewer District.
8. W.A.S.T.E. Inc. will be responsible for repairs up to two hundred (\$200.00) dollars. Additional materials are to be purchased by Calverton Sewer District, or by operator at owner's expense. If a purchase order is required for purchases by operator a letter stating such must be provided to W.A.S.T.E. INC. and attached to signed contract.

APPENDIX "A"

Water And Sewage Treatment Enterprises, Inc.

*One Oak Street • Poquott • East Setauket, NY 11733
(516) 981-8570*

Calverton Sewer District
C/o Town of Riverhead
200 Howell Ave
Riverhead, NY 11901

12/14/2001

**Contract through December 31, 2002
Calverton Sewer District**

1. W.A.S.T.E. INC. will assume responsible control and supply qualified personnel to operate the existing wastewater treatment plant and three remote pump stations as described below for the monthly fee of \$3660.00. Applicable taxes are additional.
2. W.A.S.T.E. INC. personnel will be on duty at the Calverton Sewer District site for a minimum of one visit daily.
3. Daily operational log to be maintained on site as directed by Calverton Sewer District and remain sole property of Calverton Sewer District.
4. Operator will maintain lab room in clean and operable condition.
5. On site daily laboratory testing will include, but not be limited to: dissolved oxygen, temperature, flow, pH, settleable solids, mixed liquor settleable solids. Results will be entered into daily log.
6. Monthly laboratory testing will be performed as per New York State permit monitoring requirements. The cost for the present monthly monitoring requirements will be a monthly fee of \$763.00. quarterly lab testing \$221.00. Lab testing fees will change to reflect any change to SPEDES permit.
7. W.A.S.T.E. INC. will inspect and adjust as necessary, all mechanical equipment in accordance with manufacturer's guidelines and specifications. Deficiencies will be reported immediately to Calverton Sewer District.
8. W.A.S.T.E. Inc. will be responsible for repairs up to two hundred (\$200.00) dollars. Additional materials are to be purchased by Calverton Sewer District, or by operator at owner's expense. If a purchase order is required for purchases by operator a letter stating such must be provided to W.A.S.T.E. INC. and attached to signed contract.

Calverton Sewer District

- 10. W.A.S.T.E. INC. will be present at all meetings between Calverton Sewer District and the Suffolk County Department of Environmental Control for the purpose of explaining the manner in which the sewage treatment plant has been operated.
- 11. W.A.S.T.E. INC. will operate the treatment plant on a seven day a week basis. The answering service telephone number for 24-hour emergency service is (631) 981-8570.
- 12. Additional service, major repairs or emergency work will be performed with your prior authorization, subject to reasonable charges.
- 13. W.A.S.T.E. INC. will maintain workman's compensation and general liability/property damage insurance in the amount of \$1,000,000. Special policies requested by Calverton Sewer District will be billed at cost.
- 14. W.A.S.T.E. INC. will adhere to all Suffolk County rules and regulations for the operation of the sewage plant and maintain all required licenses for the work being performed.
- 15. This contract can be terminated for noncompliance of contents upon thirty days written notice.
- 16. Payments are to be made by Calverton Sewer District on a monthly basis, payable within thirty days of invoice date. Invoices open beyond thirty days will be subject to interest charges.

CONTRACTOR SIGNATURE: 

DATE: 12/14/01

AUTHORIZED APPROVAL:

DATE:

TITLE:

Accounts Payable telephone number:

Billing address if different:

2/19/02

Adopted

Town of Riverhead

Resolution # 185

Authorizes Supervisor to Execute Agreement with New York State Empire State Development Corporation (ESDC) for Main Street Grant

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS :

WHEREAS, by Resolution #772 dated July 16, 2002 the Town Board authorized the submission of an application for the New York State 2002 Main Street New York Downtown Development Initiative; and

WHEREAS, the application has been approved by the New York State ESDC in the amount of \$25,000 for the construction of a restroom facility in the Peconic Riverfront Area; and

WHEREAS, the Town of Riverhead downtown business district has experienced increased tourism-related business predominantly associated with Atlantis Marine World; and

WHEREAS, the Riverhead Business Improvement District on behalf of its business members, has identified a need for public restroom facilities in order to accommodate the growing number of tourists visiting downtown Riverhead, thereby promoting future growth; and

WHEREAS, the construction of public restroom facilities to enhance the visitor experience and lengthen the duration of their stay is consistent with the East Main Street Urban Renewal Plan and the Vision Plan of the Riverhead Business Improvement District.

WHEREAS, the provision of a public, handicapped accessible restroom facilities in downtown Riverhead will enhance the beautification of the downtown business district, increase tourism and related jobs, increase pedestrian traffic and augment business activity in the downtown commercial area thereby resulting in a benefit to the general public and improving the viability of the downtown commercial area.

WHEREAS, the Town of Riverhead Community Development Agency has previously secured the matching funds from the Suffolk County Downtown Revitalization Program to provide for immediate construction of the restroom facility at the southeast corner of McDermott Avenue and Peconic Avenue upon approval of the Main Street funds by ESDC; and

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

WHEREAS, the project is supported by the Riverhead Chamber of Commerce, Riverhead Business Improvement District (BID), Atlantis Marine World; and

WHEREAS, the site is located in the Riverhead Sewer District and the Riverhead Water District, and connection of the facility to the respective systems is proposed.

THEREFORE, BE IT FURTHER RESOLVED, that the Riverhead Town Board hereby authorizes the Supervisor to execute the 2002 Main Street New York Downtown Development Initiative Grant Disbursement Agreement.

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

February 19, 2003

Adopted

TOWN OF RIVERHEAD

186

DEPUTY TAX RECEIVER STIPEND

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

WHEREAS, the Town Board wishes to create a stipend for the Deputy Tax Receiver to compensate the incumbent for work done on behalf of the Water District, and:

WHEREAS, the position of Deputy Tax Receiver is an appointed position classified as exempt in the Civil Service System, and

NOW THEREFORE BE IT RESOLVED, that Trisha Green, the Deputy Tax Receiver, is hereby approved for a yearly stipend of \$500,00 effective 2/24/03 payable through 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 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	

02/19/03

347
Adopted

TOWN OF RIVERHEAD

Resolution # 187

APPROVES REQUEST FOR LEAVE OF ABSENCE

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

WHEREAS, Helen Bennett, a Homemaker for the Seniors Department, has requested a 1 year, non-paid leave of absence from the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that Helen Bennett's request for a non-paid leave of absence from January 6, 2003 through January 6, 2004 is hereby approved subject to the following condition(s):

(1) To facilitate the proper functioning of the Town offices, the employee shall submit written notice to the Town Supervisor of her intent to return to work, resign, retire or other relief at least thirty (30) days prior to the expiration of the leave of absence, and

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

THE VOTE

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

February 19, 2003

TOWN OF RIVERHEAD

Resolution # 188

Adopted

APPOINTS CHAPERONE FOR THE RECREATION DEPARTMENT

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

WHEREAS, the Recreation Department requires a chaperone on all of it's sponsored bus trips, and

WHEREAS, the Town Board has created an on-call status chaperone list to be utilized when scheduling bus trips in the Recreation Department.

NOW, THEREFORE, BE IT RESOLVED, that effective January 23, 2003 Carol Janecek be appointed to the position of Recreation Aide – Chaperone at the hourly rate of \$8.50, and

BE IT FURTHER, RESOLVED, that this position is effective upon completion of all the necessary employment paperwork, and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to send a certified copy of this resolution to Carol Janecek, the Recreation Department and the Office of Accounting.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No *absent*

Lull Yes No

Kozakiewicz Yes No

02/19/03

Adopted

TOWN OF RIVERHEAD

Resolution # 189

AMENDS RESOLUTION #128

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

WHEREAS, Resolution #128 was adopted February 4, 2003, appointing Donald J. Fink to the position of Maintenance Mechanic II effective February 18, 2003, and

WHEREAS, the effective date should have been March 10, 2003.

THEREFORE, BE IT RESOLVED, that resolution #128 be amended to reflect an effective date of March 10, 2003.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Donald J. Fink, the Water Department and the Office of Accounting.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski *absent* Yes No

Lull Yes No

Kozakiewicz Yes No

2/19/03

Adopted

TOWN OF RIVERHEAD

Resolution # 190

APPOINTS MAINTENANCE MECHANIC II IN THE WATER DEPARTMENT

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

WHEREAS, a vacancy now exists in the Water Department, and

WHEREAS, this position was duly posted, posting #22, advertised and interviews have been conducted, and

WHEREAS, the recommendation of the Personnel Committee and the Department Head has been received.

NOW, THEREFORE, BE IT RESOLVED, that effective March 10, 2003 John Impellizzeri is appointed to the position of Maintenance Mechanic II as found on Group 7, Step P of the Operational and Technical Salary Schedule of the CSEA Contract, and

BE IT FURTHER, RESOLVED, that as a condition of employment in this title the employee must possess a clean, valid, NYS Commercial Drivers License within six months of the date of appointment.

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

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

Adopted

2/19/03

TOWN OF RIVERHEAD

Resolution # 191

APPOINTS FULL-TIME ACCOUNT CLERK TYPIST

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

WHEREAS a vacancy exist in the Accounting Department, and

WHEREAS, the Suffolk County Department of Civil Service established list # 02A-445 which was canvassed, and interviews were conducted, and the position was posted, posting #5, and

WHEREAS, it is the recommendation of the Department Head for the Accounting Department and the Town Board Personnel Committee that Carol A. DelVecchio be appointed to Account Clerk Typist, and

NOW, THEREFORE, BE IT RESOLVED, that effective March 10, 2003, the Town Board hereby appoints Carol A. DelVecchio to the position of Account Clerk Typist on Group 9 Step P of the Clerical and Supervisory Salary Structure of the CSEA Contract; and

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

THE VOTE

<i>abstain</i> Sanders <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Blass <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<i>absent</i> 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	

2/18/03

Adopted

TOWN OF RIVERHEAD

Resolution # 192

APPOINTS A P/T RECREATION AIDE (TEEN CENTER) TO THE RIVERHEAD RECREATION DEPARTMENT

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

RESOLVED, that Carol Janeck is hereby appointed to serve as a P/T Recreation Aide for the Teen Center, effective, February 18, 2003 to and including December 31, 2003 to be paid at the rate of \$9.0834 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

THE VOTE

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

¹ Rec. Doris /Res. Carol Janecek TC

2/18/03

Adopted

TOWN OF RIVERHEAD

Resolution # 193

APPOINTS A PARK ATTENDANT I TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILWOMAN BLASS

_____ offered the following resolution,

which was seconded by _____ COUNCILMAN LULL

RESOLVED, that Carol Janecek is hereby appointed to serve as a Park Attendant I effective March 1, 2003 to and including December 31, 2003, 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.

1

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

THEREBY /ADOPTED

¹ Rec. Doris/ Resolution Park Attend I Carol Janecek

2/18/03

Adopted

TOWN OF RIVERHEAD

Resolution # 194

APPOINTS OF A SCOREKEEPER TO THE RIVERHEAD RECREATION DEPARTMENT

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

RESOLVED, that Carol Janeczek is hereby appointed to serve as a Scorekeeper, effective March 1, 2003 to and including September 20, 2003 to be paid at the rate of \$8.00 per hour, and to serve at the pleasure of the Town Board; and

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

All applications 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.

1

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			

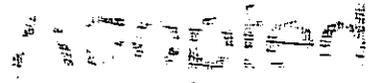
THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

¹ Rec. Doris/ Resolution. Scorekeeper Carol Janeczek

Tabled

2/18/03



TOWN OF RIVERHEAD

Resolution # 195

APPOINTS A BEACH ATTENDANT TO THE RIVERHEAD RECREATION DEPARTMENT

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

RESOLVED, that Carol Janecek is hereby appointed to serve as a Beach Attendant effective May 19, 2003 to and including September 1, 2003, 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.

1

COUNCILWOMAN BLASS OFFERED THE RESOLUTION TO BE TABLED, WHICH WAS SECONDED BY COUNCILWOMAN SANDERS.

THE VOTE

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

Tabled

¹ Rec. Doris/ Resolution Beach Attend Carol Janecek

Adopted

TOWN OF RIVERHEAD

HIGHWAY DEPARTMENT BUDGET ADJUSTMENT

RESOLUTION # 196

COUNCILMAN LULL offered the following resolution ,

which was seconded by COUNCILWOMAN SANDERS

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

111.000000.390599	APPROPRIATED FUND BALANCE	FROM:	TO:
		\$50,000.	
111.051420.540000	SNOW CONTRACTUAL EXPENSE		\$50,000.

THE VOTE

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

February 19, 2003

Adopted

TOWN OF RIVERHEAD

Resolution # 197

CALVERTON RAIL SPUR IMPROVEMENT

BUDGET ADOPTION

COUNCILWOMAN SANDERS 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:

6.051100.492510.70003	NYS DOT AID	FROM:
406.051100.492512.70003	MTA AID	\$1,000,000.
		500,000.
406.051100.523014.70003	RAILROAD TRACK IMPROVEMENT	TO:
406.051100.543505.70003	ENGINEERING EXPENSE	\$1,450,000.
		50,000.

BE IT FURTHER RESOLVED, that a certified copy be forwarded to the CDA Director.

THE VOTE

Sanders Yes No *absent* Blass Yes No
 Densieski Yes No Lull Yes No
 Kozakiewicz Yes No

Adopted

TOWN OF RIVERHEAD

WATER TRANSMISSION MAIN @ CALVERTON PARK

CAPITAL PROJECT

BUDGET ADJUSTMENT

RESOLUTION # 199

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

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

406.083200.547900.30059

CONTINGENCY

FROM:
\$3,000

406.083200.543501.30059

ENGINEERING EXPENSE

TO:
\$3,000.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No *absent*

Lull Yes No

Kozakiewicz Yes No

FEBRUARY 19, 2003

TOWN OF RIVERHEAD

Adopted

Resolution # 200

DIMOLA/DALTON FARMLAND RIGHTS

CAPITAL PROJECT

BUDGET ADJUSTMENT

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

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

406.019400.494200.42020

SERIAL BOND PROCEEDS

FROM:
\$27,000.

406.019400.521000.42020 FARMLAND RIGHTS ACQUISITION

TO:
\$27,000.

THE VOTE

Sanders Yes No

Blass Yes No

absent
Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 201

Adopted

COUNCILWOMAN BLASS

_____ offered the following resolution ,

which was seconded by _____ COUNCILWOMAN SANDERS

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

	<u>FROM:</u>	<u>TO:</u>
001.000000.390599 APPROPRIATED FUND BALANCE	\$2,000.	
001.031250.542112 JAB PROGRAM EXPENSE		\$2,000.
001.014200.542614 TOWN ATTORNEY, FOIL EXPENSE	\$300.	
001.014200.542100 TOWN ATTORNEY, OFFICE SUPPLIES		\$300.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No
absent

Lull Yes No

Kozakiewicz Yes No

Adopted

February 19, 2003

TOWN OF RIVERHEAD

Resolution # 202

**AUTHORIZES THE TOWN TO JOIN IN THE APPLICATION OF THE
SUBDIVISION MAP OF LONG ISLAND HOUSING PARTNERSHIP, INC.. FOR
AFFORDABLE HOUSING
(MILBROOK GABLES, EAST MAIN STREET, RIVERHEAD)**

COUNCILMAN LULL offered the following resolution, was seconded
by

COUNCILWOMAN BLASS :

WHEREAS, a determination has been made by the Riverhead Planning Department that the redevelopment of the site of the Homes at Millbrook Gables (Suffolk County Tax Map 600-105-2-43) is compatible with the surrounding area, and

WHEREAS, the Town of Riverhead has an ownership interest in the first 136.75' of Sigal Avenue (measured from centerline of road) west of East Main Street as depicted on the Subdivision Map of Long Island Housing Partnership, Inc., and

WHEREAS, it is the intention of the Town Board, pursuant to Highway Law, to abandon the first 136.75' feet of Sigal Avenue once curbs, drainage, utilities and first lift (base course) of asphalt for the Sigal Avenue Extension, as depicted on said subdivision map, are completed, and

WHEREAS, the Town has received the required consent of the Commissioner of the Suffolk County Department of Public Works to abandon said section of Sigal Avenue, and

WHEREAS, the Long Island Housing Partnership, Inc., has satisfied all the requirements of the New York State Department of Transportation to abandon said section of Sigal Avenue and relocate Sigal Avenue as depicted on said subdivision map, and

WHEREAS, in order for the Chairman of the Planning Board to sign the Subdivision Map of Long Island Housing Partnership, Inc. and in order to file said map in the Office of the Suffolk County Clerk, the consent of all the property owners with an interest in the property being subdivided is required.

SMW/TA

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON NOT

BE IT THEREFORE RESOLVED, the Town of Riverhead joins in the subdivision application of Long Island Housing Partnership to the extent of the Towns ownership interest in Sigal Avenue and for the express purposes of having the Subdivision Map signed by the Chairman of the Riverhead Planning Board and having said map filed in the Office of the Suffolk County Clerk, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute any documents necessary to carry forth the intent of this resolution, and.

BE IT FURTHER RESOLVED, the Riverhead Town Clerk is directed to forward a copy of this resolution to the following: Ann Marie Jones, Long Island Housing Partnership, 180 Oser Avenue, Hauppauge, NY 11788; Karen Gunkel, Esq., 9 Station Court, Bellport, NY 11713; Albert E. Yorio, Liberty Title, 300 Garden City Plaza, Suite 404, Garden City, New York 11530; Community Development; Planning Department; Office of the Town Attorney; Building Department and the Office of the Supervisor

Adopted

February 19, 2003

TOWN OF RIVERHEAD

Resolution # 203

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING – SPECIAL PERMIT OF WILLIAM & FRANCES SCHAEFER

_____ COUNCILWOMAN BLASS _____ 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 William and Frances Schaefer, pursuant to Sections 108-133.1 and 108-21 B(3) of the Riverhead Town Code to construct a residence with attached apartment constituting a two family dwelling to be located on a parcel on Herricks Lane, Jamesport; such real property more particularly described as Suffolk County Tax Map No. 0600-9-2-3.6, and

WHEREAS, the Riverhead Town Board by resolution #1120 of 2002 declared themselves Lead Agency, and

WHEREAS, such petition has been referred to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending the approval of the special permit subject to certain conditions, and

WHEREAS, the Town Board desires to hold a hearing upon the subject petition pursuant to Section 108-3 of the Town Code, now

THEREFORE BE IT

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

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

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 18th day of March, 2003 at 2:15 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the special permit petition of William and Frances Schaefer to construct a residence with attached apartment constituting a two family dwelling on premises located on Herricks Lane, Jamesport, New York; such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-9-2-3.6.

DATED: February 19, 2003
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

Adopted

February 19, 2003

TOWN OF RIVERHEAD

Resolution # 204

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING – SPECIAL PERMIT OF PAUL MARTIN/RIVERHEAD COMMERCE PARK

COUNCILWOMAN SANDERS

offered the following resolution which

was seconded by

COUNCILWOMAN BLASS

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit petition from Richard Israel, on behalf of Paul Martin/Riverhead Commerce Park pursuant to Sections 108-133.1 and 108-45 B(4) of the Code of the Town of Riverhead for the construction of a 4,600 square foot, 150 seat restaurant, Atlanta Bread Company, to be erected on a 1.1 acre parcel zoned Industrial A located at Commerce Drive, Riverhead; such property more particularly described as Suffolk County Tax Map Number 0600-101-1-10.5, and

WHEREAS, the Riverhead Town Board by resolution #1082 of 2000 declared themselves Lead Agency, and

WHEREAS, such petition has been referred to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending the granting of the special permit with conditions, and

WHEREAS, the Town Board desires to hold a hearing upon the subject petition pursuant to Section 108-3. of the Town Code, now

THEREFORE BE IT

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

THE VOTE

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

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 18th day of March, 2003 at 2:10 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the special permit petition of Paul Martin/Riverhead commerce Park to allow the construction of a 4,600 square foot, 150 seat restaurant upon real property located at CR 58, Riverhead, New York; such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-101-1-10.5.

DATED: February 19, 2003
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

February 19, 2003

Adopted

TOWN OF RIVERHEAD

Resolution # 205

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING – SPECIAL PERMIT OF KKNY, LLC (KRISPY KREME, RIVERHEAD CENTRE)

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

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit petition from John J. Lundy on behalf of KKNY, LLC as authorized agent to Riverhead Centre, LLC pursuant to Article XXVIA and Section 108-34 A(12) of the Riverhead Town Code, to construct a 4,558 square foot donut store with drive through and related site improvements as a free standing component of an approved shopping center currently building out and located on a 49.7 acre parcel zoned Industrial A and Business B located at Route 58, Riverhead; such real property more particularly described as Suffolk County Tax Map No. 0600-101-2-11.1, and

WHEREAS, the Riverhead Town Board by resolution #1235 of 2002 declared themselves Lead Agency, and

WHEREAS, such petition has been referred to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending that the applicant provide to the Town Board a report quantifying the total number of vehicles utilizing the proposed drive-in window at peak hours and assess the impacts of expected queues upon the internal circulation of the approved parking area of the Riverhead Centre, and

WHEREAS, the Town Board desires to hold a hearing upon the subject petition pursuant to Section 108-3 of the Town Code, now

THEREFORE BE IT

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

THE VOTE

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

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 18th day of March, 2003 at 2:05 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the special permit petition of KKNY, LLC (Krispy Kreme, Riverhead Centre) to allow the construction of a drive-in window at a free standing building approved as part of the site plan approval of the Riverhead Centre, located at CR 58, Riverhead, New York; such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-101-2-11.1.

DATED: February 19, 2003
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

TOWN OF RIVERHEAD

370
Adopted

AUTHORIZATION TO DISCARD FIXED ASSETS

RESOLUTION # 206

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

WHEREAS, broken equipment that has been salvaged for parts and is no longer usable; and

WHEREAS, after careful consideration, the Accounting Department has requested that this equipment be discarded due to no residual value. The Accounting Department hereby requests that the Town Board excess this property so that it may be removed from the records.

NOW, THEREFORE BE IT RESOLVED that the Accounting Department is hereby authorized to discard the following items:

<u>Tag #</u>	<u>Description</u>	<u>Tag #</u>	<u>Description</u>
4546	Three shelf bookcase	20602	Eclipse overhead projector
21325	P-touch label maker	1998	Clock
22724	Black cabinet counter	23340	Hon gray task chair
23613	Five leg blue task chair	4819	Coat hanger stand
6238	Clothes rack	4337	Pencil sharpener
22668	Victor calculator	20173	Broken chair
3023	Speaker microphone	8531	Old police radio
21987	Regency transformer	3010	Midland battery charger
10050	Wooden desk	3018	Radio boxer
8501	Unisys keyboard	6507	Panasonic printer
3014	Radio boxer	847	Motorola transformer
22246	Polaroid camera		

THE VOTE

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

FEBRUARY 19, 2003

Adopted

TOWN OF RIVERHEAD

207

ESTABLISHING IMPREST PETTY CASH FUND FOR RECREATION DEPARTMENT

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN LULL

WHEREAS, the Superintendent of Recreation retired on December 28, 2002; and

WHEREAS, an imprest petty cash fund was established in her name; and

WHEREAS, there is still a need for an imprest petty cash fund to remain in the Recreation Department

NOW THEREFORE BE IT RESOLVED, that a imprest petty cash fund in the Recreation Department be re-established and assigned to James Janecek, Recreation Program Leader; and

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

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

TOWN OF RIVERHEAD

Adopted

Resolution # 208

REDUCES PERFORMANCE BOND OF BIRCHWOOD AT WADING RIVER, NY - SECTION 1 FORMERLY KNOWN AS THE LINKS AT WADING RIVER

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

WHEREAS, by resolution adopted on December 11, 2000, the Riverhead Planning Board conditionally approved the final plat of "The Links at Wading River", filed by WR Development, LLC, with one of the conditions of final approval being the submission and filing of a performance bond in the amount of \$1,110,000.00 covering improvements to be completed within said subdivision; and

WHEREAS, by resolution #892 adopted by the Riverhead Town Board on August 21, 2001, Birchwood at Wading River, LLC submitted to the Town of Riverhead Performance Bond #301691-01 from International Fidelity Insurance Company in the amount of One Million One Hundred Ten Thousand and 00/100 (\$1,110,000.00) Dollars, having an expiration date of July 23, 2003, for improvements to be completed within said subdivision; and

WHEREAS, by letter dated December 16, 2002, Peter S. Danowski, Jr., Esq. has requested a reduction of the performance bond as a portion of the required improvements have been completed in the subdivision entitled, "Birchwood at Wading River, NY - Section 1"; and

WHEREAS, pursuant to Riverhead Planning Board resolution dated February 7, 2003, it is the recommendation of the Planning Board that the performance bond in the amount of \$1,110,000.00 be reduced to an amount of \$475,000.00.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby authorizes Performance Bond # 301691-01 of International Fidelity Insurance Company in the amount of One Million One Hundred Ten Thousand and 00/100 (\$1,110,000.00) Dollars to be reduced to the amount of \$475,000.00; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., 616 Roanoke Avenue, P.O. Box 779, Riverhead, New York, 11901 as attorney for Birchwood at Wading River, NY; the Planning Department; the Building Department and the Town Attorney's Office.

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

2/19/03

Adopted

TOWN OF RIVERHEAD

RESOLUTION AMENDING ORDER
ESTABLISHING EXTENSION NO. 61
RIVERHEAD WATER DISTRICT
ISLAND WATER PARK

RESOLUTION # 209
Adopted _____

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

WHEREAS, a resolution was adopted by this Town Board
establishing Extension No. 61 to the Riverhead Water District, and

WHEREAS, the boundary as described in the adopted resolution
has been amended slightly,

NOW, THEREFORE, BE IT

RESOLVED, that the boundary of Extension No. 61 to the
Riverhead Water District be and is hereby amended, and a copy of
such new boundary is attached hereto, and be it further

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

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 ADOPTED

SCHEDULE "A" DESCRIPTION

Amended 1/16/03

TITLE NUMBER: L-277508-S

ALL that certain plot, piece or parcel of land, situate, lying and being at Calverton, in the Town of Riverhead, County of Suffolk and State of New York, being bounded and described as follows:

BEGINNING at a point on the southerly side of State Road 25 (a/k/a Middle Country Road), distant the following five (5) courses and distances, as measured along the southerly side of Route 25, from the corner formed by the intersection of the southerly side of Route 25 and the easterly side of Wading River-Manorville Road (CR 25):

- (1) North 53 degrees 57 minutes 26 seconds East, 153.37 feet;
- (2) Northeasterly along an arc of a curve having a radius of 5769.65 feet, a distance of 407.82 feet;
- (3) North 49 degrees 54 minutes 26 seconds East, 880.00 feet;
- (4) Northeasterly along an arc of a curve having a radius of 1392.69 feet, a distance of 254.39 feet;
- (5) North 60 degrees 22 minutes 23 seconds East, 1935.68 feet;

RUNNING THENCE North 60 degrees 22 minutes 23 seconds East, 27.26 feet;

THENCE South 06 degrees 07 minutes 37 seconds East, 1116.41 feet;

THENCE South 84 degrees 59 minutes 41 seconds East, 832.48 feet;

THENCE South 06 degrees 06 minutes 42 seconds East, 2222.50 feet;

THENCE North 84 degrees 59 minutes 41 seconds West, 815.30 feet;

THENCE North 06 degrees 06 minutes 42 seconds West, 1143.05 feet;

THENCE North 08 degrees 18 minutes 58 seconds West, 1088.³⁷⁵₄₈ feet;

THENCE North 06 degrees 07 minutes 37 seconds West, 1100.62 feet to the southerly side of State Route 25 and the point or place of BEGINNING.

2/19/03

Adopted

Town of Riverhead

Resolution # 210

Authorizes Publication of Notice to Bidders for Improvements to Hallockville Museum

COUNCILWOMAN BLASS

offered the following resolution.

which was seconded by COUNCILWOMAN SANDERS:

WHEREAS, the Town of Riverhead has obtained federal funds for restoration improvements at the Hallockville Museum Farm; and

WHEREAS, the specifications have been prepared for the Cichanowicz House and approved by the State Historic Preservation office; and

THEREFORE, BE IT FURTHER RESOLVED, that the Town Board authorizes an advertisement in the Traveler Watchman on February 27, 2003.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Director Andrea Lohneiss and John Eilertson, Hallockville Museum Farm.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
 THEREFORE IT WAS ADOPTED

Bid Proposal

The Town of Riverhead, as project sponsor, will receive proposals for a project known as:

Construction Improvements
for
The Cicanowitz House
at
Hallockville Museum Farm and Folklife Center
Sound Avenue
Riverhead, New York

Sealed bids will be received until 11:00 a.m., 3/17/03 at the Office of the Town Clerk at Riverhead Town Hall, 200 Howell Avenue, Riverhead, NY 11901 and will be opened and evaluated.

All work must be performed in accordance with the construction documents prepared by StelleArchitects and meet construction standards as set forth herein. This project is federally-funded through the Intermodal Surface Transportation Enhancement Act (ISTEA) administered by the New York State Department of Transportation. This project is also being funded by the U.S. Department of Housing and Urban Development administered through Suffolk County and the Town of Riverhead.

The Hallock Homestead is on the State and National Register of Historic Places. Due to the highly sensitive nature of the historic preservation work on the Hallock Homestead portion of this project, carpenters for that portion shall have at least five years experience working with historic structures, including work on similar projects or structures. The bidder shall include in its bid package a list of current and previously completed historic preservation projects, including the name of the project owner, a contact person and telephone number so that references may be verified. In addition to the above, bidders must submit a completely filled out Contractor's Qualification Statement, AIA Document, A305, 1986 Edition. The project will be awarded to the lowest responsible bidder who meets the experience specifications.

Plans and specifications may be examined and obtained from the Town Clerk, Town of Riverhead.

Contractors shall hold their proposals open for 60 consecutive calendar days from the proposal receipt deadline.

Proposals will be evaluated on the basis of the proposed contract price, previous

successful experience with similar types of construction projects, prior experience with historic preservation projects, ability to perform the work in a timely manner and references. Work must begin no later than 4/15/03 and be completed by 6/30/03.

The Town of Riverhead and the Owner (Hallockville, Inc.) reserve the right to waive informalities in the bidding or to reject any and all proposals if it be in their interest to do so. Questions pertaining to the work should be directed to the Owner. Arrangements to visit the property and examine the site and structures may be made during business hours directly with Hallockville through 3/15/03.

TB 3/18/2003

Adopted

TOWN OF RIVERHEAD

Resolution # 211
Adopted February 18, 2003

AWARDS BID ON ONE 1998 GODWIN DRI-PRIME DIESEL POWERED DEWATERING PUMP

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

WHEREAS, the Town Clerk was authorized to advertise for sealed bids on ONE 1998 GODWIN DRI-PRIME DIESEL POWERED DEWATERING PUMP for the use of the Riverhead Highway Department, and

WHEREAS, all bids were received and read aloud on the 10th of February at 11:05 A.M. at the Town Hall, 200 Howell Avenue, Riverhead, New York the date, time and place given in the Notice to Bidders, and

WHEREAS, one bid was received,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for the One 1998 Godwin Dri-Prime Diesel Powered Dewatering Pump be and is hereby awarded to Trius, Inc., 458 Johnson Avenue, Bohemia, NY 11716-0158 in the amount of \$21,887.00, and

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

TB 3/18/2003

TOWN OF RIVERHEAD

Resolution # 212
Adopted February 18, 2003

AWARDS BID ON TWO 2003 CHEVROLET SILVERADO 2500HD PICKUP TRUCKS OR EQUAL

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

WHEREAS, the Town Clerk was authorized to advertise for sealed bids on TWO 2003 CHEVROLET SILVERADO 2500HD PICKUP TRUCKS OR EQUAL for the use of the Riverhead Highway Department, and

WHEREAS, all bids were received and read aloud on the 10th of February at 11:00 A.M. at the Town Hall, 200 Howell Avenue, Riverhead, New York the date, time and place given in the Notice to Bidders, and

WHEREAS, two bids were received,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for the Two 2003 Chevrolet Silverado 2500HD Pickup Trucks be and is hereby awarded to Buzz Chew Chevrolet -Olds Cadillac Inc., 656 County Road 39A, Southampton, NY 11968 in the amount of \$23,817.00 per truck, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Buzz Chew Chevrolet and the Riverhead Highway 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

February 19, 2003

TOWN OF RIVERHEAD
RESOLUTION # 213

AWARDS BID FOR LANDFILL
RECLAMATION PROJECT

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

WHEREAS, the Town Board of the Town of Riverhead did authorize the Town Clerk to publish and post a Notice to Bidders for the Landfill Reclamation Project in the October 30, 2002 issue of the official Town newspaper; and

WHEREAS, one (1) bid and one (1) alternate bid were received in the Office of the Town Clerk on December 6, 2002.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby award the bid to Grimes Contracting Co., Inc. in an amount not to exceed Twenty Five Million Eight Hundred Ninety Four Thousand Two Hundred Seventy Four Dollars and Fifty Cents (\$25,894,274.50); and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this to Grimes Contracting Co., Inc., Kenneth Testa, Frank A. Isler, Thomas C. Wolpert, Young & Young, and the Office of Accounting, and to release the bid bond or letter of credit from Suffolk County National Bank submitted by Grimes Contracting Co.

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 BEING ADOPTED

TOWN OF RIVERHEAD

Adopted³⁸²

Resolution # 214

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR SEALED BIDS FOR KITCHEN EQUIPMENT

COUNCILWOMAN SANDERS

offered the following resolution,

which was seconded by

COUNCILWOMAN BLASS

WHEREAS,; the Town Clerk is authorized to publish and post a notice for sealed bids for the following kitchen equipment from the old Senior Center that is no longer used by the program.

- Item #: Garland Oven/Range/convection oven I.D. # 20403
- Item #2 True Brand Refrigerator, 49 CF T-49 I.D.# 20656
- Item #3: Exhaust Fan over stove I.D. #none
- Item #4: 35 F. True Double Door Freezer(as is) I.D.#20655
- Item #5: Jackson Dishwasher-JP-24 I.D. #20657

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the FEBRUARY 26TH, 2003 issue of the ~~Travler-Watchman~~.

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

COUNCILWOMAN SANDERS OFFERED THE RESOLUTION TO BE AMENDED, WHICH WAS SECONDED BY COUNCILWOMAN BLASS.

THE VOTE

Sanders Yes No Blass Yes No

Absent
Densieski Yes No Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **COMMERCIAL KITCHEN EQUIPMENT** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m. on March 7th, 2003.**

The items may be viewed on March 3rd, 2003 between the hours of 10:00 am & 11:00 am. Please call 631-727-3200 extension 271.

Item #1 – Garland Oven/Range	ID#20403
Item #2 – True Brand Refrigerator, 49 CF T-49	ID#20656
Item #3 – Exhaust Fan over stove	ID#none
Item #4 – 35 F. True Double Door Freezer (as is)	ID#20655
Item #5 – Jackson Dishwasher – JP-24	ID#20657

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BIDS FOR KITCHEN EQUIPMENT.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, in said Town, on February 19, 2003, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Kozakiewicz, and upon roll being called, the following were

PRESENT: SUPERVISOR ROBERT KOZAKIEWICZ
COUNCILMAN JAMES LULL
COUNCILWOMAN BARBARA BLASS
COUNCILWOMAN ROSE SANDERS

ALSO PRESENT: TOWN CLERK, BARBARA GRATTAN
DEPUTY TOWN ATTORNEY, SCOTT DE SIMONE

ABSENT: COUNCILMAN EDWARD DENSTESKI

COUNCILWOMAN SANDERS

The following resolution was offered by Councilman _____,

who moved its adoption, seconded by Councilman COUNCILMAN LULL, to-wit:

BOND RESOLUTION DATED FEBRUARY 19, 2003.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$200,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE DREDGING OF THE WADING RIVER CREEK IN SAID TOWN.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE, BE IT

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

Section 1. For the specific object or purpose of paying the cost of the dredging of the Wading River Creek, in the Town of Riverhead, Suffolk County, New York,, including incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$200,000 serial bonds of the Town of Riverhead, Suffolk County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$200,000, and that the plan for the financing thereof is by the issuance of the \$200,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five (5) years, pursuant to subdivision 22 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will not exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Riverhead, Suffolk County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to

the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, shall be published in full in ~~Traveler-Watchman~~ _____, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * * *

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

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

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

That I have compared the annexed extract of the minutes of the meeting of the Town Board
of said Town, including the resolution contained therein, held on February 19, 2003, with the
original thereof on file in my office, and that the same is a true and correct transcript therefrom and
of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

Newspaper and/or other news media
Traveler-Watchman

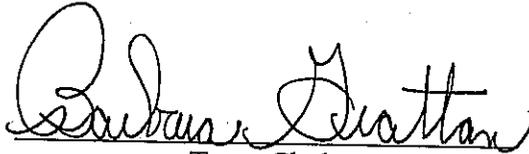
Date given
February 21, 2003

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

Designated Location(s) of posted notice
TownClerk's Bulletin Board

Date of Posting
February 20, 2003

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on Feb. 20, 2003.

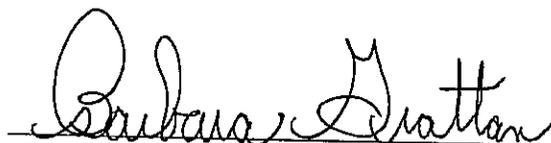

Town Clerk

(CORPORATE
SEAL)

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the resolution published herewith has been adopted by the Town of Riverhead, Suffolk County, New York, on the 19th day of February, 2003, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Dated: Riverhead, New York
February 19, 2003


Town Clerk

TOWN OF RIVERHEAD

Resolution # 216

ACCEPTS 5% SECURITY BOND OF GREAT ROCK GOLF INC.

COUNCILWOMAN SANDERS

offered the following resolution,

which was seconded by

COUNCILMAN LULL

WHEREAS, Great Rock Golf Inc. has posted a cash security bond (Suffolk County Money Order #897677 dated 1-29-03) in the sum of Five Hundred Dollars (\$500) representing the 5% bond for work at Comfort Station , Great Rock Golf Course, Fairway Drive, Wading River, New York Suffolk County Tax Map # 600- 057.00-01-001.26 as per Section 108-133 (I) of the Riverhead Town Code; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the cash security bond in the sum of Five Hundred Dollars (\$500) issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Thomas Costello, Great rock Golf Inc., 141 Fairway Drive, Wading River, New York 11792, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Adopted

Resolution # 217

AUTHORIZED THE TOWN OF RIVERHEAD TO SECURE, DEMOLISH OR REMOVE UNSAFE STRUCTURE PURSUANT TO CHAPTER 54 OF THE RIVERHEAD TOWN CODE (DELPHINE BOOKER AND JAMES LANGHORNE, 9 ZION STREET, AQUEBOGUE)

COUNCILMAN LULL offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

WHEREAS, pursuant to Chapter 54 of the Riverhead Town Code entitled, "Unsafe Buildings and Collapsed Structures", certain land reputedly owned by Delphine Booker and James Langhorne located at 9 Zion Street, Aquebogue, New York, 11931, know as designated as Suffolk County Tax Map # 0600/085.00-03-066.01 has been determined by the Building Inspector to be unsafe and dangerous to the public:

WHEREAS, all notices pursuant to Chapter 54 of the Riverhead Town Code have been served; and

WHEREAS, the owners have not taken any steps toward abating the conditions by repair and habilitation or by demolition and removal in accordance with the procedures set forth in Chapter 54 of the Riverhead Town Code.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Engineering Department to assist the Building Department in connection with any work done to secure structure; and be it further

RESOLVED, that pursuant to chapter 54, Section 54-9, all actual expenses incurred by the Town of Riverhead to remove the danger or in connection with the demolition and removal of any such buildings or structures shall be assessed against the owner; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Delphine Booker & James Langhorne, 1036 Pulaski Street, Riverhead, New York, 11901; Kenneth Testa, P.E., the Building Department; the Fire Marshal; the Tax Receiver's Office; the Assessor's Office; the Office of Accounting and the Town Attorney's Office.

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

February 19, 2003

Adopted

TOWN OF RIVERHEAD

Resolution # 218

2003 RECREATION CAPITAL IMPROVEMENT PROJECT

BUDGET ADOPTION

COUNCILWOMAN SANDERS 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:

06.095031.481900.70052

TRANSFER FROM PARK & REC.

FROM:
\$12,500.

406.071100.542612.70052

SURVEY EXPENSES

TO:
\$12,500.

THE VOTE

Sanders Yes No
absent

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

FEBRUARY 19, 2003

Adopted

TOWN OF RIVERHEAD

Resolution # 219

RECREATION PROGRAM FUND

BUDGET ADJUSTMENT

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

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

006.072089.421043 BUS TRIP FEES

FROM:
\$3,000.

006.076210.518600 BUS TRIP CHAPERONE

TO:
\$3,000.

THE VOTE

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

February 19, 2003

37
Tabled

TOWN OF RIVERHEAD

TOWN BOARD SPECIAL PROGRAM FUND

BUDGET ADJUSTMENT

RESOLUTION # 220

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

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

024.000000.390599 APPROPRIATED FUND BALANCE **FROM:**
\$50,000.

024.099010.595915 TRANSFER TO CDA **TO:**
\$50,000.

THE VOTE

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

COUNCILWOMAN BLASS OFFERED THE RESOLUTION TO BE TABLED, WHICH WAS SECONDED BY COUNCILWOMAN SANDERS.

February 19, 2003

Adopted

TOWN OF RIVERHEAD

Resolution # 221

VITA Grant Program Budget Adoption

COUNCILWOMAN SANDERS 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 adoption:

406.049890.492140.40103 State Aid – Attorney General

FROM:
\$150,000.

	TO:	
406.049890.511500.40103 PERSONNEL		50,000.
406.049890.524000.40103 EQUIPMENT		19,650.
406.049890.542300.40103 SUPPLIES		13,500.
406.049890.542500.40103 CONSTRUCTION		850.
406.049890.543900.40103 CONSULTANTS		46,000.
406.049890.549000.40103 MISCELLANEOUS EXPENSES		20,000.

THE VOTE

Sanders Yes No

Blass Yes No

Absent
Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

02/19/03

TOWN OF RIVERHEAD

Adopted

Resolution # 222

APPROVES REQUEST FOR LEAVE OF ABSENCE

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

WHEREAS, Kelly Tocci, Recreation Supervisor, has requested a parentage leave of absence from the Town Board, due to the birth of her child.

WHEREAS, The CSEA Contract, Article III, Section 5, permits parentage leave not to exceed twelve months and is an unpaid leave.

NOW, THEREFORE, BE IT RESOLVED, that Kelly Tocci's request for a non-paid parentage leave of absence from March 24, 2003 through and including September 12, 2003 is hereby approved subject to the following condition:

To facilitate the proper functioning of the Town offices, the employee shall submit written notice to the Town Supervisor of her intent to return to work, resign, retire or other relief at least thirty (30) days prior to the expiration of the leave of absence, and

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

THE VOTE

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

2/13/03

TOWN OF RIVERHEAD

AdoptedResolution # 223

LEAD AGENCY STATUS AS TO THE SITING OF A TEMPORARY, PORTABLE ASPHALT MANUFACTURING PLANT AS PART OF THE RECLAMATION PROJECT AT THE YOUNG'S AVENUE LANDFILL IN ACCORDANCE WITH THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)

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

WHEREAS the Town has previously entered into a Court-ordered Stipulation of Settlement with the New York State Department of Environmental Conservation Department, dated October 5, 1994, in the proceeding "Town of Riverhead v. The Department of Environmental Conservation of the State of New York," Suffolk County Index No. 91-19049; and

WHEREAS the Stipulation Settlement requires, among other things, that the Town close its Youngs Avenue Landfill in accordance with the Compliance Schedule contained in the Court-ordered Stipulation of Settlement; and

WHEREAS the Town, through its consultants, Young & Young, have prepared a Work Plan, last dated February 15, 2002; and in accordance with the Stipulation of Settlement; and

WHEREAS the workplan as been approved by the Department of Environmental Conservation on February 20, 2001; and

WHEREAS as part of the implementation of the reclamation workplan a temporary asphalt manufacturing facility will be sited at the premises; and

WHEREAS the manufacture of asphalt on-site has been approved by the Department of Environmental Conservation in a beneficial use determination dated August 1, 2002; and

WHEREAS the Town Board desires to act as lead agency under SEQRA to the siting of the facility and wishes to coordinate review thereof with the Department of Environmental Conservation; and

WHEREAS the Town is in receipt of an EAF, Part I with respect to the siting of the facility, a copy of which is attached hereto;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Riverhead hereby intends to act as lead agency in connection with the siting of the temporary portable asphalt manufacturing facility at the Youngs Avenue Landfill; and it is further

RESOLVED that the Town Clerk is hereby directed to forward a certified copy of this resolution by certified mail to the New York Department of Environmental Conservation, Region 1, Division of Environmental Permits, attn: Carol Farkas, Building 40, SUNY Stony Brook, Stony Brook, New York 11790-2356; and by regular mail to Thomas C. Wolpert, P.E., c/o Young & Young; Kenneth Testa, P.E.; Frank A. Isler, Esq.; and the Town Attorney.

THE VOTE

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

THE RESOLUTION WAS NOT
 THEREFORE ADOPTED



New York State Department of Environmental Conservation
Supplement to Joint Application for Permit

STRUCTURAL ARCHEOLOGICAL ASSESSMENT FORM (SAAF)

PART 1 - APPLICANT COMPLETES

APPLICANT INFORMATION

- 1. Applicant Name: GL Paving Products Corp.
- 2. Applicant Address: 19 B Stiriz Road
Brookhaven, New York 11719

PROJECT INFORMATION

- 3. Project/Facility Name: Temporary Asphalt Mfg. Plant
- 4. Project/Facility Location: Youngs Avenue Municipal Landfill
Baiting Hollow, T/O Riverhead, New York

- 5. Is the proposed project adjacent to, or does it contain a building or structure listed in the State or National Register of Historic Places? Yes No
- 6. Are there any buildings or structures built prior to 1940 adjacent to or within the proposed project area? Yes No

If the answer to question 5 and/or 6 is yes, provide the following information for each building and structure (use attachments if necessary):

- a. Name of structure
- b. Location
- c. Type of structure (ex. house, outbuilding, barn, bridge, dam, ruins)
- d. Approximate age or date of construction

- 7. Might the proposed project have any impact (physical/visual) upon any buildings or structures listed in the State or National Register of Historic Places or built prior to 1940? Yes No

If yes, describe briefly (use attachments if necessary):



PART 1 -- APPLICANT COMPLETES

8. Provide photographs of every building and structure that may be impacted by the project as described in number 7, on the opposite side of this page. The following standards are recommended:

- Minimum of 2 photographs
- Minimum size 4" X 4" prints from negatives preferred; polaroid photos are acceptable
- Photos must be clear and focused
- Clearly label photos so it is obvious what is being illustrated; key photos to map or plan, if possible
- Photo 1: show both the entire front and side of the structure in a single shot from as close to the building as possible. Be sure the structure is not partially or fully blocked by trees or other obstructions
- Photo 2: show relationship of building or structure to roadway or surroundings

9. Has the land within the proposed project area been previously disturbed or altered (excavated, landscaped, filled, utilities installed)?

Yes
 No

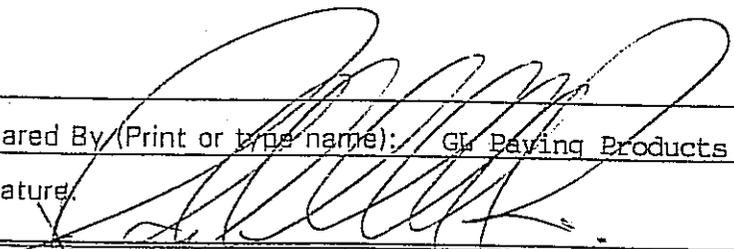
If yes, describe briefly, including depth of disturbance (use attachments if necessary):

Mined area of landfill

10. Approximate percentage of proposed project area with slopes:	0 - 10%	80	%
	10 - 15%	0	%
	15% or greater	20	%

11. Approximate percentage of proposed project site with the following drainage characteristics:	Well drained	100	%
	Moderately well drained	0	%
	Poorly drained	0	%

Prepared By (Print or type name): GL Paving Products Corp. ATTN: Mr. Robert Garone, Pres.

Signature:  Date: Feb. 13, 2003

Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE—Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a **negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration will be prepared.**

* A Conditioned Negative Declaration is only valid for Unlisted Actions

Name of Action

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

PART 1—PROJECT INFORMATION

405

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

NAME OF ACTION Temporary Asphalt Manufacturing Facility			
LOCATION OF ACTION (Include Street Address, Municipality and County) Youngs Avenue Municipal Landfill at Baiting Hollow, T/O Riverhead			
NAME OF APPLICANT/SPONSOR GL Paving Products Corp.		BUSINESS TELEPHONE (631) 286-3222	
ADDRESS 19B Stiriz Road			
CITY/PO Brookhaven,		STATE NY	ZIP CODE 11719
NAME OF OWNER (if different)		BUSINESS TELEPHONE ()	
ADDRESS			
CITY/PO		STATE	ZIP CODE
DESCRIPTION OF ACTION The proposed application is the siting of a temporary mobile, 400 TPH (max) asphalt manufacturing facility. The facility will use reclaimed soils from the Town's landfill as described in the Town of Riverhead Landfill Reclamation Work Plan approved by NYSDEC on Feb. 20, 2001 and the Beneficial Use Determination as approved by NYSDEC on Aug. 1, 2002.			

Please Complete Each Question—Indicate N.A. if not applicable

A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use: Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Other Landfill & Mined Land

2. Total acreage of project area: 30 acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	_____ acres	_____ acres
Forested	_____ acres	_____ acres
Agricultural (Includes orchards, cropland, pasture, etc.)	_____ acres	_____ acres
Wetland (Freshwater or tidal as per Articles 24, 25 of ECL)	_____ acres	_____ acres
Water Surface Area	_____ acres	_____ acres
Unvegetated (Rock, earth or fill)	<u>30</u> acres	<u>30</u> acres
Roads, buildings and other paved surfaces	_____ acres	_____ acres
Other (Indicate type) _____	_____ acres	_____ acres

3. What is predominant soil type(s) on project site? Mined Land
- a. Soil drainage: Well drained 100 % of site Moderately well drained _____ % of site
 Poorly drained _____ % of site
- b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? NA acres. (See 1 NYCRR 370).
4. Are there bedrock outcroppings on project site? Yes No
- a. What is depth to bedrock? 800 _____ (in feet)

5. Approximate percentage of proposed project site with slopes: 0-10% 80 % 10-15% 0 % ⁴⁰⁶
 15% or greater 20 %
6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or the National Registers of Historic Places? Yes No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No
8. What is the depth of the water table? 5 +/- (in feet) (19.5' AMSL to GW elev.)
9. Is site located over a primary, principal, or sole source aquifer? Yes No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?
 Yes No According to _____
 Identify each species _____
12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations)
 Yes No Describe _____
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?
 Yes No If yes, explain _____
14. Does the present site include scenic views known to be important to the community?
 Yes No
15. Streams within or contiguous to project area: NA
 a. Name of Stream and name of River to which it is tributary _____
16. Lakes, ponds, wetland areas within or contiguous to project area:
 a. Name NA b. Size (In acres) _____
17. Is the site served by existing public utilities? Yes No
 a) If Yes, does sufficient capacity exist to allow connection? Yes No
 b) If Yes, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
- a. Total contiguous acreage owned or controlled by project sponsor 30 acres.
- b. Project acreage to be developed: 6 acres initially; 6 acres ultimately.
- c. Project acreage to remain undeveloped _____ acres.
- d. Length of project, in miles: NA (If appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed NA %;
- f. Number of off-street parking spaces existing 0; proposed 5.
- g. Maximum vehicular trips generated per hour 15 (upon completion of project)?
- h. If residential: Number and type of housing units: NA
- | | | | | |
|------------|------------|------------|-----------------|-------------|
| | One Family | Two Family | Multiple Family | Condominium |
| Initially | _____ | _____ | _____ | _____ |
| Ultimately | _____ | _____ | _____ | _____ |
- i. Dimensions (in feet) of largest proposed structure ^{Less than} 50' height; 80' width; 100' length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? NA ft.

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? 0 tons/4076 cubic yards
3. Will disturbed areas be reclaimed? Yes No N/A
 - a. If yes, for what intended purpose is the site being reclaimed? _____
 - b. Will topsoil be stockpiled for reclamation? Yes No
 - c. Will upper subsoil be stockpiled for reclamation? Yes No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0 acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project? Yes No
6. If single phase project: Anticipated period of construction 60 months, (including demolition).
7. If multi-phased: NA
 - a. Total number of phases anticipated _____ (number).
 - b. Anticipated date of commencement phase 1 _____ month _____ year, (including demolition).
 - c. Approximate completion date of final phase _____ month _____ year.
 - d. Is phase 1 functionally dependent on subsequent phases? Yes No
8. Will blasting occur during construction? Yes No
9. Number of jobs generated: during construction 10; after project is complete 10.
10. Number of jobs eliminated by this project 0.
11. Will project require relocation of any projects or facilities? Yes No If yes, explain _____
12. Is surface liquid waste disposal involved? Yes No
 - a. If yes, indicate type of waste (sewage, industrial, etc.) and amount _____
 - b. Name of water body into which effluent will be discharged _____
13. Is subsurface liquid waste disposal involved? Yes No Type _____
14. Will surface area of an existing water body increase or decrease by proposal? Yes No
Explain _____
15. Is project or any portion of project located in a 100 year flood plain? Yes No
16. Will the project generate solid waste? Yes No
 - a. If yes, what is the amount per month Less than 1 tons
 - b. If yes, will an existing solid waste facility be used? Yes No
 - c. If yes, give name Local carter; location _____
 - d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No
 - e. If Yes, explain Recyclable/paper/plastic glass metals
17. Will the project involve the disposal of solid waste? Yes No
 - a. If yes, what is the anticipated rate of disposal? Less than 1 tons/month.
 - b. If yes, what is the anticipated site life? NA years.
18. Will project use herbicides or pesticides? Yes No
19. Will project routinely produce odors (more than one hour per day)? Yes No
20. Will project produce operating noise exceeding the local ambient noise levels? Yes No
21. Will project result in an increase in energy use? Yes No
If yes, indicate type(s) fuel oil, diesel
22. If water supply is from wells, indicate pumping capacity NA gallons/minute.
23. Total anticipated water usage per day 100 gallons/day.
24. Does project involve Local, State or Federal funding? Yes No
If Yes, explain _____

25. Approvals Required:

	Type	408 Submittal Date
City, Town, Village Board	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>Land Use/Siting</u>
City, Town, Village Planning Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
City, Town Zoning Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
City, County Health Department	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Other Local Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Other Regional Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
State Agencies	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>NYSDEC Air Permit</u>
Federal Agencies	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

C. Zoning and Planning Information

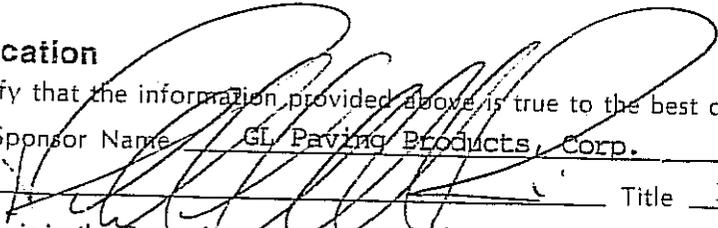
- Does proposed action involve a planning or zoning decision? Yes No
 If Yes, indicate decision required:
 zoning amendment zoning variance special use permit subdivision site plan
 new/revision of master plan resource management plan other _____
- What is the zoning classification(s) of the site? Industrial "A" & Agricultural "A"
- What is the maximum potential development of the site if developed as permitted by the present zoning?
NA
- What is the proposed zoning of the site? NA
- What is the maximum potential development of the site if developed as permitted by the proposed zoning?
NA
- Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No
- What are the predominant land use(s) and zoning classifications within a 1/4 mile radius of proposed action?
Land Uses: Residential, Agricultural, Commercial; Zoning: Residential, Commercial, Agricultural
- Is the proposed action compatible with adjoining/surrounding land uses within a 1/4 mile? Yes No
- If the proposed action is the subdivision of land, how many lots are proposed? NA
 a. What is the minimum lot size proposed? _____
- Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No
- Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? Yes No
 a. If yes, is existing capacity sufficient to handle projected demand? Yes No
- Will the proposed action result in the generation of traffic significantly above present levels? Yes No
 a. If yes, is the existing road network adequate to handle the additional traffic? Yes No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name GL Paving Products, Corp. Date Feb. 13, 2003
 Signature  Title President

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

Part 2—PROJECT IMPACTS AND THEIR MAGNITUDE

409

Responsibility of Lead Agency

General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been reasonable? The reviewer is not expected to be an expert environmental analyst.
- Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily significant. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- a. Answer each of the 19 questions in PART 2. Answer Yes if there will be any impact.
- b. **Maybe** answers should be considered as **Yes** answers.
- c. If answering **Yes** to a question then check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- e. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

IMPACT ON LAND

1. Will the proposed action result in a physical change to the project site?
 NO YES

Examples that would apply to column 2

- Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.
- Construction on land where the depth to the water table is less than 3 feet.
- Construction of paved parking area for 1,000 or more vehicles.
- Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.
- Construction that will continue for more than 1 year or involve more than one phase or stage.
- Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.
- Construction or expansion of a sanitary landfill.
- Construction in a designated floodway.
- Other impacts _____

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.) NO YES

- Specific land forms: _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

IMPACT ON WATER

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change	
<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> No
<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> No
<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> No
<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> No
<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> No
<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> No
<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> No
<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> No
<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> No
<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

3. Will proposed action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)

NO YES

Examples that would apply to column 2

- Developable area of site contains a protected water body.
- Dredging more than 100 cubic yards of material from channel of a protected stream.
- Extension of utility distribution facilities through a protected water body.
- Construction in a designated freshwater or tidal wetland.
- Other impacts: _____

4. Will proposed action affect any non-protected existing or new body of water?

NO YES

Examples that would apply to column 2

- A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.
- Construction of a body of water that exceeds 10 acres of surface area.
- Other impacts: _____

5. Will Proposed Action affect surface or groundwater quality or quantity?

NO YES

Examples that would apply to column 2

- Proposed Action will require a discharge permit.
- Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.
- Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.
- Construction or operation causing any contamination of a water supply system.
- Proposed Action will adversely affect groundwater.
- Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.
- Proposed Action would use water in excess of 20,000 gallons per day.
- Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.
- Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.
- Proposed Action will allow residential uses in areas without water and/or sewer services.
- Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.
- Other impacts: _____

6. Will proposed action alter drainage flow or patterns, or surface water runoff?

NO YES

Examples that would apply to column 2

- Proposed Action would change flood water flows.

- Proposed Action may cause substantial erosion.
- Proposed Action is incompatible with existing drainage patterns.
- Proposed Action will allow development in a designated floodway.
- Other impacts: _____

IMPACT ON AIR

7. Will proposed action affect air quality? NO YES
 Examples that would apply to column 2
- Proposed Action will induce 1,000 or more vehicle trips in any given hour.
 - Proposed Action will result in the incineration of more than 1 ton of refuse per hour.
 - Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour.
 - Proposed action will allow an increase in the amount of land committed to industrial use.
 - Proposed action will allow an increase in the density of industrial development within existing industrial areas.
 - Other impacts: _____

IMPACT ON PLANTS AND ANIMALS

8. Will Proposed Action affect any threatened or endangered species? NO YES
 Examples that would apply to column 2
- Reduction of one or more species listed on the New York or Federal list, using the site, over or near site or found on the site.
 - Removal of any portion of a critical or significant wildlife habitat.
 - Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.
 - Other impacts: _____
9. Will Proposed Action substantially affect non-threatened or non-endangered species? NO YES
 Examples that would apply to column 2
- Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.
 - Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.

IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will the Proposed Action affect agricultural land resources? NO YES
 Examples that would apply to column 2
- The proposed action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

18. Will proposed action affect the character of the existing community?
 NO YES

Examples that would apply to column 2

- The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.
- The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.
- Proposed action will conflict with officially adopted plans or goals.
- Proposed action will cause a change in the density of land use.
- Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.
- Development will create a demand for additional community services (e.g. schools, police and fire, etc.)
- Proposed Action will set an important precedent for future projects.
- Proposed Action will create or eliminate employment.
- Other impacts: _____

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

19. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts?
 NO YES

If Any Action in Part 2 Is Identified as a Potential Large Impact or If You Cannot Determine the Magnitude of Impact, Proceed to Part 3

Part 3—EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is **important**.

To answer the question of importance, consider:

- The probability of the impact occurring
- The duration of the impact
- Its irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- Its potential divergence from local needs and goals
- Whether known objections to the project relate to this impact.

(Continue on attachments)

2/19/2003

Adopted

Town of Riverhead
Resolution # 224

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

AMENDS SITE PLAN APPROVAL RESOLUTION
ISLAND WATER PARK

WHEREAS, by resolution number 175 of 2002, the Riverhead Town Board did approve the site plan application of Island Water Park; and

WHEREAS, such resolution required the posting of a \$400,000.00 performance security; and

WHEREAS, it is the desire of the Town Board to reduce such performance security to five percent (5%) of the total project cost.

NOW,

THEREFORE BE IT RESOLVED, that the Riverhead Town Board amend resolution number 175 of 2003 to strike the performance security of \$400,000.00 stated in condition number 12 and replace such security with an amount five percent (5%) of the total project or \$80,000.00.

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to David Fehrmann c/o Island Water Park, the Riverhead Planning Department, the Riverhead Building Department and the Town Attorney.

Rh/planning

THE VOTE

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

THE RESOLUTION WAS WAS NOT

THEREFORE ADOPTED

RESOLUTION # 225 ABSTRACT #06-03 FEBRUARY 06, 2003 (TB 02/19/03)

Councilman Lull offered the following Resolution which was seconded by *Councilwoman Blass*

FUND NAME		CD - 01/31/03	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ 6,000,000.00	\$ 541,596.68	\$ 6,541,596.68
POLICE ATHLETIC LEAGUE	004	\$ 2,000.00	\$ -	\$ 2,000.00
TEEN CENTER	005	\$ 4,000.00	\$ -	\$ 4,000.00
RECREATION PROGRAM	006	\$ 90,000.00	\$ 1,416.34	\$ 91,416.34
SR NUTRITION SITE COUNCIL	007	\$ 2,000.00	\$ -	\$ 2,000.00
D.A.R.E. PROGRAM FUND	008	\$ 2,000.00	\$ -	\$ 2,000.00
CHILD CARE CENTER BUILDING FUND	009	\$ 18,000.00	\$ 291.74	\$ 18,291.74
AG-FEST COMMITTEE FUND	021	\$ -	\$ -	\$ -
HUMAN SERVICES FUND	022	\$ -	\$ -	\$ -
TOWN BD SPECIAL PROGRAM FND	024	\$ -	\$ -	\$ -
YOUTH COURT SCHOLARSHIP FUND	025	\$ 1,000.00	\$ -	\$ 1,000.00
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 2,604.60	\$ 2,604.60
COMMUNITY P.E.T.S. SHELTER	028	\$ 12,000.00	\$ -	\$ 12,000.00
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ -	\$ -	\$ -
HIGHWAY	111	\$ 770,000.00	\$ 2,510.77	\$ 2,510.77
WATER	112	\$ 290,000.00	\$ 59,909.19	\$ 329,909.19
REPAIR & MAINTENANCE	113	\$ 25,000.00	\$ 45,556.97	\$ 335,556.97
RIVERHEAD SEWER DISTRICT	114	\$ 925,000.00	\$ -	\$ 925,000.00
REFUSE & GARBAGE COLLECTION	115	\$ 210,000.00	\$ 39,551.39	\$ 249,551.39
STREET LIGHTING	116	\$ 135,000.00	\$ 4,773.49	\$ 139,773.49
PUBLIC PARKING	117	\$ 95,000.00	\$ 7,511.96	\$ 102,511.96
BUSINESS IMPROVEMENT DISTRICT	118	\$ 5,000.00	\$ 2,464.22	\$ 7,464.22
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ 23,602.42	\$ 23,602.42
AMBULANCE DISTRICT	120	\$ 130,000.00	\$ 1,766.17	\$ 131,766.17
CALVERTON SEWER DISTRICT	124	\$ 100,000.00	\$ 653.50	\$ 100,653.50
RIVERHEAD SCAV WASTE DISTRICT	128	\$ 20,000.00	\$ 13,116.84	\$ 33,116.84
WORKER'S COMPENSATION FUND	173	\$ 900,000.00	\$ 3,232.96	\$ 903,232.96
RISK RETENTION FUND	175	\$ 140,000.00	\$ -	\$ 140,000.00
UNEMPLOYMENT INSURANCE FUND	176	\$ 6,000.00	\$ -	\$ 6,000.00
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ -	\$ -
URBAN DEVEL CORP WORKING	182	\$ -	\$ 1,674.27	\$ 1,674.27
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	301	\$ 20,000.00	\$ -	\$ 20,000.00
SEWER DISTRICT DEBT	382	\$ 785,000.00	\$ -	\$ 785,000.00
WATER DEBT	383	\$ 20,000.00	\$ -	\$ 20,000.00
GENERAL FUND DEBT SERVICE	384	\$ 2,550,000.00	\$ -	\$ 2,550,000.00
SCAVENGER WASTE DEBT	385	\$ 280,000.00	\$ -	\$ 280,000.00
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 1,475,670.01	\$ 1,475,670.01
EIGHT HUNDRED SERIES	408	\$ 17,278,400.00	\$ -	\$ 17,278,400.00
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ 1,980.84	\$ 1,980.84
SENIORS HELPING SENIORS	453	\$ -	\$ 1,025.79	\$ 1,025.79
EISEP	454	\$ -	\$ 1,104.11	\$ 1,104.11
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ 25,000.00	\$ 8,274.94	\$ 33,274.94
MUNICIPAL GARAGE	626	\$ -	\$ 13,086.44	\$ 13,086.44
TRUST & AGENCY	735	\$ -	\$ **	\$ 8,917,698.85
SPECIAL TRUST	736	\$ 450,000.00	\$ -	\$ 450,000.00
COMMUNITY PRESERVATION FUND	737	\$ -	\$ 230,000.00	\$ 230,000.00
CDA-CALVERTON	914	\$ 325,000.00	\$ 1,943.99	\$ 326,943.99
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ 21,214.45	\$ 21,214.45
JOINT SCAVENGER WASTE	916	\$ -	\$ -	\$ -
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ 31,615,400.00	\$ 11,425,061.03	\$ 43,040,461.03
**SCHOOL & TOWN TAXES				

THE VOTE

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

THE RESOLUTION WAS NOT ADOPTED

RESOLUTION # 225 ABSTRACT #07-03 FEBRUARY 13, 2003 (TB 02/19/03)

Councilman Lull offered the following Resolution which was seconded by (Councilwoman) Glass

FUND NAME		CD - 02/10/03	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$	\$ 58,671.28	\$ 58,671.28
POLICE ATHLETIC LEAGUE	004	\$	\$	\$
TEEN CENTER	005	\$	\$	\$
RECREATION PROGRAM	006	\$	\$ 200.00	\$ 200.00
SR NUTRITION SITE COUNCIL	007	\$	\$	\$
D.A.R.E. PROGRAM FUND	008	\$	\$	\$
CHILD CARE CENTER BUILDING FUND	009	\$	\$ 53.73	\$ 53.73
AG-FEST COMMITTEE FUND	021	\$	\$	\$
HUMAN SERVICES FUND	022	\$	\$	\$
TOWN BD SPECIAL PROGRAM FND	024	\$	\$	\$
YOUTH COURT SCHOLARSHIP FUND	025	\$	\$	\$
SRS DAYCARE BUILDING FUND	027	\$	\$	\$
COMMUNITY P.E.T.S. SHELTER	028	\$	\$	\$
ANIMAL SPAY & NEUTERING FUND	029	\$	\$	\$
EDZ FUND	030	\$	\$ 260.05	\$ 260.05
HIGHWAY	111	\$	\$ 38,080.33	\$ 38,080.33
WATER	112	\$	\$ 22,469.72	\$ 22,469.72
REPAIR & MAINTENANCE	113	\$	\$	\$
RIVERHEAD SEWER DISTRICT	114	\$	\$ 26.94	\$ 26.94
REFUSE & GARBAGE COLLECTION	115	\$	\$	\$
STREET LIGHTING	116	\$	\$ 26,140.20	\$ 26,140.20
PUBLIC PARKING	117	\$	\$	\$
BUSINESS IMPROVEMENT DISTRICT	118	\$	\$	\$
TOR URBAN DEV CORP TRUST ACCT	119	\$	\$	\$
AMBULANCE DISTRICT	120	\$	\$ 199.76	\$ 199.76
CALVERTON SEWER DISTRICT	124	\$	\$	\$
RIVERHEAD SCAV WASTE DISTRICT	128	\$	\$ 26.94	\$ 26.94
WORKER'S COMPENSATION FUND	173	\$	\$ 3,915.96	\$ 3,915.96
RISK RETENTION FUND	175	\$	\$	\$
UNEMPLOYMENT INSURANCE FUND	176	\$	\$	\$
MAIN STREET REHAB PROGRAM	177	\$	\$	\$
REVOLVING LOAN PROGRAM	178	\$	\$	\$
RESIDENTIAL REHAB	179	\$	\$	\$
DISCRETIONARY/SMALL CITIES	180	\$	\$	\$
CDBG CONSORTIUM ACCOUNT	181	\$	\$ 318.27	\$ 318.27
URBAN DEVEL CORP WORKING	182	\$	\$	\$
RESTORE	184	\$	\$	\$
PUBLIC PARKING DEBT	301	\$	\$	\$
SEWER DISTRICT DEBT	302	\$	\$	\$
WATER DEBT	303	\$	\$	\$
GENERAL FUND DEBT SERVICE	304	\$	\$	\$
SCAVENGER WASTE DEBT	305	\$	\$	\$
TOWN HALL CAPITAL PROJECTS	406	\$ 6,668,400.00	\$ 103,162.90	\$ 6,971,562.90
EIGHT HUNDRED SERIES	408	\$	\$	\$
WATER IMPROVEMENT CAP PROJ	409	\$	\$	\$
NUTRITION CAPITAL IMPS	441	\$	\$	\$
CHIPS	451	\$	\$	\$
YOUTH SERVICES	492	\$	\$	\$
SENIORS HELPING SENIORS	493	\$	\$	\$
EISEP	454	\$	\$	\$
SCAVENGER WASTE CAP PROJ	470	\$	\$	\$
MUNICIPAL FUEL FUND	625	\$	\$	\$
MUNICIPAL GARAGE	626	\$	\$ 164.46	\$ 164.46
TRUST & AGENCY	735	\$	\$ 4,015,000.00	\$ 4,015,000.00
SPECIAL TRUST	736	\$	\$	\$
COMMUNITY PRESERVATION FUND	737	\$	\$	\$
CDA-CALVERTON	914	\$	\$ 11,559.95	\$ 11,559.95
COMMUNITY DEVELOPMENT AGENCY	915	\$	\$	\$
JOINT SCAVENGER WASTE	918	\$	\$	\$
CENTRAL CLEARING ACCOUNT	999	\$	\$	\$
TOTALS		\$ 6,668,400.00	\$ 4,280,250.49	\$ 11,148,650.49
**SCHOOL & TOWN TAXES		\$	\$	\$

THE VOTE
 Sanders Yes No Blank Yes No
 Denstieki Yes No Lull Yes No
 Kozakiewicz Yes No
THE RESOLUTION WAS ADOPTED
 THEREFORE ADOPTED

Adopted

February 18, 2003

Town of Riverhead

Resolution # 226

AUTHORIZING THE ATTENDANCE OF A DETECTIVE
AT TRAINING COURSE

COUNCILMAN LULL

_____ offered the following resolution, was

seconded by **COUNCILWOMAN SANDERS**

WHEREAS, Police Chief Hegermiller has requested authorization from the Riverhead Town Board for the attendance of one Police Detective at a Training Course;

AND WHEREAS, the Training Seminar will be held at the Albany Quality Inn Hotel, Albany, New York, February 27, 2003.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the attendance of a Police Detective at the aforementioned training; and

BE IT FURTHER RESOLVED that the Town Board authorizes payment and reimbursement of expenses, not to exceed a total of \$175.00, upon submission of proper receipts; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Chief Hegermiller 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 DULY ADOPTED