

Town Clerk

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

April 1st, 2003

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

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

**Barbara Graftan, 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 March 18th, 2003

Sull Offered the minutes to be
approved, which was seconded by

Sanders

Syes

REPORTS

Receiver of Taxes: Total Collected to date: \$41,946,381.28

Town Clerk: Monthly report for March 2003
Total Collected: \$9402.67

Police Dept.: Monthly report for February, 2003

Sewer Dept. Discharge Monitoring Report for Feb. 2003.

Open Bid Reports: Bid: The Cicanowitz House
Opened: March 24, 2003
Three Bids Were Received

1. A. Sanchez Construction Corp. Bid Amount: \$99,710.00
2. Richard Loduca Associates Bid Amount: \$124,800.00
3. Carter-Melence Inc. Bid Amount: \$142,324.00

APPLICATIONS

Shows & Exhibition Permits:

Polish Town Civic Association
Street Fair-Aug. 16 & 17, 2003

American Diabetes Association
Bicycle Ride-June 8, 2003

Allen Edmonds Company
Tent Sale-Shoes-May 19-June 2nd.

Special Permits:

Roanoke Realty Enterprises LLC
Construct a one story Medical Office
Building W/S Roanoke Avenue.

CORRESPONDCE

Charles Cuddy:

Re: Calverton Links Opposition to the
Concert on the former Grumman Site.

COMMITTEE REPORT

Estuary Report - Barbara Glass
April 30 - Support Your Troops - Denise
Beach Clean-up - May 3
Spring Water Rozakiewicz
Misting - Last week - end in April

PUBLIC HEARINGS

- 7:05 p.m.** **The Purchase of Development Rights of agricultural lands owned by Richard & Donna Meyer.**
- 7:10 p.m.** **The Purchase of Development Rights of agricultural lands owned by Louis & Ottavia Caracciolo.**
- 7:15 p.m.** **The Consideration of a Local Law to Amend Chapter 108 of the Town Code.
(Non-Conforming Buildings)**
- 7:20 p.m.** **The Consideration of an Amendment to Chapter 108 of the Code "Pine Barrens Overlay District"**
- 7:25 p.m.** **The Consideration of a proposed Local Law Section 101-10 Parking Prohibited**

PUBLIC COMMENT ON ANY RESOLUTIONS LISTED

BELOW:

COMMUNITY DEVELOPMENT AGENCY MEETING:

- #9** Designates Property for Public Park Purposes
- #10** Authorizes Chairman to Execute Agreement with Insignia/ESG, Inc.

REGULAR TOWN BOARD MEETING:

- #342** Authorizing Phase I of Study Regarding Feasibility of Reuse of Effluent at Indian Island Golf Course
- #343** Appoints the Law Firm of Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP. to Commence Condemnation Proceedings in Connection with Various Properties Located with the Railroad Street Revitalization Project
- #344** Approves Stipulation of Settlement
- #345** Authorizes the Supervisor to Execute a Lease Agreement Between the Town of Riverhead and the Riverhead Fire District for Property Located at Ostrander Avenue also known as SCTM #600-127-2-29
- #346** In Support of Goals and Efforts of the Peconic Bays Natural Shoreline Committee
- #347** Approves Application of American Diabetes Association (Tour de Cure)
- #348** Approves Application of Allen Edmonds company Shoe Store (Tanger I)
- #349** Approves Application of Sunshine Acres
- #350** Appoints a Recreation Specialist to the Recreation Department (B. Butler)

- #351 Appoints Provisional Wastewater Treatment Plant Operator Trainee (K. Chew)
- #352 Appoints a Provisional Planner (E. Roseman)
- #353 Appoints Provisional Laborer to the Buildings & Grounds Department (R. Folkes)
- #354 Authorizes Town Clerk to publish and Post a Notice to Bidders for the Annual Asphalt Contract
- #355 Authorizes the Town Clerk to Post and Publish a Notice to Bidders for the Purchase of an Altec Model AT37-G Bucket Truck
- #356 Authorizes Town Clerk to Post and Publish Notice to Bidders for Traffic Signal and Street Light Maintenance Repair Parts
- #357 Authorizes Town Clerk to Post and Publish Notice to Bidders for the Dredging of the Wading River Creek
- #358 Authorizes Town Clerk to Advertise for Bids-RWD-02-54-Shade Tree Acres Section 2
- #359 Authorizes Town Clerk to Advertise for Bids-RWD-02-59-Birchwood at Wading River-Section 2
- #360 Awards Bid for Stotzky ark Basketball Court Project
- #361 Awards Bid on Precast Concrete & Associated Items
- #362 Extends Bid Contract for Sodium Hypochlorite
- #363 Extends Bid Contract for Dry Hydrated Lime (Calcium Hydroxide)
- #364 Extends Bid for Corrosive Control Chemical
- #365 William Burns Farmland Preservation Capital Project Budget Adjustment

- #366 Jack Campo/Hubbard Avenue Water Ext. Budget Adoption
- #367 Millbrook Gables Water Extension Budget Adoption
- #368 Classifies Action and Declares Lead Agency on Special Permit of Roanoke Realty Enterprises, and Refers Petition to the Planning Board
- #369 Accepts Irrevocable Letters of Credit (3) of Jack Campo Holding Corp. (Road & Drainage Improvements, Park and Recreation Fees & Water Key Money)- Gatz Estates
- #370 Authorizes Town Clerk to Publish and Post Notice of Scoping Hearing Regarding an Amendment to the Zoning Use District Map of the Town of Riverhead-Planned Recreational Park District to the Planned Industrial Park District-Enterprise Park at Calverton
- #371 Authorizes Town Clerk to Publish and Post Public Notice to Consider the Purchase of Development Rights of a Parcel Located in the Town of Riverhead (Richard Pisacano and Gasper Pisacano)
- #372 Authorizes Town Clerk to Publish and Post Public Notice to Consider the Purchase of Development Rights of a Parcel Located in the Town of Riverhead (Benny Gatz)
- #373 Authorizes Attendance of Two Police Officers to Accreditation Training-"Program Manager Workshop"
- #374 Grants Excavation Permit to Reeves Farm (NF Development, LLC)
- #375 Approves the Attendance at Empire State Development Zone Workshop in Albany
- #376 General Fund Budget Adjustment
- #377 Extends Full Time Status through April 30, 2003

- #378 Establishing Imprest Petty Cash Fund for J.A.B.
- #379 2003 Wading River Creek Dredging Capital Project Budget Adoption
- #380 Approves Application of Polish Town Civic Association
- #381 Sewer Effluent Reuse Pilot Project Capital Project Budget Adoption
- #382 Appoints a Recreation Specialist to the Riverhead Recreation Department (B. Brust)
- #383 Highway Maintenance Crew Leader Vacancies
- #384 Resolution Authorizing the Issuance of \$340,000 Serial Bonds of the Town of Riverhead, to Pay the Cost of the Acquisition and Installation of Computer Hardware and Software for Various Town Purposes
- #385 Redistribution of Donations
- #386 Authorizes Town Clerk to Publish and Post Public Notice to Consider the Purchase of Development Rights of a Parcel Located in the Town of Riverhead (Abbess Farm, LTD.)
- #387 2003 Recreation Capital Improvement Project Capital Project Budget Adjustment
- #388 Denies Exemption from Moratorium "Country Trails"
- #389 Resolution Authorizing the Issuance of \$2,350,000 Serial Bonds of the Town of Riverhead to Pay the Cost of Settlement Actions Entitled, "Wayne Boyd vs. Herbert Trent, Paulette Trent and the Town of Riverhead and Jack Breen, as Guardian of Dana and Rachel Trent and Herbert Trent vs. Town of Riverhead, Wayne Boyd and Paulette Trent, for said Town
- #390 Pays Bills

4/1/03

Adopted

Town of Riverhead Community Development Agency

Resolution # 9

Designates Property for Public Park Purposes

COUNCILMAN DENSIESKI

offered the following resolution,

which was seconded by **COUNCILWOMAN SANDERS** :

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

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

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

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

WHEREAS, the CDA's application for \$350,000 has been approved by the New York State Office of Parks, Recreation and Historic Preservation; and

WHEREAS, the Project Agreement requires the specific designation of the land to be improved with the project funds (\$700,000); and

WHEREAS, the Riverhead Town Board, as the governing body of the CDA, acknowledges that the designation of the subject lands results in the following conditions of alienation:

1. The CDA shall not at any time sell or convey any facility acquired or developed pursuant to this Project Agreement or convert such facility to other than public park purposes without the express authority of an act of the Legislature, which shall

provide for the substitution of other lands of equal fair market value and reasonably equivalent usefulness and location to those to be discontinued, sold or disposed of, and such other requirements as shall be approved by the State;

2. In addition to the provisions of the first condition, and notwithstanding anything to the contrary contained herein, the CDA shall not sell, lease or otherwise convey in any manner or permit a change in use of the project, in whole or in part, unless it shall have received the approval of the State; and
3. The CDA agrees to own or hold by lease and to maintain and operate the project in perpetuity. The CDA shall not authorize the operation of the project, or any portion thereof, by any other person, entity, organization pursuant to any management agreement, lease or other arrangement without first obtaining the written approval of the State.

THEREFORE, BE IT FURTHER RESOLVED, that the Riverhead Town Board, as the governing body of the CDA, hereby designates 62 acres of property at the Calverton Enterprise Park owned by the CDA and depicted on the attached map as that property to be designed and improved as a Town of Riverhead recreational park facility utilizing a grant in the amount of \$350,000 from the New York State Office of Parks, Recreation and Historic Preservation and matching funds of \$350,000 from the Town of Riverhead recreation development fees ("The Project") and, upon completion, to be subject to those regulations affecting designated parkland in New York State.

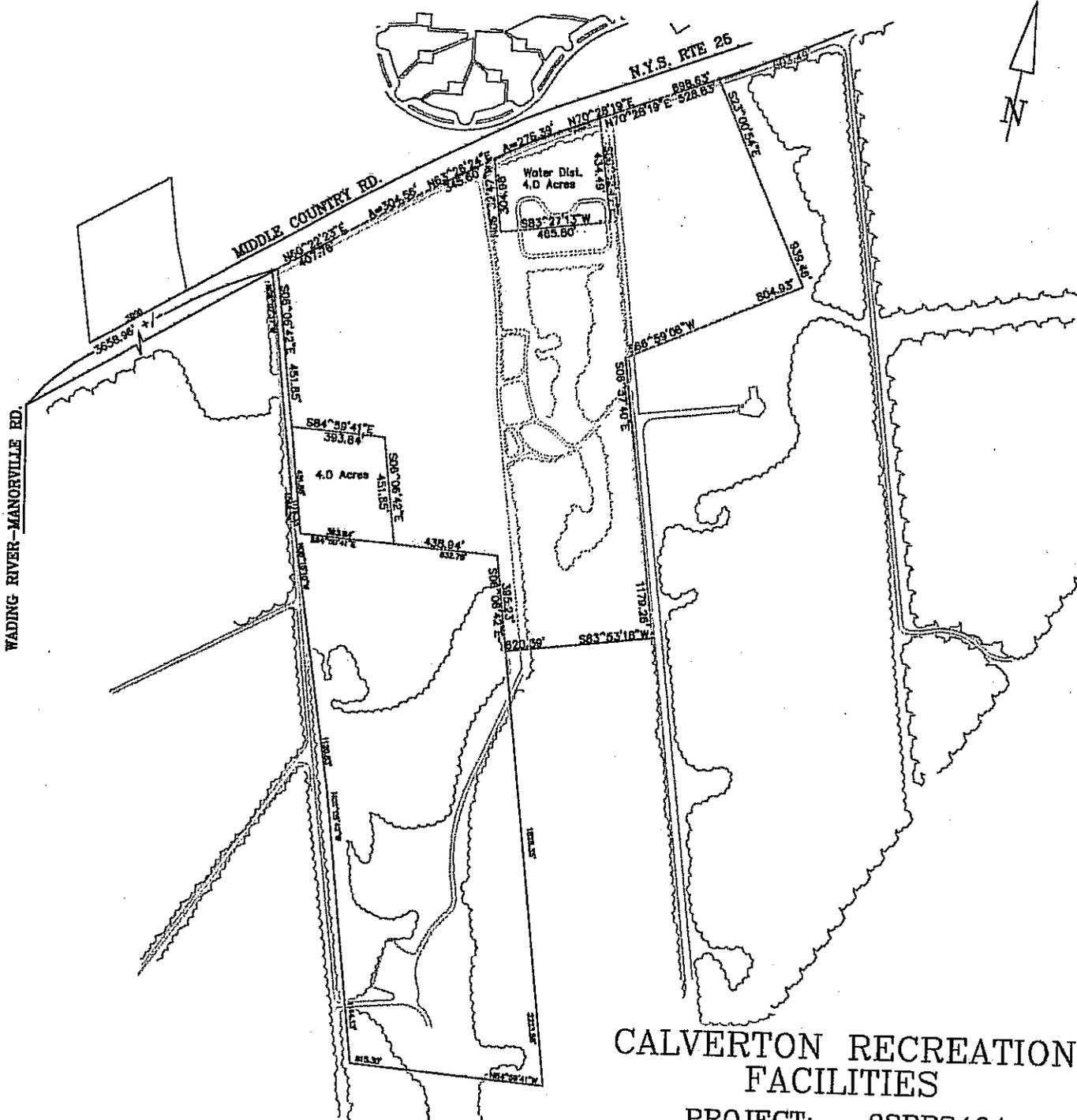
THEREFORE, BE IT FURTHER RESOLVED, that the Town Board hereby encumbers the required \$350,000 match as committed to by Resolution #867 adopted 8/21/01.

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

THE VOTE

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



CALVERTON RECREATION FACILITIES

PROJECT: 02PR2464
EPF540111

DATE: MARCH 28, 2003

TOWN ENGINEER: _____ SIGNATURE

COMMUNITY DEVELOPMENT AGENCY, CHAIRMAN: _____ SIGNATURE

4/1/03

Town of Riverhead Community Development Agency

Resolution # 10

Authorizes Chairman to Execute Agreement with Insignia / ESG, Inc.

COUNCILMAN LULL

offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI:

WHEREAS, in 1996 the Town of Riverhead solicited proposals from real estate brokers for marketing of the property formerly known as the Naval Weapons Industrial Reserve Plant at Calverton, now known as the Calverton Enterprise Park; and

WHEREAS, Grubb & Ellis was retained to perform real estate marketing services for the Riverhead Development Corporation (RDC) and the Town of Riverhead Community Development Agency for the period beginning in 1997 and ending in 2002; and

WHEREAS, the brokerage agreement between the RDC and Grubb & Ellis has expired; and

WHEREAS, Jack O'Connor, who served as the primary Grubb & Ellis broker principally involved in marketing Calverton during the five-year period, has recently been appointed Senior Managing Director with Insignia / ESG, Inc., a real estate brokerage firm with extensive experience and contacts.

THEREFORE, BE IT FURTHER RESOLVED, that the CDA Board desires to retain Insignia / ESG, Inc. in order to continue to market the remaining acreage at the Calverton Enterprise Park as efficiently and professionally as possible.

THEREFORE, BE IT FURTHER RESOLVED, that the CDA Board authorizes the Chairman to execute an agreement not to exceed 18 months in term and to include a brokerage rate of 6% for exclusive transactions and 7% for nonexclusive transactions and upon final review by the CDA.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Jack O'Connor, Insignia / ESG, Inc., 88 Froehlich Farm Blvd., Suite 100, Woodbury, NY 11797 and Community Development Director Andrea Lohneiss.

THE VOTE

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

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

Adopted

4/1/03

TOWN OF RIVERHEAD
RIVERHEAD SEWER DISTRICTResolution # 342AUTHORIZING PHASE I OF STUDY REGARDING FEASIBILITY OF
REUSE OF EFFLUENT AT INDIAN ISLAND GOLF COURSE

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

WHEREAS the Town Board, as the governing body of the Riverhead Sewer District, established a "Sewer District-No Net Increase Fund", by Resolution # 500 (Establishing Sewer Connection Fee), to be expended on projects to maintain no net increase in nitrogen effluent loads to the Peconic Estuary system; and

WHEREAS the potential reuse of the effluent from the Advanced Wastewater Treatment Facility to irrigate the neighboring Indian Island Golf Course owned by the County of Suffolk would reduce annual mass loading of nitrogen to the Peconic Estuary even further than what is possible through technological means; and

WHEREAS plant effluent has been successfully reused for this purpose for over thirty years in states with limited water supplies; and

WHEREAS this project, if proven feasible, would be another step in the Town of Riverhead's commitment to protect and preserve the Peconic Estuary ecosystem; and

WHEREAS this project is consistent with the goals and recommendations of the Peconic Estuary Management Program; and

WHEREAS there are sufficient funds in the District's "No Net Increase Fund" to pay for a pilot project to determine the feasibility of the overall project, and therefore the study will not be of further cost to the District's taxpayers;

NOW THEREFORE, BE IT RESOLVED, that the Riverhead Town Board, as the governing body of the Riverhead Sewer District, authorizes the expenditure of not more than \$ 50,000 from the District's "No Net Increase Fund" for the performance of Phase I Pilot Project as set forth in the proposal of H2M Group, dated March 26, 2003 and attached hereto; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Frank A. Isler, Esq.; the Town Attorney; Michael Reichel, Superintendent of the Riverhead Sewer District; Frank Russo, P.E., H2M Group.

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

4/1/03

TOWN OF RIVERHEAD

Resolution # 343

Tabled

APPOINTS THE LAW FIRM OF SMITH, FINKELSTEIN, LUNDBERG, ISLER & YAKABOSKI, LLP. TO COMMENCE CONDEMNATION PROCEEDINGS IN CONNECTION WITH VARIOUS PROPERTIES LOCATED WITHIN THE RAILROAD STREET REVITALIZATION PROJECT

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

BE IT RESOLVED, that the Law firm of Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP. is hereby retained to commence condemnation proceedings on various properties located in the Railroad Street Revitalization Project as follows:

304 Cedar Street (Blangiardo)
0600-128-03-015

308 Cedar Street (Cedar Street Assoc)
0600-128-03-14

BE IT FURTHER RESOLVED, that the Town hereby retains the services of Joseph A. Ingegno, Land Surveyor, to prepare the requisite taking maps and legal descriptions of the above parcels in accordance with his written proposal of March 19, 2003.

BE IT FURTHER RESOLVED, that the Town hereby retains the services of H2M Group to prepare Phase I Environmental Site Assessments of these two (2) parcels in accordance with its written proposal of March 20, 2003.

BE IT FURTHER RESOLVED, that the Town hereby retains the services of R.D. Geronimo Ltd. to prepare complete, self-contained narrative appraisal reports of these two (2) parcels in accordance with its written proposal of March 21, 2003.

BE IF FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP., P.O. Box 389, 456 Griffing Avenue, Riverhead, New York, 11901; the Office of Accounting, the office of the Town Attorney, and Andrea Lohneiss, Director of the Community Development Agency.

Councilman Lull offered the resolution to be TABLED, which was seconded by Councilman Pensieski.

All Members in favor of TABLING the resolution.

THE VOTE

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

THE RESOLUTION WAS NOT ADOPTED

Tabled

APRIL 1, 2003

TOWN OF RIVERHEAD

Resolution # 244

APPROVES STIPULATION OF SETTLEMENT

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by

COUNCILMAN LULL

WHEREAS, a stipulation of settlement dated March 24, 2003, has been conditionally agreed to by the CSEA and the Town; and

NOW, THEREFORE, BE IT, RESOLVED, that the Town Board hereby ratifies this stipulation of settlement; and

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

THE VOTE

Sanders Yes No

Densieski Yes No

Lull Yes No

Blass Yes No

Kozakiewicz Yes No

Adopted

Adopted

4/1/03

Resolution # 345

AUTHORIZES THE SUPERVISOR TO EXECUTE A LEASE AGREEMENT BETWEEN THE TOWN OF RIVERHEAD AND THE RIVERHEAD FIRE DISTRICT FOR PROPERTY LOCATED ON OSTRANDER AVE. ALSO KNOWN AS SCTM NO. 600-127-2-29

COUNCILMAN LULL
by _____
COUNCILMAN DENESKI

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

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

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

WHEREAS, The Town desires to lease said premises from the Fire District for use as a parking lot to be available to the residents of, and visitors to, the Town of Riverhead, said lease to continue in full force and effect through December 31, 2012; and

WHEREAS, the Fire District has agreed the total rent for the leased premises shall be One Dollar (\$ 1.) per annum.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute the attached Lease Agreement between the Town of Riverhead and the Riverhead Fire District; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Office of the Supervisor, the Office of the Town Attorney and the Riverhead Fire District.

THE VOTE
Sanders Yes No
Deneski Yes No
Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON FULLY ADOPTED

acknowledged;
One Dollar (\$ 1.) per annum, receipt of the payment thereof being hereby
WHEREAS, the Fire District has agreed the total rent for the leased premises shall be

said lease to continue in full force and effect through December 31, 2012; and
a parking lot to be available to the residents of, and visitors to, the Town of Riverhead,
WHEREAS, The Town desires to do extensive improvements to the property for use as

parking lot to be available to the residents of, and visitors to, the Town of Riverhead; and
WHEREAS, The Town desires to lease said premises from the Fire District for use as a

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

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

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

WITNESSETH

Second Street, Riverhead, New York 11901, hereinafter called the Fire District.
duly organized under the laws of the State of New York, with office located at 24 East
York, herein called the Town, and the Riverhead Fire District, a municipal corporation

laws of the State of New York, with offices at 200 Howell Avenue, Riverhead, New
and between the Town of Riverhead, a municipal Corporation, duly organized under the
AGREEMENT ("the Agreement") made this _____ day of _____, 2003, by

AGREEMENT
("Lease")

NOW THEREFORE, in consideration of the premises and the mutual obligations herein and other good and valuable consideration, the parties do hereby covenant and agree with the other as follows:

I. Term. The term of this lease shall be January 1, 2003 through December 31, 2012.

II. Maintenance and Improvements. The Town shall use, operate and maintain the subject premises as a parking lot at its sole cost and expense. The Town shall perform at its sole cost and expense the following improvements within twelve months of the date of this lease; a) demolition of all existing structures located thereon, b) provide grading and installation of 6" of crushed stone, and c) installation of six (6) lighting fixtures.

III. Insurance. The Town shall maintain insurance with a financially sound and reputable insurance company in such amounts and covering such risks as currently exist with respect to the subject premises. The Town shall name the Fire District as an additional insured and shall provide proof of insurance to Fire District upon the signing of this agreement and annually thereafter within thirty (30) days of the lease term anniversary date.

IV. Remedies on Default. Upon the occurrence and continuance of an event of default, the Fire District may terminate this lease after written notice to cure is served upon the Town.

V. Notices. Any and all notices to be delivered pursuant to this Agreement shall be delivered personally or sent by certified mail, return receipt requested, to the parties at their addresses below, with a copy to their attorneys at their addresses below. Notwithstanding the foregoing, the parties may send notices by facsimile to the respective attorneys and said notices shall be effective provided that the recipient acknowledges receipt of same in writing delivered to the sender by facsimile or otherwise.

TOWN:

Town of Riverhead
Office of the Supervisor
200 Howell Avenue
Riverhead, New York 11901

Town of Riverhead
Office of the Town Attorney
200 Howell Avenue
Riverhead, New York 11901

FIRE DISTRICT:

Riverhead Fire District
24 East Second Street
Riverhead, New York 11901

William Glass Jr., Esq.
611 High Street
Port Jefferson, New York 11777

VI. Indemnification. For the term of this lease the Town shall at all times protect, indemnify, defend and hold harmless the Fire District from and against any and all claims, actions, suits and other legal proceeding and liabilities, obligations, losses, damages, penalties, judgments, costs, expenses and/or disbursements (including reasonable legal fees and expenses) which the Fire District may at any time sustain or incur by reason of or in consequence of or arising out of the town's use or operation of the subject premises. The provisions of this paragraph shall survive the termination of this Agreement.

VII. Miscellaneous provisions.

A. No Oral Modifications. This Agreement may not be changed or terminated orally. The stipulations aforesaid are to apply to and bind the heirs, executors, administrators, successors and permitted assigns of their respective parties. However, the Town shall not transfer, pledge or assign any of its rights under this Agreement. **B. Prior Understandings and Agreements Merged.** It is understood and agreed that all understandings and agreements heretofore had between the parties hereto are merged in this Agreement which alone fully and completely expresses their agreement.

IN WITNESS WHEREOF, This Agreement has been duly executed this _____ day of _____, 2003 by the parties hereto.

Town of Riverhead
By: Robert F. Kozakiewicz, Supervisor

Riverhead Fire District
By: James Hogan, Chairman,
Board of Commissioners

Adopted

TOWN OF RIVERHEAD

Resolution # 346

Sense Resolution

In Support of Goals and Efforts of the Peconic Bays Natural
Shoreline Committee

COUNCILWOMAN BLASS offered the following resolution which was

seconded by COUNCILWOMAN SANDERS

WHEREAS, the Peconic Estuary is an environmental, economic, and recreational resource shared by Long Island's five east end towns, and

WHEREAS, the future of the estuary depends on timely and responsible land use decisions, and

WHEREAS, docks provide private access to public resources, and access to the public resources is being impaired by the continued growth in the number of docks and their related uses, and

WHEREAS, the widespread proliferation of docks and the consequential increase in related uses will have a broad range of direct, indirect, and irreversible cumulative impacts on the Peconic Estuary's overall health, and

WHEREAS, the rate of dock building is likely to continue to increase as waterfront properties continue to develop, and

WHEREAS, the Town of Riverhead intends to preserve the special characteristics and qualities of the Peconic Bays' ecological health, public access, economic productivity, public recreation, scenic beauty, historic fin and shellfisheries and navigability,

NOW, THEREFORE BE IT

RESOLVED, that the Riverhead Town Board supports and joins the efforts of the Peconic Bays Natural Shoreline Committee to:

- (a) Limit new or expanded docks in areas that are important to the east End's economy, environment, recreational and scenic values;
- (b) Prohibit new docks in ecologically-sensitive areas; and
- (c) Encourage less-damaging alternatives, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to Forward a copy of this resolution to the Nature Conservancy and the members of the Peconic Bays Natural Shoreline Committee.

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

Adopted

TOWN OF RIVERHEAD

Resolution # 347

APPROVES APPLICATION OF AMERICAN DIABETES ASSOCIATION

(TOUR DE CURE)

offered the following resolution, was seconded by

COUNCILMAN DENIESKI

COUNCILWOMAN BLASS

WHEREAS, the American Diabetes Association has submitted an application for the purpose of conducting their annual Tour de Cure cycling fund-raiser to be held in the Grangebel Park, Riverhead, New York, between the hours of 5:00 a.m. and 3:00 p.m. on Sunday, June 8, 2003 (set up - 3:00 p.m. Saturday, June 7, 2003); and

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

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

NOW THEREFORE BE IT RESOLVED, that the application of the American Diabetes Association for the purpose of conducting their annual Tour de Cure cycling fund-raiser to be held in the Grangebel Park, Riverhead, New York, between the hours of 5:00 a.m. and 3:00 p.m. on Sunday, June 8, 2003, (set up - 3:00 p.m. Saturday, June 7, 2003) is hereby approved; 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. The American Diabetes Association shall contact the Riverhead Fire Marshal at (631) 727-3200 extension 209, for the purpose of arranging the "pre-opening" inspection appointment at least three days in advance; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the American Diabetes Association, Attn: Brigid-Arm DiBella, 150 Motor Parkway, Suite LL 40, Hauppauge, New York, 11788, Bruce Johnson, Riverhead Fire Marshal and the Riverhead Police Department.

THE VOTE

Sanders	Yes	No	Blas	Yes	No
Densieski	Yes	No	Lull	Yes	No
Kozakiewicz	Yes	No			

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

4/1/03

Adopted
4/15/03

TOWN OF RIVERHEAD

Resolution # 348

APPROVES THE APPLICATION OF ALLEN EDMONDS COMPANY SHOE STORE

(TANGER I)

COUNCILWOMAN SANDERS offered the following resolution, was seconded by

COUNCILMAN LULL to be TABLED

WHEREAS, Allen Edmonds Company Shoe Store has submitted an application for the purpose of conducting a tent sale to be held at Tanager I, Tanager Outlet Center, 1770 West Main Street, Riverhead, New York, on May 19, 2003 through June 2, 2003 between the hours of 9:00 a.m. and 9:00 p.m., Monday through Saturday and 8:00 p.m. on Sunday; and

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

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

NOW THEREFORE BE IT RESOLVED, that the application of Allen Edmonds Company Shoe Store for the purpose of conducting a tent sale to be held at Tanager I, Tanager Outlet Center, 1770 West Main Street, Riverhead, New York, on May 19, 2003 through June 2, 2003 between the hours of 9:00 a.m. and 9:00 p.m., Monday through Saturday and 8:00 a.m. and 8:00 p.m. on Sunday, is hereby approved; and be it further

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

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

TOWN BOARD MEETING OF APRIL 15, 2003
COUNCILMAN DENIESKI OFFERED THE RESOLUTION TO BE BROUGHT OFF THE TABLED,
ALL MEMBERS IN AGREEMENT.

Sanders Yes No
Bliss Yes No
Lull Yes No
Denieski Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS PASSED

THE RESOLUTION WAS PASSED
THEREUPON DULY ADOPTED

Tabled

Adopted
4/15/03

Tabled
640

Adopted

TOWN OF RIVERHEAD

Resolution # 349

APPROVES APPLICATION OF SUNSHINE ACRES

(HORSE SHOW)

COUNCILMAN LULL offered the following resolution, was seconded by

COUNCILWOMAN BLASS:

WHEREAS, Sunshine Acres has submitted an application for the purpose of conducting a Dressage Horse Show to be held at 1340 Edwards Avenue, Baiting Hollow, New York, between the hours of 6:30 a.m. and 6:00 p.m. on the following dates:

- April 13, 2003
- May 4, 2003
- June 15, 2003
- July 20, 2003
- August 17, 2003
- September 7, 2003
- October 19, 2003
- November 2, 2003; and

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

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

NOW THEREFORE BE IT RESOLVED, that the application of Sunshine Acres for

the purpose of conducting a Dressage Horse Show to be held at 1340 Edwards Avenue, Baiting Hollow, New York, on the aforementioned dates and times, is hereby approved with the following conditions:

- A pre-opening inspection for each event date is to be conducted by the Riverhead Town Fire Marshal. The Fire Marshal shall be contacted at least three days in advance to schedule an inspection at (631) 727-3200 ext. 209; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Sunny Acres, 1340 Edwards Avenue, P.O. Box 313, Calverton, New York, 11933; Bruce Johnson, Riverhead Fire Marshal and the Riverhead Police Department.

THE VOTE

Sanders Yes / No
 Densieski Yes / No
 Lull Yes / No
 Kozakiewicz Yes / No
 Blasz Yes / No

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

TOWN OF RIVERHEAD

Resolution # 350

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

COUNCILMAN DENIESKI offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

RESOLVED, that Benjamin Butler is hereby appointed to serve as a Recreation Specialist with the working title of a Sports Instructor, effective April 1, 2003, to and including December 31, 2003, to be paid at the rate of \$12.50 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

THE VOTE

Sanders	Yes	No	Blas	Yes	No
Densieski	Yes	No	Lull	Yes	No
Kozakiewicz	Yes	No		Yes	No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

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

THE VOTE

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

2003, and
Trainee Group 9 Step P of the Salary Administration Schedule effective April 14,
appointed provisionally to the position of Wastewater Treatment Plant Operator
NOW THEREFORE, BE IT RESOLVED, that Kevin Chew is hereby

this position and approved by Civil Service
WHEREAS, the Personal Committee has recommended a candidate for

eligible candidates were interviewed, and
WHEREAS, the position was posted (posting #1) and advertised and all

#02A-422, and
WHEREAS, there were no willing acceptors found on Civil Service list

Operator Trainee in the Sewer/Scavenger Waste Districts, and
WHEREAS, there exists a vacancy of Wastewater Treatment Plant

resolution, which was seconded by _____
COUNCILWOMAN SANDERS

_____ offered the following
COUNCILWOMAN BLASS

**APPOINTS PROVISIONAL WASTEWATER TREATMENT
PLANT OPERATOR TRAINEE**

Resolution # 351

TOWN OF RIVERHEAD

April 1, 2003

643
Adopted

Adopted

APRIL 1, 2003

TOWN OF RIVERHEAD

Resolution # 352

APPOINTS A PROVISIONAL PLANNER

COUNCILMAN LULL offered the following

resolution, which was seconded by COUNCILWOMAN BLASS

WHEREAS a vacancy exists for the position of Planner in the Planning Department, and

WHEREAS, said position was duly posted (posting #9) and advertised; and
WHEREAS, all willing applicants found on Civil Service list #03A-102 were interviewed and Civil Service has authorized a provisional appointment; and

WHEREAS, all qualified candidates were interviewed and the Personnel Committee has made a recommendation, and

NOW, THEREFORE, BE IT RESOLVED, that Eric Roseman is hereby appointed provisionally to the position of Planner Group 9 Step P of the Salary Administration Schedule effective April 21, 2003, and

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

THE VOTE

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

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

THE VOTE

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

appointed to the position of Laborer Group 3 Step P of the Salary Administration Schedule effective April 14, 2003, and NOW THEREFORE, BE IT RESOLVED, that Randall Folkes is hereby

WHEREAS, the Personal Committee has made a recommendation, willing applicants were interviewed, and WHEREAS, the position of Laborer was duly posted (posting #2) and all Department, and WHEREAS, there exists a vacancy of Laborer in the Buildings & Grounds

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

APPOINTS PROVISIONAL LABORER TO THE BUILDINGS & GROUNDS DEPARTMENT

TOWN OF RIVERHEAD
 Resolution # 353

April 1, 2003

Adopted

Adopted
646

APRIL 1, 2003

TOWN OF RIVERHEAD

RESOLUTION # 354

AUTHORIZES TOWN CLERK TO POST AND PUBLISH A NOTICE TO BIDDERS FOR THE ANNUAL ASPHALT CONTRACT

COUNCILMAN DENIESKI

COUNCILMAN LULL

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the April 9, 2003 issue of the official Town newspaper for the Annual Asphalt Contract; and

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

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

Town of Riverhead
Notice to Bidders

Sealed proposals for the Annual Asphalt Contract will be received by the Town of Riverhead at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until 11:00 am on April 30, 2003 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and obtained on or about April 11, 2003 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays.

A fee of \$50.00 will be required for each copy of the Contract Documents.

Each proposal must be submitted on the form provided in a sealed envelope clearly marked, "Annual Asphalt Contract".

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

BY ORDER OF THE RIVERHEAD TOWN BOARD

Barbara A. Grattan, Town Clerk
Riverhead, New York 11901

Dated: April 1, 2003

Adopted
647

April 1, 2003

TOWN OF RIVERHEAD

RESOLUTION # 355

AUTHORIZES THE TOWN CLERK TO POST AND PUBLISH A NOTICE TO BIDDERS FOR THE PURCHASE OF AN ALTEC MODEL AT37-G BUCKET TRUCK
COUNCILMAN DENIESKI
COUNCILMAN LULL

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached Notice to Bidders for the purchase of One (1) ALTEC Model AT37-G Bucket Truck for the use of Street Lighting in the April 9, 2003 issue of the official Town newspaper; and

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

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

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed proposals for the purchase of one (1) ALTEC Model AT37-G Bucket Truck will be received by the Town of Riverhead at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:00 am on April 29, 2003 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and obtained on or about April 11, 2003 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays.

Each proposal must be submitted on the form provided in a sealed envelope clearly marked, "ALTEC Model AT37-G Bucket Truck".

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

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

Dated: April 1, 2003

Engineering

Adopted

April 1, 2003

TOWN OF RIVERHEAD

RESOLUTION # 356

AUTHORIZES TOWN CLERK TO POST AND PUBLISH NOTICE TO BIDDERS FOR TRAFFIC SIGNAL AND STREET LIGHT MAINTENANCE REPAIR PARTS

Councilwoman Sanders offered the following resolution, which was seconded by Councilman Lull. RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders for Traffic Signal and Street Light Maintenance Repair Parts in the April 9, 2003 issue of the official Town newspaper; and BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Kenneth Testa, P.E. and the Office of Accounting.

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

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed proposals for the purchase of Traffic Signal and Street Light Maintenance Repair Parts will be received by the Town of Riverhead at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York 11901 until 11:00 am on April 25, 2003 at which time they will be publicly opened and read aloud.

Specifications may be examined and obtained on or about April 11, 2003 in the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays.

Each proposal must be submitted on the form provided in a sealed envelope clearly marked, "Traffic Signal and Street Light Maintenance Repair Parts".

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

BY ORDER OF THE RIVERHEAD TOWN BOARD

Barbara A. Grattan, Town Clerk
Riverhead, New York 11901

Dated: April 1, 2003

Adopted

April 1, 2003

TOWN OF RIVERHEAD

RESOLUTION # 357

AUTHORIZES TOWN CLERK TO POST AND PUBLISH NOTICE TO BIDDERS

FOR DREDGING OF THE WADING RIVER CREEK

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

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the

attached Notice to Bidders for the Dredging of Wading Riverhead Creek, Wading River,

New York in the April 9, 2003 issue of the official Town newspaper; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to

forward a copy of this resolution to Kenneth Testa, P.E., Thomas C. Wolpert, P.E.,

Young & Young, 400 Ostrander Avenue, Riverhead, New York 11901 and the Office of

Accounting.

THE VOTE

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

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

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed proposals for the Dredging of Wading River Creek, Wading River, New York will be received by the Town of Riverhead at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:00 am on April 21, 2003 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and obtained on or about April 9, 2003 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays.

A fee of \$100.00 will be required for each copy of the Contract Documents.

Each proposal must be submitted on the form provided in a sealed envelope clearly marked "Dredging of Wading River Creek" and must be accompanied by a bid surety as stated in the Instructions to Bidders.

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

BY ORDER OF THE RIVERHEAD TOWN BOARD

Barbara A. Grattan, Town Clerk
Riverhead, New York 11901

Dated: April 1, 2003

The Resolution Was Yes No
Thereupon Duly Declared Adopted

Kozakiewicz Yes No

Densieski Yes No
Lull Yes No

Sanders Yes No
Blass Yes No

THE VOTE

RESOLVED, that the Town Clerk be and is authorized to publish in the April 10, 2003 issue of the Traveler Watchman and post the attached Notice to Bidders with regard to receiving bids for the construction of water mains and appurtenances RDWD 02-54 Shade Tree Acres - Section 2.
RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Frank Isler, Esq, H2M and Gary Pendzick.

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

**AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS
RIVERHEAD WATER DISTRICT
RDWD 02-54 SHADE TREE ACRES - SECTION 2**

Resolution # 358

TOWN OF RIVERHEAD

Adopted

DATE: April 10, 2003

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD
SUFFOLK COUNTY, NEW YORK
ACTING AS THE GOVERNING BODY
OF THE RIVERHEAD WATER DISTRICT
BARBARA GRATAN, TOWN CLERK

The right is reserved to reject any or all bids, to waive any informalities, and to accept the lowest responsible bid.
Each proposal must be accompanied by a bid bond in the amount of five percent (5%) of the total bid, or a certified check made payable to the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

Deposits for Plans and Specifications will be refunded to Bidders who return same in good condition within ten (10) days. Other deposits will either be partially or not refunded if the Plans and Specifications have not been returned in good condition within thirty (30) days after bids have been opened.
Copies of the contract documents may be obtained at the above locations on or after April 10, 2003 upon deposit of Fifty Dollars (\$50.00) in cash, certified check, bank money order or postal money order, made payable to the TOWN OF RIVERHEAD for each set furnished.

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

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

Contract documents, including drawings and technical specifications, are on file at the following offices:
For the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, until 11:00 AM, prevailing time, on Monday, April 21, 2003 at which time and place all bids will be publicly opened and read.

Installation of Water Mains and Appurtenances
Project No.: Shade Tree Acres, Section 2

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

H2M GROUP
NOTICE TO BIDDERS

The Resolution Was Yes No
Thereupon Duly Declared Adopted

Kozakiewicz Yes No

Densieski Yes No
Lull Yes No

Sanders Yes No
Blass Yes No

THE VOTE

RESOLVED, that the Town Clerk be and is authorized to publish in the April 10, 2003 issue of the Traveler Watchman and post the attached Notice to Bidders with regard to receiving bids for the construction of water mains and appurtenances RDWD 02-59 Birchwood at Wading River – Section 2.
RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Frank Isler, Esq, H2M and Gary Pendzick.

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

**AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS
RIVERHEAD WATER DISTRICT
RDWD 02-59 BIRCHWOOD AT WADING RIVER – SECTION 2**

TOWN OF RIVERHEAD
Resolution # 359

Adopted

DATED: April 10, 2003

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD
SUFFOLK COUNTY, NEW YORK
ACTING AS THE GOVERNING BODY
OF THE RIVERHEAD WATER DISTRICT
BARBARA GRATAN, TOWN CLERK

Copies of the contract documents may be obtained at the above locations on or after April 10, 2003 upon deposit of Fifty Dollars (\$50.00) in cash, certified check, bank money order or postal money order, made payable to the TOWN OF RIVERHEAD for each set furnished.
Deposits for Plans and Specifications will be refunded to Bidders who return same in good condition within ten (10) days. Other deposits will either be partially or not refunded if the Plans and Specifications have not been returned in good condition within thirty (30) days after bids have been opened.
Each proposal must be accompanied by a bid bond in the amount of five percent (5%) of the total bid, or a certified check made payable to the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.
The right is reserved to reject any or all bids, to waive any informalities, and to accept the lowest responsible bid.

Town Clerk, Town of Riverhead
Town Hall, 200 Howell Avenue
Riverhead, New York 11901
Holzmacher, McLendon & Murrell, P.C.
575 Broad Hollow Road
Melville, New York 11747

The Town Board of Riverhead will receive bids for the following contract:
Installation of Water Mains and Appurtenances
Project No.: Birchwood at Wading River, Section 2
for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, until 11:00 AM, prevailing time, on Monday, April 21, 2003 at which time and place all bids will be publicly opened and read.
Contract documents, including drawings and technical specifications, are on file at the following offices:

Adopted

TOWN OF RIVERHEAD
RESOLUTION # 360

**AWARDS BID FOR STOTZKY PARK
BASKETBALL COURT PROJECT**

COUNCILWOMAN SANDERS
offered the following resolution
which was seconded by _____
COUNCILMAN DENIESKI

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for the Stotzky Park Basketball Court Project;

WHEREAS, five (5) bids were received, opened and read aloud on the 14th day of March 2003, at the time and place given in the Notice to Bidders.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the Stotzky Park Basketball Court Project be and is hereby awarded to Artco Drainage Corp. for the sum of Fifty Six Thousand Sixty Six Dollars and Fifty Six Cents (\$56,066.56).

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Artco Drainage Corp., Young & Young, Kenneth Testa, and the Office of Accounting.

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

TR 4/1/2003

TOWN OF RIVERHEAD

Resolution # 361
Adopted April 1, 2003

AWARDS BID ON PRECAST CONCRETE & ASSOCIATED ITEMS

_____ COUNCILMAN LULL offered the following resolution which was

seconded by _____ COUNCILWOMAN BLASS

WHEREAS, the Town Clerk was authorized to advertise for sealed bids on a "PRECAST CONCRETE DRAINAGE & ASSOCIATED ITEMS" for the use of the Highway Department, and,

WHEREAS, all bids were received and read aloud on the 24TH of March at 11:00 A.M. at the Town Hall, 200 Howell Avenue, Riverhead, New York the date, time and place given in the Notice to Bidders, and

WHEREAS, one bid was received,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for the Precast Concrete Drainage Rings & Associated Items be and is hereby awarded to Suffolk Cement Precast, Inc., PO Box 241, Calverton, New York 11933, and

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

THE VOTE

Sanders	Yes	No	Blas	Yes	No
Densieki	Yes	No	Lull	Yes	No
Kozaklowicz	Yes	No		Yes	No

THE RESOLUTION WAS NOT ADOPTED

Adopted

April 1, 2003

TOWN OF RIVERHEAD

EXTENDS BID CONTRACT FOR SODIUM HYPOCHLORITE
RESOLUTION # 362

Adopted

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

WHEREAS, the Riverhead Water District has requested that the contract with H. Krevit & Co., originally awarded under Resolution #348 adopted April 2, 2002, be extended until April 18, 2004; and

WHEREAS, the above-named vendor has agreed to extend the contract until April 18, 2004, at the original bid amount per the attached; and

WHEREAS, the Town Board has reviewed said request.

NOW, THEREFORE, BE IT

RESOLVED, that the bid contract for Sodium Hypochlorite be and is hereby extended to April 18, 2004; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to H. Krevit & Co., Inc., 73 Welton Street, PO Box 9433, New Haven, Connecticut, 06534, the Riverhead Water District and the Purchasing Department.

THE VOTE
Sanders Yes
Densieski Yes
Kozakiewicz Yes
Lull Yes
Blas Yes
THE RESOLUTION WAS NOT ADOPTED

April 1, 2003

TOWN OF RIVERHEAD

EXTENDS BID CONTRACT FOR DRY HYDRATED LIME
(CALCIUM HYDROXIDE)

RESOLUTION # 363

COUNCILWOMAN BLASS

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

WHEREAS, the Riverhead Water District has requested that the contract with THE Long Island Cauliflower Association, originally awarded under Resolution #349 adopted April 2, 2002, be extended until April 18, 2004; and

WHEREAS, the above-named vendor has agreed to extend the contract until April 18, 2004, at the original bid amount of \$4.99 per 50-lb bag; and

WHEREAS, the Town Board has reviewed said request.

NOW, THEREFORE, BE IT

RESOLVED, that the bid contract for Dry Hydrated Lime (calcium hydroxide) be and is hereby extended to April 18, 2004; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Long Island Cauliflower Association, 139 Marcy Avenue, Riverhead, New York, 11901, the Riverhead Water District and the Purchasing Department.

THE VOTE

Sanders	Yes	No	Blass	Yes	No
Denski	Yes	No	Lull	Yes	No
Kozakiewicz	Yes	No	THE RESOLUTION WAS		
			THEREUPON BEING ADOPTED		
			WAS NOT		

Adopted
680

April 1, 2003

TOWN OF RIVERHEAD

EXTENDS BID CONTRACT FOR CORROSIVE CONTROL CHEMICAL
RESOLUTION # 364

COUNCILWOMAN BLASS

_____ offered the following resolution, which was

seconded by _____
COUNCILMAN LULL

WHEREAS, the Riverhead Water District has requested that the contract with CalciQuest, Inc., originally awarded under Resolution #471 adopted July 2, 2002, be extended until April 18, 2004; and

WHEREAS, the above-named vendor has agreed to extend the contract until April 18, 2004, at the original bid amount of \$3.97 per gallon; and

WHEREAS, the Town Board has reviewed said request.

NOW, THEREFORE, BE IT

RESOLVED, that the bid contract for Corrosion Control Chemical be and is hereby extended to April 18, 2004; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to CalciQuest, Inc., 181 Woodlawn Avenue, Belmont, NC, 28012, the Riverhead Water District and the Purchasing Department.

THE VOTE

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

THE RESOLUTION WAS WAS NOT

THEREUPON DEBATE ADOPTED

Adopted
661

APRIL 1, 2003

Adopted ⁶⁹

TOWN OF RIVERHEAD

WILLIAM BURNS FARMLAND PRESERVATION

CAPITAL PROJECT

BUDGET ADJUSTMENT

RESOLUTION # 365

COUNCILMAN DENIESKI offered the following resolution,

which was seconded by

COUNCILWOMAN SANDERS

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

406.019400.494200.42022 SERIAL BOND PROCEEDS
FROM: \$6,200

406.019400.521000.42022 LAND ACQUISITION
TO: \$6,200.

THE VOTE

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

Adopted

TOWN OF RIVERHEAD

JACK CAMPO/HUBBARD AVE WATER EXT.

BUDGET ADOPTION

RESOLUTION # 366

COUNCILWOMAN SANDERS

offered the following resolution,

_____ COUNCILWOMAN BLASS

which was seconded by _____

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

FROM: 406.092705.421050.30028 DEVELOPER FEES \$4,000.

TO: 406.083200.543501.30028 ENGINEERING EXPENSE \$4,000.

THE VOTE

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

Adopted

TOWN OF RIVERHEAD

MILLBROOK GABLES WATER EXTENSION

BUDGET ADOPTION

RESOLUTION # 367

COUNCILWOMAN SANDERS

offered the following resolution,

which was seconded by

COUNCILWOMAN BLASS

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

FROM: 406.092705.421050.30022 DEVELOPER FEES \$50,000.

TO: 406.083200.523002.30022 CONSTRUCTION \$36,000.
406.083200.543501.30022 ENGINEERING 10,400.
406.083200.547900.30022 CONTINGENCY 3,600.

THE VOTE

Sanders Yes No
Blas Yes No
Densieski Yes No
Lull Yes No
Kozakiewicz Yes No

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

BE IT FURTHER

RESOLVED, that the Riverhead Town Board declares itself to be the lead agency for the special permit application of Roanoke Realty Enterprises, LLC which it classifies as an Unlisted action, and

THEREFORE, BE IT

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

WHEREAS, the Riverhead Planning Department has prepared a staff SEQR report outlining the project impacts and recommending that a negative declaration of significance be rendered, and

WHEREAS, the Riverhead Planning Department has reviewed these materials and has determined the petition to be an Unlisted action pursuant to 6NYCRR Part 617 for which coordinated review is optional and in this case unnecessary, and

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

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Roanoke Realty Enterprises, LLC, pursuant to Article XXVIIA and Article XII, Section 108-115 of the zoning code to overlay the provisions of the Business PB use district and thereby construct a 6,400sq.ft. medical office building and related site improvements on a 1.3ac. parcel zoned Residence C; such property more particularly described as SCTM 0600-107-2-3, and

was seconded by

_____ COUNCILMAN DENIESKI

_____ COUNCILMAN LULL

offered the following resolution which

CLASSIFIES ACTION AND DECLARES LEAD AGENCY
ON SPECIAL PERMIT OF ROANOKE REALTY ENTERPRISES,
AND REFERS PETITION TO THE PLANNING BOARD

Resolution # 368

TOWN OF RIVERHEAD

April 1, 2003

Adopted
665

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

RESOLVED, that the Town Clerk be directed to refer the petition to the Riverhead Planning Board for their review and recommendation and is hereby authorized to forward a certified copy of this resolution to the Planning Department and to the applicant or his agent.

BE IT FURTHER

Adopted

TOWN OF RIVERHEAD

Resolution # 369

ACCEPTS IRREVOCABLE LETTERS OF CREDIT (3) OF JACK CAMPO HOLDING CORP. (ROAD & DRAINAGE IMPROVEMENTS, PARK AND RECREATION FEES & WATER KEY MONEY - "GATZ ESTATES")

offered the following resolution, was seconded by

COUNCILWOMAN BLASS

COUNCILWOMAN SANDERS

WHEREAS, by resolution adopted on February 24, 2003, the Riverhead Planning Board did conditionally approve the final plat of "Gatz Estates", with conditions of final approval being the submission and filing of performance bonds or other acceptable forms of performance security in the amount of \$137,000.00 covering the road and drainage improvements, \$15,000.00 covering park and recreation fees and \$18,000.00 covering water key money within said subdivision; and

WHEREAS, Jack Campo Holding Corp. has submitted to the Town, an Irrevocable Letter of Credit drawn by Bank of Smithtown (BOS), Irrevocable Letter of Credit No. 100256 in the amount of \$137,000.00, BOS Irrevocable Letter of Credit No. 100254 in the amount of \$15,000.00 and BOS Irrevocable Letter of Credit No. 100255 in the amount of \$18,000.00, all three letter of credits having an expiration date of March 25, 2005, covering road and drainage improvements, park and recreation fees and water key money respectively; and

WHEREAS, the Town Attorney has reviewed the aforementioned Irrevocable Letters of Credit and has determined that same is satisfactory in their form.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby accepts BOS Irrevocable Letter of Credit No. 100256 in the amount of \$137,000.00, BOS Irrevocable Letter of Credit No. 100254 in the amount of \$15,000.00 and BOS Irrevocable Letter of Credit No. 100255 in the amount of \$18,000.00, all having an expiration date of March 25, 2005; and

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Michael R. Strauss, Esq., attorney for Jack Campo Holding Corp., 1303 Main Street, Suite 4, Port Jefferson, New York, 11777; Bank of Smithtown, One East Main Street, P.O. Box 456, Smithtown, New York, 11787, Attn: Thomas J. Stevens, Executive Vice President; the Planning Department; the Planning Board; the Building Department and the Office of the Town Attorney.

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

April 1, 2003

Adopted

TOWN OF RIVERHEAD

Resolution # 370

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF SCOPING HEARING REGARDING AN AMENDMENT TO THE ZONING USE DISTRICT MAP OF THE TOWN OF RIVERHEAD - PLANNED RECREATIONAL PARK DISTRICT TO THE PLANNED INDUSTRIAL PARK DISTRICT - ENTERPRISES PARK AT CALVERTON

COUNCILMAN DENIESKI offered the following resolution which

was seconded by

COUNCILMAN LULL

WHEREAS, by Local Law, the Riverhead Town Board did amend the Zoning Use District Map of the Town of Riverhead to provide for the Planned Industrial Park District and the Planned Recreational Park District to the exclusion of the Defense Institutional District upon premises formally known as the Calverton Naval Weapons Industrial Reserve Plan now known as Enterprises Park at Calverton (EPCAL), and

WHEREAS, the Planned Recreational Park District regulates approximately 2,200 acres of real property at EPCAL, and

WHEREAS, the Town of Riverhead Community Development Agency is presently not considering any offers for purchase of any lands within the confines of the Planned Recreational Park District at EPCAL, and

WHEREAS, by resolution #550 of 2002 the Riverhead Town Board retained the services of Thomas Conoscenti and Associates, Inc. to investigate the absorption potential of additional industrially zoned land within EPCAL; such investigation and analysis suggesting the need for additional industrially zoned lands at EPCAL, and

WHEREAS, by resolution dated May 13, 2002, the Riverhead Development Corporation ("RDC") did recommend that the Town Board cause the preparation of an appraisal of the lands at EPCAL, and

WHEREAS, by resolution dated May 22, 2002 the Riverhead Town Board retained the services of the Landauer Realty Group, Inc. to appraise the subject 2,200 acre portion of the EPCAL site, and

WHEREAS, upon a review of the aforementioned appraisal and other pertinent planning, zoning and environmental information, the RDC, by resolution dated January 6, 2003 did recommend to the Riverhead Town Board to use its good offices in order to effect an amendment to the Zoning Use District Map of the Town of Riverhead to provide for additional industrially zoned land at EPCAL, and

WHEREAS, it is the desire of the Riverhead Town Board to effect such zoning amendment on its own motion, now

THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby declares itself to be the lead agency in this matter, and

BE IT FURTHER

RESOLVED, that as lead agency hereby determines the action to be Type I with potentially significant adverse impacts to either the natural or social environment and that a Supplemental Generic Environmental Impact Statement need be prepared, and

BE IT FURTHER

RESOLVED, that due to the decision making of a single agency in this action, no coordinated review will be undertaken, and

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

THE VOTE
 Sanders Yes
 Densieski Yes
 Kozakiewicz Yes
 Tull Yes
 Blass Yes
 [Signature] Yes
 THE RESOLUTION WAS ADOPTED
 THE RESOLUTION WAS NOT ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF SCOPING HEARING**

PLEASE TAKE NOTICE, that a scoping hearing will be held pursuant to the New York State Environmental Conservation Law and its attending regulations on the 30th day of April, 2003 at 3:00 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to identify the significant adverse impacts to both the natural and social environment associated with a motion of the Riverhead Town Board to amend the Zoning Use District Map of the Town of Riverhead to provide for the Planned Industrial Park Zoning Use District of 1503 acres to the exclusion of the Planned Recreational Park Zoning Use District, which acreage shall be reduced to 1273 acres and shall also provide for a commercial use district of 145 acres located at the Enterprise Park at Calverton, Calverton, New York; such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-135-1-7.6. A map depicting the area to be considered for zoning amendment is available for inspection at the Office of the Town Clerk between the hours of 8:30 A.M. and 4:30 P.M. beginning April 2, 2003.

DATED: April 1, 2003
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATAN, TOWN CLERK

Plan G

	<u>EXISTING ZONING</u>	<u>PLAN G</u>	<u>NET CHANGE</u>	
Planned Industrial	728 acres	1503 acres	+	775 acres
Planned Recreational	2193 acres	1273 acres	-	920 acres
Commercial	0 acres	145 acres	+	145 acres
Total	2921 acres	2921 acres		

April 1, 2003

TOWN OF RIVERHEAD

Resolution # 371

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER THE PURCHASE OF DEVELOPMENT RIGHTS OF A PARCEL LOCATED IN THE TOWN OF RIVERHEAD (RICHARD PISACANO AND GASPER PISACANO)

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

WHEREAS, pursuant to the provisions of §247 of the New York State General Municipal Law, fee simple owners of agricultural lands may elect to sell and the Town of Riverhead may elect to purchase development rights associated with said lands; and

WHEREAS, Richard Pisacano and Gasper Pisacano have expressed a desire to sell the development rights of approximately 7.1 acres of their agricultural lands located on the southerly side of Sound Avenue, Riverhead, New York, at \$31,000 per acre, further described as Suffolk County Tax Map #0600-17-5- p/o 4.3, to the Town of Riverhead.

NOW THEREFORE BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider the purchase of development rights of agricultural lands owned by Richard Pisacano and Gasper Pisacano, once in the April 10 2003, issue of the Traveler Watchman the official newspaper designated for these purposes, and also to cause a copy of the proposed purchase of development rights to be posted on the sign board of the Town in the Office of the Town Clerk; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Paul Caminetti PO Box 846, Southold, New York 11971; the Farmland Preservation Committee; Peconic Land Trust, Attn: Julie T. Wesnofske, 296 Hampton Road, P.O. Box 1776, Southampton, New York, 11969; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office 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 NOT
THE RESOLUTION WAS NOT

013

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held on the 6th day of May, 2003 at 7:15 o'clock p.m., at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider the purchase of development rights of 7.1 acres of agricultural lands owned by Richard Pisacano and Gasper Pisacano located on the southerly side of Sound Avenue, Riverhead, New York, at \$31,000 per acre, further described as Suffolk County Tax Map #0600-17-5- p/o 4.3, pursuant to §247 of the New York State General Municipal Law and Chapter 44 of the Riverhead Town Code.

Dated: Riverhead, New York
April 1, 2003

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

April 1, 2003

Adopted

TOWN OF RIVERHEAD

Resolution # 372

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER THE PURCHASE OF DEVELOPMENT RIGHTS OF A PARCEL LOCATED IN THE TOWN OF RIVERHEAD (BENNY GATZ)

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

WHEREAS, pursuant to the provisions of §247 of the New York State General Municipal Law, fee simple owners of agricultural lands may elect to sell and the Town of Riverhead may elect to purchase development rights associated with said lands; and

WHEREAS, Benny Gatz has expressed a desire to sell the development rights of approximately 18.1 acres of his agricultural lands located on the southerly side of Sound Avenue, Northville, New York, at \$25,000 per acre, further described as Suffolk County Tax Map #0600-21-2- p/o 10.1, to the Town of Riverhead.

NOW THEREFORE BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider the purchase of development rights of agricultural lands owned by Benny Gatz, once in the April 10, 2003, issue of the Traveler Watchman the official newspaper designated for these purposes, and also to cause a copy of the proposed purchase of development rights to be posted on the sign board of the Town in the Office of the Town Clerk; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Susan Grun, PO Box 389, Riverhead, New York 11901; the Farmland Preservation Committee; Peconic Land Trust, Attn: Julie T. Wesnofske, 296 Hampton Road, P.O. Box 1776, Southampton, New York, 11969; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office and the Town Attorney's Office.

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 IT WAS ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held on the 6th day of May, 2003 at 7:10 o'clock p.m., at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider the purchase of development rights of 18.1 acres of agricultural lands owned by Benny Gatz located on the southerly side of Sound Avenue, Northville, New York, at \$25,000 per acre, further described as Suffolk County Tax Map #0600-21-2- p/o 10.1, pursuant to §247 of the New York State General Municipal Law and Chapter 44 of the Riverhead Town Code.

Dated: Riverhead, New York
April 1, 2003

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

BARBARA GRATTAN, Town Clerk

April 1, 2003

Adopted

TOWN OF RIVERHEAD

Resolution #373

AUTHORIZES ATTENDANCE OF TWO POLICE OFFICERS TO ACCREDITATION TRAINING – “PROGRAM MANAGER WORKSHOP”

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

WHEREAS, Police Chief Hegermiller has requested authorization from the Riverhead Town Board for the attendance of two police officers to Accreditation Training – “Program Manager Workshop” ; and,

WHEREAS, the training class will be held at the Orange County Fire Training Center, Middletown, New York, from April 23 through April 24, 2003.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the attendance of two police officers at the aforementioned training class; and,

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes reimbursement of expenses, not to exceed \$425.00, upon proper submission of receipts; and,

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

THE VOTE

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

THE RESOLUTION WAS WAS NOT
 THEREUPON IT WAS ADOPTED

Adopted

April 1st, 2003

Town of Riverhead

Resolution # 374

**GRANTS EXCAVATION PERMIT TO REEVES FARM
(NF Development, LLC)**

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

WHEREAS, Reeves Golf (NF Development, LLC) has petitioned the Riverhead Planning Board for subdivision and site plan approval for the development of a golf course and seventy-five (75) lot golf community on lands located at Reeves Avenue, Riverhead; such petitioner being approved by the Planning Board by Resolution dated May 2nd, 2002; and

WHEREAS, Peter Danowski, Esq. on behalf of NF Development, LLC has applied to the Riverhead Town Board for an Excavation Permit pursuant to Chapter 62 of the Town Code of the Town of Riverhead to permit the excavation of 81,979 cubic yards of earth in order to construct the golf course and public roadway network; and

WHEREAS, Young and Young, LS. has submitted a sealed map attending the Excavation Permit confirming the total cubic yards to be excavated and exported; and

WHEREAS, the Town Board has carefully considered the merits of the subject Excavation Permit Application.

NOW, THEREFORE, BE IT

RESOLVED, that based upon the aforementioned, the Riverhead Town Board hereby grants the Excavation Permit of the application of NF Development, LLC; such approval authorizing the removal of no more than 81,979 cubic yards of soil; and

BE IT FURTHER

RESOLVED, that the Building Department is hereby authorized to accept excavation fees in the amount of \$40,989.50; such amount representing \$.50 per cubic yard of earth excavated and exported from the site; and

BE IT FURTHER

RESOLVED, that the granting of the Excavation Permit is conditional upon the applicant providing a site monitor to be present on the site during excavation; such monitor to be approved by and under the supervision of the Building Department, and

BE IT FURTHER

RESOLVED, that the Town Clerk be authorized to forward a certified copy of this resolution to Peter Danowski, Esq., the Riverhead Planning Department, Riverhead Building Department, Riverhead Town Attorney and the Town Engineer.

Planning/egr

THE VOTE
Sanders Yes No Blass Yes No
Densleski Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION ~~WAS~~ WAS NOT Adopted
THEREFORE ~~IT~~ ADOPTED

4/1/03

TOWN OF RIVERHEAD
Resolution # 375

APPROVES THE ATTENDANCE AT
EMPIRE STATE DEVELOPMENT ZONE WORKSHOP IN ALBANY

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

WHEREAS, the State of New York of Economic Development routinely hosts mandatory information workshops for municipal coordinators of the Empire Development Zones throughout the State; and

WHEREAS, it is necessary and appropriate for the zone coordinator, Tracy Stark, to attend this informational training session; and

WHEREAS, a one day workshop is scheduled in Albany for Wednesday, April 30th, thereby requiring overnight stay at the Albany Marriott Hotel on Tuesday night at \$149.00 per night, plus the cost of meals and mileage to be reimbursed upon submission of receipts.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board approves expenditures for lodging at the Albany Marriott Hotel and reimbursement of meals and mileage for Riverhead/Suffolk County Empire Zone Coordinator Tracy Stark to attend a required Empire Zone Session in Albany on April 30, 2003 and to stay overnight at the Albany Marriott Tuesday night, April 29, 2003; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Tracy Stark, Lori Taggart (County Executive's Office), the Riverhead Community Development Agency and the Riverhead Office of Accounting.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

Adopted

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 376

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:

	<u>FROM:</u>	<u>TO:</u>
001.031200.545210 POLICE, COPY MACHINE RENTAL EXPENSE	\$2,100.	
001.000000.390599 APPROPRIATED FUND BALANCE	5,500.	
 001.031200.524380 POLICE, MISC. OFFICE EXPENSE		 \$7,600.
 001.000000.390599 APPROPRIATED FUND BALANCE	 \$2,000.	
 001.011100.542100 JUSTICE COURT, MISC. SUPPLIES		 \$2,000.
 001.016200.545210 SHARED SERVICES, COPIER EXPENSE	 \$350.	
 001.016200.524000 SHARED SERVICES, EQUIPMENT		 \$350.
001.035100.541500 ANIMAL CONTROL, AUTO REPAIRS	\$325.	
001.035100.542251 ANIMAL CONTROL, DOG FOOD EXPENSE	100.	
 001.035100.549000 ANIMAL CONTROL, MISC. EXPENSE		 \$100.
001.035100.545210 ANIMAL CONTROL, COPY MACHINE RENTAL		325.
 001.000000.390599 APPROPRIATED FUND BALANCE	 \$800.	
 001.010100.524000 TOWN BOARD, EQUIPMENT		 \$800.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

APRIL 1, 2003

TOWN OF RIVERHEAD

Adopted

Resolution # 377

EXTENDS FULL TIME STATUS THROUGH APRIL 30, 2003

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

WHEREAS, TBR #132 authorized temporarily a part time employee to increase her hours due to a staff illness;

WHEREAS, there is a need to extend this temporary solution by extending these full time hours through April 30, 2003; and

NOW, THEREFORE, BE IT, RESOLVED, that part time clerk typist Jill Sollazzo is hereby authorized to continue her full time hours temporarily through April 30, 2003; and

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

THE VOTE

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

APRIL 1, 2003

Adopted

TOWN OF RIVERHEAD

378

ESTABLISHING IMPREST PETTY CASH FUND FOR J.A.B.

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

WHEREAS, Det. Timothy Hubbard has been reassigned to another detail;
and

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

WHEREAS, there is still a need for an imprest petty cash fund to remain in
the J.A.B.

NOW THEREFORE BE IT RESOLVED, that a imprest petty cash fund in
the J.A.B. office be re-established and assigned to Det. Evelyn Hobson; 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 <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	

TOWN OF RIVERHEAD

Resolution # 379

Adopted

2003 WADING RIVER CREEK DREDGING

CAPITAL PROJECT

BUDGET ADOPTION

COUNCILMAN DENSIESKI 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:

406.095731.494200.40111

SERIAL BOND PROCEEDS

FROM:
\$200,000.

406.057100.541202.40111 DREDGING EXPENSE

406.057100.543505.40111 ENGINEERING EXPENSE

406.057100.547900.40111 CONTINGENCY

TO:
\$150,000.
40,000.
10,000.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

4/1/03

TOWN OF RIVERHEAD

Adopted

Resolution # 380

APPROVES APPLICATION OF POLISH TOWN CIVIC ASSOCIATION

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

WHEREAS, the Polish Town Civic Association has submitted an application for the purpose of conducting their annual Polish Town Street Fair and Festival to be held on Pulaski Street, Hamilton Avenue, Osborne Avenue and Lincoln Street, Riverhead, New York, on August 16th and 17th, 2003 between the hours of 10:00 a.m. and 6:00 p.m.; and

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

WHEREAS, Polish Town Civic Association has requested the application fee in connection with this event to be waived; and

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

NOW THEREFORE BE IT RESOLVED, that the application of the Polish Town Civic Association for the purpose of conducting their annual Polish Town Street Fair and Festival to be held on Pulaski Street, Hamilton Avenue, Osborne Avenue and Lincoln Street, Riverhead, New York, on August 16th and 17th, 2003 between the hours of 10:00 a.m. and 6:00 p.m., is hereby approved; and be it further

RESOLVED, that the Town Board exempts this event from Chapter 46 (Alcoholic Beverages) of the Riverhead Town Code; and be it further

RESOLVED, that the Town Board hereby waives the application fee in connection with this event; 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. The Riverhead Fire Marshal shall be contacted at least three days in advance at (631) 727-3200 extension 209, for the purpose of arranging the "pre-opening" inspection appointment; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Polish Town Civic Association, 300 Lincoln Street, Riverhead, New York, 11901; the Riverhead Fire Marshal and the Riverhead Police Department.

c:\msword\reso\chap90.res

THE VOTE

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

THE RESOLUTION WAS ~~NOT~~ ADOPTED

Adopted

TOWN OF RIVERHEAD

SEWER EFFLUENT REUSE PILOT PROJECT

CAPITAL PROJECT

BUDGET ADOPTION

RESOLUTION # 381

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:

		FROM:	TO:
406.092705.421050.20023	SEWER IMPACT FEES	\$60,000.	
406.081300.523016.20023	CONSTRUCTION		\$40,000.
406.081300.543504.20023	ENGINEERING EXPENSE		20,000.

THE VOTE

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

Adopted

4/1/03

TOWN OF RIVERHEAD

Resolution # 382

APPOINTS A RECREATION SPECIALIST TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN LULL offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

RESOLVED, that Brenda Brust is hereby appointed to serve as a Recreation Specialist with the working title of an Arts & Craft Instructor, effective April 1, 2003, and including December 31, 2003, to be paid at the rate of \$40.00 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 Yes No Blass Yes No
Densleski Yes No Lull Yes No
Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON ADOPTED

¹ Resolution Rec Specialist Brenda Brust

APRIL 1, 2003

687

Adopted

TOWN OF RIVERHEAD

HIGHWAY MAINTENANCE CREW LEADER VACANCIES

RESOLUTION # 383

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

WHEREAS, vacancies in the position of Highway Maintenance Crew Leader exist in the Highway Department and have been duly posted (posting #26-2002), and

WHEREAS, the Highway Superintendent has interviewed all interested candidates and has made his recommendations for promotions; and

NOW THEREFORE BE IT RESOLVED, that George Woodson, Mark Gajowski, William Czech and Myron Young are hereby promoted to the position Highway Maintenance Crew Leader Group 12 Step 10 and Donald Owen is hereby promoted to the position of Highway Maintenance Crew Leader Group 12 Step 10A of the Salary Administration Salary Schedule effective April 7, 2003.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to George Woodson, Mark Gajowski, William Czech, Myron Young, Donald Owen and the Office of Accounting.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

Adopted⁵⁸⁸

072113-3190P

RESOLUTION # 384

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 April 1, 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
Councilwoman Rose Sanders
Councilman Edward Densieski
Councilwoman Barbara Blass
Councilman James Lull

ALSO PRESENT: Town Clerk, Barbara Grattan
Town Attorney, Dawn Thomas

ABSENT:

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

BOND RESOLUTION DATED APRIL 1, 2003.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$340,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE ACQUISITION AND INSTALLATION OF COMPUTER HARDWARE AND SOFTWARE FOR VARIOUS TOWN PURPOSES, IN AND FOR 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 class of objects or purposes of paying the cost of the acquisition and installation of computer hardware and software for various Town purposes, in and for the Town of Riverhead, Suffolk County, New York, including miscellaneous expenses in connection therewith, there are hereby authorized to be issued \$340,000 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 class of objects or purposes is \$340,000, and that the plan for the financing thereof is by the issuance of the \$340,000 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 class of objects or purposes is five (5) years, pursuant to subdivision 32 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:

Supervisor Kozakiewicz	VOTING	Yes
Councilwoman Sanders	VOTING	Yes
Councilwoman Blass	VOTING	Yes
Councilman Densieski	VOTING	Abstain
Councilman Lull	VOTING	Yes

The resolution was thereupon declared duly adopted.

* * * *

THE VOTE

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

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

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

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

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on April 1, 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

Date given

Traveler-Watchman

April 3, 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:

<u>Designated Location(s) of posted notice</u>	<u>Date of Posting</u>
Town Clerk's Bulletin Board	April 2, 2003

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on April 2, 2003.



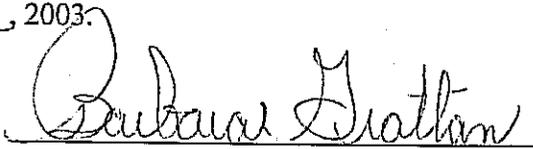
 Town Clerk

(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 1st day of April, 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
April 2nd, 2003.



Town Clerk

April 1, 2003

REDISTRIBUTION OF DONATIONS

RESOLUTION # 385

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

WHEREAS, the Town of Riverhead had intended to renovate the Suffolk Theater as a municipal project, and

WHEREAS, the Town received donations from various members of the public to assist in this endeavor, and

WHEREAS, the Town is currently negotiating the sale of the theater to a private entity to continue in the conversion of the Suffolk Theater to a privately owned and operated performing arts center, and

WHEREAS, the Town has mailed notices to all contributors seeking instructions as to the future use of those donations, and

WHEREAS, that the following contributors have authorized in writing that their donations be utilized for renovations to the Vail Leavitt Music Hall:

<u>Name</u>	<u>Amount</u>	<u>Name</u>	<u>Amount</u>
Barry Barth	\$200.	Kenneth Demchak	100.
Cablevision	2,000.	Richard Bach	200.
Cliff Polacek	2,000.	Joseph Janoski	500.
Daniel Fricke	200.	Island Pools	200.
Giorgio's	100.	Carol Kemperman	100.
Helga Guthy	100.	Joseph Grattan	300.
Jack VandeWetering	500.	Carol Penna	100.
James Froehlich	100.	Colony Realty	100.
James Wooten	500.	Jessica Tomlinson	50.
Jerry DiCecco	100.	Harlan Okun	100.
Jim Lull	100.	Suffolk Cement	1,000.
Joseph Ingegno	200.	James Stark	500.
Kelly Clifford	200.	Deborah MacLellan	500.
		TOTAL	<u>\$10,050.</u>

Page 2

WHEREAS, the following contributors have requested in writing that their donation be returned:

<u>Name</u>	<u>Amount</u>
Antonio Flores	500.
Billie Friszolowski	100.
Brenda Prusinowski	100.
Gail Hanley	500.
Geraldine Bagshaw	2,000.
Greater Calverton Civic Assoc.	100.
Harold May	200.
May Ann Hughes	100.
TOTAL	<u>\$3,600.</u>

NOW THEREFORE BE IT RESOLVED, that **\$10,050** be transferred to the Vail Leavitt Music Hall as per the wishes of the cited donors and **\$3,600** be returned as per the wishes of the cited donors.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

Adopted

April 1, 2003

TOWN OF RIVERHEAD

Resolution # 386

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER THE PURCHASE OF DEVELOPMENT RIGHTS OF A PARCEL LOCATED IN THE TOWN OF RIVERHEAD (ABBESS FARM, LTD)

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

WHEREAS, pursuant to the provisions of §247 of the New York State General Municipal Law, fee simple owners of agricultural lands may elect to sell and the Town of Riverhead may elect to purchase development rights associated with said lands; and

WHEREAS, Abbess Farm, Ltd. has expressed a desire to sell the development rights of approximately 45 acres (located along the road) of their agricultural lands located on the southerly side of Middle Country Road, Calverton, New York, at \$36,000 per acre, further described as Suffolk County Tax Map #0600-117-2- p/o 12.3, to the Town of Riverhead.

NOW THEREFORE BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider the purchase of development rights of agricultural lands owned by Abbess Farm, Ltd, once in the April 10 2003, issue of the Traveler Watchman the official newspaper designated for these purposes, and also to cause a copy of the proposed purchase of development rights to be posted on the sign board of the Town in the Office of the Town Clerk; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Kenneth Auerbach, 77 Medford Avenue, P.O. Box 919, Patchogue, NY 11722; the Farmland Preservation Committee; Peconic Land Trust, Attn: Julie T. Wesnofske, 296 Hampton Road, P.O. Box 1776, Southampton, New York, 11969; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office and the Town Attorney's Office.

THE VOTE

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

THE RESOLUTION WAS NOT **ADOPTED**

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held on the 6th day of May, 2003 at 7:05 o'clock p.m., at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider the purchase of development rights of 45 acres (located along the road) of agricultural lands owned by Abbess Farm, Ltd located on the southerly side of Middle Country Road, Calverton, New York, at \$36,000 per acre, further described as Suffolk County Tax Map #0600-117-2- p/o 12.3, pursuant to §247 of the New York State General Municipal Law and Chapter 44 of the Riverhead Town Code.

Dated: Riverhead, New York
April 1, 2003

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

BARBARA GRATTAN, Town Clerk

APRIL 1, 2003

701
Adopted

TOWN OF RIVERHEAD

2003 RECREATION CAPITAL IMPROVEMENT PROJECT

CAPITAL PROJECT

BUDGET ADJUSTMENT

RESOLUTION # 387

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

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

		FROM:	TO:
406.095031.481900.70052	PARK & REC. FUND	\$25,000.	
406.071400.543650.70052	REC. CENTER, ARCHITECT EXPENSE		\$25,000.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

04/01/03

TOWN OF RIVERHEAD

Resolution # 388

ADOPTS DECISION DENYING THE APPLICATION OF COUNTRY TRAILS
(L.I. TECH DEVELOPING CORP), FOR AN EXEMPTION PURSUANT TO
RIVERHEAD TOWN CODE SECTION 109-007

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

WHEREAS, the on December 11, 2001 the Town Board adopted a
Local Law entitled "Moratorium on Residential Development", and

WHEREAS, on June 11th, 2002, that Local Law was repealed and
replaced so as to extend the Moratorium through June 11, 2003, and

WHEREAS, both versions of the aforementioned Local Law provide
for the exemption of certain applications from the provisions of the Local
Law provided those applications meet certain criteria, and

WHEREAS, the Town Board is in received an application for
exemption by Country Trails (L.I. Tech Developing Corp.) for premises
located at Baiting Hollow (SCTM 0600-81-1-17), and

WHEREAS, the application submitted has been reviewed by the
Town Attorney's office and is proper as to form, and

WHEREAS, in accordance with Chapter 109-007(1)of the Town
Code of the Town of Riverhead a public hearing was held on July 16,
2002, in connection with any application for exemption under that
section.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Riverhead hereby
adopts the attached decision denying the within described application for
exemption, and be it further

RESOLVED, that the Town Clerk mail a copy of this resolution to
Peter S. Danowski, Esq., 616 Roanoke Avenue, P.O. Box 779, Riverhead,
NY 11901, the Town Attorney, the Planning Department, and John
Raynor, P.E.

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

In the Matter of the Application of Country Trails Subdivision (Long Island Tech Developing Corp.) for an Exemption from Chapter 109 of the Town Code of the Town of Riverhead

The applicant has applied for an exemption from Chapter 109 of the Town Code of the Town of Riverhead pursuant to §109-007(b) by letter dated June 6, 2002. The applicant seeks to receive the authority to proceed through the subdivision process for a 26 lot residential subdivision on 28.2019 acres of land located between Osborn and Mill Roads and north of Middle Road in the Town of Riverhead

Following receipt of the application and requisite filing fee, a public hearing was set for July 16, 2002 at 7:15 p.m. The public hearing was opened at 7:40 p.m. on July 16, 2002, at which time Counsel for the applicant made a presentation.

Counsel for the applicant testified that his client had received preliminary approval from the Town Planning Board, Suffolk County Health Department approval and an extension of the Riverhead Water District to accommodate the proposed project. The testimony also showed that the proposed subdivision was to be located within close proximity to the Oakland Ridge mobile home park, a single family residential community as well as a senior citizen apartment complex. Counsel to the applicant stated that the subject parcel was heavily wooded. Counsel argued that the inclusion of the project in the moratorium was not appropriate since the preservation of the property would not preserve "agricultural" lands and since the applicant had received "preliminary" plat approval for the subdivision.

With regard to determining whether an exemption from the moratorium is warranted, Town Code Chapter 109 the Town Board must consider:

- a) The proximity of the applicant's premises to natural resources, including prime agricultural soils, pine barrens, wetlands, coastal areas, endangered plant and animal species, wildlife and other similar environmental concerns;
- b) The impact of the proposed subdivision of the applicant's premises and the surrounding area;
- c) The environmental significance, if any, of the applicant's parcel and the proposed development's impact upon the environment, including existing transportation resources;

d) Compatibility of the proposed development with the aesthetic resources of the community and with the existing community character;

e) Compatibility of the proposed development with the recommendations of comprehensive planning studies.

Furthermore, the Town Board;

“may obtain and consider written reports from the Planning Department, and such other sources as required in the discretion of the Town Board, and consistent with the proposes of this Chapter. A grant of an exemption to an applicant’s application hereunder shall include a determination of unreasonable hardship upon the property owner which is unique to the property owner and a finding that the grant of an exemption will be in harmony with, and will be consistent with the recommendations of the Comprehensive Plan Update.”

The applicant’s arguments in favor of its application for exemption outlined in its letter dated June 6, 2002 and at the public hearing were centered on the view that the Moratorium was created to preserve farmland only and that since its parcel is “wooded”, the moratorium should not be applied. In addition, the applicant’s representative argued that it was entitled to a determination of “unreasonable hardship” based upon the length of time the application had been in the subdivision process. The applicant’s letter application contained cursory recitations regarding the criteria set forth in 109-007(b).

The legislative history outlined in the moratorium adopted by this Board shows that the purpose the moratorium was, in part, to preserve agricultural lands. Specifically, with respect to the preservation goals of the Town the legislation states, that the “influx of development applications going forward under outdated policies and procedures will impair the effectiveness of the aforementioned proposed changes, further exacerbating the loss of *natural resources* sought to be preserved through the implementation of the forthcoming update to the Comprehensive Plan.” (emphasis added.)

As such, it is apparent that natural resources and not just agricultural lands were intended to be protected through the moratorium.

A review of the record shows that the applicant has failed to provide justification sufficient to grant an exemption to the moratorium. Specifically, the applicant has not provided information sufficient for the Town Board to assess the impacts outlined in 109-007 (b)(a)-(e). Furthermore, the applicant has failed to make the mandatory showing of unreasonable hardship upon it that is unique to it since a multitude of development projects that had been in the process of obtaining requisite approvals were halted by the moratorium and the extension thereof in June 2002. The fact that the applicant had substantial resources and time invested in the project does not constitute a showing of unreasonable hardship that is unique.

Therefore, the application for exemption is denied.

RESOLUTION # 389

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 April 1, 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
Councilwoman Rose Sanders
Councilwoman Barbara Blass
Councilman Edward Densieski
Councilman James Lull

ALSO PRESENT, TOWN CLERK, Barbara Grattan
Town Attorney, Dawn Thomas

ABSENT:

The following resolution was offered by Councilman Lull, who moved its adoption, seconded by Councilman^{woman} Sanders, to-wit:

BOND RESOLUTION DATED APRIL 1, 2003.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,350,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF SETTLEMENT OF FILED LEGAL ACTION, INCLUDING WAYNE BOYD v. HERBERT TRENT, PAULETTE TRENT AND THE TOWN OF RIVERHEAD AND JACK BREEN, AS GUARDIAN OF DANA AND RACHEL TRENT, AND HERBERT TRENT v. TOWN OF RIVERHEAD, WAYNE BOYD AND PAULETTE TRENT, FOR 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 class of objects or purposes of paying the cost of settlement of filed legal actions, including Wayne Boyd v. Herbert Trent, Paulette Trent and the Town of Riverhead, and Jack Breen, as Guardian of Dana and Rachel Trent, and Herbert Trent v. Town of Riverhead, Wayne Boyd and Paulette Trent, for the Town of Riverhead, Suffolk County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$2,350,000 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 class of objects or purposes is \$2,350,000, and that the plan for the financing thereof is by the issuance of the \$2,350,000 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 class of objects or purposes is five (5) years within the meaning of subdivision 33 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:

<u>Robert Kozakiewicz</u>	<u>VOTING</u>	<u>Yes</u>
<u>Rose Sanders</u>	<u>VOTING</u>	<u>Yes</u>
<u>Barbara Blass</u>	<u>VOTING</u>	<u>Yes</u>
<u>Edward Densieski</u>	<u>VOTING</u>	<u>Yes</u>
<u>James Lull</u>	<u>VOTING</u>	<u>Yes</u>

The resolution was thereupon declared duly adopted.

* * * *

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

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 April 1, 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

Date given

Traveler-Watchman

April 3, 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:

<u>Designated Location(s) of posted notice</u>	<u>Date of Posting</u>
Town Clerk's Bulletin Board	April 2, 2003

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on April 2, 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 1st day of April, 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
April 2, 2003.

A handwritten signature in cursive script, appearing to read "Barbara Hutton", written over a horizontal line.

Town Clerk

1188089.1

1188089.1

Adopted

COUNCILMAN LULL offered the following Resolution which was seconded by

COUNCILMAN DENSIESKI				
FUND NAME		CD -03/14/03	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ 5,800,000.00	\$ 771,711.38	\$ 6,571,711.38
POLICE ATHLETIC LEAGUE	004	\$ 10,000.00	\$ -	\$ 10,000.00
TEEN CENTER	005	\$ 13,500.00	\$ -	\$ 13,500.00
RECREATION PROGRAM	006	\$ 12,500.00	\$ 1,381.01	\$ 13,881.01
SR NUTRITION SITE COUNCIL	007	\$ -	\$ 32.00	\$ 32.00
D.A.R.E. PROGRAM FUND	008	\$ 2,000.00	\$ -	\$ 2,000.00
CHILD CARE CENTER BUILDING FUND	009	\$ 40,000.00	\$ 53.68	\$ 40,053.68
AG-FEST COMMITTEE FUND	021	\$ 2,000.00	\$ -	\$ 2,000.00
HUMAN SERVICES FUND	022	\$ -	\$ -	\$ -
R.I.F.T.A	023	\$ -	\$ 13,090.92	\$ -
TOWN BD SPECIAL PROGRAM FND	024	\$ 275,000.00	\$ -	\$ 275,000.00
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 4,374.98	\$ 4,374.98
COMMUNITY P.E.T.S. SHELTER	028	\$ 10,000.00	\$ -	\$ 10,000.00
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ 5,000.00	\$ 3,061.47	\$ 8,061.47
HIGHWAY	111	\$ 810,000.00	\$ 107,263.62	\$ 917,263.62
WATER	112	\$ 2,250,000.00	\$ 77,404.48	\$ 2,327,404.48
REPAIR & MAINTENANCE	113	\$ 950,000.00	\$ -	\$ 950,000.00
RIVERHEAD SEWER DISTRICT	114	\$ 1,350,000.00	\$ 50,293.00	\$ 1,400,293.00
REFUSE & GARBAGE COLLECTION	115	\$ 950,000.00	\$ 193,430.30	\$ 1,143,430.30
STREET LIGHTING	116	\$ 415,000.00	\$ 11,071.08	\$ 426,071.08
PUBLIC PARKING	117	\$ 120,000.00	\$ 4,697.23	\$ 124,697.23
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ 1,845.12	\$ 1,845.12
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ 235,000.00	\$ 178.25	\$ 235,178.25
CALVERTON SEWER DISTRICT	124	\$ 70,000.00	\$ 2,632.68	\$ 72,632.68
RIVERHEAD SCAV WASTE DISTRICT	128	\$ 285,000.00	\$ 17,542.33	\$ 302,542.33
WORKER'S COMPENSATION FUND	173	\$ 1,100,000.00	\$ 807.08	\$ 1,100,807.08
RISK RETENTION FUND	175	\$ 675,000.00	\$ 10,598.33	\$ 685,598.33
UNEMPLOYMENT INSURANCE FUND	176	\$ 102,500.00	\$ -	\$ 102,500.00
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 669.11	\$ 669.11
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ 103.53	\$ 103.53
SEWER DISTRICT DEBT	382	\$ 5,000.00	\$ -	\$ 5,000.00
WATER DEBT	383	\$ -	\$ 17,494.16	\$ 17,494.16
GENERAL FUND DEBT SERVICE	384	\$ 13,850,000.00	\$ 57,394.86	\$ 13,907,394.86
SCAVENGER WASTE DEBT	385	\$ 10,000.00	\$ 123.13	\$ 10,123.13
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 3,444,222.80	\$ 3,444,222.80
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ 2,868.12	\$ 2,868.12
SENIORS HELPING SENIORS	453	\$ -	\$ 3,215.27	\$ 3,215.27
EISEP	454	\$ -	\$ 70.20	\$ 70.20
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ 365,000.00	\$ -	\$ 365,000.00
MUNICIPAL GARAGE	626	\$ 30,000.00	\$ 25,854.11	\$ 55,854.11
TRUST & AGENCY	735	\$ -	\$ ** 994,482.50	\$ 994,482.50
SPECIAL TRUST	736	\$ 650,000.00	\$ -	\$ 650,000.00
COMMUNITY PRESERVATION FUND	737	\$ 575,000.00	\$ -	\$ 575,000.00
CDA-CALVERTON	914	\$ 925,000.00	\$ -	\$ 925,000.00
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ 2,510.00	\$ 2,510.00
JOINT SCAVENGER WASTE	918	\$ 190,000.00	\$ -	\$ 190,000.00
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ 32,082,500.00	\$ 5,820,476.73	\$ 37,902,976.73
*SCHOOL & TOWN TAXES		\$ -	\$ -	\$ -

THE VOTE

Sanders Yes No Blank

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

WAS NOT OPTED

COUNCILMAN LULL		offered the following Resolution which was seconded by		
COUNCILMAN DENSIESKI				
FUND NAME		CD - NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 71,974.76	\$ 71,974.76
POLICE ATHLETIC LEAGUE	004	\$ -	\$ 1,500.00	\$ 1,500.00
TEEN CENTER	005	\$ -	\$ -	\$ -
RECREATION PROGRAM	006	\$ -	\$ -	\$ -
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ -	\$ -
AG-FEST COMMITTEE FUND	021	\$ -	\$ 259.02	\$ 259.02
HUMAN SERVICES FUND	022	\$ -	\$ -	\$ -
R.I.F.T.A	023	\$ -	\$ -	\$ -
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	\$ -	\$ 180.00	\$ 180.00
EDZ FUND	030	\$ -	\$ -	\$ -
HIGHWAY	111	\$ -	\$ 18,723.84	\$ 18,723.84
WATER	112	\$ -	\$ 1,786.43	\$ 1,786.43
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
RIVERHEAD SEWER DISTRICT	114	\$ -	\$ 7,488.89	\$ 7,488.89
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ -	\$ -
STREET LIGHTING	116	\$ -	\$ 631.68	\$ 631.68
PUBLIC PARKING	117	\$ -	\$ 213.09	\$ 213.09
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ -	\$ -
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ 256.72	\$ 256.72
CALVERTON SEWER DISTRICT	124	\$ -	\$ -	\$ -
RIVERHEAD SCAV WASTE DISTRICT	128	\$ -	\$ 11,145.07	\$ 11,145.07
WORKER'S COMPENSATION FUND	173	\$ -	\$ 3,915.96	\$ 3,915.96
RISK RETENTION FUND	175	\$ -	\$ 75.00	\$ 75.00
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 150.00	\$ 150.00
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT	382	\$ -	\$ -	\$ -
WATER DEBT	383	\$ -	\$ -	\$ -
GENERAL FUND DEBT SERVICE	384	\$ -	\$ 6,115.67	\$ 6,115.67
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 1,091,308.12	\$ 1,091,308.12
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ -	\$ -
SENIORS HELPING SENIORS	453	\$ -	\$ 46.38	\$ 46.38
EISEP	454	\$ -	\$ -	\$ -
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ -	\$ 11,305.56	\$ 11,305.56
MUNICIPAL GARAGE	626	\$ -	\$ 5,050.79	\$ 5,050.79
TRUST & AGENCY	735	\$ -	\$ 450.00	\$ 450.00
SPECIAL TRUST	736	\$ -	\$ -	\$ -
COMMUNITY PRESERVATION FUND	737	\$ -	\$ -	\$ -
CDA-CALVERTON	914	\$ -	\$ 10,454.80	\$ 10,454.80
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ 6,814.24	\$ 6,814.24
JOINT SCAVENGER WASTE	916	\$ -	\$ -	\$ -
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ -	\$ 1,249,846.22	\$ 1,249,846.22
*SCHOOL & TOWN TAXES		\$ -	\$ -	\$ -

04/01/03

TOWN OF RIVERHEAD

Resolution # 391

AUTHORIZES THE SUPERVISOR TO EXECUTE AN AMENDED
MEMORANDUM OF UNDERSTANDING WITH SUFFOLK COUNTY, NYS
EMPIRE STATE DEVELOPMENT CORPORATION, TOWN OF
SOUTHAMPTON AND TOWN OF BABYLON

COUNCILWOMAN BLASS offered the following resolution, was

seconded by COUNCILMAN LULL:

WHEREAS, on March 18, 2003, the Town Board of Riverhead adopted resolution no. 339 authorizing the Supervisor to execute and Memorandum of Understanding which would resolve issues raised by the NYS Empire State Development Corporation as described in resolution no. 339 of 2003, and

WHEREAS, subsequent to the adoption of resolution no. 339 of 2003, the Town, the County, NYS ESDC and the Towns of Southampton and Babylon have negotiated additional terms to the Memorandum of Understanding authorized by the Riverhead Town Board on March 18, 2003,

NOW, THEREFORE, BE IT

RESOLVED, the Supervisor is hereby authorized to execute an amended Memorandum of Understanding with the County of Suffolk, New York State ESDC, Town of Southampton and Town of Babylon, which is substantially in the form attached hereto, and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Town Attorney, Andrea Lohneiss, CDA Director, Clerk of Suffolk County Legislature, George Gatta, Deputy County Executive, Lori Taggart, ZAB Chairperson, Martha Luft, Twomey, Latham, Shea and Kelley, LLP, Fernando DiMaggio, ESDC and Robert Ryan, ESDC.

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

MEMORANDUM OF UNDERSTANDING

MEMORANDUM OF UNDERSTANDING made this _____ day of March, 2003, by and between the TOWN OF RIVERHEAD, having its principal office at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, (hereinafter referred to as "the Town") and the COUNTY OF SUFFOLK, having a principal office at the H. Lee Dennison Building, 100 Veterans Memorial Highway, Hauppauge, New York 11788 (hereinafter referred to as "the County").

WHEREAS, on September 16, 1997 the Suffolk County Legislature adopted Resolution No. 803-1997 setting forth zone boundaries and authorizing the Suffolk County Executive to submit an application for Economic Development Zone designation as primary applicant, and the TOWN as joint applicant adopted Local Law 12-1997 on September 29, 1997 which designated the boundaries of the zone, the Town Attorney as the ZONE certifying officer, and the generic composition of the Zone Administration Board ("ZAB"), which actions were taken in consultation with and upon the advice of the New York State Department of Economic Development ("DEPARTMENT")

WHEREAS, the DEPARTMENT reviewed the application, as submitted, and recommended approval, and designation of a portion of the Calverton Enterprise Park as an Economic Development Zone (subsequently renamed "Empire Zone" and hereinafter referred to as "ZONE"), was then made by the Empire Zone Designation Board, in June of 1998; and

WHEREAS, the composition of the Zone Administration Board has been constituted in accordance with the application and appointments made thereto by Resolutions of the Riverhead Town Board including Resolution #747 (1998), 1098 (1998), and 519 (1999), and in 1999 the COUNTY and TOWN agreed, with the concurrence of the DEPARTMENT, that the Chairperson of the ZAB shall be the County Executive's designee and that the balance of the ZAB would be maintained, as constituted by the TOWN;

WHEREAS, the DEPARTMENT has now determined, by letter dated January 13, 2003, that the COUNTY must adopt a Local Law to be in compliance with General Municipal Law Section 961, and regulations promulgated thereunder;

WHEREAS, a Boundary Revision Preapplication was submitted for the ZONE in 1999 requesting allocation of the 32 undesigned acres in the ZONE to downtown Riverhead, and including a detailed specific map of the area to be so designated;

WHEREAS, the COUNTY requested certain changes to the boundaries of the ZONE beginning in December 2001; and

WHEREAS, on June 5, 2002 the ZAB approved a proposal to include ZONE designation on 32 acres of downtown Riverhead, 25 acres in Riverside, 139.45 acres within the fence at Grumman and 48 acres at Gabreski Airport;

WHEREAS, on July 11, 2002, the ZAB submitted to the DEPARTMENT a Preliminary Boundary Revision proposal which requested that the 32 undesigned acres in the ZONE, together with 292.26 acres from within the ZONE shall be reallocated as approved at their June 5, 2002 meeting;

WHEREAS, a Public Hearing on the 2002 Preliminary Boundary Revision proposal was duly noticed for and held on September 3, 2002 by Resolution of the Town Board of Riverhead;

WHEREAS, on December 3, 2002, the Riverhead Town Board defeated Resolution #1209 (2002), which had support of the ZAB, and in its place adopted Resolution #1245 (2002), reflecting transfer of 61 acres to downtown Riverhead and 139 acres within the industrial area at Calverton Enterprise Park.

IT IS HEREBY AGREED, by and between the parties as follows:

1. The COUNTY shall enact a Local Law in accordance with General Municipal Law Section 961 designating the Riverhead Town Attorney as ZONE certifying officer, and designating the generic composition of the ZAB and the boundaries of the ZONE, to mirror the TOWN's own Local Law 12-1997. The TOWN shall adopt legislation amending the boundaries of the Empire Zone as detailed in numbered paragraph five (5) of this Memorandum of Understanding.
2. Neither the COUNTY nor the County Executive's designee to the ZAB shall take any action to reconstitute the ZAB other than that the Suffolk County Legislature shall appoint two (2) additional ZAB members to represent the two new zone areas, Wyandanch and Riverside. Any future appointments or filling of vacancies, other than that of the County Executive's designee, Wyandanch and Riverside representatives shall be made by the Riverhead Town Board.

3. The TOWN's Community Development Agency is the entity authorized by the Zone Administrative Board (ZAB) to administer the ZONE, and shall continue to be such, recognizing that the ZONE administrators have full responsibility to promote and assist the development of businesses in those areas of Suffolk County covered by this Memorandum of Understanding, which are duly authorized subzones.
4. The Zone Coordinator will continue on the TOWN's payroll and will continue to report directly to the Director of the Community Development Agency in the Town of Riverhead.
5. (A) A revised Boundary Revision application shall be submitted to the DEPARTMENT, upon approval by the ZAB, for which a Local Law must be adopted by the Suffolk County Legislature and the Riverhead Town Board, to include the following:
 - a. 61 acres to Downtown Riverhead
 - b. 139.5 additional industrially-zoned acreage within the Calverton Site
 - c. 25 acres to Wyandanch, Town of Babylon
 - d. 7 acres to Riverside, Town of Southampton
 - e. Approximately 2 acres in Riverside, Town of Southampton comprised of six lots with tax map designations: 0900-118-02-3.1,4,5,6,7,29
 - f. 48 acres at Gabreski Airport, Town of Southampton
 - g. These parcels total approximately 282.5 acres, with a total of 1137 retained at the Grumman property.

~~(B) The parties agree that should the County decide that the designated acreage at Gabreski Airport will not be utilized, that said acreage will be undesignated and redesignated to the Riverside area, Town of Southampton.~~

6. Areas to be undesignated will include 53.43 acres within the fence retained by the US Navy, 14.57 acres from the sewage treatment plant site, and 180.5 acres of runway surface and taxi-way on the 7000 foot runway. These parcels, combined with the originally undesignated 32 acres, total 280.5 acres. Upon completion of this boundary revision, no undesignated acreage will remain.
7. Administrative funding will continue for the July, 2002 – June, 2003 contract year with funding from NYS at \$47,000, Suffolk County at \$29,000 and Town of Riverhead at \$24,000. The Town of Babylon has committed \$25,000 annually for administrative funding. The Town of Southampton has committed to a pro rata share of funding based on the annual administrative budget of the Suffolk County Empire Zone, to be calculated based on 7 acres of zone designation out of a total 1280. Additional funding may need to be sought from the Suffolk County Legislature, the Riverhead Town Board, the Southampton Town Board and the Babylon Town Board for future contract years should administrative funding not be provided in the state budget.
8. The ZAB Chairperson will prepare a revised preliminary boundary revision application for submission to the DEPARTMENT which will

include all DEPARTMENT requirements as set forth in the most recent preliminary application forms. The TOWN will provide detailed information to the ZAB Chairperson relating to the areas within the TOWN for designation and undesignation as stated above, including maps, tax map numbers of all downtown parcels, draft resolution of the TOWN authorizing boundary revision application in accordance with draft language provided by the DEPARTMENT, and specific details regarding the 182.5 acres of runway and taxi-way areas for deletion of designation and sewage treatment plant area, including maps, tax map parcel numbers, metes & bounds, and/or coordinates.

9. Upon adoption of appropriate authorizing resolutions by the Suffolk County Legislature and the Riverhead Town Board, and signatures of the chief elected officials of both jurisdictions, and the concurrence of the DEPARTMENT, this Memorandum of Understanding shall be deemed fully executed.

THE COUNTY OF SUFFOLK

By: _____
Robert J. Gaffney
County Executive

TOWN OF RIVERHEAD

By: _____
Robert F. Kozakiewicz
Town Supervisor

Concurred with by
THE NYS Department of Economic Development

By: _____
Fernando DiMaggio
Director, Empire Zones Program