

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

October 21st, 2003

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

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

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

ELECTED OFFICIALS

**Laverne Tennenberg
Madelyn Sendlewski
Paul Leszczynski
Mark Kwasna
Maryann Wowak Heilbrunn
Richard Ehlers
Allen M. Smith**

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

DEPARTMENT HEADS

**John J. Hansen
Leroy E. Barnes, Jr.
Andrea Lohneiss
Ken Testa
Richard Hanley
Chief David Hegermiller
Judy Doll
John Reeve
Michael Reichel
Gary Pendzick**

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

Call to Order and Salute to the Flag

Approves Minutes of October 7th, 2003
and Special Board Meeting of October 14th.

_____ Offered the minutes to be approved, which was
seconded by _____.

REPORTS

Sewer Dept.: Monthly Discharge Monitoring report for
September, 2003.

Juvenile Aid Bureau: Monthly Report for September, 2003

Open Bid Report: Sunken Ponds Estates, Section 3
Opened: October 14, 2003
Five Bids were received

- | | |
|----------------------|-------------------------|
| 1. Alessio Pipe | Bid Amount: \$85,375.00 |
| 2. Pat Noto, Inc. | Bid Amount: \$93,775.00 |
| 3. Elmore Associates | Bid Amount: \$97,799.54 |

APPLICATIONS

PARADE PERMITS: JAMESPORT FIRE DEPT.-OCT. 31, 2003
7:00 P.M. TO 7:30 P.M.

CORRESPONDENCE

RICHARD WINES: RE: COMMERCIAL MORITORIUM
WINDS WAY FRUITS & FLOWERS

ESSEKS,HEFTER & ANGEL- RE: MASTER PLAN

PUBLIC HEARINGS

7:05 P.M. THE CONSIDERATION OF A LOCAL LAW FOR
THE ADDITION OF CHAPTER 40, ENTITLED,
"TOWN ATTORNEY LITIGATION AND RECORD
FEES ACCOUNT."

7:05P.M. THE CONSIDERATION OF THE PROPOSED
LOCAL LAW TO REPEAL AND REPLACE
CHAPTER 90 ENTITLED, "SPECIAL EVENTS"
OF THE TOWN CODE.

7:10 P.M. THE CONSDIDERATION OF THE CHANGE OF
ZONE PETITION OF TRADITIONAL LINKS, LLC.

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

#22 Lease of Property Located at EPCAL-Calverton
Community Center

REGULAR TOWN BOARD MEETING:

#1129 Approves Temporary Sign Permit of Hamptons
Furniture

#1130 Approves Temporary Sign of the Town of
Riverhead (Job Expo)

#1131 Adopts an Amendment to Chapter 108 of the
Code of the Town of Riverhead Entitled,
"Economic Development Zone at Calverton"

#1132 Authorizes the Supervisor to Execute a License
Agreement with Vail-Leavitt Music Hall

#1133 Authorizes Submission of Application of New
York State Affordable Housing Corporation
(AHC) for Funding to Support the Town of
Riverhead Home Improvement Program

#1134 Adopts a Local Law to Amend Chapter 108
Entitled, "Zoning" of the Riverhead Town Code
(Board of Appeals Powers)

#1135 Designates Town Road "Riverfront Way"

#1136 Resolution and Consent Approving the
Dedication of Highways known as Clover Place

#1137 Establishes Town of Riverhead Handicapped
Equipment Bank

#1138 Authorization to Discard Fixed Assets

- #1139 Accepts Cash Bond of Douglas & Susan Noble (Northeastern Christian Book Store)
- #1140 Accepts Cash Bonds of Jay Tranchina- T Jay's Transmissions
- #1141 Accepts 5% Performance Bond of Mill Pond Developers, LLC (Mill Pond Commons Condos)
- #1142 Accepts 5% Security Bond of Sound Housing LLC (Building #7)
- #1143 Approves Amended Site Plan of East Main Street Association. (Social Security Office)
- #1144 Approves Site Plan of Sisters Realty, LLC (Judy & Susan Emanuele)
- #1145 Amends Site Plan of Bank of Smithtown Branch, Wading River Plaza
- #1146 Town Budget Public Notice
- #1147 Approves Submission of Abstinence Education & Promotion Initiative Grant Proposal
- #1148 A Resolution Authorizing the Issuance of \$13,000 serial bonds of the Town of Riverhead To Pay Additional Costs of the Preparation of a Facility Plan for the Calverton Sewer District's Proposed Advanced Wastewater Treatment Facility
- #1149 Rienzo Farmland Preservation Budget Adjustment
- #1150 Appoints a Public Safety Dispatcher I
- #1151 Reeves Golf Water Ext. Budget Adjustment
- #1152 Krupski Farmland Preservation Budget Adjustment

- #1153 2003 Recreation Capital Improvement Budget Adjustment
- #1154 Approves Submission of the NYS Division of Criminal Justice Formula Grant Proposal
- #1155 Schneider Vineyard Land Preservation Project Budget Adjustment
- #1156 Zaweski/Zilnick Farm Preservation Project Budget Adjustment
- #1157 Cal Hollow Farms Land Preservation Budget Adjustment
- #1158 North Fork Preserve Land Preservation Project Budget Adjustment
- #1159 Appoints a P/T Recreation Aide to the Riverhead Recreation Department
- #1160 A Resolution Amending Bond Resolution Date January 22, 2003 with Respect to the Maximum Estimated Cost of the Reconstruction of the Town-Owned Building at 201 Howell Avenue, Riverhead, NY for Use as Town Hall Annex and the Amount of Obligations to be issued Therefor
- #1161 Approves Request for Extension of Medical Leave of Absence
- #1162 Authorizes Supervisor to Execute Lease Agreement with Riverhead Community Development Agency- Lease of Land Located at EPCAL for Calverton Community Center
- #1163 Calverton Community Center Capital Project Budget Adoption

- #1164 Scheduling a Public Hearing Pursuant to Article 12 of the New York State Town Law to Declare Certain Premises as not required for the Purposes of the Riverhead Public Parking Improvement District No. 1 and Authorizing the Sale Thereof to Suffolk Theater Enterprises, Inc. Pursuant to the Town of Riverhead's East Main Street Urban Renewal Plan, Adopted October 19, 1993 and the Petition of Suffolk Theater Enterprises, Inc.
- #1165 Approves Temporary Sign Permit of Freshpond Marketplace
- #1166 Approves Application for Abess Farm, LTD (Pumpkin Picking)
- #1167 Awards Bid for RWD- Extension 56B, Sunken Ponds Estates, Section 3
- #1168 Ratifies Appointment of a Softball League Attendant to the Recreation Dept. (K. Drumm)
- #1169 Ratifies Appointment of a Softball League Attendant to the Recreation Dept. (J. Kubacka)
- #1170 Ratifies Appointment of a Softball League Attendant to the Recreation Dept. (J. Marengic)
- #1171 Grants Petition of Peter Danowski, Esq.- Professional Building
- #1172 Accepts Final Generic Environmental Impact Statement Supporting the Draft Comprehensive Plan of the Town of Riverhead
- #1173 Pays Bills
- #1174 Establishing Sewer Rent for SCTM #0600-101 2-6.64 (Riverhead Landings Apartments)

10/21/2003

Adopted

CDA # 22

RESOLUTION OF COMMUNITY DEVELOPMENT AGENCY
LEASE OF PROPERTY LOCEATED AT EPCAL
CALVERTON COMMUNITY CENTER

Adopted 10/21/03

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

WHEREAS, the Town Board, as governing body of the Riverhead Community Development Agency, wishes to lease property located at EPCAL to the Town of Riverhead for a community center, to be known as the Calverton Community Center, and

WHEREAS, in consideration of the improvements to be made at the site by the Town of Riverhead, the Riverhead Community Development Agency has agreed to lease the property to the Town for a period of 5 (five) years, at no additional rental cost, and

WHEREAS, the site is to be leased is denoted on the attached Exhibit A,

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Riverhead, as governing body of the Riverhead Community Development Agency, hereby authorizes the agency to lease to the Town of Riverhead a certain parcel of land located at EPCAL, as noted on the attached exhibit A, to the Town of Riverhead, for a period of 5 (five) years, for use by the Town as a community center, to be known as the Calverton Community Center in consideration of the improvements to be constructed thereon to be paid by the Town of Riverhead, and be it further

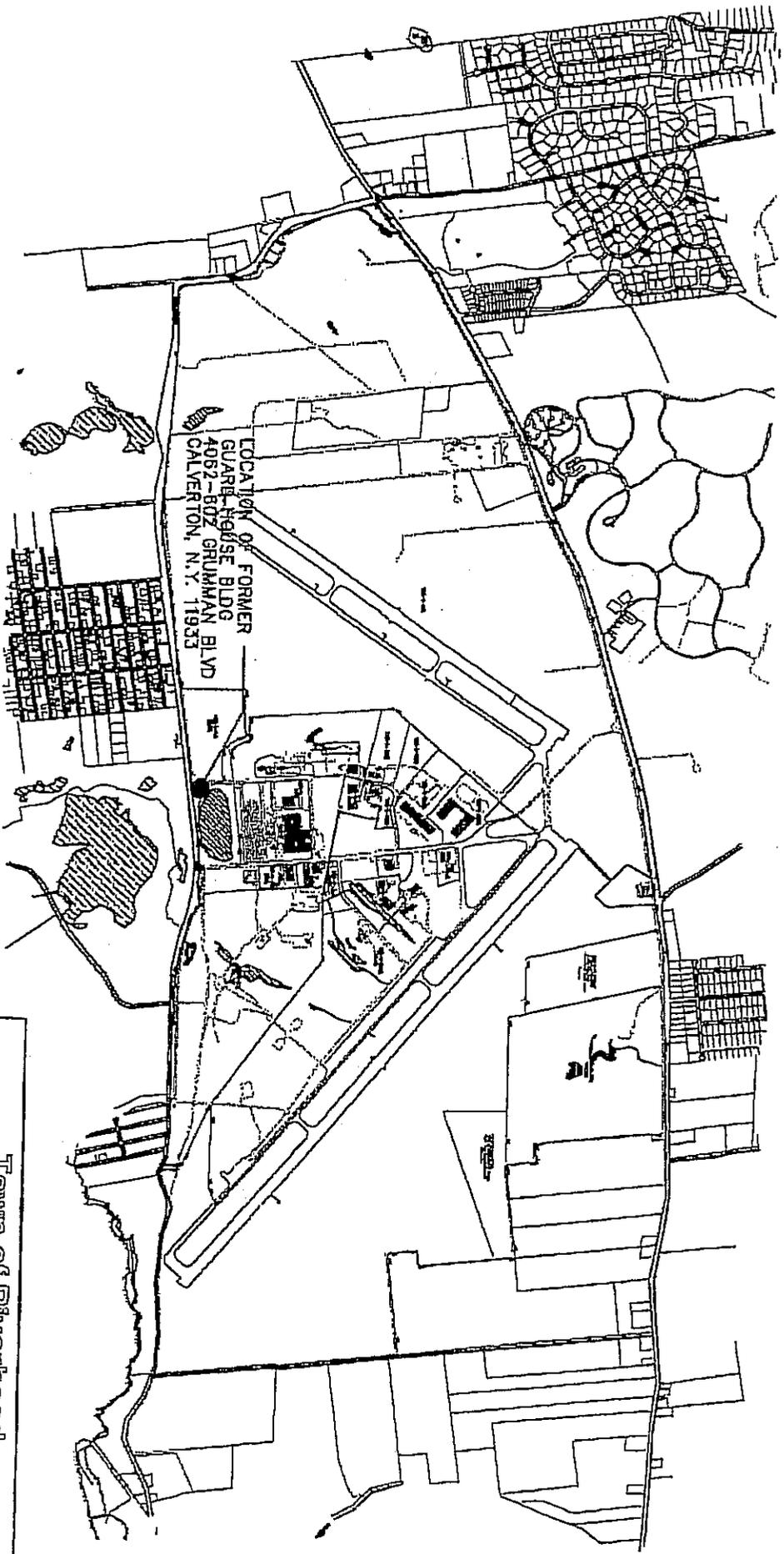
RESOLVED, that the Supervisor be and is hereby authorized to execute the lease agreement on behalf of the Riverhead Community Development Agency,

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to the Community Development Agency, Accounting Department, Engineering Department.

THE VOTE

Sanders Yes No Blass Yes No
 Densiocki Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DULY ADOPTED



Town of Riverhead

Superior Robert P. Rosenblender
200 Howard Ave
Riverhead, N.Y. 11933

FEDERAL TOWN 712 1000 N. 10th St Riverhead, N.Y. 11933	Projected Map Mark G. Haggren 1000 N. 10th St Riverhead, N.Y. 11933
Date: 04/17/00	REV:

OCTOBER 14, 2003

TOWN OF RIVERHEAD

RESCINDS TOWN BOARD RESOLUTION #1110 REAUTHORIZES TOWN CLERK TO REPUBLISH AND REPOST NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE 2004 ANNUAL BUDGET FOR THE TOWN OF RIVERHEAD

RESOLUTION # 1128

COUNCILWOMAN BLASS

_____ offered the following resolution,

which was seconded by **COUNCILMAN LULL** _____

BE IT RESOLVED, that TBR #1110 is hereby rescinded; and

BE IT FURTHER RESOLVED, that the Town Clerk be, and is hereby, directed to republish the attached Public Notice in the October 23, 2003 issue of the Traveler Watchman;

THE VOTE

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

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that a Public Hearing will be held on the 5th day of November, 2003 at 2:10 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider the adoption of the 2004 Annual Budget for the Town of Riverhead, which shall include the following specific items:

ELECTED OFFICIALS' SALARIES

<u>Position</u>	<u>Proposed Salary</u>
Town Supervisor	\$78,000
Town Board Councilpersons (4)	\$32,240
Town Receiver of Taxes	\$59,800
Town Assessors (3)	\$59,800
Town Clerk	\$65,000
Town Justices (2)	\$60,320
Highway Superintendent	\$67,600

PLEASE TAKE FURTHER NOTICE, that a copy of the Preliminary Budget is available in the Office of the Town Clerk for inspection during normal business hours, Monday through Friday, 8:30 a.m. – 4:30 p.m.

DATED: Riverhead, New York
October 14, 2002

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

October 21, 2003

Adopted

TOWN OF RIVERHEAD
Resolution # 1129

APPROVES TEMPORARY SIGN PERMIT OF HAMPTONS FURNITURE
(Quitting Business All Must Go Wall to Wall)

COUNCILMAN DENSIESKI

_____ offered the following resolution, which was seconded by

COUNCILWOMAN BLASS

WHEREAS, two temporary sign permits and sketches were submitted by Charles Marks for property located at 48 West Main Street, Riverhead, New York and designated by SCTM# 0600/128.00-06-020.00; and

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

WHEREAS, sketches have been approved the three (3) Town Board members;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the temporary sign permit applications for Hamptons Furniture Company submitted by Charles Marks for Quitting Business and be it

RESOLVED, that said temporary sign permits shall expire on November 30, 2003 and the applicant shall removed the affected signs, in its entirety, on or before said date; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Charles Marks 48 West Main Street, Riverhead, New York 11901, the Planning Department and the Building Department.

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

Councilwoman Blass offered the resolution for adoption with amendment, seconded by Councilman Lull.

THE VOTE
no, Lull, no, Kozakiewicz, yes.

Lull Yes No

Densieski Yes No

The VOTE: Sanders, yes

Blass, yes

Densieski, yes

Lull, no

Kozakiewicz, yes.

Sanders Yes No

Blass Yes No

Kozakiewicz Yes No

The resolution was thereupon declared adopted.

The Resolution Was Was Not

Thereupon Duly Declared Adopted

Adopted

TOWN OF RIVERHEAD
Resolution # 1130

APPROVES TEMPORARY SIGN PERMIT OF THE TOWN OF RIVERHEAD
(JOB EXPO)

COUNCILWOMAN SANDERS

offered the following resolution, which was seconded by

COUNCILMAN LULL.

WHEREAS, the Town of Riverhead is hosting a Job Expo at Atlantis Aquarium from 5-7 pm on October 28, 2003; and

WHEREAS, the Town of Riverhead would like to post temporary signs to inform the community of this event; and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the temporary sign permit application for the "Job Expo" and be it

RESOLVED, that said temporary sign permit shall expire on October 29, 2003 and the Town shall removed the affected sign, in its entirety, on or before said date; and be it further

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

THE VOTE

Lull Yes No

Densieski Yes No

Sanders Yes No

Blass Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

Adopted

07/15/03

TOWN OF RIVERHEAD**Resolution # 1131****ADOPTS AN AMENDMENT TO CHAPTER 108 OF THE TOWN CODE
OF THE TOWN OF RIVERHEAD ENTITLED "ECONOMIC
DEVELOPMENT ZONE AT CALVERTON"**

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

WHEREAS, by Local Law 108-200, the Town Board of the Town of Riverhead authorized a joint application with the County of Suffolk for the designation of an Economic Development Zone relative to certain land located in the hamlet of Calverton in Town of Riverhead, Suffolk County, New York; and

WHEREAS, the Town of Riverhead and the County of Suffolk have received Economic Development Zone approval from New York State; and

WHEREAS, it is the desire of this Town Board to authorize a joint application with the County of Suffolk to revise the Economic Development Zone, now known as the Empire Zone, and to amend the boundaries of the existing Empire Zone to as described in § 108-200 of the Town Code of the Town of Riverhead to include 61 acres located throughout downtown Riverhead, 139.45 acres of Industrially-zoned lands within the former Naval Weapons Reserve Plant now known as EPCAL not currently located within the zone, as well as 48 acres at Gabreski Airport and 9 acres along the Peconic River in Riverside, both within the Town of Southampton, and 25 acres at Wyandanch, in the Town of Babylon; and

WHEREAS, the revisions outlined above are contained in a Memorandum of Understanding which became effective on June 3, 2003 and this Town Board is in receipt of resolutions from the Town Boards of the Towns of Southampton and Babylon authorizing their respective Town Supervisors to execute the Memorandum of Understanding and committing to sharing the administrative costs associated with the

operation of the Empire Zone as modified in accordance with the Memorandum of Understanding; and

WHEREAS, the Town of Riverhead is hereby authorized to submit an application in conjunction with the County of Suffolk to revise the Empire Zone boundaries to include the properties described herein; and

WHEREAS, a public hearing was held on August 19, 2003 at 7:00 p.m. to consider the adoption of this local law; and place specified in said public notice, and all persons wishing to be heard were heard.

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Traveler Watchman Newspaper and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Planning Department; the Planning Board; Empire Zone Coordinator, Community Development Agency; the Office of Accounting and the Town Attorney's Office.

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

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Economic Development Zone at Calverton Site" of the Riverhead Town Code at a regular Town Board meeting held on October 21, 2003 as follows:

LOCAL LAW NO. OF 2003

A LOCAL LAW amending Chapter 108 of the Code of the Town of Riverhead entitled: "Economic Development Zone at Calverton Site"

BE IT ENACTED by the Town Board of the Town of Riverhead as follows:

"Economic Development Zone at Calverton Site"ARTICLE XXXIX,
Economic Development Zone at Calverton Site [Adopted 9-29-1997 by
L.L. No. 12-1997]

§ 108-200. Purpose.

A. Cognizant of the existence within this state of certain areas characterized by persistent and pervasive poverty, high unemployment, limited job creation, dependence on public assistance income, dilapidated and abandoned industrial and commercial facilities and a shrinking tax base, the State Legislature has enacted a law known as the "New York Economic Development Zone Act."The purpose of this Act is to allow government to target for these areas extraordinary economic and human resource development programs in order to stimulate private investment, private business development and job creation. Under the Act, special incentives and assistance are available that will promote the development of new businesses, the expansion of existing businesses and the development of human resources within areas that are designated by the New York State Commissioner of Economic Development as an economic development zone.

B. In 1996, in response to military base closures and realignments and the loss of jobs at defense contractor facilities around the state, the Governor and the State Legislature amended the Economic Development Zone (EDZ) statute to allow for the designation of a new round of economic development zones. Specifically, Section 960(v) was amended to allow for the designation of not more than seven EDZ's "each of which shall contain a defense or military base or facility which has been designated for closure or realignment or a site currently or formerly owned or operated by either (1) United States military or (2) a defense contractor whose employment in New York State was adversely affected by a reduction in military spending."

C. This article is required to permit the Town of Riverhead, in cooperation with the County of Suffolk, to prepare and submit to the New York State Commissioner of Economic Development an application for designation of a portion of the Town of Riverhead as an economic development zone. It is the intent of this article to provide the incentive necessary to attract private business and industry to the proposed economic development zone, as further described hereinbelow and to maintain the connection between such growth and the human resources base of the community within said zone.

§ 108-201. Designation of economic development zone plan and boundaries.

NOTE: The former Naval Weapons Industrial Reserve Plant is hereafter referred to as "Calverton Site." The economic development zone plan as described in the town's application for designation will be implemented within the economic development zone which is wholly within the Calverton site. The economic development zone comprises 1,248 acres of the two-thousand-nine-hundred acre Calverton site pursuant to the following description:

A. Parcel A: beginning at a point located at the center line of the west runways' southerly end (previously known as "Runway 5/23") (UTM* 683907.74, 4530531.12), thence northwesterly 5,200' +/- along the center line of Outer Road stopping 200' short of the fence running parallel with New York State Route 25 (UTM 683744.76, 4532106.62), thence east northeast 4,630' +/- while remaining 200' parallel from the fence along New York State Route 25 (UTM 685058.71, 4532581.71), thence southeasterly 6,000' +/- parallel with and remaining 400' +/- west of the taxiway immediately west of the east runway (previously known as "Runway 14/32") (UTM 686736.39, 4531171.26), thence southwesterly 2,000' +/- (UTM 686305.84, 4530725.86). thence westerly 7,880' +/- to the point of origin. Total area equals 1,025 +/- acres.

B. Parcel B: beginning at a point 250' +/- southwest of the intersection of the property line at New York State Route 25 and the east side of Calverton Airport property (UTM 687121.60, 4532879.31), thence southeasterly 1,950' +/- parallel with the property line (687168.47, 4532275.21), thence generally southeast 300' +/- (UTM 687225.76, 4532233.54), thence easterly 140' +/- (UTM 687277.84, 4532236.15), thence southeastward 200' +/- (UTM 687285.65, 4532165.85), thence southwesterly 1,730' +/- to a point 860' +/- from Runway 14/32 on the east side of the airport (UTM 686944.25, 4531772.56), thence northwest 5,500' +/- parallel with Runway 14/32 on the east side of the airport (UTM 685771.35, 4532745.03), thence northeasterly 4,450' +/- remaining 200' +/- parallel with the south side of the fence along New York State Route 25 to the point of origin. Total area equals 223 +/- acres.

*NOTE: UTM -- Universal Transverse Mercator. A coordinate system defined by the transverse Mercator projection and a set of zones and offsets. The above UTM coordinates should not be used for precise surveying purposes.

Downtown Riverhead Properties:

Suffolk County Tax Map Nos.

District 0600

128-5-1	128-5-2	128-5-3	128-5-4	128-5-5	
p/o 128-5-9.1	128-5-10	128-5-11	128-5-12	128-5-13	
128-5-14	128-5-15	128-5-16	128-5-17	128-5-18	
128-5-19	128-5-20	128-5-21	128-5-22	128-5-26	
128-5-27	128-5-28	128-5-29	128-5-30	128-5-31	
128-5-32	128-5-33	128-5-34	128-2-22.2	127-1-17	
127-1-19	127-1-22.2	127-2-29	127-2-34	127-4-30	
127-4-32.2	127-4-33	129-2-12	129-2-32	129-2-34.1	
129-3-10	129-3-12	129-3-13	129-3-31	129-3-36	
129-3-37	129-3-38	129-3-39	129-3-40	129-5-1	
129-5-3.3	129-4-1	129-4-2	129-4-3	129-4-4	
129-4-5.2	129-4-6.1	129-4-7	129-4-8	129-4-9	
129-4-10.1	129-4-10.6	129-4-10.7	129-4-11	129-4-12	
129-4-13.1	129-4-13.2	129-4-15	129-4-17	129-4-18.3	
129-4-19.1	129-4-20	129-4-21.1	129-4-21.2	129-2-46.1	
129-1-1	129-1-2.1	129-1-3.1	129-1-4	129-1-6	
p/o 129-1-66.2	129-1-7	129-1-8.1	129-1-9	129-1-10	
129-1-11	129-1-12	129-1-13	129-1-14	129-1-17	
129-1-18	129-1-19	129-1-20	129-1-21	129-1-22	
124-3-1	124-3-2	124-3-3	124-3-4	124-4-5	
124-4-6	p/o 124-4-8.1	128-3-1	128-3-2	128-3-3	
128-3-4	128-3-5	128-3-6	128-3-7	128-3-8	
128-3-9	128-3-10	128-3-11	128-3-12.1	128-3-12.2	
128-3-12.3	128-3-13	128-3-14	128-3-15	128-3-17.1	
128-3-18	128-3-19	128-3-20	128-3-21	128-3-22	
128-3-23	128-3-26	128-3-27	128-3-29	128-3-30	
128-3-31	128-3-32	128-3-33	128-3-39	128-3-40	
128-3-41	128-3-42	128-3-43	128-3-44	128-3-45	
128-3-48	128-3-49	128-3-50	128-3-51	128-3-52	
128-3-53	128-3-54	128-3-55	128-3-56	128-3-57	
128-3-58	128-3-60	128-3-61.1	128-3-63	128-3-68.1	
128-3-68.2	128-6-6	128-6-7	128-6-8	128-6-9	
128-6-11	128-6-12.1	128-6-15	128-6-16	128-6-17	
128-6-19.1	128-6-20	128-6-21	128-6-22	128-6-23	
128-6-24	128-6-25	128-6-26	128-6-27	128-6-28	
128-6-29	128-6-30	128-6-31	128-6-32	128-6-33	

128-6-34	128-6-35	128-6-36	128-6-37.1	128-6-38
128-6-39	128-6-40	128-6-41	128-6-42	128-6-43
128-6-49.2	128-6-50.1	128-6-51	128-6-52.1	128-6-52.2
128-6-53	128-6-55	128-6-57.3	128-6-58.1	128-6-61.2
128-6-63.2	128-6-64	128-6-66.3	128-6-67	128-6-68
128-6-69	128-6-70	128-6-71	128-6-72.1	128-6-72.2
128-6-73.1	128-6-74	128-6-75	128-6-76.1	128-6-76.2
128-6-77	128-6-78	128-6-79	128-6-80	128-6-81
128-6-82	128-6-83	Property now known as Cedar Street		

Calverton Property:

Section A:

Beginning at the southeasterly corner thereof at the point of the intersection of Middle Country Road (NYS 25) and Wading River – Manorville Road proceeding easterly along Middle Country Road along the northern property line of EPCAL for a distance of approximately 5200 feet +/- . At said point proceed approximately 205 feet +/- in a southerly direction S 06° 20' 15" W to said point of beginning. At this point follow the next eleven (11) points: 1) N 70° 28' 19" E 714.85 feet; 2) N 68° 20' 30" E 442.45 feet; 3) N 64° 35' 30" E 341.24 feet; 4) N 62° 56' 21" E 537.40 feet; 5) N 67° 07' 40" E 243.88 feet; 6) N 71° 18' 19" E 549.27 feet; 7) N 70° 01' 00" E 258.25 feet; 8) N 74° 40' 19" E 1591.01 feet; 9) S 48° 58' 09" East 480.58 feet; 10) S 34° 21' 19" W 7463.33 feet; 11) N 06° 20' 15" W 4934.19 feet, to the point or place of beginning.

Section B:

Beginning at the southeasterly corner thereof at the point of the intersection of Middle Country Road (NYS 25) and Wading River – Manorville Road, proceed easterly along Middle Country Road along the northern property line of EPCAL for a distance of approximately 9711.4 feet +/- . At this point proceed S 48° 58' 09" E for 1368.27 feet +/- to said point of beginning. At this point follow the next fourteen (14) points: 1) S 48° 58' 09" E 1082.93 feet; 2) N 40° 20' 10" E 467.55 feet; 3) S 49° 39' 50" E 8453.30 feet; 4) S 69° 37' 16" W 318.93 feet; 5) N 89° 01' 31" W 1480.82 feet; 6) N 53° 05' 17" W 3080.34 feet; 7) N 90° 00' 00" W 1306.50 feet; 8) S 04° 00' 00" E 1316.73 feet; 9) S 85° 53' 15" W 2585.64 feet; 10) N 30° 00' 00" W 111.54 feet; 11) N 90° 00' 00" W 790.00 feet; 12) S 00° 00' 00" E 157.75 feet; 13) S 85° 53' 15" W 2661.59 feet; 14) N 34° 21' 19" E 7041.19 feet to the point or place of beginning.

Section C:

Beginning at the northwest corner of said property, District 0600 Section 97, Block 2, Lot 37 in the Town of Riverhead, proceed in a westerly direction along Middle Country Road (NYS 25) the northern property line

of Section 135, Block 1, Lot 7.4 for a distance of approximately 187.78 feet +/- . At this point proceed S 05° 43' 17" E for 199.59 feet +/- to said point of beginning. At this point follow the next twelve (12) points: 1) N 80° 10' 09" E 1177.20 feet; 2) N 88° 00' 13" E 2899.23 feet; 3) S 05° 43' 17" E 2160.62 feet; 4) N 86° 48' 00" E 323.30 feet; 5) S 06° 34' 40" E 302.85 feet; 6) S 90° 00' 00" W 711.02 feet; 7) S 00° 00' 00" E 201.65 feet; 8) S 90° 00' 00" W 1567.84 feet; 9) N 13° 18' 00" W 2021.58; 10) S 88° 00' 13" W 682.39 feet; 11) S 80° 10' 09" W 1109.83 feet; 12) N 11° 00' 00" W 588.87 feet to the point or place of beginning.

Riverside Property

Suffolk County Tax Map Nos.
District 0900

118-2-3.1	118-2-4	118-2-5	118-2-6
118-2-7	118-2-29		

A portion of the following tax maps which represent the 7-acre building footprint:

118-2-9	118-2-15	118-2-18	118.01-1-2
118-2-13	118-2-16	118-2-20	
118-2-14	118-2-17	118-2-25	

Wyandanch Property

Suffolk County Tax Map Numbers
District 0100

040.00-01.00-059.001	040.00-01.00-059.002	040.00-
01.00-060.000		
040.00-01.00-061.000	040.00-01.00-062.000	040.00-
01.00-063.000		
040.00-01.00-064.000	040.00-01.00-098.000	040.00-
01.00-099.000		
040.00-01.00-100.000	040.00-01.00-101.000	040.00-
01.00-102.000		
040.00-01.00-103.000	040.00-01.00-104.000	040.00-
01.00-105.000		
040.00-01.00-106.000	040.00-01.00-107.000	040.00-
01.00-108.000		
040.00-01.00-110.001	040.00-02.00-011.000	056.00-
03.00-065.000		
056.00-03.00-069.001	057.00-01.00-001.000	057.00-
01.00-003.001		

057.00-01.00-004.000 01.00-011.000	057.00-01.00-005.000	057.00-
057.00-01.00-012.000 01.00-015.001	057.00-01.00-013.000	057.00-
057.00-01.00-016.000 01.00-018.000	057.00-01.00-017.000	057.00-
057.00-01.00-019.000 01.00-021.000	057.00-01.00-020.000	057.00-
057.00-01.00-022.000 01.00-024.000	057.00-01.00-023.000	057.00-
057.00-01.00-026.000 01.00-028.000	057.00-01.00-027.000	057.00-
057.00-01.00-029.000 01.00-031.000	057.00-01.00-030.000	057.00-
057.00-01.00-032.000 01.00-033.002	057.00-01.00-033.001	057.00-
057.00-01.00-034.000 01.00-036.000	057.00-01.00-035.000	057.00-
057.00-01.00-037.000 01.00-040.005	057.00-01.00-040.004	057.00-
057.00-01.00-041.000 01.00-043.000	057.00-01.00-042.000	057.00-
057.00-01.00-044.000 01.00-046.000	057.00-01.00-045.000	057.00-
057.00-02.00-001.000 02.00-003.000	057.00-02.00-002.000	057.00-
057.00-02.00-005.001 03.00-002.000	057.00-02.00-019.000	057.00-
057.00-03.00-003.000 03.00-005.001	057.00-03.00-004.000	057.00-
057.00-03.00-005.002 01.00-001.002	058.00-01.00-001.001	058.00-
058.00-01.00-002.000 01.00-004.000	058.00-01.00-003.000	058.00-
058.00-01.00-005.000 01.00-007.000	058.00-01.00-006.000	058.00-
058.00-01.00-021.000 01.00-023.000	058.00-01.00-022.000	058.00-
058.00-01.00-024.000 01.00-026.000	058.00-01.00-025.000	058.00-
058.00-01.00-027.000 01.00-063.000	058.00-01.00-062.000	058.00-
058.00-01.00-064.000 04.00-004.001	058.00-01.00-065.000	058.00-
058.00-04.00-005.000 04.00-008.002	058.00-04.00-006.000	058.00-

058.00-04.00-008.003 04.00-010.000	058.00-04.00-009.000	058.00-
058.00-04.00-011.000 04.00-013.000	058.00-04.00-012.000	058.00-
058.00-04.00-014.000 04.00-017.000	058.00-04.00-016.001	058.00-
058.00-04.00-018.000		

Gabreski Property:

Beginning at a point located at the intersection of Stewart Avenue and of Old Riverhead Road (UTM 698, 482.43, 4,523,825.82). Thence 392.74 feet in a general northeast direction along the east side of Old Riverhead Road to a point where the road curves to a northerly direction (UTM 698, 479.94, 4, 523,900.36). Thence 1,039.21 feet in a northerly direction along the east side of Old Riverhead Road (UTM 698, 461.21,4,524,258.81). Thence 383.94 feet east to the intersection of the airport's north service road (UTM 698, 575.58, 4, 524, 257.46). Thence 945.26 feet in a southeasterly direction along the south side of the north service road to the intersection of Rust Avenue (UTM 698, 796.17, 4, 524, 079.92). Thence 138.5 feet in a southwesterly direction along the west side of Rust Avenue (UTM 698, 784.06, 4, 524, 044.95). Thence 1,642.75 feet in a southerly direction along Rust Avenue to a point where it intersects Cook Avenue (UTM 698, 820.38, 4, 523, 540.56). Thence 1,241.41 feet in a westerly direction along the north side of Cook Avenue to the point of intersection with Old Riverhead Road (UTM 698, 459.91, 4, 523, 494.83). Thence 1,094.53 feet in a northeasterly direction along the east side of Old Riverhead Road to the point of origin.

§ 108-202. Designation and powers of Economic Development Zone Certifying Officer.

The Certifying Officer of the Economic Development Zone in the Town of Riverhead shall be the Town Attorney, with such powers as provided in the statute.

§ 108-203. Composition and powers of Economic Development Zone Administrative Board.

A. The Economic Development Zone Administrative Board shall be comprised of at least 11 members: the County Executive or his designee, the Supervisor of the Town of Riverhead, the Director of the Community Development Agency, the chair of the Riverhead Development Corporation, a representative of an educational institution, a zone resident, a representative of organized labor, a representative of a local financial institution, a representative of a community group, a representative of a local business and a representative of a local utility.

B. The local Economic Development Zone Administrative Board shall exercise all powers provided in the New York State Economic Development Zones Act.

§ 108-204. Real property tax exemption.

The provisions of Real Property Tax Law § 485-e are deemed incorporated herein and made applicable to this Economic Development Zone. Furthermore, the real property tax exemption under § 485-e of the Real Property Tax Law shall be for a term of 10 years, notwithstanding that the designation of the within economic development zone may expire prior to the end of such ten-year term.

§ 108-205. Severability.

Should any section, subsection, paragraph, sentence or phrase of this article be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of remaining portions of this article.

§ 108-206. When effective.

This article shall take effect on its adoption and upon the requisite filing in the Office of the Secretary of State.

10/21/03

Tabled

TOWN OF RIVERHEAD

Resolution # 1132

AUTHORIZES THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH VAIL-LEAVITT MUSIC HALL

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

WHEREAS, the Town has established and arts incubator known as the Riverhead Incubator for the Arts (RIFTA) to encourage and enhance the growth of the Down Town area as an "Arts District" and to foster the development of the artists that are participating in of RIFTA, and

WHEREAS, the Vail-Leavitt Music Hall has offered to allow RIFTA the use of its facility on a monthly basis for the presentation of the works of the performing artists that are currently members of RIFTA, and

WHEREAS, the Town wishes to utilize the facilities offered by the Vail-Leavitt Music Hall as it will enhance the purposes and advancement of RIFTA and the development of a Down Town "Arts District",

NOW, THEREFORE, it is hereby

RESOLVED, that the Supervisor is hereby authorized to execute a license agreement with the Vail-Leavitt Music Hall, and be it further

RESOLVED that the Town Clerk is hereby directed to forward a certified copy of this resolution to Vince Tria, the RIFTA Board, Andrea Lohneiss, Director, Town of Riverhead Community Development Agency; the Office of the Town Attorney and the Office of Accounting.

Councilman Densieski offered the resolution to be tabled, which was seconded by Councilwoman Sanders.

All Members in favor of tabling the resolution.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON BEING ADOPTED

Tabled

Adopted

10/21/03

Town of Riverhead

Resolution # 1133

Authorizes Submission of Application to the New York State Affordable Housing Corporation (AHC) for Funding to Support the Town of Riverhead Home Improvement Program

COUNCILWOMAN SANDERS

_____ offered the following resolution,

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

WHEREAS, the Town of Riverhead has offered low interest loans and grants to homeowner occupants for more than 30 years; and

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

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

WHEREAS, AHC offers funding to provide for improvement of owner-occupied housing and the stabilization and preservation of neighborhoods and communities.

THEREFORE, BE IT FURTHER RESOLVED, that the Riverhead Town Board hereby authorizes the preparation and submission of an application for funds from AHC not to exceed \$52,500, with a match of \$35,000 in CDBG funds previously committed.

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

THE VOTE

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

THE RESOLUTION WAS WAS NOT _____
THEREUPON IT WAS ADOPTED

10/21/03

2138

Adopted

TOWN OF RIVERHEAD

Resolution # 1134

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED. "ZONING" OF THE RIVERHEAD TOWN CODE (BOARD OF APPEALS POWERS)

COUNCILWOMAN BLASS offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

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

WHEREAS, a public hearing was held on the 7th day of October, 2003 at 7:10 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Traveler-Watchman newspaper and to post same on the signboard at Town Hall; and be it further

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

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON BEING ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on October 21, 2003 as follows:

108-76. Board of Appeals powers.

E. The applicant shall erect a sign giving notice than an application for an appeal or special exception is pending and giving the date, time and place where the public hearing will be held. The sign will be furnished by the Town of Riverhead. It shall not be back more than (10) feet from the property line and shall not be less than two (2) nor more than (6) feet above the grade at the property line. It shall be displayed for a period of not less than seven (7) days immediately preceding the public hearing date or any adjourned date. Further, the applicant shall be required to send notice to the owners of record of every property which abuts each and every property which is across from any public or private street from the property included in the application. Such notice shall be made by certified mail, return receipt requested, posted at least seven (7) days prior to the date of the initial public hearing on the application and addressed to the owners at the address listed for them for them on the local assessment roll, in the Assessor's office. The applicant or agent shall file an affidavit that s/he has complied with all the provision of this section, and shall also provide a listing of the names, addresses and tax map numbers for which mail notification was required to the Board reviewing the subject application. No public hearing shall be held unless such affidavit has been filed.

Dated: Riverhead, New York
October 21, 2003

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

BARBARA GRATTAN, Town Clerk

- Underscore represents addition(s)

10/21/03

Adopted

TOWN OF RIVERHEAD

Resolution # 1135

DESIGNATES TOWN ROAD "RIVERFRONT WAY"

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

WHEREAS, a one-way town road running from East Main Street and the Peconic riverfront parking lot located between West Marine and the Riverhead Grille Restaurant has recently been improved by the Town by adding an new brick walk way and new curbing, and

WHEREAS, the Town's historic and tourist destination Downtown area should be named to facilitate the movement of traffic and to enhance the historic area, and

WHEREAS, the Town Board believes that the streets located downtown should be named to reflect the positive and attractive features of our Downtown area,

NOW, THEREFORE, BE IT,

RESOLVED, that the roadway leading from East Main Street to the Peconic Riverfront shall hereafter be known and designated "Riverfront Way", and be it further

RESOLVED, that the Highway Superintendent erect a sign reflecting the new name of the roadway immediately, and be it further

RESOLVED, that the Town Clerk is directed to forward a copy of this resolution to the Highway Superintendent, Town Engineer, New York State Department of Public Works, Suffolk County Department of Public Works and the Town's Financial Administrator.

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON LULLY ADOPTED

10/21/03

TOWN OF RIVERHEAD

Resolution # 1136**RESOLUTION AND CONSENT APPROVING THE DEDICATION OF
HIGHWAYS KNOWN AS CLOVER PLACE**COUNCILMAN LULL offered the following resolution, was secondedby COUNCILWOMAN SANDERS :

At a regular meeting of the
Town Board of the Town of
Riverhead, in the County of
Suffolk, State of New York,
held at 200 Howell Avenue,
Riverhead, New York on the
21st day of October, 2003.

P R E S E N T :

Hon. Robert F. Kozakiewicz, Supervisor
Edward Densieski, Councilman
James Lull, Councilman
Barbara Blass, Councilwoman
Rose Sanders, Councilwoman

X

In the Matter of the Dedication of
Certain Highways in the Town of
Riverhead, County of Suffolk and
State of New York, Known as

**RESOLUTION
AND CONSENT****CLOVER PLACE**

X

WHEREAS, plans for the construction of various improvements to a said road known and designated as **CLOVER PLACE** was submitted to the Planning Board of the Town of Riverhead; and

WHEREAS, the construction of the said roads, drainage systems, sumps and other improvements have met with the approval of the Superintendent of Highways of the Town of Riverhead; and

WHEREAS, a copy of the letter from the Superintendent of Highways indicating his consent is annexed hereto and made a part hereof; and

WHEREAS, a special search street dedication from Commonwealth Land Title Insurance Company under Title No. RH80032083, has been filed with the Clerk of the Town of Riverhead, together with a deed of dedication and release affecting said roads, drainage systems, sumps and/or other improvements.

NOW THEREFORE BE IT RESOLVED, that in accordance with the provisions of Section 171 of the **Highway Law** of the State of New York, consent be and the same is hereby given that the Superintendent of Highways of the Town of Riverhead, make an order laying out a certain road known as **CLOVER PLACE**, the said Town road to consist of the land described in the deed of dedication and to extend same as delineated therein; and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby directed to forthwith cause such deed of dedication to be recorded in the Office of the Clerk of the County of Suffolk, and upon its return, to attach it hereto; and be it further

RESOLVED, that this resolution shall take effect immediately; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Clover Place Corporation, 274 Phillips Lane, Aquebogue, New York, 11931; the Riverhead Superintendent of Highways; the Riverhead Planning Board; the Planning Department; the Assessor's Office; the Tax Receiver's Office and the Town Attorney's Office.

Dated: Riverhead, New York
October 21, 2003

**TOWN BOARD OF THE
TOWN OF RIVERHEAD**

ROBERT F. KOZAKIEWICZ

EDWARD DENSIESKI

ROSE SANDERS

BARBARA BLASS

JAMES LULL

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

X

In the Matter of the Laying Out of Certain
Highways in the Town of Riverhead,
County of Suffolk and State of New York,
known as

**ORDER LAYING OUT
ROAD UPON CONSENT
OF OWNER(S)**

CLOVER PLACE

X

WHEREAS, application having been duly made for the laying out of certain Town highways in the Town of Riverhead, County of Suffolk, State of New York, known as **CLOVER PLACE** for the lands through which the highways are proposed to be opened having been given and the Town Board of the Town of Riverhead having given its consent.

NOW THEREFORE, I, the Superintendent of Highways of the Town of Riverhead, County of Suffolk, State of New York, do hereby determine and order that Town highways shall be and the same are hereby laid out in said Town as more particularly described on SCHEDULE "A" annexed hereto.

Dated: Riverhead, New York
October 15, 2003



MARK KWASNA, Superintendent
Town of Riverhead Highway Department

Schedule "A"

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being ~~HERE~~ at Aquebogue, in the Town of Riverhead, Suffolk County, New York, bounded and described as follows:

BEGINNING at a monument on the easterly line of Phillips Lane set at the southwest corner of the land now or formerly of G.E. Olsen and running thence from said point of beginning North 63 degrees 30 minutes 50 seconds East along the lands now or formerly of G.E. Olsen, of C.F. Stakey, of J.A. Morrow and of F. Tallman 453.02 feet to a monument; thence South 23 degrees 07 minutes 40 seconds East along the lands now or formerly of F. Tallman, of H. Browley, of R.L. Finch and of J. Klee 757.37 feet to a monument; thence South 70 degrees 57 minutes 20 seconds West along the lands now or formerly of A. Hubbard and of J. Klee 453.70 feet to a monument; thence North 19 degrees 02 minutes 40 seconds West along the easterly line of Phillips Lane 50.00 feet to a monument; thence North 70 degrees 57 minutes 20 seconds East along the lands now or formerly of H.T. Dannenburg and of F.C. Bauer 375.00 feet to a monument; thence northeasterly on a curve to the left with a radius of 23.29 feet along the land now or formerly of F.C. Bauer for a distance of 38.24 feet to a monument; thence North 23 degrees 07 minutes 40 seconds West along the lands now or formerly of F.C. Bauer and of J. Klee 625.65 feet to a monument; thence South 63 degrees 30 minutes 50 seconds West along the land now or formerly of J. Klee 400.00 feet to a monument; thence North 26 degrees 29 minutes 10 seconds West along the easterly line of Phillips Lane 50.00 feet to the point or place of BEGINNING.

10/21/03

Adopted

TOWN OF RIVERHEAD

Resolution # 1137

ESTABLISHES TOWN OF RIVERHEAD
HANDICAPPED EQUIPMENT BANK

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

WHEREAS, the Town of Riverhead Handicapped Advisory Committee had discussed and reviewed the concept of creating a Town of Riverhead Handicapped Equipment Bank whereby individuals and corporations would donate equipment and supplies to facilitate the everyday activities of the handicapped which would be available at no charge to handicapped Town of Riverhead residents, and

WHEREAS, the Town of Riverhead Handicapped Advisory Committee believes that the creation of a Handicapped Equipment Bank would be an assistance to handicapped individuals within the Town, and

WHEREAS, the Town of Riverhead Human Resource Center located on Shade Tree Lane in Aquebogue has the facilities to maintain the Handicapped Equipment Bank and has agreed to administer the program,

NOW, THEREFORE, BE IT,

RESOLVED, that the Town of Riverhead hereby creates a Town of Riverhead Handicapped Equipment Bank for the purposes enumerated herein, and be it further

RESOLVED, that the Town of Riverhead Financial Administrator be and is hereby directed to create a special account for the deposit and expenditure of any donations received by the program, and be it further

RESOLVED, that the Handicapped Advisory Committee serve as advisors to the Handicapped Equipment Bank and to provide assistance to the Town of Riverhead Human Resource Center in the advancement of the Handicapped Equipment Bank and its purposes and objectives in serving the Town's handicapped community, and be it further

RESOLVED, that the Town Clerk is directed the Town's Financial Administrator, Town Board, Handicapped Advisory Committee, Town of Riverhead Human Resources Center, Central Suffolk Hospital and the Long Island Council of Churches.

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

October 21, 2003

TOWN OF RIVERHEAD

2147
Adopted

AUTHORIZATION TO DISCARD FIXED ASSETS

RESOLUTION # 1138

COUNCILMAN LULL

offered the following resolution, which was seconded

by COUNCILWOMAN BLASS

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

WHEREAS, after careful consideration, the Accounting Department has made a recommendation that this equipment has no residual value and should be discarded. The Accounting Department hereby requests that the Town Board excess this property so that it may be removed from the records.

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

<u>Tag #</u>	<u>Description</u>
21330	CPU
21610	CPU
21677	CPU
21890	CPU
22226	CPU
22398	CPU
22549	CPU
22585	CPU
22593	CPU
23137	CPU
23329	CPU
24227	CPU
24300	CPU
24378	CPU
24380	CPU
21514	DeskJet 660C
24828	Gateway Keyboard
22862	Gateway Monitor
22870	Gateway Monitor
22883	Gateway Monitor
20696	Monitor
20988	Monitor
21364	Monitor
21368	Monitor
21491	Monitor
21556	Monitor
21569	Monitor
22227	Monitor

<u>Tag #</u>	<u>Description</u>
22591	Monitor
22665	Monitor
22935	Monitor
23229	Monitor
23283	Monitor
23337	Monitor
24228	Monitor
24295	Monitor
24365	Monitor
24508	Monitor
24509	Monitor
21853	Mouse
20037	Printer
21453	Printer
21973	Printer
22074	Printer
23034	Printer
7946	Printer
9307	Printer
22851	Speakers
22852	Speakers
22853	Subwoofer
20948	UPS
22957	UPS
22966	UPS
23036	UPS
23041	UPS
8607	UPS

2148

THE VOTE

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

TOWN OF RIVERHEAD

Resolution # 1139

ACCEPTS CASH BOND OF DOUGLAS & SUSAN NOBLE (NORTHEASTERN CHRISTIAN BOOK STORE)

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by

COUNCILMAN DENSIESKI

WHEREAS, Douglas & Susan Noble have posted a bond (ck#'s 209/228) in the sum of Five Hundred Ninety Five Dollars (\$595) representing the 5% site plan bond for the rear addition to their building located at 67 East Main Street, Riverhead, New York, Suffolk County Tax Map # 600-128.00-06-076.01, pursuant to Section 108-133 (I) of the Riverhead Town Code;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% cash bond in the sum of Five Hundred Ninety Five Dollars (\$595); and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Douglas and Susan Noble, Po Box 1261, Riverhead, New York 11901, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

2150
Adopted

Resolution # 1140.

ACCEPTS CASH BONDS OF JAY TRANCHINA - T JAY'S TRANSMISSIONS, INC.

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

WHEREAS, Jay Tranchina has posted a cash bonds in the sum of Two Thousand Five Hundred Sixty One Dollars (\$2,561) representing the 5% site plan bond for a new building to be located at 1174 East Main Street, Riverhead, New York, Suffolk County Tax Map # 600-109.00-02-007.01, pursuant to Section 108-133 (I) of the Riverhead Town Code;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% cash bond in the sum of Two Thousand Five Hundred Sixty One Dollars (\$2,561); and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Jay Tranchina, T Jay's Transmissions, Inc., 965 East Main Street, Riverhead, New York 11901, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Adopted

Resolution # 1141

ACCEPTS 5% PERFORMANCE BOND OF MILL POND DEVELOPERS, LLC
(MILL POND COMMONS CONDOS)

COUNCILMAN LULL

offered the following resolution,

which was seconded by

COUNCILWOMAN SANDERS

WHEREAS, Mill Pond Developers, LLC has posted a performance bond in the sum of One Hundred Three Thousand Five Hundred Seventy Six Dollars (\$103,576) (BOND NO. B197790 – Selective Insurance Company of America) representing the 5% site plan bond for the work at Section 1-4, Elton Street, Riverhead, New York 11901 Suffolk County Tax Map # 600-109.00-01-010.00 and 109.00-02-001.00 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% performance bond in the sum of One Hundred Three Thousand Five Hundred Seventy Six Dollars (\$103,576) issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Mill Pond Developers, LLC, Joseph Rizzo, PO Box 999, Riverhead, New York 11901, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

10/21/03

Adopted

TOWN OF RIVERHEAD

Resolution # 1142

ACCEPTS 5% SECURITY BOND OF SOUND HOUSING LLC (BUILDING #7)

COUNCILWOMAN SANDERS offered the following resolution,

which was seconded by COUNCILMAN LULL.

WHEREAS, Sound Housing LLC, has posted a security bond in the sum of Twenty Three Thousand Three Hundred Twenty Six Dollars (\$23,326)(#RNS119768) representing the 5% site plan security bond for the work on Building #7 – Willow Pond Drive, Riverhead, New York, Suffolk County Tax Map # 600-018.01-04-047.00 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% performance bond in the sum of Twenty Three Thousand Three Hundred Twenty Six Dollars (\$23,326) issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Sound Housing LLC, 308 West Main Street, Smithtown, New York 11787, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

October 21st, 2003

Tabled

TOWN OF RIVERHEAD

Resolution # 1143**APPROVES AMENDED SITE PLAN OF EAST MAIN STREET ASSOC.
(SOCIAL SECURITY OFFICE)****COUNCILMAN LULL**

_____ offered the following resolution,

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

WHEREAS, a site plan were submitted by East Main Street Associates, to expand an existing three building office park by the addition of approximately 1,400 sq. ft. onto one structure (Department of Social Security) including minor modifications to an existing parking area located at 518 East Main Street, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-129-3-33.1; and

WHEREAS, the Planning Department has reviewed the site plan dated July 28th, 2003, as prepared by John A. Notaro, R.A. and elevations dated July 28th, 2003, as prepared by John A. Notaro, R.A., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 2003-0911 of the Office of the Supervisor of the Town of Riverhead; and

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER

RESOLVED, that the site plan submitted by East Main Street Associates, to expand an existing three building office park by the addition of approximately 1,400 sq. ft. onto one structure (Department of Social Security) including minor modifications to an existing parking area located at 518 East Main Street, Riverhead, New York, site plan dated July 28th, 2003, as prepared by John A. Notaro, R.A. and elevations as prepared by John A. Notaro, R.A. and dated July 28th, 2003 and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

this document, hereby authorizes and consents to the Town of Riverhead to enter premises at 518 East Main Street, Riverhead, New York, to enforce said handicapped parking regulations;

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to, Joseph Martirano, Jr., East Main Street Associates, 329 Jericho Turnpike, Suite A-4, Smithtown, New York 11787, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE

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

Tabled

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2003, made by, East Main Street Associates, residing at, 329 Jericho Turnpike, Suite A-4, Smithtown, New York 11787 Declarant:

WITNESSETH:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, hereby authorizes and consents to the Town of Riverhead to enter premises at 518 East Main Street, Riverhead, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

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

East Main Street Associates

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

On the ____ day of _____, in the year _____ before me, the undersigned, _____ personally _____ appeared

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

NOTARY

PUBLIC

October 21st, 2003**Adopted**

TOWN OF RIVERHEAD

Resolution # 1144**APPROVES SITE PLAN OF SISTERS REALTY LLC.****Judy and Susan Emanuele****COUNCILMAN DENSIESKI**

offered the following resolution,

which was seconded by **COUNCILWOMAN SANDERS** :

WHEREAS, a site plan and elevations were submitted by CBD Group, P.C. to construct a one story 8,008 sq. ft. medical building with related site improvements, located at East Main Street (SR25), Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-109-3-5&6; and

WHEREAS, the Planning Department has reviewed the site plan dated May 23, 2003, as prepared by Stephen S. Fontana, R.A. and elevations dated January 29, 2003, as prepared by, Stephen S. Fontana, R.A. and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 2003-0225 of the Office of the Supervisor of the Town of Riverhead; and;

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Steven S. Fontana, R.A. for construction of a one story 8,008 sq. ft. medical building together with related site improvements, located at East Main Street (SR25), Riverhead, New York, site plan dated May 23, 2003, as prepared by Stephen S. Fontana, R.A., and elevations dated January 29, 2003, as prepared by Stephen S. Fontana, R.A. be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

enter premises at East Main Street, Riverhead, New York, to enforce said handicapped parking regulations;

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Stephen S. Fontana, R.A., CDB Group, P.C., 29 Central Avenue, Hauppauge, New York 11788, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
 THEREUPON ADOPTED

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2003, made by Sisters Realty LLC, residing at 1025 Roanoke Avenue, Riverhead, New York 11901, Declarant:

WITNESSETH:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

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

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

Sisters Realty LLC.

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

On the ____ day of _____, in the year _____ before me, the
undersigned, _____ personally _____ appeared

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

NOTARY

PUBLIC

October 21st, 2003

TOWN OF RIVERHEAD

Adopted

Resolution # 1145

**AMENDS SITE PLAN OF BANK OF SMITHTOWN BRANCH
WADING RIVER PLAZA**

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILMAN LULL:

WHEREAS, by Resolution #736, dated July 2nd, 2003, the Riverhead Town Board did approve the site plan of the Bank of Smithtown for construction of a new store front at an existing shopping center, located at Wading River Plaza, Rte 25A, Wading River, New York, known and designated as Suffolk County Tax Map No. 0600-75-3-3.3 & 3.6; and

WHEREAS, John A. Romano, Executive Vice President, Bank of Smithtown has requested that a modification of said site approval be approved by the Riverhead Town Board with respect to the on-site lighting to conform to the requirements of the New York State Banking Department to increase the current lighting within two pole lights in front of the Bank with 1,000 watt ballasts and lamps instead of the current 400 watt ballast and lamps currently permitted under the Town of Riverhead Lighting Code which would satisfy the lighting requirements as defined under the New York State ATM Safety Act, and

WHEREAS, the Planning Department has recommended that the Town Board grant such amendment, and

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

NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Riverhead does hereby amend the site plan approval of the Bank of Smithtown in order to allow a maximum lighting intensity not to exceed two (2) foot candles within sixty (60) feet of the existing ATM Machine on the subject premises, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Mr. John A. Romano, Executive Vice President, Bank of Smithtown, One East Main Street, Smithtown, New York 11787-0456, the Riverhead

Planning Department, Building Department, Town Engineer, Assessors' Office, and Office of the Town Attorney.

THE VOTE
Sanders ✓ Yes ___ No Blass ✓ Yes ___ No
Densleski ✓ Yes ___ No Lull ✓ Yes ___ No
Kozakiewicz ✓ Yes ___ No
THE RESOLUTION WAS NOT
THEREFORE ADOPTED

Planning/egr

OCTOBER 21, 2003

2167
Tabled

TOWN OF RIVERHEAD

TOWN BUDGET PUBLIC NOTICE

RESOLUTION # 1146

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

WHEREAS, last year the Town of Riverhead sent a notice by first-class mail to the owners of record of real property within special districts of the Town Budget Hearing held November 2002; and

WHEREAS, bond counsel advised this action last year due to a Court of Appeals decision in Garden Homes Woodlands Co. v. Town of Dover that notice provided solely through the New York statutory requirements of publication and posting was insufficient to meet the constitutional requirement of due notice; and

WHEREAS, bond counsel has advised this year that the Court of Appeals did not state that due notice of continuing assessments thereafter, once affected property owners had been placed on notice that a special assessment would be levied in future years, be given each year; and

WHEREAS, the State Comptroller also cannot provide guidance on this issue as that office is also uncertain, lacking guidance from the judiciary on this subject; and

WHEREAS, the Town Board believes the practice of continuing to give notice by first class mail, while it may not be required, is a good practice and should continue,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board directs that all property owners in the Town of Riverhead be given notice via first class mail of the Public Hearing with reference to the Town Budget called for on November 5, 2003.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

Tabled

OCTOBER 21, 2003

2168
Adopted

TOWN OF RIVERHEAD

APPROVES SUBMISSION OF ABSTINENCE EDUCATION & PROMOTION INITIATIVE
GRANT PROPOSAL

RESOLUTION # 1147

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

WHEREAS, the New York State Department of Health, Youth Development Unit is currently seeking applications for the Abstinence Education and Promotion Initiative, which offers \$200,000/year grants for a period of 5 years, and

WHEREAS, this Initiative program was created as a result of the Personal Responsibility and Work Opportunity Reconciliation Act which was signed into law in 1996 and created a new formula grant program to "enable the State to provide abstinence education and mentoring, counseling and adult supervision to promote abstinence"; and

WHEREAS, the Town Board is totally supportive of a youth development approach which is rooted in a commitment to enable all young people to achieve their full potential.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board approves the submission of this grant proposal that has no required Town cash match, to the New York State Department of Health that should:

1. focus on building assets and resources for the individual youth;
2. develop programs for all youth, rather than for youth with specific risks, moving the focus from reducing negative behaviors to promoting positive behaviors;
3. include the most effective elements of evidence-based research and be coupled with quantitative and qualitative evaluation;
4. include youth as stakeholders and partners;
5. build upon individual and family strengths; and
6. be developed in collaboration with community organizations, local government, businesses, schools, civic groups and community members, especially youth and families.

THE VOTE

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

RESOLUTION # 1148

072113-03181P

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on October 21, 2003, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Councilman James Lull, and upon roll being called, the following were

PRESENT: Supervisor Robert Kozakiewicz
Councilman James Lull
Councilman Edward Densieski
Councilwoman Barbara Blass
Councilwoman Rose Sanders

ALSO PRESENT: Town Clerk, Barbara Grattan
Town Attorney, Scott De Simone

ABSENT:

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

BOND RESOLUTION DATED OCTOBER 21, 2003.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$13,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY ADDITIONAL COSTS OF THE PREPARATION OF A FACILITY PLAN FOR THE CALVERTON SEWER DISTRICT'S PROPOSED ADVANCED WASTEWATER TREATMENT FACILITY.

WHEREAS, by bond resolution dated August 6, 2002, the Town Board of the Town of Riverhead, Suffolk County, New York, authorized the issuance of \$57,000 serial bonds of said Town to pay the cost of the preparation of a facility plan for the Calverton Sewer District's proposed Advanced Wastewater Treatment Facility, in and for the Town of Riverhead, Suffolk County, New York; and

WHEREAS, it has now been determined that the maximum estimated cost of the aforesaid specific object or purpose is \$70,000, and increase of \$13,000 over that previously authorized; and

WHEREAS, it is now desired to authorize the issuance of an additional \$13,000 serial bonds of said Town for such purpose; NOW, THEREFORE, BE IT

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

Section 1. For the specific object or purpose of paying additional costs of the preparation of a facility plan for the Calverton Sewer District's proposed Advanced Wastewater Treatment Facility in the Town of Riverhead, Suffolk County, New York, there are hereby authorized to be issued \$13,000 serial bonds of the Town of Riverhead, Suffolk County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$70,000, and that the plan for the financing thereof shall be as follows:

(a) by the issuance of the \$57,000 serial bonds authorized pursuant to bond resolution dated August 6, 2002; and

(b) by the issuance of the \$13,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision 62 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.

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

Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

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

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

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

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

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

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

The resolution was thereupon declared duly adopted.

* * * *

THE VOTE
Sanders Yes No 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 October 21, 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

October 23, 2003

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

Designated Location(s)
of posted notice _____

Date of Posting

Town Clerk's Bulletin Board

October 22, 2003

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on October 22, 2003.

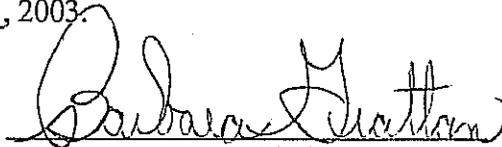


Town Clerk

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the resolution published herewith has been adopted by the Town Board of the Town of Riverhead, Suffolk County, New York, at a meeting held on October 21, 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
October 21, 2003.


Town Clerk

OCTOBER 21, 2003

Adopted

TOWN OF RIVERHEAD

RIENZO FARMLAND PRESERVATION

BUDGET ADJUSTMENT

RESOLUTION # 1149

COUNCILMAN LULL

_____ offered the following resolution,

which was seconded by _____ COUNCILWOMAN BLASS

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

		<u>FROM</u>	<u>TO</u>
406.019400.494200.42028	SERIAL BOND PROCEEDS	\$5,000	
406.019400.521000.42028	DEVELOPMENT RIGHT ACQUISITION		\$4,800
406.019400.543000.42028	PROFESSIONAL SERVICES		200

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

Adopted

October 21, 2003

TOWN OF RIVERHEADResolution # 1150**APPOINTS PUBLIC SAFETY DISPATCHER I**

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

WHEREAS, a position for Public Safety Dispatcher I exists in the Police Department, and

WHEREAS, the Suffolk County Department of Civil Service established Certification of Eligibles # 03A-385, which was canvassed and interviews were conducted; and

WHEREAS, it is the recommendation of the Chief of Police and the Town Board Personnel Committee that Sherri Dugan be appointed.

NOW, THEREFORE, BE IT RESOLVED, that effective October 8, 2003 the Town Board hereby appoints Sherri Dugan to the position of Public Safety Dispatcher I on Group 1, Step P of the Public Safety Dispatcher Salary Administration Schedule of the CSEA Contract; and

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

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

Adopte

OCTOBER 21, 2003

TOWN OF RIVERHEAD

REEVES GOLF WATER EXT.

BUDGET ADJUSTMENT

RESOLUTION # 1151

COUNCILWOMAN BLASS 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:

	<u>FROM</u>	<u>TO</u>
406.083200.547900.60075 CONTINGENCY	\$15,000	
406.083200.523002.60075 WATER MAIN CONSTRUCTION		\$15,000

THE VOTE

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

OCTOBER 21, 2003

AdoptedTOWN OF RIVERHEADKRUPSKI FARMLAND PRESERVATIONBUDGET ADJUSTMENTRESOLUTION # 1152

COUNCILMAN DENSIESKI

_____ 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>
406.019400.494200.42031	SERIAL BOND PROCEEDS	\$20,500	
406.019400.521000.42031	DEVELOPMENT RIGHTS		\$20,500

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

OCTOBER 21, 2003

TOWN OF RIVERHEAD

2003 RECREATION CAPITAL IMPROVEMENT

BUDGET ADJUSTMENT

RESOLUTION # 1153

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:

		<u>FROM</u>	<u>TO</u>
406.095031.481900.70052	TRANSFER FROM PARK & REC. FUND	\$30,000	
406.071100.523029.70052	UNITY PARK BASKETBALL COURT		\$ 8,000
406.071100.523011.70052	MILLBROOK GABLES PLAYGROUND CONSTRUCTION		6,600
406.071100.524907.70052	MILLBROOK GABLES EQUIPMENT		3,400
406.071100.523020.70052	MILLBROOK GABLES FENCING		12,000

THE VOTE

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

OCTOBER 21, 2003

²¹⁸³
Adopted

TOWN OF RIVERHEAD

**APPROVES SUBMISSION OF THE NYS DIVISION OF CRIMINAL JUSTICE
FORMULA GRANT PROPOSAL**

RESOLUTION # 1154

COUNCILMAN LULL

_____ offered the following Resolution

which was seconded by COUNCILWOMAN SANDERS

WHEREAS, the New York State Division of Criminal Justice is currently seeking applications for the Formula Grant Program which offers \$150,000/year for a period of three years and

WHEREAS, the juvenile justice funding that is received by New York State and is subsequently sub granted must target at-risk or delinquent youth 7-15 years old and are used to augment not to supplant current funding and should

1. contribute to reduce juvenile crime
2. prevent delinquency through positive youth development
3. promote individual accountability and
4. provide effective treatment and aftercare service for youth involved in the system

NOW THEREFORE BE IT RESOLVED, that the Town Board approves the submission of this grant proposal that has no required Town cash match to the New York State Division of Criminal Justice.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

Adopted

OCTOBER 21, 2003

TOWN OF RIVERHEAD

SCHNEIDER VINEYARD LAND PRESERVATION PROJECT

BUDGET ADJUSTMENT

RESOLUTION # 1155

_____ 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 adjustment:

		<u>INCREASE</u>	<u>DECREASE</u>
406.019400.494200.42006	SERIAL BOND PROCEEDS	\$90,000	
406.019400.492000.42006	NYS AID		\$90,000

THE VOTE

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

OCTOBER 21, 2003

TOWN OF RIVERHEAD

ZAWESKI/ZILNICKI FARM PRESERVATION PROJECT

BUDGET ADJUSTMENT

RESOLUTION # 1156

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:

	<u>INCREASE</u>	<u>DECREASE</u>
406.019400.494200.42003 SERIAL BOND PROCEEDS	\$193,125	
406.019400.492000.42003 NYS AID		\$193,125

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

OCTOBER 21, 2003

TOWN OF RIVERHEAD

CAL HOLLOW FARMS LAND PRESERVATION

BUDGET ADJUSTMENT

RESOLUTION # 1157

COUNCILWOMAN SANDERS

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

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

	<u>INCREASE</u>	<u>DECREASE</u>
406.019400.494200.42004 SERIAL BOND PROCEEDS	\$34,000	
406.019400.492000.42004 NYS AID		\$34,000

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

OCTOBER 21, 2003

2187
Adopted

TOWN OF RIVERHEAD

NORTH FORK PRESERVE LAND PRESERVATION PROJECT

BUDGET ADJUSTMENT

RESOLUTION # 1158

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:

	<u>INCREASE</u>	<u>DECREASE</u>
406.019400.494200.42005 SERIAL BOND PROCEEDS	\$ 21,000	
406.019400.492000.42005 NYS AID		\$ 21,000

THE VOTE

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

10/21/03

Adopted

TOWN OF RIVERHEAD

Resolution # 1159

APPOINTS A P/T REC AIDE TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN LULL

RESOLVED, that Eileen Belfield is hereby appointed to serve as a part time Recreation Aide for biddy basketball, effective, October 24, 2003 to and including December 31, 2003 to be paid at the rate of \$7.50 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

1

THE VOTE

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

¹ Rec. Doris /Res. Eileen Belfield

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 October 21, 2003, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Councilman James Lull, and upon roll being called, the following were

PRESENT: Supervisor Robert Kozakiewicz
Councilman James Lull
Councilman Edward Densieski
Councilwoman Barbara Blass
Councilwoman Rose Sanders

ALSO PRESENT: Town Clerk, Barbara Grattan
Town Attorney, Scott DeSimone

ABSENT:

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

BOND RESOLUTION DATED OCTOBER 21, 2003.

A RESOLUTION AMENDING BOND RESOLUTION DATED JANUARY 22, 2003 WITH RESPECT TO THE MAXIMUM ESTIMATED COST OF THE RECONSTRUCTION OF THE TOWN-OWNED BUILDING AT 201 HOWELL AVENUE, RIVERHEAD, NEW YORK, FOR USE AS A TOWN HALL ANNEX AND THE AMOUNT OF OBLIGATIONS TO BE ISSUED THEREFOR.

WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has adopted a bond resolution on January 22, 2003, authorizing the issuance of \$200,000 serial bonds of said Town to pay the cost of the reconstruction of the Town-owned building at 201 Howell Street, Riverhead, New York, for use as a Town Hall Annex, including related site improvements in connection therewith; and

WHEREAS, the Town Board now wishes to increase the maximum estimated cost of such purpose and the amount of serial bonds to be issued for such purpose; and

WHEREAS, all conditions precedent to the financing of said capital project, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; NOW, THEREFORE, BE IT

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

Section A. The bond resolution dated January 22, 2003 and entitled:

“A RESOLUTION AUTHORIZING THE ISSUANCE OF \$200,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE RECONSTRUCTION OF THE TOWN-OWNED BUILDING AT 201 HOWELL AVENUE, RIVERHEAD, NEW YORK, FOR USE AS A TOWN HALL ANNEX, IN AND FOR SAID TOWN.”

is hereby amended to read as follows:

"BOND RESOLUTION DATED JANUARY 22, 2003, AS AMENDED OCTOBER 21, 2003.

"A RESOLUTION AUTHORIZING THE ISSUANCE OF \$250,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE RECONSTRUCTION OF THE TOWN-OWNED BUILDING AT 201 HOWELL AVENUE, RIVERHEAD, NEW YORK, FOR USE AS A TOWN HALL ANNEX, 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 specific object or purpose of paying the cost of the reconstruction of the Town-owned building at 201 Howell Avenue, Riverhead, New York, for use as a Town Hall Annex, including related site improvements and incidental expenses in connection therewith, in and for the Town of Riverhead, Suffolk County, New York, there are hereby authorized to be issued \$250,000 serial bonds of the Town of Riverhead, Suffolk County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$250,000, and that the plan for the financing thereof is by the issuance of the \$250,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years because the Village Hall Annex is a class "B" building within the meaning of subdivision 12(b) 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 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. Upon this resolution taking effect, the same 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.

Section 12. This resolution is adopted subject to permissive referendum in accordance with Section 35.00 of the Local Finance Law.

Section B. 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 C. Upon this resolution taking effect, the aforesaid January 22, 2003 bond resolution, as amended hereby, shall be published in full in the *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.

Section D. This resolution is adopted subject to permissive referendum in accordance with Section 35.00 of the Local Finance Law.

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

_____ VOTING _____

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~~ 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 October 21, 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

October 23, 2003

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

Designated Location(s)
of posted notice

Date of Posting

Town Clerk's Bulletin Board

October 22, 2003

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on October 22, 2003.


Town Clerk

(CORPORATE
SEAL)

LEGAL NOTICE OF ADOPTION

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, at a meeting held on October 21, 2003, duly adopted the resolution published herewith subject to a permissive referendum.

Dated: Riverhead, New York
October 21, 2003


Town Clerk

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the resolution published herewith, originally adopted January 22, 2003, has been amended on October 21, 2003, by the Town of Riverhead, Suffolk County, New York, 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. Such resolution was subject to a permissive referendum and the period of time has elapsed for the submission and filing of a petition for a permissive referendum and a valid petition has not been submitted and filed.

Dated: Riverhead, New York,
November _____, 2003

Town Clerk

October 21, 2003

2200
Adopted

TOWN OF RIVERHEAD

Resolution # 1161

APPROVES REQUEST FOR EXTENSION OF MEDICAL LEAVE OF ABSENCE

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

WHEREAS, Shanna Gilmore, a homemaker for the seniors department, is currently on a 6-month, non-paid medical leave of absence through September 10, 2003 as approved by the Town Board on March 13, 2003 TBR #321; and

WHEREAS, Shanna Gilmore has requested to extend this leave through and including March 10, 2004; and

NOW, THEREFORE, BE IT RESOLVED, that Shanna Gilmore's request for an extension of a non-paid medical leave of absence through September 11, 2003 and including March 10, 2004 is hereby approved subject to the following condition(s):

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

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

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

Adopted

10/21/03

RESOLUTION # 1162

AUTHORIZES SUPERVISOR TO EXECUTE LEASE
AGREEMENT WITH RIVERHEAD COMMUNITY DEVELOPMENT
AGENCY
LEASE OF LAND LOCATED AT EPCAL
FOR CALVERTON COMMUNITY CENTER

Adopted _____

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

RESOLVED, that the Supervisor be and is hereby authorized, on
behalf of the Town of Riverhead, to execute a lease agreement with
the Riverhead Community Development Agency for the lease of
premises located at EPCAL, as noted at the attached Exhibit A, for
the purpose of constructing a community center to be known as the
Calverton Community Center, and be it further

RESOLVED, that the Town Clerk shall forward a certified copy
of this resolution to the Riverhead Community Development Agency,
Accounting Department, and Engineering Department.

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

OCTOBER 21, 2003

Adopted

TOWN OF RIVERHEAD

CALVERTON COMMUNITY CENTER CAPITAL PROJECT

BUDGET ADOPTION

RESOLUTION # 1163

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 adoption:

		<u>FROM</u>	<u>TO</u>
+06.095031.481900.70004	TRANSFER FROM PARK & REC	\$402,000	
406.071400.522150.70004	CONSTRUCTION IMPROVEMENTS		\$342,000
406.071400.543650.70004	ARCHITECTURAL EXPENSE		34,200
406.071400.547900.70004	CONTINGENCY		25,800

BE IT FURTHER RESOLVED, that if this building is sold, the Park & Recreation Fund shall recoup this expense from the sale proceeds.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

Adopted

2204

10/21/03

TOWN OF RIVERHEAD

Resolution # 1164

SCHEDULING A PUBLIC HEARING PURSUANT TO ARTICLE 12 OF THE NEW YORK STATE TOWN LAW TO DECLARE CERTAIN PREMISES AS NOT REQUIRED FOR THE PURPOSES OF THE RIVERHEAD PUBLIC PARKING IMPROVEMENT DISTRICT NO. 1 AND AUTHORIZING THE SALE THEREOF TO SUFFOLK THEATRE ENTERPRISES, INC., PURSUANT TO THE TOWN OF RIVERHEAD'S EAST MAIN STREET URBAN RENEWAL PLAN, ADOPTED OCTOBER 19, 1993, AND THE PETITION OF SUFFOLK THEATRE ENTERPRISES, INC.,

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

BE IT RESOLVED, that the Town Board of the Town of Riverhead, as the governing body of the Riverhead Public Parking Improvement District No. 1 hereby determines to hold a public hearing pursuant to Article 12 of the New York State Town Law, on November 18, 2003 at 7:05 o'clock in the afternoon to declare the premises described below as not required for the purposes of the aforesaid Improvement District and authorizing the sale thereof to Suffolk Theatre Enterprises, Inc. pursuant to the Town of Riverhead's East Main Street Urban Renewal Plan, previously adopted October 19, 1993, and the petition of Suffolk Theatre Enterprises, Inc., dated October 20, 2003 and filed with the Town Board, for the purchase price of \$10,000.00 as more particularly shown on the Map of Joseph A. Ingegno, Land Surveyor, dated March 18, 2003 which has been filed with the Town Board. Suffolk Theatre Enterprises, Inc., at its sole cost and expense shall develop a site plan in a form acceptable to the Town Board to expand the existing Suffolk Theatre and to improve the adjacent parking lot with suitable curbing and plantings.

This urban renewal project (the Suffolk Theatre project) has been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment, as more fully set forth in the resolution of the Town Board adopted this date; and be it further

RESOLVED, that the Town Clerk is hereby directed to publish the attached notice of public hearing in one issue of the Traveler-Watchman, the official newspaper of the Town of

Riverhead having general circulation in the Town, on Thursday, October 30, 2003, and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution and the attached notice to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP., P.O. Box 389, 456 Griffing Avenue, Riverhead, New York, 11901; the Town Attorney, Andrea Lohneiss, Director of the Community Development Agency; James A. Gowan, Esq., attorney for petitioner.

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**PUBLIC NOTICE**

PLEASE TAKE NOTICE, that pursuant to Article 12 of the New York State Town Law, a public hearing will be held before the Town Board of the Town of Riverhead in its capacity as the District No. 1, on the 18th day of November, 2003 at 7:05 o'clock in the afternoon of that day at the Town Hall located at 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to declaring the premises as more particularly shown n the Map of Joseph A. Ingegno, Land Surveyor, dated March 18, 2003, which has been filed with the Town Board as not required for the purposes of the Riverhead Public Parking Improvement District No. 1 and authorizing the sale thereof to Suffolk Theater Enterprises, Inc. pursuant to the Town of Riverhead's East Main Street Urban Renewal Plan, previously adopted October 19, 1993 for the sum of \$10,000.00 subject to the closing of the contract of sale between Town of Riverhead Community Development Agency and Suffolk Theater Enterprises, Inc. pursuant to the agreement of sale entered into between the parties on October 3, 2003.

This urban renewal project (the Suffolk Theater project) has been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment, as more fully set forth in the resolution of the Town Board adopted this date.

Date: Riverhead, New York
October 22, 2003

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF RIVERHEAD
BARBARA GRATTAN, TOWN CLERK

Adopted

TOWN OF RIVERHEAD
Resolution # .1165

APPROVES TEMPORARY SIGN PERMIT OF
FRESH POND MARKETPLACE

COUNCILMAN DENSIESKI

offered the following resolution, which was seconded by

COUNCILMAN LULL

WHEREAS, a temporary sign permit and sketch were submitted by Miss Chrissy Corp. for property located at 4362 Middle Country Road, Calverton, New York, designated by SCTM#0600/097.00-02-036.00; and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the temporary sign permit application for Fresh Pond Marketplace submitted by Miss Chrissy Corp. and be it

RESOLVED, that said temporary sign permit shall expire on January 21, 2003 and the applicant shall removed the affected sign, in its entirety, on or before said date; and be it

RESOLVED, that the **PERMANENT** sign for said location will require a review and approval from the Architectural Review Board; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Miss Chrissy Corp., 4362 Middle Road, Calverton, New York, 11933, the Planning Department and the Building Department.

THE VOTE

Lull Yes No

Densieski Yes No

Sanders Yes No

Blass Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

Adopted

10/21/03

TOWN OF RIVERHEAD

Resolution # 1166

APPROVES APPLICATION OF ABBESS FARM LTD. (PUMPKIN PICKING)

COUNCILWOMAN SANDERS offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

WHEREAS, Abbess Farm Ltd. has submitted an application for the purpose of conducting pumpkin picking and a corn maze to be held at 3581 Middle Country Road, Calverton, New York, between the hours of 9:00 a.m. and 5:00 p.m. on October 25th through October 29th, 2003; and

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

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 Abbess Farm Ltd. for the purpose of conducting pumpkin picking and a corn maze to be held at 3581 Middle Country Road, Calverton, New York, between the hours of 9:00 a.m. and 5:00 p.m. on October 25th through October 29, 2003 is hereby approved with the following conditions:

- The tractor used for this event be equipped with a 4A-60B-C fire extinguisher and means of communication (phone or portable radio) to summon help in the event of fire or other emergency during the day ride; and
- A pre-opening inspection to be conducted by the Riverhead Fire Marshal by calling 727-3200 ext. 209 at least three days in advance; and
- Applicant shall comply with all other applicable Town Code requirements, including but not limited to, 108-56 (Signs.); and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Abbess Farm Ltd., Attn: Marie Tooker, P.O. Box 424, 3581 Middle Country Road, Calverton, New York, 11933; the Riverhead Fire Marshal and Chief Hegermiller, Riverhead Police Department.

Z:\Laura\chap90\hayride.res.doc

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	Cull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS NOT ADOPTED

10/21/03

AWARDS BID
RIVERHEAD WATER DISTRICT
EXTENSION NO. 56B, Sunken Pond Estates, Section 3

RESOLUTION # 1167

Adopted 10/21/2003

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

WHEREAS, this Town Board did authorize the advertisement for bids for Extension No. 56B, and

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

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

WHEREAS, by letter dated October 14, 2003, H2M, consulting engineers to the Riverhead Water District, did recommend that the bid be awarded to Alessio Pipe & Construction Co. in the amount of \$85,375.00,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for Extension No. 56B be and is hereby awarded to Alessio Pipe & Construction Co. in the amount of \$85,375.00,

and be it further

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

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

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

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

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

Adopted

10/21/03

TOWN OF RIVERHEAD

Resolution # 1168

RATIFIES APPOINTMENT OF A SOFTBALL LEAGUE ATTENDANT TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN LULL _____ offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

RESOLVED, that Kenneth Drumm is hereby appointed as a Softball League Attendant effective, September 21, 2003 to and including December 31, 2003, to be paid at the rate of \$9.50 per hour, and to serve at the pleasure of the Town Board; and

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

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

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.¹

THE VOTE

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

THE RESOLUTION WAS NOT
THEREAFTER ADOPTED

¹ Rec. Doris/ Resolution. Softball League Attnd Kenneth Drumm

Adopted

10/21/03

TOWN OF RIVERHEAD

Resolution # 1169

RATIFIES APPOINTMENT OF A SOFTBALL LEAGUE ATTENDANT TO THE RIVERHEAD RECREATION DEPARTMENT

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

RESOLVED, that Jon Kubacka is hereby appointed as a Softball League Attendant effective, September 21, 2003 to and including December 31, 2003, to be paid at the rate of \$9.50 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

THE VOTE

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

¹ Rec. Doris/ Resolution. Softball League Attnd Jon Kubacka

Adopted

10/21/03

TOWN OF RIVERHEAD

Resolution # 1170

RATIFIES APPOINTMENT OF A SOFTBALL LEAGUE ATTENDANT TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN LULL offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

RESOLVED, that James Marcngo is hereby appointed as a Softball League Attendant effective, September 21, 2003 to and including December 31, 2003, to be paid at the rate of \$8.50 per hour, and to serve at the pleasure of the Town Board; and

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

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

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.¹

THE VOTE

Sanders ___ Yes ___ No Blass ___ Yes ___ No
Densieski ___ Yes ___ No Lull ___ Yes ___ No
Kozakiewicz ___ Yes ___ No
THE RESOLUTION WAS ___ WAS NOT ___
THEREUPON: BY ADOPTED

¹ Rec. Doris/ Resolution. Softball League Attnd James Marengo

October 21, 2003

Adopted

TOWN OF RIVERHEAD

Resolution # 1171

GRANTS WRITTEN APPLICATION OF PETER S. DANOWSKI, ESQ.-FOR A DETERMINATION WHETHER REAL ESTATE OFFICES AND LEARNING CENTERS ARE PROFESSIONAL OFFICES WITHIN THE MULTI-FAMILY PROFESSIONAL ZONING USE DISTRICT

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

WHEREAS, Article XXXIV of the Town of Riverhead Zoning Ordinance allows as a permitted use any professional office as so deemed by the Town Board, and

WHEREAS, by correspondence dated April 18, 2003 and June 11, 2003 Peter Danowski, Esq. did request that the Town Board consider real estate offices and learning centers as professional offices, and

WHEREAS, the Town Board has carefully considered the merits of the petition of Peter S. Danowski, Esq., now

THEREFORE, BE IT

RESOLVED, the Town Board hereby determines both real estate offices and learning centers as professional offices within the Multi-Family Professional Office Zoning Use District, and

BE IT FURTHER

RESOLVED, that copies of this resolution be forwarded to Peter S. Danowski, Esq., Town Attorney, Building Department, Planning Department, and the Zoning Board of Appeals.

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

October 21, 2003

Adopted**TOWN OF RIVERHEAD**Resolution # 1172**ACCEPTS AS COMPLETE THE FINAL GENERIC ENVIRONMENTAL
IMPACT STATEMENT SUPPORTING THE DRAFT COMPREHENSIVE
PLAN OF THE TOWN OF RIVERHEAD****COUNCILMAN DENSIESKI**

_____ offered the following resolution which

was seconded by _____

COUNCILWOMAN BLASS

WHEREAS, by resolution dated September 2, 1997, the Riverhead Town Board did direct the Riverhead Planning Board to prepare a Comprehensive Plan pursuant to the procedures promulgated in Section 272-a of the Town Law, and

WHEREAS, by resolution dated June 2, 1998, the Riverhead Town Board did authorize the Supervisor to execute an agreement with Abeles Phillips Preiss & Shapiro, Inc. ("APPS") to prepare such Comprehensive Plan pursuant to Section 272-a of the Town Law, and

WHEREAS, upon receipt of the Draft Comprehensive Plan, the Planning Board did recommend that the Town Board initiate the preparation of a Draft Generic Environmental Impact Statement ("DGEIS") to support the adoption of the Comprehensive Plan, and

WHEREAS, a scoping hearing was held upon the preparation of the aforementioned DGEIS on the 20th day of May, 2002, and

WHEREAS, the Town Board received a DGEIS as prepared by David J. S. Emilita and dated the 15th of June, 2003, and

WHEREAS, by resolution dated July 1, 2003, the Riverhead Town Board did accept the aforementioned DGEIS as satisfactory and complete with respect to scope, content and adequacy, and

WHEREAS, on July 7, 2003 the Riverhead Town Board did hold a public hearing upon the accepted DGEIS pursuant to 6NYCRR Part 617, and

WHEREAS, the Riverhead Town Board is in receipt of a Final Generic Environmental Impact Statement (FGEIS) as prepared by David J. S. Emilita and dated October 21st, 2003 responding to all commentary made upon the DGEIS by parties of interest and the Town Board as Lead Agency, and

WHEREAS, the Riverhead Planning Department has reviewed the subject FGEIS and recommends its acceptance, and

WHEREAS, the Town Board has carefully considered the merits of the subject FGEIS, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby accepts the FGEIS supporting the Draft Comprehensive Plan of the Town of Riverhead pursuant to 6NYCRR Part 617 as complete and accurate, and

BE IT FURTHER

RESOLVED, that the Planning Department be directed to prepare those notices of completion as required by 6NYCRR Part 617.9(6), and

BE IT FURTHER

RESOLVED, that certified copies of this resolution be forwarded to the Planning Department, Planning Board and Town Attorney.

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

RESOLUTION # 1173 ABSTRACT #41-03 OCTOBER 09, 2003 (TB 10/31/03) 2210

Councilman Densieski offered the following Resolution which was seconded by
Councilman Sull

FUND NAME		CD - NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 35,223.26	\$ 35,223.26
POLICE ATHLETIC LEAGUE	004	\$ -	\$ -	\$ -
TEEN CENTER	005	\$ -	\$ -	\$ -
RECREATION PROGRAM	006	\$ -	\$ 650.00	\$ 650.00
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ -	\$ -
AG-FEST COMMITTEE FUND	021	\$ -	\$ -	\$ -
HUMAN SERVICES FUND	022	\$ -	\$ -	\$ -
R.I.F.T.A	023	\$ -	\$ 243.73	\$ 243.73
TOWN BD SPECIAL PROGRAM FND	024	\$ -	\$ -	\$ -
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
WORLD TRADE CENTER MEMORIAL FD	026	\$ -	\$ 101.00	\$ 101.00
SRS DAYCARE BUILDING FUND	027	\$ -	\$ -	\$ -
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ -	\$ -
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ -	\$ -	\$ -
HIGHWAY	111	\$ -	\$ 22,270.92	\$ 22,270.92
WATER	112	\$ -	\$ 112.29	\$ 112.29
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
RIVERHEAD SEWER DISTRICT	114	\$ -	\$ 17,990.14	\$ 17,990.14
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 685.65	\$ -
STREET LIGHTING	116	\$ -	\$ -	\$ -
PUBLIC PARKING	117	\$ -	\$ -	\$ -
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ -	\$ -
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ 3.10	\$ 3.10
CALVERTON SEWER DISTRICT	124	\$ -	\$ 4,460.26	\$ 4,460.26
RIVERHEAD SCAV WASTE DISTRICT	128	\$ -	\$ 14,824.88	\$ 14,824.88
WORKER'S COMPENSATION FUND	173	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ -	\$ 3,800.00	\$ 3,800.00
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ -	\$ -
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	301	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT	302	\$ -	\$ -	\$ -
WATER DEBT	303	\$ -	\$ -	\$ -
GENERAL FUND DEBT SERVICE	304	\$ -	\$ -	\$ -
SCAVENGER WASTE DEBT	305	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	405	\$ -	\$ 24,453.96	\$ 24,453.96
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ -	\$ -
SENIORS HELPING SENIORS	453	\$ -	\$ -	\$ -
EISEP	454	\$ -	\$ -	\$ -
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ -	\$ 11,409.87	\$ 11,409.87
MUNICIPAL GARAGE	626	\$ -	\$ 14.73	\$ 14.73
TRUST & AGENCY	735	\$ -	\$ 45,765.00	\$ 45,765.00
SPECIAL TRUST	736	\$ -	\$ -	\$ -
COMMUNITY PRESERVATION FUND	737	\$ -	\$ -	\$ -
CDA-CALVERTON	914	\$ -	\$ 36.00	\$ 36.00
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ -	\$ -
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ -	\$ 182,044.79	\$ 182,044.79

THE VOTE
 Sanders Yes No Blass Yes No
 Densieski Yes No La Yes No
 Kozakiewicz Yes No
 THE RESOLUTION WAS WAS NOT
 THERE ADOPTED

RESOLUTION # 1173 ABSTRACT #42-03 OCTOBER 16, 2003 (TB 10/21/03)

Councilman DiSessa
Councilman Sull

Offered the following Resolution which was seconded by

FUND NAME		CD - 10/14/03	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ 5,250,000.00	\$ 636,471.01	\$ 5,886,471.01
POLICE ATHLETIC LEAGUE	004	\$ 10,000.00	-	\$ 10,000.00
TEEN CENTER	005	\$ 14,000.00	-	\$ 14,000.00
RECREATION PROGRAM	006	\$ 70,000.00	\$ 821.18	\$ 70,821.18
SR NUTRITION SITE COUNCIL	007	\$ 1,000.00	\$ 42.00	\$ 1,042.00
D.A.R.E. PROGRAM FUND	008	\$ 2,000.00	-	\$ 2,000.00
CHILD CARE CENTER BUILDING FUND	009	\$ 3,000.00	-	\$ 3,000.00
AG-FEST COMMITTEE FUND	021	-	-	-
HUMAN SERVICES FUND	022	-	-	-
R.I.F.T.A	023	\$ 15,000.00	\$ 3,272.73	\$ 18,272.73
TOWN BD SPECIAL PROGRAM FND	024	\$ 200,000.00	-	\$ 200,000.00
YOUTH COURT SCHOLARSHIP FUND	025	-	-	-
WORLD TRADE CENTER MEMORIAL FD	026	-	-	-
SRS DAYCARE BUILDING FUND	027	\$ 7,000.00	\$ 2,005.82	\$ 9,005.82
COMMUNITY P.E.T.S. SHELTER	028	\$ 10,000.00	\$ 1,080.07	\$ 11,080.07
ANIMAL SPAY & NEUTERING FUND	029	-	-	-
EDZ FUND	030	-	\$ 2,696.95	\$ 2,696.95
HIGHWAY	111	\$ 560,000.00	\$ 66,707.42	\$ 626,707.42
WATER	112	\$ 1,775,000.00	\$ 34,993.00	\$ 1,809,993.00
REPAIR & MAINTENANCE	113	\$ 275,000.00	-	\$ 275,000.00
RIVERHEAD SEWER DISTRICT	114	\$ 1,650,000.00	\$ 41,694.20	\$ 1,691,694.20
REFUSE & GARBAGE COLLECTION	115	\$ 720,000.00	\$ 5,121.63	-
STREET LIGHTING	116	\$ 420,000.00	\$ 30,642.61	\$ 450,642.61
PUBLIC PARKING	117	\$ 75,000.00	\$ 5,006.27	\$ 80,006.27
BUSINESS IMPROVEMENT DISTRICT	118	\$ 7,500.00	\$ 171.22	\$ 7,671.22
TOR URBAN DEV CORP TRUST ACCT	119	-	-	-
AMBULANCE DISTRICT	120	\$ 280,000.00	\$ 91,971.28	\$ 371,971.28
CALVERTON SEWER DISTRICT	124	\$ 70,000.00	\$ 637.22	\$ 70,637.22
RIVERHEAD SCAV WASTE DISTRICT	128	\$ 575,000.00	\$ 10,404.09	\$ 585,404.09
WORKER'S COMPENSATION FUND	173	\$ 1,000,000.00	\$ 5,417.96	\$ 1,005,417.96
RISK RETENTION FUND	175	\$ 650,000.00	\$ 869.00	\$ 650,869.00
UNEMPLOYMENT INSURANCE FUND	176	\$ 90,000.00	\$ 7,661.25	\$ 97,661.25
MAIN STREET REHAB PROGRAM	177	-	-	-
REVOLVING LOAN PROGRAM	178	-	-	-
RESIDENTIAL REHAB	179	-	-	-
DISCRETIONARY/SMALL CITIES	180	-	-	-
CDBG CONSORTIUM ACCOUNT	181	-	\$ 2,998.51	\$ 2,998.51
URBAN DEVEL CORP WORKING	182	-	-	-
RESTORE	184	-	-	-
PUBLIC PARKING DEBT	381	\$ 1,500.00	-	\$ 1,500.00
SEWER DISTRICT DEBT	382	\$ 15,000.00	-	\$ 15,000.00
WATER DEBT	383	\$ 750,000.00	-	\$ 750,000.00
GENERAL FUND DEBT SERVICE	384	\$ 10,000,000.00	\$ 2,000,000.00	\$ 12,000,000.00
SCAVENGER WASTE DEBT	385	\$ 8,000.00	-	\$ 8,000.00
TOWN HALL CAPITAL PROJECTS	406	-	\$ 2,267,145.32	\$ 2,267,145.32
EIGHT HUNDRED SERIES	408	-	-	-
WATER IMPROVEMENT CAP PROJ	409	-	-	-
NUTRITION CAPITAL IMPS	441	-	-	-
CHIPS	451	-	-	-
YOUTH SERVICES	452	-	\$ 2,112.56	-
SENIORS HELPING SENIORS	453	-	\$ 2,861.16	\$ 2,861.16
EISEP	454	-	\$ 359.37	\$ 359.37
SCAVENGER WASTE CAP PROJ	470	-	-	-
MUNICIPAL FUEL FUND	625	\$ 320,000.00	\$ 1,575.65	\$ 321,575.65
MUNICIPAL GARAGE	626	\$ 75,000.00	\$ 14,335.88	\$ 89,335.88
TRUST & AGENCY	735	-	\$ 833,730.62	\$ 833,730.62
SPECIAL TRUST	736	\$ 700,000.00	-	\$ 700,000.00
COMMUNITY PRESERVATION FUND	737	\$ 25,000.00	-	\$ 25,000.00
CDA-CALVERTON	914	\$ 200,000.00	\$ 1,240.25	\$ 201,240.25
COMMUNITY DEVELOPMENT AGENCY	915	-	-	-
JOINT SCAVENGER WASTE	918	-	-	-
CENTRAL CLEARING ACCOUNT	999	-	-	-
TOTALS		\$ 25,824,000.00	\$ 6,074,046.23	\$ 31,898,046.23

Adopted
22/3

10/21/03

TOWN OF RIVERHEAD
RIVERHEAD SEWER DISTRICT

Resolution # 1174

ESTABLISHING SEWER RENT FOR S.C.T.M. 0600-101-2-6.64
[Riverhead Landings Apartments]

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

WHEREAS Town Code Section 87-1 establishes sewer rents, the revenues from which shall be used for the payment of the cost of management, maintenance, operation, and repair of the sanitary sewer systems, including treatment and disposal works; and

WHEREAS Town Code Section 87-3 provides that such rent shall be computed based upon metered water consumption during the four quarterly periods prior to the preceding June 30, according to the records of the Riverhead Water District; and

WHEREAS Town Code Section 87-4 provides that in the case of metered consumers of water supplied by the Riverhead Water District who contribute to the sewer system an amount of sewerage substantially less than or substantially greater than the amount of water supplied to such metered consumer, the Town Board shall fix and determine the sewer rent charge applicable to such real property upon such equitable basis as shall be determined by said Board; and

WHEREAS it has been established that the Riverhead Landings Apartments contribute to the sewer system an amount of sewage substantially less than the metered amount of water supplied; and

WHEREAS the Town Board has determined that the equitable basis for fixing the sewer rent charge for said property is based upon the sanitary flow standards fixed by the Suffolk County Department of Health Services for Planned Retirement Communities with units having a square footage greater than 600 square feet, which flow is 150 gallons per day per unit;

NOW THEREFORE, BE IT RESOLVED, that pursuant to Town Code Section 87-4, the Town Board hereby establishes the sewer rent for Riverhead Landings be calculated based upon 150 gallons per day per residential unit multiplied by 365, which results in 10,950,000 gallons per year for the residential units, and 180 gallons per day multiplied by 365 attributable to the community center, which results in 65,700 gallons per year attributable to the community center, for a total computed water consumption of 11,105,700.00 gallons a year for the entire property to be used in calculating the sewer rent; 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; the Town Assessor; and John Hansen, Financial Administrator.

November 3, 2003

2021
Adopted

TOWN OF RIVERHEAD

Resolution # 1175

**Issues Findings Statement pursuant to 6 NYCRR Part 617.11 and adopts
the Town of Riverhead Comprehensive Plan pursuant to 272-a of the Town
Law**

COUNCILWOMAN BLASS

_____ offered the following resolution,

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

WHEREAS, by resolution dated September 2, 1997, the Riverhead Town Board did direct the Riverhead Planning Board to prepare a Comprehensive Plan pursuant to the procedures promulgated in Section 272-a of the Town Law; and

WHEREAS, by resolution dated June 2, 1998, the Riverhead Town Board did authorize the supervisor to execute an agreement with Abeles Phillips Preiss & Shapiro, Inc. ("APPS") to prepare such Comprehensive Plan pursuant to Section 272-a of the Town Law; and

WHEREAS, upon receipt of the Draft Comprehensive Plan, the Planning Board did recommend that the Town Board initiate the preparation of a Draft Generic Environmental Impact Statement ("DGEIS") to support the adoption of the Comprehensive Plan; and

WHEREAS, a scoping hearing was held upon the preparation of the aforementioned DGEIS on the 20th day of May, 2002; and

WHEREAS, by resolution dated July 1, 2003, the Riverhead Town Board did accept the aforementioned DGEIS as satisfactory and complete with respect to scope, content and adequacy; and

WHEREAS, on July 7, 2003, the Riverhead Town Board did hold a public hearing upon the accepted DGEIS pursuant to 6 NYCRR Part 617.11; and

WHEREAS, subsequent to public hearing, the Riverhead Planning Board did transmit the Draft Comprehensive Plan to the Town Board pursuant to Section 272-a of the Town Law; and

WHEREAS, by letter dated July 23, 2003, the Planning Director did refer the Draft Comprehensive Plan to the Suffolk County Planning Commission pursuant to Section 272-a of the Town Law such Planning Commission recommending the adoption of said plan; and

WHEREAS, by resolution dated October 21, 2003, the Riverhead Town Board did accept, as adequate and accurate, the Final Environmental Impact Statement supporting the Comprehensive Plan pursuant to 6 NYCRR Part 617.11; and

WHEREAS, the Town Board did hold public hearings pursuant to Section 272-a of the Town Law on July 7, 2003 and July 21, 2003; and

WHEREAS, the Town Board is in receipt of a Draft Findings Statement prepared by David J. S. Emilita dated October 2003 prepared pursuant to 6 NYCRR Part 617.11, such Findings Statement setting forth the Findings of the Lead Agency with respect to significant Environmental Impacts associated with the implementation of the plan; and

WHEREAS, the Town Board has carefully considered and deliberated upon all elements of the Draft Comprehensive Plan the SEQRA record created to date, the submission of the Riverhead Planning Board, the report of the Suffolk County Planning Commission and the testimony offered at the relevant public hearing; now therefore be it

RESOLVED, that the draft Town of Riverhead Comprehensive Plan last revised November 3, 2003 contains all the elements of a Town Comprehensive Plan as required by Section 272-a of the Town Law and is hereby determined to be complete; now therefore be it further

RESOLVED, that in the matter of the adoption of the Town of Riverhead Comprehensive Plan the Riverhead Town Board hereby adopts the Findings Statement prepared pursuant to 6 NYCRR Part 617.11 as attached and incorporated herein and based upon its Findings hereby adopts the Town of Riverhead Comprehensive Plan as further attached and incorporated herein; now therefore be it further

THE VOTE

Bardens	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Donsiecki	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS WAS NOT
THEREUPON BEING ADOPTED

RESOLVED, that a copy of this adopted Town of Riverhead Comprehensive Plan be filed in the Office of the Town Clerk and the Office of the Suffolk County Planning Department.

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

STATE ENVIRONMENTAL QUALITY REVIEW

FINDINGS STATEMENT

Pursuant to Article 8 (State Environmental Quality Review Act - SEQRA) of the Environmental Conservation Law and 6 New York Codes, Rules and Regulations (NYCRR) Part 617, the Riverhead Town Board (hereinafter "Town Board"), as Lead Agency, makes the following findings:

NAME OF ACTION:

TOWN OF RIVERHEAD COMPREHENSIVE PLAN

LEAD AGENCY: Riverhead Town Board
200 Howell Avenue
Riverhead, NY 11901

Contact Person: Richard Hanley, Planning Director
Phone: (631) 727-3200 ext. 267

DATE DGEIS FILED: June 25, 2003

DATE FGEIS FILED: October 21, 2003

INTRODUCTION

This findings statement has been prepared pursuant to the requirements of 6 NYCRR Part 617.11, which states that no agency shall make a decision on an action which has been the subject of a final GEIS until a written findings statement has been prepared concerning the facts and conclusions of the Draft and Final GEIS and relied on to support its decision. To meet this SEQRA provision, the Town Board has prepared these generic findings related to the significant issues identified in the Draft and Final GEIS documents.

DESCRIPTION OF ACTION

The Proposed Action is the adoption by the Town Board of the Comprehensive Plan for the Town of Riverhead and the regulations intended to implement the Plan in the form of amendments to Chapter 108, Zoning, of the Town Code. The Proposed Action supports the Central Pine Barrens Comprehensive Land Use Plan, the Revitalization Strategy for Downtown Riverhead, and the Local Waterfront Revitalization Program.

The Town Board in compliance with SEQRA has taken the following steps:

- A draft Comprehensive Plan and draft Generic Environmental Impact Statement were prepared, accepted and were the subject of Public Hearings on July 7th and July 21st, 2003
- A final Comprehensive Plan has been prepared and recommended for adoption.
- A final Generic Environmental Impact Statement has been prepared and accepted on October 21st, 2003.
- A Notice of Completion of the final Generic Environmental Impact Statement was issued by the Board on October 21, 2003.

LOCATION OF ACTION

The location of the Action consists of the entire Town of Riverhead. The Action, being a Comprehensive Plan, coordinates the recommendations of the previous and separately prepared plans cited above, each of which pertains to its own geographic area.

AGENCY JURISDICTION

Pursuant to Town Law Section 272-a, the Comprehensive Plan is prepared and adopted under the authority of the Town Board. The Town Board has also declared itself as Lead Agency pursuant to SEQR.

REASONS, FACTS & CONCLUSIONS

Compliance with Article 8 of the Environmental Conservation Law

Both the DGEIS and the FGEIS demonstrate that the Plan satisfies the requirements of the Environmental Conservation Law (ECL) as embodied in the SEQR Regulations Part 617. The DGEIS evaluated the Plan's efforts to protect, preserve and enhance the Town's significant natural resources, including plant and animal communities; to protect the quality of the surface and groundwater; discourage scattered and piecemeal development of its agricultural resources; promote active and passive recreational uses that are consistent with the Town's Comprehensive Plan and other relevant plans; and to direct growth in a manner consistent with the established planning principles to ensure that the Town's future pattern of development is compact, efficient and orderly.

Both the DGEIS and the FEIS demonstrate that the Plan promotes compatible agricultural, horticultural and open space recreational uses of the Town's remaining undeveloped land deemed to be a priority to preserve as such; redirects new construction or development from these open space and agricultural resources; protects and preserves the quality of surface water and groundwater resources of the Town; and coordinates and provides for the acquisition and transfer of private land interests as appropriate and consistent with available funds and locational characteristics of the receiving areas; and ensures the continuation of the Pine Barrens environment which contains the unique and significant ecologic, hydrogeologic and other resources representative of such environments.

As provided for in Chapter 3, the Agricultural Element; Chapter 4, the Natural Resources Conservation Element; and Chapter 5, the Scenic and Historic Resources Preservation Element, and supported in the DGEIS and FGEIS, the Plan provides the Town of Riverhead's land use regulatory agencies with adequate and sufficient means to mitigate adverse impacts associated with development. The Plan provides for review of actions with potentially adverse environmental impacts to ensure compliance with the Comprehensive Plan and SEQR. The implementation of the policies contained in these chapters will mitigate adverse impacts associated with the conversion and development of vacant, rural and agricultural lands into residential, commercial and industrial uses.

Impacts on Agriculture

As stated in the DGEIS, the probable impacts on agriculture will be beneficial. This is because implementation of the Comprehensive Plan will result in the preservation of the main contiguous central farm belt of the Town. The Plan proposes that a rezoning of agricultural land to half of its potential development if development is to occur on site. However, the Plan, in allowing the transfer of development rights at the original density if such transfer is made into designated receiving areas, will mitigate the impacts of this rezoning. The purchase of development rights at the original density is also recommended. Other mechanisms, such as the agricultural opportunities subdivision, with accelerated processing requirement, also mitigate adverse impacts of on-site development. Subdivision

and site design shall support preservation of agricultural tracts in large unbroken blocks that allow contiguous parcels to be cultivated when adjacent parcels are developed.

Transfer of development rights will have no adverse impacts on agriculture. However, a significantly incomplete TDR program may have adverse impacts in the form of visual incongruities, local traffic congestion or safety issues at farm road intersections or farm stand locations. The DGEIS provides for mechanisms to ameliorate the impacts of a significantly less than complete TDR program.

Geologic and Soil Resources

The Comprehensive Plan and the DGEIS discuss the environmental sensitivity and vulnerability of certain soils to adverse impacts due to high permeability and low fertility and/or high water table. The Plan protects these resources by protecting geologic and sensitive soils resources in the Town. The policies contained in Chapter 4, the Natural Resources Conservation Element are adequate to mitigate potential impacts to these resources.

Groundwater Quantity and Quality

The Comprehensive Plan and the DGEIS describe the Central Pine Barrens and Hydrogeologic Zone III and their proven irreplaceability for groundwater recharge and maintenance of drinking water quality. Future development according to the Comprehensive Plan will have minimal impact on the groundwater quality or quantity. The Plan would protect these resources by reducing development density and nitrate-nitrogen loading in Zone III. The Plan also advocates purchase of development rights and development rights transfer out of this zone. This transfer will have a beneficial impact on the groundwater recharge because the development rights (representing future dwelling units) and their associated impacts on groundwater quality and quantity will not occur to the same degree as in the future baseline in Zone III.

The impact on groundwater quality or quantity of the transferred units is mitigated by other provisions of the Plan and the DGEIS. The Plan supports coordination with the Department of Health Services on clustering within Zone III. Thus incremental increases in development density or intensity in the area north of Sound Avenue or other areas permitted by the Comprehensive Plan as generated by the transfer of development rights will not significantly impact groundwater quality with respect to nitrate-nitrogen. Potential impacts are also mitigated by the policies recommended in Chapter 4, the Natural Resources Conservation element of the Plan.

As the DGEIS states, the implementation of the Plan will have a beneficial impact on groundwater resources by reducing the water quantity demand and the ultimate number of new dwelling units by rezoning significant areas of the Town to lower densities.

Ecological Resources

The Comprehensive Plan will have a beneficial impact on ecological resources, as well as on plant and animal habitat. Recommendations for the use of clustering and preservation of vegetation also help to further reduce the potential impacts of development in Riverhead. The Plan minimizes the impacts on wetlands and their associated flora and fauna by requiring adherence to all applicable local and state regulations through the policies recommended in Chapter 4. The Plan recommends that stormwater be recharged on site, and this will also mitigate impacts to ecological resources within wetland areas. The Plan recommends that the bluffs and sand hills and associated vegetation adjacent to the Long Island Sound be preserved by the use of significant setbacks, clearing limits, environmental performance standards and best management practices. Implementing these recommendations will mitigate adverse impacts of development in these vicinities.

Subdivision and site designs shall also be configured in such a way so as to prioritize the preservation of native vegetation to the maximum extent practicable. It is recognized that the preservation of non-native but ecologically important habitats may be consistent with the intent and goals of the Plan when such action would result in the creation of large contiguous natural open space areas and farmable tracts and/or the protection of rare, threatened or endangered species or their habitat. Development designs shall consider the native planting suggestions contained in Chapter 4.

Surface Water Resources

Implementation of the Plan will not result in an increase in nitrogen or phosphorus loadings to surface waters. Additionally, as the acquisitions and buffering policies are implemented, impacts on surface water will be reduced below the future baseline conditions. Further, in order to mitigate site-specific impacts, the Plan requires that all stormwater be recharged on site. In addition, the use of naturally vegetated swales and depressions is recommended to reduce the nitrogen loadings by permitting nitrogen uptake prior to recharge. This will benefit both groundwater recharge and surface water quality.

Scenic, Historic and Cultural Resources

As noted in the DGEIS, the Plan will not cause an adverse impact on the character or quality of important scenic, historical, archeological, architectural, or aesthetic resources of the Town. While the Comprehensive Plan did reveal the presence of historic and cultural resources within developing and high visibility areas (Sound Avenue), the Plan's implementation will not produce or induce adverse impacts regarding historic or cultural resource preservation and protection. Chapter 5, the Scenic and Historic Resources Preservation Element provides policies to protect these resources. In particular, application of clustering provisions, scenic easements, site clearance and building envelope guidelines, slope analysis requirements, the use of vegetative buffers, and protection of scenic corridors will enhance scenic vistas and open spaces are specific methods recommended.

Demographic Patterns

The Comprehensive Plan and DGEIS analyze the demographic patterns of the Town. As stated in the Plan and DGEIS, implementation of the proposed action will result in a decrease in potential future population due to rezoning to lower densities and by acquisition of development rights versus what can be expected to occur at the future baseline.

Traffic Impacts

Implementation of the Plan will not cause any significant adverse impacts to overall traffic levels of the Town. As discussed in the Comprehensive plan and in the DGES, the existing road network can handle the redirection of development caused by the TDR program, with some improvements in certain locations. Site-specific mitigation may be required from individual developments, which will be identified in documentation as required by the lead agency in the review of each development proposal.

Air Quality, Odor and Noise Impacts

The impacts on air quality, odor and noise levels due to the Plan implementation were established to be within acceptable limits and thus were not significant environmental impacts to be assessed in the DGEIS.

Land Use and Zoning Patterns

The net result of the Plan is a compact and efficient development which will tend to protect existing open space and agricultural land. Except for the area north of Sound Avenue, Aquebogue and Jamesport, where only public water exists, the designation of receiving sites coincides with those areas where full infrastructure and municipal services already exist. Thus, the cost to Town taxpayers with regard to new road construction, water main extension and the provision of police, fire, school and other services is thereby lowered. The Plan will result in a net reduction in other infrastructure requirements on a Town-wide basis by centering development in already developed areas.

Growth and Character of Community and Neighborhood Impacts

As noted in the DGEIS, the implementation of the Plan should not result in any adverse impacts to the Town's existing neighborhoods, community facilities including schools, service districts or social services versus the future baseline condition.

Growth Inducing Aspects

As explained in the DGEIS, the Plan is not expected to induce any growth above that generated by existing development pressures. Rather, it will reduce or redirect growth which will occur in agricultural areas, without its implementation, to more appropriate areas consistent with the Plan.

SEQR 617.10 REGULATIONS – FUTURE ACTIONS PURSUANT TO THE PLAN

SEQR regulations, Part 617.10(c), state that "Generic EIS's and their findings should set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQR compliance. This may include thresholds and criteria for supplemental EIS's to reflect specific significant impacts, such as site specific impacts, that were not adequately addressed or analyzed in the generic EIS".

Criteria for Future Actions

Therefore, pursuant to the requirements of SEQR 617.10(c), this Findings Statement will include the criteria under which future actions may be undertaken. These conditions and criteria for future action on site-specific proposals are set forth in Section 9 of the DGEIS and are listed below in determining the significance of future actions upon adoption of the Plan. They are not necessarily listed in the order of importance, but rank high as relative determinants in the overall consideration of significance of an action.

Farmland Preservation – the relative preservation or loss of farmland versus the Plan's objectives, and project alternatives.

Traffic – the amount of traffic generation, the ability of the local road system to absorb the added traffic without significant impact, success of the access management plan being presented, including shared access and shared parking.

Esthetic/Scenic Issues – whether the proposed development is in keeping with the character of historic resource areas, and whether it preserves the scenic resources of Riverhead, particularly farm, open space and water views. An important corollary, where it applies, is the impact on Sound Avenue.

Natural Resources – the project's impact on water bodies, wetlands, wildlife habitats, slopes and unique rare or threatened plant communities. Sensitive areas exist in Riverhead, particularly certain vegetative plant communities along the north shore bluffs.

Stormwater Management, Erosion and Sedimentation – the inclusion of adequate provisions to address these issues and contain their impacts on the development site; retention of pre-development drainage characteristics.

Regulatory Compliance - compliance with sanitary regulations and nitrate-nitrogen loading related both to residential development, farmland preservation and permitted uses of the open space in a cluster development.

Effect on Community Facilities – how the proposed development will impact public

schools, emergency services and medical facilities.

Compatibility With Other Plans – how the project relates to the Central Pine Barrens Land Use Management Plan, the Peconic Estuary Study, the Long Island Sound Study, other plans adopted by the Town of Riverhead.

If a proposed project appears to affect any of these parameters significantly, there shall be included in the project development presentation measures to mitigate adverse impacts, project alternatives and other suitable methods for the Lead Agency to consider.

SEQR Thresholds

Regardless of any pending application status, all future development actions within the Town of Riverhead shall be undertaken pursuant to the four (4) SEQR Generic EIS thresholds established by Part 617.10(d) as follows:

"When a final generic EIS has been filed under this part:

1. No further SEQR compliance is required if a subsequent proposed action will be carried out in conformance with the conditions and thresholds established for such actions in the generic EIS or its findings statement;
2. An amended findings statement must be prepared if the subsequent proposed action was adequately addressed in the generic EIS but was not addressed or was not adequately addressed in the findings statement for the generic EIS;
3. A negative declaration must be prepared if a subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action will not result in any significant environmental impacts;
4. A supplement to the final generic EIS must be prepared if the subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action may have one or more significant environmental impacts."

CONCLUSIONS AND GENERIC FINDINGS

Based upon the information contained in the DGEIS and FGEIS, and as outlined in these Findings, the Lead Agency finds that the Proposed Action will not only achieve the goals of this Findings Statement but minimizes potential environmental impacts and will provide the necessary balance between the protection of the environment and the need to accommodate social and economical considerations.

Therefore, having considered the Comprehensive Plan and the Draft and Final GEIS, and having considered the foregoing written facts and conclusions relied upon to meet the requirements of 6 NY CRR 617.11 this Statement of Findings certifies that:

1. The Lead Agency has considered the relevant environmental impacts, facts and conclusions disclosed in the Draft and Final EIS;
2. The Lead Agency has weighed and balanced relevant environmental impacts with social, economic and other considerations;
3. These findings do provide a sound rationale for the Lead Agency's decision;
4. The requirements of 6 NYCRR Part 617 have been met;
5. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.
6. This action is consistent with the applicable policies of Article 42 of the Executive Law, as implemented by 19 NYCRR 600.5.

The Lead Agency, pursuant to SEQRA Part 617.11 has prepared the Findings stated herein and shall cause it to be filed in accordance with Part 617.12.

COPIES OF THIS FINDINGS STATEMENT HAVE BEEN FILED WITH:

1. Erin M. Crotty, Commissioner, NYSDEC
2. Environmental Notice Bulletin/Business Environmental Publications, Inc.
3. Randy A. Daniels, Secretary of New York State
4. Peter A. Scully, Regional Director, NYSDEC
5. Robert Kozakiewicz, Supervisor, Town of Riverhead