

**TOWN BOARD MEETING
AGENDA
PHILIP CARDINALE, Supervisor**

July 6, 2004

**Edward Densieski, Councilman
George Bartunek, 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
James Janecek
Judy Doll
John Reeve
Michael Reichel
Gary Pendzick**

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

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

COMMUNITY DEVELOPMENT AGENCY MEETING:

- #10** A Resolution Designating NF Management, Inc. as a Qualified and Eligible Sponsor for the Redevelopment of 1,800 Square Feet of Vacant Land Fronting on Peconic Avenue in Downtown Riverhead and Authorizing the Sale by the Agency of Said Land to NF Management, Inc for Redevelopment Consistent with the Goals and Objectives of the Urban Renewal Plan

REGULAR TOWN BOARD MEETING:

- #582** Appoints Student Intern in the Accounting Department (P. Wilkinson)
- #583 Appoints Student Intern in the Town Attorney's Office (C. Coverdale)
- #584 Accepts Resignation of Senior Citizen Bus Driver (T. Clinton)
- #585 Declares Lead Agency and Determines Environmental Significance of the Peconic Riverfront Project
- #586 2004 Recreation Capital Improvement project Budget Adjustment
- #587 Accepts Resignation of Part Time Housing Inspector (W. Orth)
- #588 Appoints a Recreation Leader in the Recreation Department (L. Miller)
- #589 Authorizes the Town Clerk to Publish and Post a Help Wanted Ad for Part Time Housing Inspector in the Community Development Office
- #590 Community Preservation Fund Budget Adjustment
- #591 General Fund Budget Adjustment
- #592 Riverhead Sewer Effluent Reuse Pilot Project Budget Adjustment
- #593 Rescinds Resolution #572 (Appoints N. Sollazzo- Recreation Leader)
- #594 Appoints a Scorekeeper Level V to the Recreation Department (K. Hasty)

- #595 Ratifies the Appointment of a Lifeguard Level I to the recreation Department (J. Tomao)
- #596 Ratifies the Appointment of a Lifeguard Level II to the Recreation Department (E. Tomoa)
- #597 Resolution Authorizing Multiple Hook-ups John Wesley Village-RWD
- #598 Order Authorizing Increase and Improvement to the RWD- Well Rehabilitation at Plant No. 5, 202-b
- #599 Order Establishing Extension 77 to the RWD- Riverhead Charter School
- #600 Maple, Apple & Terry Roads Road Improvement Project Budget Adoption
- #601 6th Street Jamesport Road Improvement Project Budget Adoption
- #602 Cedar Street, Pine Avenue, Beach Avenue & Harbor Road Road Improvement Project Budget Adoption
- #603 Clover Place Road Improvement Project Budget Adoption
- #604 Awards Bid-RWD-Ext. 78, Baiting Hollow Farms
- #605 Accepts Letter from Cardo Site Development (Drainlayer for Riverhead Sewer District)
- #606 Approves the Application for Fireworks Permit of Jamesport Fire Department
- #607 Approves Application of Jamesport Fire Department to Conduct a Firemans' Carnival
- #608 Approves Application of Martha Clara Vineyards, LLC (Afternoon Music Performance)
- #609 Authorizes Town Clerk to Publish and Post Public Notice to Consider the Purchase of Development Rights of a Parcel Located in the Town of Riverhead (purported owners: Harold E. Goodale and Gene E. Goodale)
- #610 Authorizing the Transfer of County Owned Property to the Town of Riverhead (Melene Street)

- #611 Ratifies the Approval of the Application of Riverhead Elks Lodge #2044
- #612 Amends Town of Riverhead Zoning Use District Schedule
- #613 Classifies Action of Special Permit Bed & Breakfast of Linda & Jim Slezak and Refers Petition to the Planning Board
- #614 Affirms Town Board's Commitment to Enact a Transfer of Development Rights Program by September 30, 2004
- #615 Resolution Supporting A.5690 and A.5691 in Relation to Forms of Identification for the Issuance of a New York State Driver's License to Legal Immigrants
- #616 Authorizes Emergency Work for Riverhead Sewer District
- #617 Gatz II Farmland Preservation Project Budget Adjustment
- #618 Riverhead Sewer District Budget Adjustment
- #619 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Create Chapter 16 of the Riverhead Town Code Entitled, "Domestic Partnership Registry"
- #620 Sense of the Board Resolution regarding EPCAL rezoning
- #621 Authorizes Supervisor to Execute Design Approval Request Memorandum in Accordance with NYS DOT Procedures for Federally Funded Transportation Projects
- #622 Authorizes the Supervisor to Execute a License Agreement with the Town Business Improvement District
- #623 Approves Application of Riverhead Business Improvement Management Association ("All American Cruise Night")
- #624 Approves Application of Mary Casey (Wedding to be held at Hallockville Museum Farm and Folklife Center)
- #625 Resolution Authorizing Supervisor to Execute Change Order No. 1-RWD- Construction of Plant 12, Contract E
- #626 Refuse & Garbage Fund Budget Adjustment
- #627 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Create Chapter 66 of the Riverhead Town Code Entitled, "Farm Stands"
- #628 Pays Bills

7/6/04

Withdrawn

Town of Riverhead

Community Development Agency

Resolution # 10

A Resolution Designating NF Management, Inc. as a Qualified and Eligible Sponsor for the Redevelopment of 1,800 Square Feet of Vacant Land Fronting on Peconic Avenue in Downtown Riverhead and Authorizing the Sale By the Agency of Said Land to NF Management, Inc. for Redevelopment Consistent with the Goals and Objectives of the Urban Renewal Plan

~~Member Densieski~~ Member Sanders offered the following resolution,

which was seconded by Member Bartunek :

WHEREAS, the Town of Riverhead Community Development Agency (the "Agency") is the owner of a parcel of vacant land located on the east side of Peconic Avenue, Riverhead, New York said property being more particularly bounded and described on "Schedule A" annexed hereto and made a part hereof, (the "Premises"); and

WHEREAS, there has been submitted to the Agency a proposal for, and the Agency is considering, (i) designating NF Management, Inc. the "qualified and eligible sponsor" (the "Sponsor"), pursuant to Section 507(2)(c) and (d) of the General Municipal Law and in accordance with the established rules and procedures provided by the Agency, for the redevelopment of the Premises consistent with the purposes of the Urban Renewal Plan adopted by the governing board of the Agency on October 19, 1993; and (ii) selling the Premises, pursuant to Sections 507(2)(d), 556(2) and 968(b) of the General Municipal Law, to NF Management, Inc. pursuant to a certain Agreement of Sale by and between the Agency and NF Management, Inc., a draft of which Agreement of Sale is on file in the Office of the Town Clerk of the Town of Riverhead and is available for public inspection during regular business hours (the "Agreement of Sale"), for \$10,000 for redevelopment by NF Management, Inc. consistent with the goals and objectives of the Urban Renewal Plan for the East Main Street Improvement Area by encouraging the development and rehabilitation of a structure that will enhance the physical appearance of the Town, stimulate economic development and promote tourist related activities within the East Main Street Improvement Area; and

WHEREAS, Sections 556(2), 507(2)(c) and (d) and 968(b) of the General Municipal Law require that a public hearing, following at least ten (10) days public notice, be held by the Agency on the question of designating NF Management, Inc. the Sponsor for the redevelopment of the Premises and selling said Premises to NF Management, Inc.; and

WHEREAS, the Agency, pursuant to Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder by the State Department of Environmental Conservation (“SEQRA”), declared itself “lead agency,” by Resolution #473 dated June 1, 2004 for the sale of the Premises to NF Management, Inc., determined such sale of the Premises to be an Unlisted Action pursuant to SEQRA, caused to be prepared therefore an Environmental Assessment Form pursuant to SEQRA and determined that such sale of the Premises is without significant adverse impacts to either the natural or social environment and that an Environmental Impact Statement need not be prepared pursuant to SEQRA; and

WHEREAS, on June 15, 2004, the Agency duly held said public hearing on the designation of NF Management, Inc. as Sponsor for the redevelopment of the Premises and the sale of the Premises by the Agency to NF Management, Inc., as Sponsor, after the requisite public notice; and

WHEREAS, a majority of the Town Board of the Town of Riverhead, acting as Members of the Agency, attended such public hearing, **Now**

THEREFORE, BE IT RESOLVED, by the Members of the Agency, as follows:

Section 1. Based upon the public hearing held at Riverhead Town Hall, 200 Howell Avenue, in Riverhead, New York in said Town on June 15, 2004 at 2:10 P.M., Prevailing Time, on the question of designating NF Management, Inc. the Sponsor for the redevelopment of the Premises and the sale of the Premises by the Agency to NF Management, Inc., it is hereby determined to designate NF Management, Inc. the Sponsor pursuant to Section 507(2)(d) of the General Municipal Law for the redevelopment of the Premises.

Section 2. The form and substance of the Agreement of Sale (in substantially the form presented at this meeting) are hereby approved.

Section 3. Based upon the public hearing held at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York in said Town on June 15, 2004 at 2:10 P.M., Prevailing Time, on the question of designating NF Management, Inc. the Sponsor for the redevelopment of the Premises and the sale of the Premises by the Agency to NF Management, Inc., the sale of the Premises by the Agency to NF Management, Inc. is hereby authorized in accordance with Section 507(2)(d), 556(2) and 968(b) of the General Municipal Law and in accordance with the terms of the Agreement of Sale.

Section 4. The Chairman of the Agency is hereby authorized, on behalf of the Agency, to execute and deliver the Agreement of Sale and to execute and deliver such other documents and certificates, including a deed to the Premises, as may be necessary or convenient to properly effectuate the sale of the Premises by the Agency to NF Management, Inc. in accordance with this Resolution and the Agreement of Sale and the Secretary of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, where necessary.

Section 5. The Chairman of the Agency is hereby authorized and directed to distribute copies of this Resolution to NF Management, Inc. and to do such further things and perform such acts as may be necessary or convenient to implement the provisions of this Resolution and the Agreement of Sale.

Section 6. This Resolution shall take effect immediately.

The Vote:

Member Bartunek _____
Member Sanders _____
Member Blass _____
Member Densieski _____
Chairman Cardinale _____

THE VOTE
Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Densieski yes ___ no *abstain*
Cardinale yes ___ no
THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

SCHEDULE A

ALL that certain plot, piece or parcel of land, with buildings and improvements thereon erected, situate, lying and being in the hamlet of Riverhead, Town of Riverhead, County of Suffolk and State of New York, known and more particularly bound and described as follows:

BEGINNING at a point at the southeast corner of the intersection of the southerly side of East Main Street (NYS Route 25) and the easterly side of Peconic Avenue and proceeding in a southerly direction along the easterly side of a concrete sidewalk that runs along the easterly side of Peconic Avenue South 15 Degrees 27 Minutes 30 Seconds West for a distance of 195.92 feet to the true point or place of BEGINNING.

RUNNING THENCE South 73 Degrees 51 Minutes 00 Seconds East 172.23 feet;

RUNNING THENCE South 08 Degrees 07 Minutes 00 Seconds East 12.68 feet;

RUNNING THENCE North 73 Degrees 02 Minutes 40 Seconds West along the southerly side of a concrete sidewalk 177.34 feet to the easterly side of a concrete sidewalk that runs along the easterly side of Peconic Avenue;

RUNNING THENCE along the easterly side of said concrete sidewalk that runs along the easterly side of Peconic Avenue North 15 Degrees 27 Minutes 30 Seconds East 9.08 feet to the point or place of BEGINNING.

JULY 6, 2004

Adopted

TOWN OF RIVERHEAD

**APPOINTS STUDENT INTERNS
IN THE ACCOUNTING DEPARTMENT**

RESOLUTION # 582

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

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

WHEREAS, it is the desire of the Accounting Department to have college interns appointed to work during the summer months to complete the annual capital asset inventory.

NOW, THEREFORE, BE IT RESOLVED, that effective July 7, 2004 the Town Board hereby appoints Philip E. Wilkinson to the position of Student Intern in the Accounting Department at the hourly rate of pay of \$9.50; and

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

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

JULY 6, 2004

Adopted

TOWN OF RIVERHEAD

APPOINTS STUDENT INTERN
IN THE TOWN ATTORNEY'S OFFICE

RESOLUTION # 583

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

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

WHEREAS, it is the desire of the Town Attorney's Office to have college interns appointed to work during the summer months to complete various annual projects.

NOW, THEREFORE, BE IT RESOLVED, that effective June 22, 2004 the Town Board hereby appoints Christopher Coverdale to the position of Student Intern in the Town Attorney's Office at the hourly rate of pay of \$10.00; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Christopher Coverdale, the Town Attorney's Office and the Office of Accounting.

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

JULY 6, 2004

Adopted

TOWN OF RIVERHEAD

ACCEPTS RESIGNATION OF SENIOR CITIZEN BUS DRIVER

RESOLUTION # 584

COUNCILWOMAN BLASS

_____ offered the following resolution,

COUNCILMAN BARTUNEK

which was seconded by _____.

WHEREAS, Thomas Clinton has notified the Senior Citizen Department Supervisor of his resignation from the position of Senior Citizen Bus Driver effective June 30, 2004.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the resignation of Thomas Clinton.

BE IT FURTHER, RESOLVED, that the Town Clerk be, and is hereby, directed to forward a certified copy of this Resolution to Thomas Clinton, the Senior Citizen Department and the Office of Accounting.

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

July 6, 2004

Adopted

TOWN OF RIVERHEAD

Resolution # 585

DECLARES LEAD AGENCY AND DETERMINES ENVIRONMENTAL SIGNIFICANCE OF THE PECONIC RIVERFRONT PROJECT

COUNCILWOMAN SANDERS offered the following resolution which

was seconded by COUNCILMAN DENSIESKI

WHEREAS, the Riverhead Town Board has received funding to make certain improvements upon Town of Riverhead Parking District property located along the Peconic Bay within the Riverhead Central Business District, and

WHEREAS, the Riverhead Planning Department has prepared an environmental assessment form in furtherance of the environmental review of the project pursuant to Article 8 of the Environmental Conservation Law, and

WHEREAS, subsequent to its review the Planning Department has recommended to the Riverhead Town Board that the project should be considered an Unlisted action without significant adverse impacts upon the environment, now

THEREFORE, BE IT

RESOLVED, that in the matter of the Peconic Riverfront Project consisting of the removal and replacement of approximately 1,000 linear feet of timber bulkhead and dredging to allow the construction of new bulkhead, boardwalk, and bicycle path, the Riverhead Town Board hereby declares itself to be the lead agency pursuant to 6NYCRR Part 617, and

BE IT FURTHER

RESOLVED, that the Riverhead Town Board hereby determines the subject action to be an Unlisted action without significant adverse impacts upon the environment and that an Environmental Impact Statement need not be prepared.

RH/PLANNING

THE VOTE

Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	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
Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no			

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

JUNE 22, 2004

Adopted

TOWN OF RIVERHEAD

2004 RECREATION CAPITAL IMPROVEMENT PROJECT

BUDGET ADJUSTMENT

RESOLUTION # 586

COUNCILMAN DENSIESKI

offered the following resolution,

which was seconded by

COUNCILMAN BARTUNEK

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

		<u>FROM</u>	<u>TO</u>
406.095031.481900.70054	PARK & REC. TRANSFER	\$22,500	
406.071100.543505.70054	SURVEY & ENGINEERING		\$22,500

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

JULY 6, 2004

Adopted

TOWN OF RIVERHEAD

ACCEPTS RESIGNATION OF PART TIME HOUSING INSPECTOR

RESOLUTION # 5877

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

WHEREAS, Walton Orth has notified the Community Development Project Supervisor of his resignation from the position of Part Time Housing Inspector effective June 18, 2004.

WHEREAS, a letter was sent to Mr. Orth acknowledging his resignation and our intent to prepare and submit a resolution to the Town Board for the July 6, 2004 Town Board Meeting.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the resignation of Walton Orth.

BE IT FURTHER, RESOLVED, that the Town Clerk be, and is hereby, directed to forward a certified copy of this Resolution to Walton Orth, Community Development and the office of Accounting.

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

JULY 6, 2004

Adopted

TOWN OF RIVERHEAD

APPOINTS RECREATION LEADER TO THE

RIVERHEAD RECREATION DEPARTMENT

RESOLUTION # 588

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

RESOLVED, that Liam Miller is hereby appointed to serve as a Recreation Leader, effective June 30, 2004 to and including September 13, 2004 to be paid at the rate of \$10.00 per hour, and to serve at the pleasure of the Town Board; and

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

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 Clerk be, and is hereby, directed to forward a certified copy of this Resolution to Liam Miller, the Recreation Department and the Office of Accounting.

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

JULY 6, 2004

Adopted

TOWN OF RIVERHEAD

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST A HELP WANTED AD FOR PART TIME HOUSING INSPECTOR IN THE COMMUNITY DEVELOPMENT OFFICE

RESOLUTION # 589

COUNCILMAN BARTUNEK

offered the following

resolution, which was seconded by COUNCILWOMAN BLASS

BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the July 8, 2004 issue of The News Review

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the Community Development Office.

THE VOTE

Bartunek yes ___ no Sanders yes ___ no
 Blass yes ___ no Densieski yes ___ no
 Cardinale yes ___ no

THE RESOLUTION WAS ___ WAS NOT
 THEREFORE DULY ADOPTED

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking a qualified individual to serve in the position of Part Time Housing Inspector in the Community Development Office. Applications are to be submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY. No applications will be accepted after 4:00pm on July 16, 2004. EOE

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

THE VOTE

Bartunek ___ yes ___ no Sanders ___ yes ___ no
Blass ___ yes ___ no Densieski ___ yes ___ no
Cardinale ___ yes ___ no

THE RESOLUTION ___ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

JULY 6, 2004

Adopted

TOWN OF RIVERHEAD

COMMUNITY PRESERVATION FUND

BUDGET ADJUSTMENT

RESOLUTION # 590

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>FROM</u>	<u>TO</u>
737.082170.420000	LAND TRANSFER TAX	\$25,000	
737.019500.549200	REFUND OF CPF TAX		\$25,000

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

JULY 6, 2004

Adopted

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 591

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

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

	<u>FROM</u>	<u>TO</u>
001.000000.390599 APPROPRIATED FUND BALANCE	\$ 340	
001.013550.524000 ASSESSORS EQUIPMENT		\$ 340
001.000000.390599 APPROPRIATED FUND BALANCE	27,681	
001.036200.524000 SAFETY INSPECTOR, EQUIPMENT		27,681
001.000000.390599 APPROPRIATED FUND BALANCE	2,500	
001.036200.542100 BLDG., OFFICE SUPPLIES		2,500

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

JULY 6, 2004

Adopted

TOWN OF RIVERHEAD

RIVERHEAD SEWER EFFLUENT REUSE PILOT PROJECT

BUDGET ADJUSTMENT

RESOLUTION # 592

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

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

	<u>FROM</u>	<u>TO</u>
406.081300.523017.20023 CONSTRUCTION	\$65,000	
406.081300.543504.20023 ENGINEERING EXP.		\$65,000

THE VOTE

Bartunek Yes No Sanders Yes No
 Blass Yes No Densieski Yes No
 Cardinale Yes No

JULY 6, 2004

Adopted

TOWN OF RIVERHEAD

RESCINDS RESOLUTION #572

RESOLUTION # 593

COUNCILWOMAN BLASS

offered the following

Resolution, which was seconded by COUNCILMAN BARTUNEK

WHEREAS, Resolution #572 was adopted June 15, 2004, appointing Nick Sollazzo to serve as a Recreation Leader, effective June 10, 2004, and

WHEREAS, Nick Sollazzo has since turned down this position.

NOW, THEREFORE, BE IT RESOLVED, that Resolution #572 be rescinded.

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

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

7/6/04

Adopted

TOWN OF RIVERHEAD

Resolution # 594

APPOINTS A SCOREKEEPER LEVEL V TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN BARTUNEK

offered the following resolution,

COUNCILWOMAN BLASS

which was seconded by _____

RESOLVED, that Kimberly J. Hasty is hereby appointed as a Scorekeeper Level V effective, June 2, 2004 to serve as needed on an at will basis 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

Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	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
Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no			

**THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED**

¹ Rec. Colleen/ Resolution. Scorekeeper Level V Kimberly J. Hasty

7/6/04

Adopted

TOWN OF RIVERHEAD

Resolution # 595

RATIFIES THE APPOINTMENT OF A LIFEGUARD LEVEL I TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILWOMAN BLASS

_____ offered the following resolution,

COUNCILMAN BARTUNEK

which was seconded by _____

RESOLVED, that Joseph Tomao is hereby appointed to serve as a Lifeguard Level I effective June 29, 2004 to and including September 6, 2004, 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):

1. All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date.
2. Subject to Suffolk County Lifeguard Certifications.
3. Current CPR Certifications

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

Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	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
Cardinale	<input type="checkbox"/> yes	<input type="checkbox"/> no			

**THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED**

¹ Rec. Doris/ Res Lifeguard Joseph Tomao 2004

Adopted

7/6/04

TOWN OF RIVERHEAD

Resolution # 596

RATIFIES THE APPOINTMENT OF A LIFEGUARD LEVEL II TO THE RIVERHEAD RECREATION DEPARTMENT

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

RESOLVED, that Elizabeth Tomao is hereby appointed to serve as a Lifeguard Level II effective June 29, 2004 to and including September 6, 2004, to be paid at the rate of \$10.50 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.
2. Subject to Suffolk County Lifeguard Certifications.
3. Current CPR Certifications

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

Bartunek yes ___ no Sanders yes ___ no
 Blass yes ___ no Densieski yes ___ no
 Cardinale yes ___ no

THE RESOLUTION WAS ___ WAS NOT
 THEREFORE DULY ADOPTED

¹ Rec. Doris/ Res Lifeguard Eliuzabeth Tomao 2004

Adopted

7/6/04

9/21/04

Tabled

RESOLUTION AUTHORIZING MULTIPLE HOOK-UPS
JOHN WESLEY VILLAGE
RIVERHEAD SEWER DISTRICT

RESOLUTION # 597

Adopted _____

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

WHEREAS, the Riverhead Sewer District owns 1,278 feet of sewer main in and through John Wesley Village I serving such development, and

WHEREAS, this sewer main has been extended by and through John Wesley Village II and John Wesley Village III to serve those developments, and

WHEREAS, the main located on the parcels of John Wesley Village II and III will remain privately owned and will be maintained pursuant to the attached agreement by and between those developments, and

WHEREAS, the Town Board is authorized to permit multiple buildings to be connected to a single main upon recommendation of the Superintendent, which recommendation has been made,

RESOLVED, the Town Board of the Town of Riverhead as governing body of the Riverhead Sewer District does hereby authorize the connection of the developments of John Wesley Village II and John Wesley III to the existing District owned main serving John Wesley Village I and be it further

RESOLVED, the Town Clerk shall forward certified copies of this resolution to Michael Reichel, Assessor's Office, Building Department and Planning Department.

PREPARED BY FRANK A. ISLER FOR THE RIVERHEAD SEWER DISTRICT

THE VOTE

Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	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
			Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

Councilwoman Sanders offered the resolution to be TABLED, Seconded by Councilwoman Blass.

TOWN BOARD MEETING 9/21/04

Councilwoman offered the resolution to be brought off the table, seconded by Councilman Densieski. All Members in favor of untabling the resolution.

Councilwoman Sanders offered the resolution for adoption, seconded by Councilman Densieski. All members in favor of adopting the resolution.

AGREEMENT

IT IS AGREED between JOHN WESLEY VILLAGE II, L.P. with Offices at 1 Aldersgate, Riverhead, New York 11901 and JOHN WESLEY VILLAGE III L.P. with Offices at 1 Aldersgate, Riverhead, New York 11901 as follows:

WHEREAS, the parties are the beneficial owners of adjoining and contiguous parcels of real property in the Town of Riverhead, New York (more particularly described in the descriptions attached hereto) and

WHEREAS, both parcels are improved by multiple residences which are served by sanitary sewers which include but are not limited to house connections and sewer mains and

WHEREAS, the sanitary sewers serving the parcels described are connected to the Riverhead Sewer District.

NOW THEREFORE IT IS AGREED:

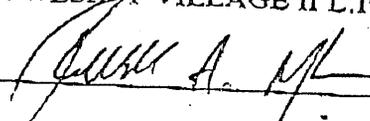
FIRST: Each party shall be responsible for the maintenance and repair of the sanitary sewers lying within the described parcel beneficially owned by each party.

SECOND: Each party will hold the other harmless from any costs, repairs and expenses caused by one party's acts which adversely affect the sanitary sewer on the parcel owned by the other party.

THIRD: Both parties agree to hold the Riverhead Sewer District harmless from costs or expenses caused to the Riverhead Sewer District by the operation of the sewers beneficially owned by the parties.

Dated: June 14, 2004
Riverhead, New York 11901

JOHN WESLEY VILLAGE II L.P.

BY: 

JOHN WESLEY VILLAGE III L.P.

BY: 

7/6/04

Adopted

TOWN OF RIVERHEAD
ORDER AUTHORIZING INCREASE AND IMPROVEMENT
TO THE RIVERHEAD WATER DISTRICT
WELL REHABILITATION AT PLANT NO. 5
202-b

RESOLUTION # 598

Adopted: _____

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

WHEREAS, a recommendation has been made to the Town Board of the Town of Riverhead, as governing body of the Riverhead Water District, by H2M, consulting engineers to the Riverhead Water District, by letter dated January 14, 2004, (revised March 29, 2004,) that in order to improve the water quality of the water in terms of iron concentration at Plant No. 5, repair/replacement work is necessary, and

WHEREAS, the maximum amount proposed to be expended for said repair/replacement work is \$494,000 with said funds used for the well to be allocated and charged as the cost of increasing and improving the facilities of the District and shall be borne by the entire District and to be paid from existing funds, and

WHEREAS, it has been determined that this is a Type II Action with no significant impact upon the environment, and

WHEREAS, in accordance with Section 202-b of the Town Law, a public hearing was held on May 18, 2004, and all persons wishing to be heard were heard,

NOW, THEREFORE, upon the proceedings, the plans and specifications, and the public hearing, the Town Board of the Town of Riverhead, as governing body of the Riverhead Water District, hereby determines as follows:

RESOLVED, that the improvements to the Riverhead Water District will not have a significant impact upon the environment, and it is further

RESOLVED, that improvements as set forth above are in the best interest of the properties served by the Riverhead Water District, and it is further

RIVERHEAD WATER DISTRICT

THE VOTE
Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Densieski yes ___ no
Cardinale yes ___ no
THE RESOLUTION ~~WAS~~ WAS NOT
THEREFORE DULY ADOPTED

RESOLVED, that the maximum amount to be expended for said overall improvements is \$494,000 which shall be allocated and charged as the cost of increasing and improving the facilities of the Riverhead Water District and shall be borne by the entire District to be paid from existing funds, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Frank Isler, Esq., Gary Pendzick, H2M, and Riverhead Accounting Department.

THIS RESOLUTION PREPARED BY FRANK A. ISLER
ON BEHALF OF THE RIVERHEAD WATER DISTRICT

7/6/04

Adopted

TOWN OF RIVERHEAD

ORDER ESTABLISHING EXTENSION 77
TO THE RIVERHEAD WATER DISTRICT
RIVERHEAD CHARTER SCHOOL

RESOLUTION # 599

Adopted _____

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

WHEREAS, a petition has been filed by the Riverhead Charter School to allow public water to be provided to the proposed Riverhead Charter School in Calverton, New York, which parcel of land is located just outside the boundaries of the existing Water District, and

WHEREAS, a map and plan detailing the proposed construction of water mains and appurtenances has been prepared by H2M, consulting engineers to the Riverhead Water District for an extension to the Riverhead Water District to be known as Extension No. 77, and

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

WHEREAS, the cost of the proposed extension is \$42,500, to be borne by the applicant and no public monies shall be expended for this extension, and

WHEREAS, the petitioner will be required to pay key money in the amount of \$30,000, and

WHEREAS, the Town Board called a public hearing for June 15, 2004, which hearing was held and all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED that the Town Board, upon the proceeding and record of the hearing had herein, determines that the extension to the Riverhead Water District to be known as Extension No. 77 as shown on Exhibit A attached is in the best interest of the district and will benefit the property to be served, which extension shall serve property located Route 25, Calverton, and

RIVERHEAD WATER DISTRICT

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

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

BE IT FURTHER RESOLVED, that the cost of installation of said mains and appurtenances is \$42,500, all being constructed subject to the following conditions:

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

2. The developer has deposited cash, bank or certified check with the Town of Riverhead prior to the award of the bid covering the cost of construction in the amount of \$42,500 and key money in the amount of \$30,000;

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

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

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

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

THE VOTE
Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Densieski yes ___ no
Cardinale yes ___ no
THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

THENCE running westerly along the southerly property line of Section 99, Block 2, Lot 9.1 a distance of 265.00 feet to a point.

THENCE running northerly along the westerly property line of Section 99, Block 2, Lot 9.1 a distance of 602.17 feet to a point. Said point lying along the easterly property line of Section 117, Block 2, Lot 2.5.

THENCE running northerly along the former easterly property line of Section 99, Block 2, former Lot 9 to the southerly right-of-way of Middle Country Road a distance of 254.20 feet to a point.

THENCE running westerly along the southerly right-of-way of Middle Country Road to a point from by the apparent intersection of the westerly property line of Section 99, Block 2, Lot 6.2 and the southerly right-of-way of Middle Country Road a distance of approximately 58 feet.

THENCE running northerly crossing the right-of-way of Middle Country Road (NYS Rte. 25) a distance of approximately 62 feet to the said POINT OF BEGINNING.

END OF DESCRIPTION

EXHIBIT "A" - 2 of 2

EXHIBIT "A"**RIVERHEAD WATER DISTRICT
ENGINEERING REPORT
FOR
PROPOSED EXTENSION NO. 77
RIVERHEAD CHARTER SCHOOL****H2M PROJECT NO.: RDWD 02-60****DESCRIPTION OF EXTENSION****MAY 2004**

All this certain lot, parcel of land, said property being known as Section 99, Block 2, Lot 9.1 situated and lying and being at Calverton, Town of Riverhead, County of Suffolk and State of New York, also with the right-of-way known as Middle Country Road (New York State Route 25), bounded and described as follows:

BEGINNING at a point formed by the northerly right-of-way of Middle Country Road (NYS Rte. 25) and the easterly right-of-way of Edwards Avenue. Traveling easterly along the northerly right-of-way of Middle Country Road (NYS Rte. 25) a distance of approximately 652 feet to a POINT OF BEGINNING.

From said POINT OF BEGINNING, running easterly along the northerly right-of-way of Middle Country Road a distance of approximately 332 feet to a point formed by the apparent intersection of the northerly right-of-way of Middle Country Road and the easterly property line of Section 99, Block 2, Lot 9.1.

THENCE running southerly from last said point an approximate distance of 63 feet to the southerly right-of-way line of Middle Country Road to a point.

THENCE running southerly along the easterly property line of Section 99, Block 2, Lot 9.1 a distance of 785.47 feet to a point.

JULY 6, 2003

TOWN OF RIVERHEAD

MAPLE, APPLE & TERRY ROADS ROAD IMPROVEMENT PROJECT

BUDGET ADOPTION

RESOLUTION # 600

COUNCILWOMAN BLASS _____ offered the following resolution,

which was seconded by _____ COUNCILWOMAN SANDERS _____.

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

		<u>FROM</u>	<u>TO</u>
406.051100.487451.45082	TRANSFER FROM CHIPS	\$20,000	
406.051100.541301.45082	ROAD ASPHALT EXP.		\$20,000

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

Adopted

JULY 6, 2003

TOWN OF RIVERHEAD

6TH STREET JAMESPORT ROAD IMPROVEMENT PROJECT

BUDGET ADOPTION

RESOLUTION # 601

COUNCILWOMAN SANDERS

_____ offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

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

		<u>FROM</u>	<u>TO</u>
406.051100.487451.45083	TRANSFER FROM CHIPS	\$20,000	
406.051100.541301.45083	ROAD ASPHALT EXP.		\$20,000

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

JULY 6, 2003

Adopted

TOWN OF RIVERHEAD

CEDAR STREET, PINE AVE., BEACH AVE., & HARBOR ROAD ROAD IMPROVEMENT PROJECT

BUDGET ADOPTION

RESOLUTION # 602

COUNCILMAN DENSIESKI

_____ offered the following resolution,

which was seconded by _____ COUNCILMAN BARTUNEK _____.

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

		<u>FROM</u>	<u>TO</u>
406.051100.487451.45084	TRANSFER FROM CHIPS	\$25,000	
406.051100.541301.45084	ROAD ASPHALT EXP.		\$25,000

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

JULY 6, 2003

Adopted

TOWN OF RIVERHEAD

CLOVER PLACE ROAD IMPROVEMENT PROJECT

BUDGET ADOPTION

RESOLUTION # 603

COUNCILMAN BARTUNEK

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 adoption:

		<u>FROM</u>	<u>TO</u>
406.051100.487451.45085	TRANSFER FROM CHIPS	\$15,000	
406.051100.541301.45085	ROAD ASPHALT EXP.		\$15,000

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

7/6/04

Adopted

AWARDS BID
RIVERHEAD WATER DISTRICT
EXTENSION NO. 78, BAITING HOLLOW FARMS

RESOLUTION # 604

Adopted _____

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

WHEREAS, this Town Board did authorize the advertisement for bids for Extension No. 78, Baiting Hollow Farms, 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 June 23, 2004, H2M, consulting engineers to the Riverhead Water District, did recommend that the bid be awarded to Grimes Contracting Co., Inc. of Montauk, New York, in the amount of \$148,857.50

NOW, THEREFORE, BE IT

RESOLVED, that the bid for Extension No. 78, Baiting Hollow Farms be and is hereby awarded to Grimes Contracting Co., Inc. in the amount of \$148,857.50,

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

Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Sanders	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Denieski	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no			

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

61

7/6/04

Adopted

TOWN OF RIVERHEAD

Resolution # 605

ACCEPTS LETTER OF CREDIT FROM CARDO SITE DEVELOPMENT (DRAINLAYER FOR RIVERHEAD SEWER DISTRICT)

COUNCILWOMAN BLASS

offered the following resolution, was seconded by

COUNCILMAN BARTUNEK

WHEREAS, pursuant to Section 88-3 of the Riverhead Town Code, Cardo Site Development Inc.. had submitted a request to become an authorized drainlayer with the Town of Riverhead Sewer District; and

WHEREAS, by Resolution #416 dated May 19, 1998, the Riverhead Town Board approved Cardo Site Development Inc. as an authorized drainlayer with the Riverhead Sewer District and further, had accepted security in the form of a pass book savings account; and

WHEREAS, Cardo Site Development Inc. has requested that an Irrevocable Letter of Credit be substituted in place of the passbook savings account currently in place.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts Suffolk County National Bank Irrevocable Letter of Credit #040415 in the amount of \$5,000.00 having an expiration date of April 15, 2005; and be it further

RESOLVED, that the Riverhead Town Board hereby authorizes the release of Suffolk County National Bank Passbook Savings Account #400087956; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Cardo Site Development Inc., P.O. Box 506, Montauk Highway, Quogue, New York, 11959; Suffolk County National Bank, 144 Sunset Avenue, Westhampton Beach, New York, 11978; Michael Reichel, Sewer District Superintendent and the Accounting Department.

THE VOTE

Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	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
			Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

7/6/04

TOWN OF RIVERHEAD

Adopted

Resolution # 606

**APPROVES THE APPLICATION FOR FIREWORKS PERMIT OF
JAMESPORT FIRE DEPARTMENT**

COUNCILMAN BARTUNEK

offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

WHEREAS, the Jamesport Fire Department has submitted a Fireworks Permit Application for the purpose of conducting a fireworks display to be held on the grounds of the George Young Community Center located in Jamesport, New York on July 17, 2004 between the hours of 9:45 p.m. and 10:15 p.m.; and

WHEREAS, the Town Attorney is in receipt of a completed Fireworks Application executed by the Chief of the Jamesport Fire Department and the Riverhead Fire Marshal and a certificate of insurance from the fireworks company (Fireworks by Grucci, Inc.) naming the Town of Riverhead as an additional insured and has determined that same is satisfactory as to their form.

NOW THEREFORE BE IT RESOLVED, that the Fireworks Permit Application of Jamesport Fire Department for the purpose of conducting a fireworks display to be held on the grounds of the George Young Community Center located in Jamesport, New York on July 17, 2004 between the hours of 9:45 p.m. and 10:15 p.m., is hereby approved with the following conditions:

- The required fire suppression equipment and personnel shall be provided by the Jamesport Fire Department whom must be at the site prior to commencement of fireworks display.
- Fireworks and technicians must arrive at the site no later than 2:00 p.m. on the day of the event.
- Scheduling a pre-event inspection between 12:00 noon and 2:00 p.m. on the day of the event having the Fireworks technician(s), the Riverhead Fire Marshal and the Riverhead Fire Chief in attendance.
- Fire Marshal to be present 30 minutes prior to commencement of display for purpose of final inspection and safety review.
- Fireworks display shall be limited to shells not larger than 5" in diameter.
- Fire Marshal shall have final authorization to allow the fireworks display or cancel the display if there are unsafe conditions, lightning and/or winds in excess of 30 miles per hour; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Jamesport Fire Department, Attn: William Burns, P.O. Box 78, Jamesport, New York, 11947; Fireworks by Grucci, Inc., One Grucci Lane, Brookhaven, New York, 11719; Bruce Johnson, Riverhead Fire Marshal; the Office of the Town Attorney and the Riverhead Police Department.

THE VOTE
Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Densieski yes ___ no
Cardinale yes ___ no
THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

Resolution # 607

APPROVES APPLICATION OF JAMESPORT FIRE DEPARTMENT TO CONDUCT A FIREMANS' CARNIVAL

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

WHEREAS, the Jamesport Fire Department has submitted an application for the purpose of conducting a Firemans' Carnival to be held at the George Young Community Center, Main Road, Jamesport, New York, on July 13, 2004 through July 17, 2004 between the hours of 4:00 p.m. and 12:00 midnight; and

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

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

NOW THEREFORE BE IT RESOLVED, that the application of the Jamesport Fire Department for the purpose of conducting a Firemans' Carnival to be held at the George Young Community Center, Main Road, Jamesport, New York, on July 13, 2004 through July 17, 2004 between the hours of 4:00 p.m. and 12:00 midnight is hereby approved; and be it further

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

RESOLVED, that the Town Board of the Town of Riverhead hereby waives the application fee for this event due to their not-for-profit status; and be it further

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Jamesport Fire Department, Attn: William Burns, P.O. Box 78, Jamesport, Jamesport, New York, 11974; the Riverhead Fire Marshal and Chief Hegermiller, Riverhead Police Department.

THE VOTE

Bartunek <input checked="" type="checkbox"/> yes ___ no ___	Sanders <input checked="" type="checkbox"/> yes ___ no ___
Blass <input checked="" type="checkbox"/> yes ___ no ___	Densieski <input checked="" type="checkbox"/> yes ___ no ___
Cardinale <input checked="" type="checkbox"/> yes ___ no ___	

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

Adopted

7/6/04

TOWN OF RIVERHEAD

Resolution # 608

APPROVES APPLICATION OF MARTHA CLARA VINEYARDS, LLC (AFTERNOON MUSIC PERFORMANCE)

COUNCILWOMAN SANDERS offered the following resolution, was seconded by

COUNCILMAN BARTUNEK :

WHEREAS, Martha Clara Vineyards, LLC has submitted an application for the purpose of conducting an "Afternoon Music Performance" to be held at 6025 Sound Avenue, Jamesport, New York, between the hours of 4:00 p.m. and 7:00 p.m. on August 8, 2004; and

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

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

NOW THEREFORE BE IT RESOLVED, that the application of Martha Clara Vineyards, LLC for the purpose of conducting an "Afternoon Music Performance" to be held at 6025 Sound Avenue, Jamesport, New York, between the hours of 4:00 p.m. and 7:00 p.m. on August 8, 2004 is hereby approved; and be it further

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

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Martha Clara Vineyards, LLC, Attn: Christine Nowak, 6025 Sound Avenue, Riverhead, New York, 11901; Bruce Johnson, Riverhead Fire Marshal and Chief David Hegermiller, Riverhead Police Department.

THE VOTE

Bartunek yes ___ no Sanders yes ___ no
 Blass yes ___ no Densieski yes ___ no
 Cardinale yes ___ no

THE RESOLUTION WAS ___ WAS NOT
 THEREFORE DULY ADOPTED

July 6, 2004

Adopted

TOWN OF RIVERHEAD

Resolution # 609

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO
CONSIDER THE PURCHASE OF DEVELOPMENT RIGHTS OF A PARCEL
LOCATED IN THE TOWN OF RIVERHEAD (purported owners: Harold E. Goodale and
Gene E. Goodale)**

COUNCILMAN BARTUNEK

_____ offered the following resolution, was seconded by

COUNCILWOMAN BLASS

_____ :

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

WHEREAS, Harold E. Goodale and Gene E. Goodale have expressed a desire to sell the development rights on approximately 18.5 acres of their agricultural lands located on the southerly side of Northville Turnpike and westerly side of County Road 105, Riverhead, New York, at \$34,000 per acre, further described as Suffolk County Tax Map #0600-65-6- p/o 4.1, to the Town of Riverhead.

NOW THEREFORE BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider the purchase of development rights of agricultural lands owned by Harold E. Goodale and Gene E. Goodale, once in the July 15, 2004, issue of the News Review the official newspaper designated for these purposes, and also to cause a copy of the proposed purchase of development rights to be posted on the sign board of the Town in the Office of the Town Clerk; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Anne Marie Goodale, Twomey, Latham, Shea and Kelly, 33 West Second Street, PO Box 9398, Riverhead, New York 11901; the Farmland Preservation Committee; Peconic Land Trust, Attn: Julie T. Wesnofske, 296 Hampton Road, P.O. Box 1776, Southampton, New York, 11969; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office and the Town Attorney's Office.

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held on the 3rd day of August, 2004 at 2:15 PM o'clock p.m., at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider the purchase of development rights on 18.5 acres of agricultural lands owned by Harold E. Goodale and Gene E. Goodale located on the southerly side of Northville Turnpike and northerly side of County Road 105, Riverhead, New York, at \$34,000 per acre, further described as Suffolk County Tax Map #0600-65-6- p/o 4.1, to the Town of Riverhead, pursuant to §247 of the New York State General Municipal Law and Chapter 44 of the Riverhead Town Code.

Dated: Riverhead, New York
July 6, 2004

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

THE VOTE

Bartunek ✓	yes	no	Sanders ✓	yes	no
Blass ✓	yes	no	Densieski ✓	yes	no
Cardinale ✓	yes	no			

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED.

7/06/04

Adopted

TOWN OF RIVERHEAD

Resolution # 610

AUTHORIZING THE TRANSFER OF COUNTY OWNED PROPERTY TO THE TOWN OF RIVERHEAD

COUNCILWOMAN BLASS offered the following resolution

and was seconded by COUNCILWOMAN SANDERS :

WHEREAS, through tax default the County of Suffolk has acquired the real property known as 0600-105-2-6 (Melene Street), in the Town of Riverhead; and

WHEREAS, the Town of Riverhead's intended use of the real property known as 0600-105-2-6 (Melene Street), is for affordable housing purposes; and

WHEREAS, this property may be transferred to the Town of Riverhead pursuant to General Municipal Law 72-h;

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby authorizes the Supervisor to take all necessary steps to take title to the tax default property known as 0600-105-2-6 (Melene Street); and be it further;

RESOLVED, THAT THE Town Clerk is hereby authorized to forward a certified copy of this resolution to County of Suffolk, Department of Planning Division of Real Estate, Thomas A. Isles, Director, PO Box 6100, Hauppauge, NY 11788; Elaine Harrison, Office of the Suffolk County Treasurer, 330 Center Drive, Riverhead, NY 11901; Honorable Michael J. Caracciolo, County Legislator, First District, 423 Griffing Avenue, Riverhead, NY 11901; Town Engineer, Highway Department, Assessor's Office, Tax Receiver's Office, Supervisor's Office, Building Department, Community Development Office, and the Town Attorney's Office.

THE VOTE

Bartunek Yes NO

Sanders Yes NO

Blass Yes NO

Densieski Yes NO

Cardinale Yes NO

The Resolution Was Was Not
Thereupon Duly Declared Adopted

RATIFIES THE APPROVAL OF THE APPLICATION OF RIVERHEAD ELKS LODGE #2044

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

WHEREAS, the Riverhead Elks Lodge #2044 has submitted an application for the purpose of conducting a Father's Day event honoring David Grodski to be held at the Riverhead Elks Lodge located on 1239 East Main Street, Riverhead, New York, on June 20, 2004 to be held between the hours of 12:00 noon and 7:00 p.m.; and

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

WHEREAS, the Town Attorney of the Town of Riverhead has reviewed all documents regarding said application and is of the understanding that all proceeds from this event shall be for the benefit of the Riverhead Elks Lodge #2044.

NOW THEREFORE BE IT RESOLVED, that the application of the Riverhead Elks Lodge #2044 for the purpose of conducting a Father's Day event honoring David Grodski between the hours of 12:00 noon and 7:00 p.m. with lawn mower racing from approximately 1:00 p.m. to 4:00 p.m. is hereby approved; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby waives the application fee; and be it further

RESOLVED, this approval is subject to the receipt of a certificate of insurance has been received naming the Town of Riverhead as an additional insured satisfactory to the Town Attorney; and be it further

RESOLVED, that this approval is subject to Riverhead Town Code Chapter 81 entitled, "Noise Control" and that applicant shall not exceed the noise limits as defined in Section 81-5 Prohibited Acts.; and be it further

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

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Riverhead Elks Lodge #2044, the Riverhead Fire Marshal and Chief David Hegermiller, Riverhead Police Department.

THE VOTE
Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Densieski yes ___ no
Cardinale yes ___ no
**THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED**

July 6, 2004

Adopted

TOWN OF RIVERHEAD

Resolution # 612

AMENDS TOWN OF RIVERHEAD ZONING USE DISTRICT SCHEDULE

COUNCILWOMAN BLASS

offered the following resolution which

COUNCILMAN DENSIESKI

was seconded by _____

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a number of local laws drafted to implement the residential element of the Comprehensive Plan of the Town of Riverhead as adopted by the Riverhead Town Board on the 3rd of November, 2003; such local laws entitled the Agricultural Protection Zoning Use District, the Residence A-80 Zoning Use District, the Residence B-80 Zoning Use District, the Residence B-40 Zoning Use District and the Retirement Community Zoning Use District, and

WHEREAS, the Town Clerk was further authorized to publish and post a public notice to notify all interested persons to consider the repeal of the Residence A Zoning Use District, the Residence B Zoning Use District, the Residence C Zoning Use District, the Residence D Zoning Use District and the Redevelopment Community Zoning Use District, and

WHEREAS, the adoption of the aforementioned residential zoning use districts require the amendment of the Town of Riverhead Zoning Use District Schedule, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby amends the Town of Riverhead Zoning Use District Schedule as follows:

Rh/planning

THE VOTE

Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	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
			Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no

**THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED**

Town of Riverhead
§ ----- Residence Districts Schedule of Dimensional Regulations
Amended 6-22-2004 by L.L. No. ----2004

Zoning Use District	Minimum lot area (square feet)	Minimum lot width (feet)	Maximum impervious surface (%)	Maximum height of residential buildings (feet)	Minimum front yard depth (feet)	Minimum either side yard width (feet)	Minimum both side yards, total width (feet)	Minimum side yard abutting side street (feet)	Minimum rear yard depth (feet)
Agricultural Protection (APZ)	80,000	175	15	35	60	30	65	60	75
Residence A-80 (RA-80)	80,000	175	15	35	60	30	65	60	75
Residence A-40 (RA-40)									
As-of-right subdivision	40,000	150	15	35	50	25	55	50	60
Workforce housing option ¹	20,000	100	15	35	40	10	25	40	40
Hamlet Residential (HR)	80,000	175	15	35	60	30	65	60	75
Residence B-80 (RB-80)	80,000	175	15	35	60	30	65	60	75
Residence B-40 (RB-40)	40,000	150	15	35	50	25	55	50	60
Retirement Community (RC)	15 acres ²	150	15	35	25	10	25	25	40

NOTES:

- ¹ The workforce housing option allows an increased development yield of fifty (50%) percent provided that sixty-six percent (66%) of the total lots within the subdivision are reserved for workforce housing.
- ² The minimum parcel area to be considered for inclusion within the Residence RC Zoning Use District shall be fifteen (15) acres with development yield of one (1) unit per 40,000 square feet.

July 6, 2004

TOWN OF RIVERHEAD

Resolution # 613

CLASSIFIES ACTION OF SPECIAL PERMIT BED AND BREAKFAST OF LINDA & JIM SLEZAK AND REFERS PETITION TO THE PLANNING BOARD

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

WHEREAS, the Riverhead Town Board is in receipt of an application from Linda and James Slezak for renewal of a special permit awarded in 1999 to operate a bed and breakfast facility from an existing dwelling located on a two acre parcel originally zoned Agriculture A and rezoned Agricultural Protection Zone under the Comprehensive Plan; such property more particularly described as SCTM 0600-9-2-5.1, and

WHEREAS, the Riverhead Planning Department has reviewed the submission and has recommended it to be a Type II action pursuant to 6NYCRR Part 617.5(c)(26) as a permit renewal where there will be no material change in permit conditions or the scope of permitted activities, and

WHEREAS, pursuant to Part 617.3(f), 617.5(a) and 617.6(a)(1)(i), agency responsibilities for SEQR end with this designation with no determination of significance being necessary, and

WHEREAS, the Town Board desires the recommendations of the Riverhead Planning Board respecting planning and zoning issues, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declares the special permit renewal application of Linda and James Slezak to be a Type II action for the purposes of SEQR compliance, and

BE IT FURTHER

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

THE VOTE

Bartunek <input checked="" type="checkbox"/> yes <input type="checkbox"/> no	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
Cardinale <input checked="" type="checkbox"/> yes <input type="checkbox"/> no	

**THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED**

TOWN OF RIVERHEAD

RESOLUTION # 614

AFFIRMS TOWN BOARD'S COMMITMENT TO ENACT A TRANSFER OF DEVELOPMENT RIGHTS PROGRAM BY SEPTEMBER 30, 2004

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

WHEREAS, the Town Board has enacted residential zoning ordinances implementing the Comprehensive Master Plan adopted November 4, 2003;

WHEREAS, the Master Plan established as critical objectives (1) the preservation of farmland and (2) the reduction of the potential residential density within the Town;

WHEREAS, the residential zoning ordinances enacted pursuant to the Master Plan reduce by one-half the lot yield on virtually all developable parcels within the Town;

WHEREAS, the Master Plan identified transfer of development rights program as a critical tool to preserve farmland by encouraging residential development outside of areas designated for agricultural preservation;

NOW, THEREFORE, it is

RESOLVED, that the Town Board affirms its commitment to provide adequate incentive to encourage development outside of the agricultural preservation zone via an effective transfer of development rights ordinance;

RESOLVED, that development yield factor shall be 1.0 per 43,560 square feet of real property;

RESOLVED, that no more than 500 transferred development rights shall be utilized for residential application;

RESOLVED, that all other transferred development rights shall be utilized for industrial and commercial applications;

RESOLVED, that the Town Board affirms its commitment to enact all additional necessary zoning contemplated by the Master Plan including commercial, industrial, and transfer of development rights ordinances not later than September 30, 2004.

THE VOTE
Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Densieski yes ___ no
Cardinale yes ___ no

**THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED**

July 6, 2004

TOWN OF RIVERHEAD

Resolution # 615

RESOLUTION SUPPORTING A.5690 and A.5691 IN RELATION TO FORMS OF IDENTIFICATION FOR THE ISSUANCE OF A NEW YORK STATE DRIVERS LICENSE TO LEGAL IMMIGRANTS

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

WHEREAS, after September 11, 2001, many governmental agencies have addressed security issues as they relate to their agency policies and responsibilities, and;

WHEREAS, one such agency is the New York State Department of Motor Vehicles (NYSDMV) which adopted Section 3.9 of the NYCRR, which provides that an applicant for a New York State Driver's License or a non-driver identification card, or an applicant renewing such license or identification card must submit his or her Social Security Number (SSN) or provide proof that he or she is not eligible for a SSN, and;

WHEREAS, as of February 1, 2004, the NYSDMV adopted a new point system which requires that applicants for a driver's license present six (6) points of identification and date of birth, including a SSN, instead of the original three (3) points of identification, and:

WHEREAS, the implementation of these regulations, while promoting the meritorious goal of greater homeland security, has the unintended consequences of making it nearly impossible for a legal immigrant who does not possess a SSN to obtain a New York State Driver's license, and;

WHEREAS, preventing legal immigrants from obtaining a New York State Driver's License is not in the public interest for several reasons including:

1. There is no legitimate reason to deny a legal immigrant in the State of New York who lawfully resides in the State, a driver's license, and;
2. The policy of denial or non-renewal of such licenses hinders such legal residents from maintaining their economic self-sufficiency, and;
3. Such policy has an adverse impact on the economy of the entire state, and;
4. Such policy encourages driving without the proper credentials and insurance which adversely impacts public safety, and;

5. Such policy also creates a breeding ground for the creation of false documents and false identities which undermines homeland security, and;

WHEREAS, there exists alternatives which could address the goals of homeland security while facilitating the process for legal immigrants to obtain a New York State Driver's License, and;

WHEREAS, state's such as Utah and North Carolina allow for the use of federal individual tax identification (ITIN) as replacement identification, and;

WHEREAS, other states including Tennessee, Texas, Colorado, and California are considering such legislation, and;

WHEREAS, in New York State, legislation has been introduced (A.5690 and A.5691) which would permit the use of ITIN or an affidavit with other identifiers such as a passport or documentation from the INS, and

WHEREAS, the Riverhead Town Board supports the adoption of legislation which permits legal immigrants to obtain a New York State Driver's License with proper identification, other than a SSN, now, therefore, be it

WHEREAS, the Riverhead Town Board, hereby urges the New York State Legislature to enact A.5690 or A.5691, and be it further

RESOLVED, that a copy of this resolution be forwarded to the Speaker of the New York State Assembly, the Majority Leader of the New York State Senate, and our local representatives in the State Legislature.

THE VOTE

Sanders ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Bartunek ~~Yes~~ No

Cardinale ~~Yes~~ No

7/6/04

Adopted

AUTHORIZES EMERGENCY WORK
FOR RIVERHEAD SEWER DISTRICT
RESOLUTION # 616

Adopted _____

COUNCILWOMAN SANDERS

offered the following resolution

which was seconded by COUNCILMAN DENSIESKI

WHEREAS, it has been discovered that manhole #440 located on Mill Brook Lane is in imminent danger of total collapse; and

WHEREAS, the emergency replacement of manhole #440 must be done immediately in the interest of public safety and the environment; and

WHEREAS, proposals have been submitted by three contractors to perform the emergency replacement work;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead as the governing body of the Riverhead Sewer District hereby determines that an emergency exists which precludes public bidding and therefore authorizes All County Paving, Inc. to replace manhole #440 in accordance with its written proposal dated June 21, 2004 for a fee of \$ 42,575.00; and be it further

RESOLVED, that the Town Clerk shall forward certified copies of this resolution to the Accounting Department, H2M, Frank A. Isler, Esq., All County Paving, Inc. and Michel Reichel.

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

THE VOTE

Bartunek ✓	yes	no	Sanders ✓	yes	no
Blass ✓	yes	no	Densieski ✓	yes	no
			Cardinale ✓	yes	no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

JULY 6, 2004

Adopted

TOWN OF RIVERHEAD

GATZ II FARMLAND PRESERVATION PROJECT

BUDGET ADJUSTMENT

RESOLUTION # 617

COUNCILMAN DENSIESKI

_____ offered the following resolution,

which was seconded by COUNCILMAN BARTUNEK

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

	<u>FROM</u>	<u>TO</u>
406.019400.494200.42034 SERIAL BOND PROCEEDS	\$5,000	
406.019400.521000.42034 LAND DEVELOPMENT RIGHTS		\$5,000

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

JULY 6, 2004

Adopted

TOWN OF RIVERHEAD

RIVERHEAD SEWER DISTRICT

BUDGET ADJUSTMENT

RESOLUTION # 618

COUNCILMAN BARTUNEK 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>
114.000000.390599 APPROPRIATED FUND BALANCE	\$43,000	
114.081300.541103 PUMP STATION MAINTENANCE EXP.		\$43,000

THE VOTE

Bartunek Yes No Sanders Yes No
 Blass Yes No Densieski Yes No
 Cardinale Yes No

07/06/04

Adopted

TOWN OF RIVERHEAD

Resolution # 619

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO CREATE CHAPTER 16 OF THE RIVERHEAD TOWN CODE ENTITLED, "DOMESTIC PARTNERSHIP REGISTRY"

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

RESOLVED, the Town Clerk be and is hereby authorized to publish the attached public notice to consider a local law to create Chapter 16 of the Riverhead Town Code entitled, "Domestic Partnership Registry" once in the July 15, 2004 issue of the **News Review**, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Town Attorney.

THE VOTE
Bartunek ✓ yes ___ no Sanders ✓ yes ___ no
Blass ✓ yes ___ no Densieski ✓ yes ___ no
Cardinale ✓ yes ___ no
THE RESOLUTION ~~X~~ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 3rd day of August, 2004 at 2:10 o'clock p.m. to consider a local law to create Chapter 16 of the Riverhead Town Code entitled, "Domestic Partnership Registry" of the Riverhead Town Code as follows:

CHAPTER 16
DOMESTIC PARTNERSHIP REGISTRY

§ 16 - 1. Legislative Intent.

A. It is the intention of the Riverhead Town Board to establish a mechanism by which those Town residents who choose not to or are legally prohibited from marrying can express and document their commitment to each other as "domestic partners." The Town Board deems it is appropriate and fair that certain societal benefits and privileges now accorded to those who are in a legally recognized partnership be available to "domestic partners".

B. This legislation is intended to define the term "domestic partnership" and establish a registry for residents wishing to acknowledge such relationships.

§16-2. Requirements. A domestic partnership shall exist between two persons under the following circumstances:

- a) The persons are not related by blood closer than would bar marriage in the State of New York;
- b) Neither person is married;
- c) Both persons are 18 years of age or older;
- d) Both persons are competent to enter into a contract;
- e) The persons declare that they are each other's sole domestic partner;
- f) The persons currently share a primary residence within the Town of Riverhead and declare that they intend to do so for the indefinite future;

g) The persons declare that they are in a relationship of mutual support, caring and commitment and are responsible for each other's welfare. For these purposes, "mutual support" means that each contributes mutually to the other's maintenance and support;

h) The persons declare that they have resided together and shared a relationship of mutual support for a period of not less than one (1) year prior to their registration as a domestic partners;

i) Both persons agree to file a termination of partnership if there is a change in the status of their domestic partnership;

j) The persons shall file a statement of domestic partnership as set forth in this chapter and pay the required fee.

§16-3 Statement(s) of Domestic Partnership.

A) Contents. The statement shall be signed under the penalty of perjury and shall include the date on which the persons became each other's domestic partner and the address of both partners. Statements must include certified copies of each partner's birth certificate or proof of birth date in a form acceptable to the Town Clerk and a copy of either a driver's license or other photo identification acceptable to the Town Clerk.

B) Affirmation of Requirements. The domestic partnership statement shall also include an affirmation sworn to in person by each partner at the Office of the Town Clerk on the day of filing as to each element contained in §16-2 of this chapter.

C) Amendment of domestic partnership statement. Partners may amend the domestic partnership statement at any time in order to change an address by filing an amended statement.

D) Termination of domestic partnership. The domestic partnership statement may be terminated as follows:

1. Either member of a domestic partnership may terminate the domestic partnership by filing a termination statement with the Town Clerk. The person filing the termination statement must declare, under penalty of perjury:

a) The domestic partnership is terminated; and

b) A copy of the termination statement has been mailed or given to the other domestic partner.

2. If signed by only one member of the partnership, the termination statement shall include United States Postal Service proof of its mailing to the other partner or a notarized statement of the other partner acknowledging the termination.

3. A Domestic Partnership shall terminate in the event of the marriage or death of either partner.

4. New statements of domestic partnership. No person who has filed a statement of domestic partnership may file another statement of domestic partnership until six months after the termination statement of a previous partnership has been on file with the Town Clerk.

§16-4 Filing and form of statements; fees; issuance of certificates and registry card.

Anyone who has signed a statement of domestic partnership must file it with the Town Clerk. The statement of domestic partnership, or any termination or amendment thereof, shall not be deemed effective until filed with the Town Clerk according to the provisions of this article.

A) Form of statements. All statements relating to domestic partnerships shall be notarized and executed as a declaration made under the penalty of perjury. The Town Clerk shall provide forms as necessary to interested individuals.

B) Fees for filing of statements and issuance of domestic partnership certificates and registry cards. There shall be a fee of twenty-five dollars (\$25) for the filing of a domestic partnership statement and issuance of a domestic partnership certificate and domestic registry card(s) or for the filing of any documentation of the termination thereof. Such fees shall cover the cost of filing and providing two (2) copies of the certificate of domestic partnership registration, two (2) domestic registry (wallet size) cards and/or termination certificates. There shall be a fee of ten dollars (\$10) for each additional certified copy of the certificate or registry card amended copy of a certificate or documentation of a termination of a partnership.

§16-5. Confidentiality.

A) The Town Clerk shall ensure the confidentiality of information contained in the registry. In the ordinary course of business, such information shall be released as follows:

1. To one or both parties of the domestic partnership;
2. To an individual presenting written authorization from one or both of the parties of the domestic partnership; and
3. In accordance with an Order of a Court of competent jurisdiction or a so-ordered subpoena.

B) Nothing herein shall be construed to prohibit the publication of statistics or information pertaining to domestic partnerships which have been registered by the Town Clerk, and are legally obtainable under the Freedom of Information Laws of New York State.

Section 2. Severability

If any clause, sentence, paragraph, subdivision, section or other part of this local law shall for any reason be adjudged to be unconstitutional or otherwise invalidated by any court of competent jurisdiction, then such adjudication shall not affect, impair, or invalidate the remainder of this law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Dated: Riverhead, New York
July 6, 2004

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

* Underline represents addition(s)

TOWN OF RIVERHEAD

RESOLUTION # 620

SENSE OF THE BOARD RESOLUTION REGARDING EPCAL REZONING

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

WHEREAS, the Town Board has met in a series of public work sessions over the last six months to discuss possible zoning modifications of the EPCAL site;

WHEREAS, the Town Board desires that its zoning clearly, consistently and accurately reflect the Town's land-use policy at EPCAL;

WHEREAS, the Town Board desires to give notice to the public of its present intent regarding the modification of the zoning at EPCAL;

NOW, THEREFORE BE, IT IS HEREBY

RESOLVED, that the Town Board intends to proceed promptly and in an appropriate manner and in conformance with the applicable laws to:

1. Review and make any necessary deletions, additions or modifications required regarding the uses permitted in the Planned Industrial Park District at EPCAL.
2. Review and make any necessary deletions, additions or modifications required regarding the uses permitted in the Planned Recreational Park District at EPCAL.
3. Commence the process of creating an Office Park Zoning District covering approximately 100 acres in the northeast section of the EPCAL property which is presently zoned Planned Recreational Park District
4. Commence the process of creating an Industrial District covering approximately 200-400 acres to the south of the aforementioned Office Park Zoning District at the EPCAL property which is presently zoned Planned Recreational Park District.

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Community Development Agency, Office of Planning and the Office of the Town Attorney.

THE VOTE

Bartunek yes no Sanders yes no
Blass yes no Densieski yes no
Cardinale yes no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

Adopted

7/6/04

Town of Riverhead
Resolution # 621

Authorizes Supervisor to Execute Design Approval Request Memorandum in Accordance with NYS DOT Procedures for Federally Funded Transportation Projects

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

WHEREAS, the Town of Riverhead has received approval for federal funding in the amount of \$1,800,000 for the Peconic Riverfront Bicycle and Pedestrian Improvement Project (the "PROJECT"), PIN 0806.62, which is funded as reimbursement of up to 100% of approved project costs; and

WHEREAS, a Final Design Report for the "PROJECT" has been prepared by the Town's consultant in accordance with the New York State Department of Transportation procedures for administering federally funded transportation projects; and

WHEREAS, the Town Board supports the recommended alternative presented in the Final Design Report based upon the plan prepared by Young & Young dated December 29, 2003.

NOW, THEREFORE, BE IT RESOLVED, THAT the Town Board hereby authorizes the Supervisor to execute the Design Approval Request Memorandum annexed hereto; and

BE IT FURTHER RESOLVED THAT the Town Clerk shall provide a certified copy of this resolution to Andrea Lohneiss CDA Director, Tom Wolpert PE Young & Young, Tom Mazzola PE Eschbacher Engineering P.C. 532 Broad Hollow Rd. Melville NY 11747, and Ken Testa Town Engineer.

THE VOTE
Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no ~~_____~~ Densieski ___ yes no
Cardinale yes ___ no
THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

MEMORANDUM

TO: Supervisor Phil Cardinale
FROM: Thomas C. Wolpert, P.E.
PROJECT: Peconic Riverfront Bicycle and Pedestrian Improvement Project
PIN 0806.62
SUBJECT: Design Approval Request Memo
DATE: June 24, 2004

Location and Cost

The Town of Riverhead's Peconic Riverfront Bicycle and Pedestrian Improvement Project will involve implementation of a series of measures, all of which are intended to promote and encourage walking and bicycling as safe, viable modes of transportation in the downtown business district and along the scenic waterfront area. The approved current work cost is \$2,000,000.00 as shown in the attached Final Design Report prepared by Young & Young dated December 29, 2003. The project will be funded with \$1,800,000.00 from Federal (TEA-21 High Priority) sources and \$200,000.00 from local and/or State sources.

Alternate Description

A pedestrian promenade and bicycle lanes along the waterfront will be incorporated into the design as a means of accomplishing the Town's objective. This will also necessitate replacement of the existing bulkhead. The project is described in detail in Chapter III, Sections B.2 and C of the attached Final Design Report. Three copies of the Final Design Report are attached.

Standards & Design Exceptions

The design criteria for this project will be based on the New York State Department of Transportation Highway Design Manual, Chapter 18 (Facilities for Pedestrians and Bicyclists) and Chapter 25 (Traffic Calming); the AASHTO 1991 Guide for Development of Bicycle Facilities; and the standards of the Americans with Disabilities Act (ADA) of 1990.

Suffolk County and/or local specifications will be utilized.

Traffic Control Plans

The final design documents will incorporate a Maintenance and Protection of Traffic scheme, which will be developed to minimize the impact during construction on local residents and

businesses. Potential detour routes, if necessary, will be reviewed and discussed with Town officials and representatives of emergency services.

To the extent possible, construction will be scheduled so as to avoid major disruptions during the summer tourist season.

Environmental Determination

This project has been classified as an Automatic Categorical Exclusion with documentation under NEPA. A copy of the NEPA Checklist and associated documentation is included in the Final Design Report as Appendices B and C. NYSDOT's concurrence with this classification is requested by this memo.

This is an unlisted action under SEQRA. A Negative Declaration has been issued by the Town of Riverhead Town Board on July 6, 2004 as lead agency. A copy of the Short Environmental Assessment Form is included in the Final Design Report as Appendix B.

Permits will be required from the NYSDEC and the Army Corps of Engineers for the bulkhead replacement. A joint permit application has been submitted and is currently in the review process (see Appendix G in the Final Design Report).

Procedural Process and Quality Control Statement

Procedurally, this project was progressed using the NYSDOT Locally Administered Federal Aid Procedures Manual. All requirements requisite to these actions and approvals have been met, independent quality control reviews have been accomplished, and the work is consistent with established standards, policies, regulations and procedures, except as otherwise noted and explained in this memo.

Request for Approval

Please indicate your design approval by signing this memorandum.

I APPROVE THE PREFERRED ALTERNATIVE AS DESCRIBED IN THE ATTACHED FINAL DESIGN REPORT:

Phil Cardinale, Supervisor

Date

cc: Andrea Lohneiss, Town of Riverhead
William Chandler, Regional Local Project Liaison, Region 10

Adopted

7/6/04

TOWN OF RIVERHEAD

Resolution # 622

AUTHORIZES THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH THE TOWN BUSINESS IMPROVEMENT DISTRICT

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

WHEREAS, the Riverhead Business Improvement District Management Association has submitted an application for the purpose of conducting an "All American Cruise Night" having 50's and 60's theme evenings with a drive-in movie to be held in the Peconic River Parking Lot, Riverhead, New York, to be held on Saturday evenings between the hours of 6:00 p.m. and 10:00 p.m., beginning July 24, 2004 and ending September 5, 2004; and

WHEREAS, in connection with the aforementioned event, the BID has requested permission to utilize Town of Riverhead and Town of Riverhead Parking District property located along the Riverfront; and

WHEREAS, the Town Board wishes to grant the BID permission to utilize the Riverfront to host this event;

NOW, THEREFORE, it is hereby

RESOLVED, that the Supervisor is hereby authorized to execute the attached License Agreement with the Town of Riverhead Business Improvement District substantially in the form attached hereto, and be it further

RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to Town of Riverhead BID, Office of the Town Attorney and the Office of Accounting.

THE VOTE

Bartunek	✓	yes	___	no	Sanders	✓	yes	___	no
Blass	✓	yes	___	no	Densieski	✓	yes	___	no
					Cardinale	✓	yes	___	no

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

MANAGEMENT CONTRACT
AND LICENSE AGREEMENT

-made between-

Town of Riverhead

-and-

The Riverhead Business Improvement District
Management Association

This Management contract, made the day of June, 2004, between the Town of Riverhead (Town), with offices located at 200 Howell Avenue, Riverhead, New York and the Riverhead Business Improvement District Management Association, Inc. (RDMA), a not for profit corporation organized under the laws of the State of New York, having its principal office at 112 Main Street, Riverhead, New York 11901.

WHEREAS, Article 19-A of the General Municipal Law of the State of New York authorizes municipalities, including Towns, to establish business improvement districts, and

WHEREAS, by Local Law # 2 of 1991, the Town has established the Riverhead Business Improvement District (District) and accepted into its plan to provide services for the District which will benefit the properties located in said District; as a description of the services provided by the RDMA; the formula for apportioning the District costs among the properties within the District; the schedule upon which the special District assessments will be determined, reviewed, challenged, assessed, levied and become due and payable, and;

WHEREAS, pursuant to a contact between the Town of Riverhead and RDMA dated December 21, 1999, the Town accepted the Plan and designated RDMA as the not-for-profit corporation with which the Town contracts for the provision of administrative services necessary to carry out the district plan, and;

WHEREAS, the RDMA is planning to host the first "All American Cruise Night" festival series to be held on Saturday evenings July 24, 31, August 7, 14, 21, 28, and September 4, 2004 (with raindates on the following Sunday evenings); and

WHEREAS, the Town of Riverhead is planning to host the first "All American Blues Festival" series to be held on Saturday evenings July 24, 31, August 7, 14, 21, 28, and September 4, 2004 (with raindates on the following Sunday evenings); and

NOW, THEREFORE, it is hereby agreed as follows:

1. The Town of Riverhead agrees that the Business Improvement District may contract and pay the RDMA to promote the "All American Cruise Night" festival series.

2. That the southerly portions of the riverfront Parking light behind the "Boardwalk" restaurant and the former Swezey's Department Store may be utilized for the production of the "All American Cruise Night" festival series including the set up and breakdown of necessary equipment.

3. That this agreement incorporates by referenced the terms set forth in the contact between the parties hereto entered into on December 21, 1999 as if fully set forth herein at length.

IN WITNESS HEREOF, this agreement has been executed by the respective parties on the dated hereinabove set forth.

RIVERHEAD BUSINESS IMPROVEMENT
DISTRICT MANAGEMENT ASSOCIATION,
INC.

BY:

TOWN OF RIVERHEAD

BY: Philip J. Cardinale, Supervisor

7/6/04

Adopted

TOWN OF RIVERHEAD

Resolution # 623

APPROVES APPLICATION OF RIVERHEAD BUSINESS IMPROVEMENT DISTRICT MANAGEMENT ASSOCIATION ("ALL AMERICAN CRUISE NIGHT")

COUNCILMAN BARTUNEK offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

WHEREAS, the Riverhead Business Improvement District Management Association has submitted an application for the purpose of conducting an "All American Cruise Night" having 50's and 60's theme evenings with a drive-in movie to be held in the Peconic River Parking Lot, Riverhead, New York, to be held on Saturday evenings between the hours of 6:00 p.m. and 10:00 p.m., beginning July 24, 2004 and ending September 5, 2004; and

WHEREAS, the applicant has requested the application fee be waived; and

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

NOW THEREFORE BE IT RESOLVED, that the application of the Riverhead Business Improvement District Management Association for the purpose of conducting an "All American Cruise Night" having 50's and 60's theme evenings with a drive-in movie to be held in the Peconic River Parking Lot, Riverhead, New York, to be held on Saturday evenings between the hours of 6:00 p.m. and 10:00 p.m., beginning July 24, 2004 and ending September 5, 2004 is hereby approved; and be it further

RESOLVED, that the Town Board of the Town of Riverhead be and hereby waives the application fee; and be it further

RESOLVED, that the approval of this application is **subject to** receipt of a certificate of insurance naming the Town of Riverhead as an additional insured; 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 Business Improvement District Management Association, 112 West Main Street, Riverhead, New York, 11901; Ken Testa, P.E. and the Riverhead Police Department.

c:\msword\Laura\chap90\Bid.res

THE VOTE

Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	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
			Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

7/6/04

Adopted

TOWN OF RIVERHEAD

Resolution # 624

APPROVES APPLICATION OF MARY CASEY (WEDDING TO BE HELD AT HALLOCKVILLE MUSEUM FARM AND FOLKLIFE CENTER

COUNCILWOMAN BLASS offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

WHEREAS, Mary Casey has submitted an application for the purpose of conducting a wedding having approximately 200 guests in attendance to be held at the Hallockville Museum Farm and Folklife Center at 6038 Sound Avenue, Jamesport, New York, between the hours of 5:00 p.m. and 1:00 a.m. on Saturday, July 31, 2004; and

WHEREAS, a certificate of insurance has been received naming the Town of Riverhead and the Hallockville Museum Farm and Folklife Center as additional insured; and

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

NOW THEREFORE BE IT RESOLVED, that the application of Mary Casey for the purpose of conducting a wedding having approximately 200 guests in attendance to be held at the Hallockville Museum Farm and Folklife Center, 6038 Sound Avenue, Jamesport, New York, between the hours of 5:00 pm. and 1:00 a.m. on Saturday, July 31, 2004 is hereby approved; and be it further

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

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Mary Casey, 3200 Reeve Road, Mattituck, New York, 11952; the Hallockville Museum Farm and Folklife Center, 6038 Sound Avenue, Jamesport, New York 11947; the Riverhead Fire Marshal; the Riverhead Police Department and the Office of the Town Attorney.

THE VOTE

Bartunek ✓	yes	no	Sanders ✓	yes	no
Blass ✓	yes	no	Densieski ✓	yes	no
			Cardinale ✓	yes	no

THE RESOLUTION ~~WAS~~ WAS NOT
THEREFORE DULY ADOPTED

Adopted

7/6/04

TOWN OF RIVERHEAD

RESOLUTION AUTHORIZING SUPERVISOR TO
EXECUTE CHANGE ORDER No. 1
RIVERHEAD WATER DISTRICT
CONSTRUCTION OF PLANT 12, CONTRACT E

Adopted RESOLUTION # 625

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

RESOLVED, that the Supervisor be and is hereby authorized to
execute Change Order No. 1 for the project known as the
Construction of Plant 12, Contract E, and be it further

RESOLVED, that the Town Clerk shall forward a certified copy
of this resolution to H2M; Frank Isler, Esq.; Roy Wanser, Inc.;
Accounting Department; and Gary Pendzick.

RESOLUTION PREPARED BY FRANK A. ISLER, ESQ.
SUBMITTED BY RIVERHEAD WATER DISTRICT

THE VOTE
Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Densieski yes ___ no
Cardinale yes ___ no
THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

RIVERHEAD WATER DISTRICT
CONSTRUCTION OF PLANT NO. 12
CONTRACT E – ELECTRICAL WORK
H2M PROJECT NO.: RDWD 99-08

CHANGE ORDER NO. 1

June 9, 2004

Owner: RIVERHEAD WATER DISTRICT
1035 Pulaski Street
Riverhead, New York 11901
Contact: Gary Pendzick (631) 727-3205

Contractor: WIRE TO WATER INC.
136 Gazza Boulevard
Farmingdale, NY 11735-1420
Mr. Stuart Skopicki

Engineer: HOLZMACHER, McLENDON & MURRELL, P.C.
575 Broad Hollow Road
Melville, New York 11747
Contact: Dennis M. Kelleher, P.E. (631) 756-8000, ext. 1410

Item No. 1.: DESCRIPTION OF CHANGE:**Improved Electrical Service**

The incoming electrical service power plan was originally designed to be a single service originating at Well No. 12-1 and feeding the Well No. 12-2 building. To reduce long-term utility costs and increase system reliability, it was determined during construction, to upgrade and maintain two separate services. Additional work included installation of a second CT metering cabinet and automatic transfer switch and changes to the conduit and wiring needs.

COST OF CHANGE:

Labor & Materials \$ 44,035.00
(see attached proposal from Contractor)

Item No. 2.: DESCRIPTION OF CHANGE:

Automation of Well Controls

During the construction phase of the project, the Water District requested that improvements to the well controls be made to include automatic capabilities that were not included in the original design.

As a cost savings measure, it was decided to include this work as part of the electrical contract rather than to design and bid a separate contract.

COST OF CHANGE:

Labor & Materials \$ 20,930.00
(see attached proposal from Contractor)

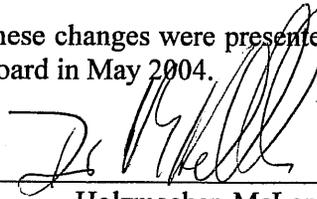
TOTAL COST OF CHANGE ORDER NO. 1: \$64,965.00

Contract Cost Summary

A.	Original Contract Amount:	\$242,917.00
B.	Cost of Change Order No. 1:	64,965.00
C.	Revised Contract Amount:	<u>\$307,882.00</u>

It should be noted that these changes were presented to the Town Board at a public hearing and approved by the Town Board in May 2004.

Recommended By:

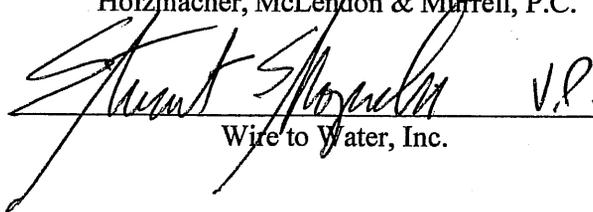


Holzmacher, McLendon & Murrell, P.C.

Date:

6/6/04

Accepted By:



V.P.

Wire to Water, Inc.

Date:

6/9/04

Approved By:

Town of Riverhead/Riverhead Water District

Date:

Adopted

JULY 6, 2004

TOWN OF RIVERHEAD

REFUSE & GARBAGE FUND

BUDGET ADJUSTMENT

RESOLUTION # 626

COUNCILMAN BARTUNEK 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>
115.081600.549000	MISCELLANEOUS	\$350	
115.081600.524000	EQUIPMENT		\$350

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

07/06/04

TOWN OF RIVERHEAD

Resolution # 627

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO CREATE CHAPTER 66 OF THE RIVERHEAD TOWN CODE ENTITLED "FARM STANDS"

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

RESOLVED, the Town Clerk be and is hereby authorized to publish the attached public notice to consider a local law to create Chapter 66 of the Riverhead Town Code entitled, "Farm Stands" once in the July 15, 2004 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Town Attorney.

THE VOTE
Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Densieski yes ___ no
Cardinale yes ___ no
THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 3rd day of August, 2004 at 2:05 o'clock p.m. to consider a local law to create Chapter 66 of the Riverhead Town Code entitled, "Farm Stands" as follows:

CHAPTER 66

FARM STANDS

§ 66- 1. Legislative Intent.

Farm stands are an important part of the town's agricultural character. Regulation is necessary to ensure safety of employees and patrons and that farm stands remain an adjunct to agricultural uses and do not become significant commercial operations in rural and residential areas.

§ 66-2. Definitions.

A. Agricultural Tourism: Agriculturally related tours, events and activities used to attract people and promote the sales of farm produce and agricultural products. Such tours, events and activities include but are not limited to petting zoos, school tours, corn mazes, hayrides, pony rides, outdoor trails and outdoor recreation.

B. Agricultural Production: The production for commercial purposes of all crops, livestock and livestock products, including but not limited to the following:

1. Field crops, including corn, wheat, oats, rye, barley, hay, potatoes and dry beans.
2. Fruits, including apples, peaches, grapes, cherries and berries.
3. Vegetables, including tomatoes, snap beans, cabbage, carrots, beets and onions.
4. Horticultural specialties, including ornamental shrubs, trees and flowers.
5. Livestock and livestock products, including cattle, sheep, hogs, goats, horses, hens, ducks, milk and eggs.

C. Enhanced Agricultural Products: An agricultural product that has been altered or processed in a way so as to increase its value to consumers and increase the profitability.

D. Farm: Any parcel of land which is used for gain in the raising of agricultural products, livestock, poultry or dairy products. It includes necessary farm structures within the prescribed limits and the storage of equipment used.

E. Farm Stand: A direct marketing operation which may be seasonal in nature and features on-farm produce as well as locally grown agricultural produce, enhanced agricultural products, and handmade crafts.

F. Merchandizing Area: Space within the farm stand that is accessible to the public, used for the presentation of products for the purpose of direct sales to the public. This area does not include space used exclusively for storage or refrigeration.

G. Pick Your Own Operation: A fruit, vegetable or evergreen growing farm which provides the opportunity for customers to harvest their own fruits vegetables or trees directly from the plant or farm field. A farm field used as part of a pick your own operation shall not be considered part of the total merchandizing area of a farm stand.

H. Supporting Farm Products: Products or processed agricultural produce which is not a direct product of a farmer-applicant. Such products may include, but are not limited to, baked items, roasted corn, eggs, hand made garden ornaments, cheese, milk, preserves, syrup, salad dressing, and juice. Supporting farm products shall not include food service, prepackaged items not produced locally.

§ 66-3. Permit Required

A. It shall be unlawful for any person to erect, place or sell from a farm stand or stands in excess of a total of 200 square feet of total merchandizing area unless the structure has been issued a farm stand permit by the Building Department. Farm stands that are less than 200 square feet in total merchandizing area do not require a permit.

B. Accessory use. The farm stand shall be accessory to the principal use of growing crops by the farmer-applicant on lands located in the Town of Riverhead.

(1) The area devoted to the principal use of growing crops by the farmer-applicant shall be no less than five (5) acres. The farmer-applicant may grow his or her products on a number of smaller parcels, provided that the total number of acres where products are grown is no less than five (5) acres and that all the parcels are part of a single agricultural operation under the control of the farmer-applicant; or

(2) The farmer-applicant must demonstrate land used as a single operation in the preceding two years for the production for sale of crops, livestock or livestock products as required in § 305 of the New York State Agricultural and Markets Law.

C. Notwithstanding the aforementioned restrictions, the farmer-applicant may sell supporting farm products and farm products not grown by the farmer-applicant provided that 60% of the products available for sale are Long Island grown.

D. A farm stand that exceeds 1000 square feet of merchandizing area requires a site plan review as provided for in Chapter 108 of this Code.

E. All farm stand buildings, structures and displays shall be set back no less than fifty (50) feet from the edge of pavement. In no case shall any part of the temporary farm stand buildings, structures and displays encroach on the paved public right-of-way.

F. A farm stand permit shall remain in effect unless there is a structural alteration, change of property ownership, or increase in the merchandising area of the farm stand. If such changes shall occur, a new permit must be obtained.

§ 66-4. Parking

A. (1) Farm stand operations that range from 200 square feet to 400 square feet total merchandizing area must provide for an area off the public right-of-way for the informal parking of at least five (5) vehicles. The surface of the area may be permeable.

(2) One (1) additional parking space must be provided for each additional 200 square foot area that the farm stand exceeds 400 square feet.

(3) Adequate space shall be provided for vehicles to safely maneuver on and off the paved public right of way.

B. Agricultural Tourism and Pick Your Own Operations must provide a parking area off the paved public right of way.

§ 66-5. Signs

Farm stand signs shall conform with Chapter 108 of this Code except as provided as follows:

A. A farm stand may have no more than ten (10) temporary ground identification signs that do not require a sign permit as provided in Chapter 108 of this code provided that:

(1) Two (2) signs not exceeding twelve (12) square feet in area are permitted;

(2) The additional eight (8) signs shall not exceed six (6) square feet in area;

(3) All signs may be single-faced or double-faced, and square footage will be calculated based on one (1) side;

(4) No sign shall exceed six (6) feet in height measured from the ground to the top of the sign.

(5) All signs shall be located on the farm property not more than 150 feet from the ntersection point of the front property line and a line perpendicular thereto said farm stand.

(6) All must be located on the premises of the farm stand. Any off premises signs are subject

to Chapter 108 of this Code.

(7) All signs shall be set back at least fifteen (15) feet from the pavement or five (5) feet from the sidewalk, whichever is greater. Under no circumstances shall the sign be placed in the public right-of-way.

(8) No signs shall be illuminated or create a hazard to traffic.

§ 66-6. Uses and Violations

A. Nothing herein shall preclude the temporary use of a legally existing agricultural accessory building on a farm for the retail sale of crops and other farm-related products, provided that said building is set back no less than fifty (50) feet from the edge of paved public right of way and otherwise meets the requirements of this Chapter of the Code. Said agricultural accessory building shall conform with Chapter 108.73 and Chapter 52 of the Riverhead Town Code.

B. Since a farm stand, as permitted under this section, is an accessory use to the principal use of the agricultural production on certain lands, such a farm stand shall only be for the use of the farmer-applicant and his immediate family. In the event that such farm stand is used by any other person, company, corporation or business or commercial entity, whether it is rented, leased or the right of use transferred in any other way from the farmer-applicant to any other person, company, corporation or business or commercial entity, such a use shall not be deemed an accessory use and shall be deemed a violation of this chapter.

C. The farmer-applicant must remove all temporary buildings, structures and signs erected under the farm stand permit within 10 days of the closing of the farm stand. If the farmer-applicant fails to remove said temporary buildings, structures and signs within 10 days of closing of the farm stand or ten days after the expiration of the permit, it shall be deemed a violation of this chapter.

§ 66-7. Permit Fees

Permit fees shall be: \$100.00

§ 66-8. Nonconforming farm stands

A. A farm stand existing on the date of adoption of this law which does not conform to the provisions of this chapter shall be deemed to be a nonconforming building and shall be subject to the provisions within this Code for nonconforming buildings with the following exception:

(1) Farm stands that are existing on the date of adoption of this law which do not conform to parking and or sign provisions of this Chapter, shall have an amortization period of six months to come into compliance in accordance to the parking and sign provisions of this Chapter.

§ 66-9. Penalties for offenses.

Any violation of this chapter shall be grounds for revocation of the farm stand permit. Furthermore, any violator of this chapter shall, upon conviction, be guilty of a violation punishable by a fine not exceeding \$500. Each day on which such violation shall occur shall constitute a separate, additional offense. For a second and subsequent conviction within eighteen (18) months thereafter, such person shall be guilty of a violation punishable by a fine not exceeding \$1,500.

Dated: Riverhead, New York
July 6, 2004

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

* Underline represents addition(s)

Adopted

RESOLUTION # <u>628</u> ABSTRACT #26-04 JUNE 17, 2004 (TBM 07/06/04)				
<i>Councilman Demicheli</i> offered the following Resolution which was seconded by <i>Councilman Scuttenberg</i>				
FUND NAME		CD - 06/15/04	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1	\$ 6,300,000.00	\$ 400,555.56	\$ 6,700,555.56
POLICE ATHLETIC LEAGUE	4	\$ 15,000.00	\$ 75.00	\$ 15,075.00
TEEN CENTER	5	\$ 15,000.00	\$ -	\$ 15,000.00
RECREATION PROGRAM FUND	6	\$ 125,000.00	\$ 3,865.38	\$ 128,865.38
SR NUTR SITE COUNCIL	7	\$ 2,500.00	\$ -	\$ 2,500.00
D.A.R.E. PROGRAM FUND	8	\$ 4,000.00	\$ -	\$ 4,000.00
CHILD CARE CENTER BLDG FUND	9	\$ 45,000.00	\$ -	\$ 45,000.00
RIFTA	23	\$ 56,000.00	\$ -	\$ 56,000.00
TOWN BOARD SPECIAL PROGRAM FUND	24	\$ 275,000.00	\$ 432.00	\$ 275,432.00
YOUTH COURT SCHOLARSHIP FUND	25	\$ -	\$ 150.00	\$ 150.00
SRS DAYCARE BLDG FUND	27	\$ 55,000.00	\$ -	\$ 55,000.00
COMMUNITY P.E.T.S. SHELTER	28	\$ 7,500.00	\$ -	\$ 7,500.00
ANIMAL SPAY & NEUTERING PROGRAM	29	\$ -	\$ 120.00	\$ 120.00
ECONOMIC DEVELOPMENT ZONE	30	\$ 75,000.00	\$ 55.56	\$ 75,055.56
HIGHWAY FUND	111	\$ 950,000.00	\$ 13,047.88	\$ 963,047.88
WATER DISTRICT	112	\$ 575,000.00	\$ 472.92	\$ 575,472.92
REPAIR & MAINTENANCE	113	\$ 1,700,000.00	\$ -	\$ 1,700,000.00
RIVERHEAD SEWER DISTRICT	114	\$ 1,650,000.00	\$ 3,859.67	\$ 1,653,859.67
REFUSE & GARBAGE DISTRICT	115	\$ 1,100,000.00	\$ 939.72	\$ 1,100,939.72
STREET LIGHTING DISTRICT	116	\$ 525,000.00	\$ 490.87	\$ 525,490.87
PUBLIC PARKING DISTRICT	117	\$ 115,000.00	\$ -	\$ 115,000.00
BUSINESS IMPROVEMENT DISTRICT	118	\$ 30,000.00	\$ 10,000.00	\$ 40,000.00
AMBULANCE DISTRICT	120	\$ 260,000.00	\$ -	\$ 260,000.00
EAST CREEK DOCKING FACILITY FUND	122	\$ -	\$ 250.00	\$ 250.00
CALVERTON SEWER DISTRICT	124	\$ 150,000.00	\$ 272.88	\$ 150,272.88
RIVERHEAD SCAVENGER WASTE DIST	128	\$ 750,000.00	\$ 508.66	\$ 750,508.66
SEWER DISTRICT FUND	130	\$ 5,000.00	\$ -	\$ 5,000.00
WORKERS' COMPENSATION FUND	173	\$ 940,000.00	\$ 6,049.84	\$ 946,049.84
RISK RETENTION FUND	175	\$ 535,000.00	\$ 339.84	\$ 535,339.84
UNEMPLOYMENT INSURANCE FUND	176	\$ 45,000.00	\$ -	\$ 45,000.00
CDBG CONSORTIUM	181	\$ -	\$ 760.11	\$ 760.11
PUBLIC PARKING DEBT SERVICE	381	\$ 4,000.00	\$ -	\$ 4,000.00
SEWER DISTRICT DEBT SERVICE	382	\$ 97,500.00	\$ -	\$ 97,500.00
WATER DISTRICT DEBT SERVICE	383	\$ 315,000.00	\$ -	\$ 315,000.00
GENERAL FUND DEBT SERVICE	384	\$ 9,100,000.00	\$ -	\$ 9,100,000.00
SCAVENGER WASTE DEBT SERVICE	385	\$ 10,000.00	\$ -	\$ 10,000.00
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 45,644.00	\$ 45,644.00
C.H.I.P.S.	451	\$ 30,000.00	\$ -	\$ 30,000.00
YOUTH SERVICES FUND	452	\$ 35,000.00	\$ -	\$ 35,000.00
SENIORS HELP SENIORS CAP PROJECT	453	\$ -	\$ 257.53	\$ 257.53
MUNICIPAL FUEL FUND	625	\$ 300,000.00	\$ 13,014.99	\$ 313,014.99
MUNICIPAL GARAGE FUND	626	\$ 70,000.00	\$ 10,881.49	\$ 80,881.49
TRUST & AGENCY	735	\$ -	\$ 360,858.72	\$ 360,858.72
SPECIAL TRUST	736	\$ 700,000.00	\$ -	\$ 700,000.00
COMMUNITY PRESERVATION FUND	737	\$ 568,000.00	\$ -	\$ 568,000.00
CALVERTON PARK - C.D.A.	914	\$ 305,000.00	\$ 55.56	\$ 305,055.56
TOTALS		\$ 27,839,500.00	\$ 872,958.18	\$ 28,712,458.18

THE VOTE

Bartunek yes no Sanders yes no
 Blass yes no Densieski yes no
 Cardinale yes no

**THE RESOLUTION WAS WAS NOT
 THEREFORE DULY ADOPTED**

Adopted

RESOLUTION # 628 ABSTRACT #28-04 JULY 01, 2004 (TBM 07/06/04)

Councilman Donsiecki offered the following Resolution which was seconded by
Councilman Gatlunas

FUND NAME		CD 06/30/04	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1	9,000,000.00	34,635.08	9,034,635.08
POLICE ATHLETIC LEAGUE	4	13,000.00	50.00	13,050.00
TEEN CENTER FUND	5	4,000.00	150.00	4,150.00
RECREATION PROGRAM FUND	6	100,000.00	6,815.00	106,815.00
UTRITION SITE COUNCIL FUND	7		54.00	54.00
A.R.E. PROGRAM FUND	8		1,853.77	1,853.77
CHILD CARE CTR BUILDING FUND	9	36,500.00	1,853.77	38,353.77
I.F.T.A. FUND	23		3,888.61	3,888.61
TOWN BOARD SPECIAL PROGRAM FUND	24	25,000.00	33,546.00	58,546.00
YOUTH COURT SCHOLARSHIP FUND	25		300.00	300.00
COMMUNITY P.E.T.S. SHELTER	28	40,000.00	300.00	40,300.00
ECONOMIC DEVELOPMENT ZONE FUND	30		299.65	299.65
RECREATION YOUTH COMMITTEE FUND	31		100.00	100.00
HIGHWAY FUND	111	1,610,000.00	8,055.75	1,618,055.75
WATER DISTRICT	112	675,000.00	591,865.13	1,266,865.13
REPAIR & MAINTENANCE	113	750,000.00		750,000.00
OVERHEAD SEWER DISTRICT	114	2,100,000.00	393,843.09	2,493,843.09
REFUSE & GARBAGE COLLECTION DISTRICT	115	350,000.00	7,588.56	357,588.56
STREET LIGHTING DISTRICT	116	300,000.00	13.90	300,013.90
PARKING DISTRICT	117	110,000.00	252.53	110,252.53
BUSINESS IMPROVEMENT DISTRICT	118	18,000.00	4,868.75	22,868.75
AMBULANCE DISTRICT	120	215,000.00	4,868.75	219,868.75
EAST CREEK DOCKING FACILITY FUND	122		2,242.00	2,242.00
CALVERTON SEWER DISTRICT	124	290,000.00	36,031.16	326,031.16
OVERHEAD SCAVANGER WASTE DISTRICT	128	90,000.00	1,553.34	91,553.34
SEWER DISTRICT FUND	130	20,000.00	1,553.34	21,553.34
WORKERS' COMPENSATION FUND	173	1,075,000.00	2,707.45	1,077,707.45
RISK RETENTION FUND	175	1,240,000.00	3,150.00	1,243,150.00
UNEMPLOYMENT INS FUND	176	25,000.00	3,150.00	28,150.00
DBG CONSORTIUM ACCOUNT	181		16,307.96	16,307.96
PUBLIC PARKING DEBT	381	28,000.00	16,307.96	44,307.96
SEWER DISTRICT DEBT	382	1,060,000.00	16,307.96	1,076,307.96
WATER DISTRICT DEBT SERVICE	383	595,000.00	1,542.50	596,542.50
GENERAL FUND DEBT SERVICE	384	6,410,000.00	14,680.00	6,424,680.00
SCAVANGER WASTE DEBT	385	185,000.00	14,680.00	199,680.00
TOWN HALL CAPITAL PROJECTS	406	6,766,000.00	199,277.57	6,965,277.57
LOCAL ST & HIGHWAY CAP PROJECT	451		121,500.00	121,500.00
MUNICIPAL FUEL FUND	625	115,000.00	8,832.43	123,832.43
MUNICIPAL GARAGE FUND	626		5,259.25	5,259.25
TRUST & AGENCY	735		16,389.33	16,389.33
SPECIAL TRUST	736	850,000.00	16,389.33	866,389.33
COMMUNITY PRESERVATION FUND	737	1,500,000.00	6,000.00	1,506,000.00
CALVERTON	914	1,475,000.00	6,000.00	1,481,000.00
TOTAL ALL FUNDS		37,070,500.00	1,523,652.81	38,594,152.81