

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

January 19, 2005

**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 Janeczek
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**

Call to Order and Salute to the Flag

Approves minutes of January 4th . 2005

Sanders

Offered the minutes to be approved, which

was seconded by

Bliss

4/yes
1/absent

REPORTS

Receiver of Taxes: Utility Collections Report for Month of Dec. 2004
Total Collected: \$299,701.47

Total Collections to Date: \$46,013,417.62

Police Dept.: Monthly report for November, 2004

Juvenile Aid Bureau: Monthly report for December, 2004

Sewer Dept.: Discharge Monitoring report for Nov. 2004

Animal Control: Statistics Report for Jan. 2004 to Dec. 2004

Open Bid Reports: Janitorial Bid-Opened: 1/18/05
One Bid was received
Center Moriches Paper Co. Inc.

Food Bid-Opened: 1/18/05
One Bid was received
Landmark Food Corp.

Meat & Poultry Bid-Opened: 1/18/05
One Bid was received
Landmark Food Corp.

APPLICATIONS

Special Events:

East End Olds Club-August 14, 2005
Car Show & Swap Meet

Wading River Civic Assoc.-May 1, 2005
Duck Pond Day

Cooley's Anemia Foundation-Oct. 1, 2005
Bike-a-thon-4 mile walk

CORRESPONDENCE

Peter Danowski: Re: Proposed Transfer of Development Rights
Law and Supplemental Environmental Impact
Statement (Tanger)

Re: SCTM #0600-101-01-08-property owned by
Carmine Dell Aquila

Vintage Group, Inc.: Re: Court House Parking

Peter, Joanne Desposito: Re: Zoning Board of Appeals' appointment

PUBLIC HEARINGS:

No Public Hearings Scheduled

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

#1 A Resolution Authorizing the Community Development Agency to Acquire Land from Riverhead Enterprises Located Adjacent to the Suffolk Theater on East Main Street, Riverhead, New York, to Expend the Necessary Monies in Connection Therewith and to Dispose of Said Land to a Designated Qualified and Eligible Sponsor as Part of the Suffolk Theater Urban Renewal Project, Pursuant to the Town of Riverhead East Main Street Urban Renewal Plan Adopted October 19, 1993.

#2 A Resolution Authorizing the Community Development Agency to Acquire Land from Riverhead Enterprises Located Adjacent to the Suffolk Theater on East Main Street, Riverhead, New York, to Expend the Necessary Monies in Connection Therewith and to Dispose of Said Land to a Designated Qualified Sponsor as Part of the Suffolk Theater Urban Renewal Project, Pursuant to the Town of Riverhead, East Main Street Urban Renewal Plan Adopted October 19, 1993.

Should be #76
~~**#3** Authorizing the Sale of a Portion of the Town of Riverhead Public Parking District No. 1 to the Town of Riverhead Community Development Agency, an Urban Renewal Agency of the State of New York, for Redevelopment Pursuant to the Town of Riverhead's East Main Street Urban Renewal Plan, Adopted October 19, 1993~~

REGULAR TOWN BOARD MEETING:

#40 Determines Environmental Significance and Adopts Notice of Scoping Hearing

#41 Approves Site Plan of Bonsal American

#42 Approves Site Plan of Robert J. Andrews Temporary Greenhouse

#43 Awards Bid for Annual Construction Project

#44 Accepts Cash Security of New York Inc. D/B/A/ Nextel Communications, Inc. (Cherry Creek)

- #45 Accepts 5% Security Bond of 23 West Second Street Assoc. LLC (Twomey, Latham, Shea and Kelley)
- #46 Calverton Community Center Capital Project Budget Adjustment
- #47 Appoints Members to the Riverhead Farmland Preservation Committee
- #48 Authorizes Attendance at the 2005 Training School Held By the Association of Towns
- #49 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 48 Entitled, "Beaches and Recreation Centers" of the Riverhead Town Code
- #50 Authorizes Umpire/Referee Fee Schedule for Police Athletic League (P.A.L.) Programs for Year 2005
- #51 Reduces Performance Bond of the Subdivision Entitled, "Crescent on the Sound" (F/N/A "Darren Development")
- #52 Order Calling Public Hearing Extension No. 1-Calverton Sewer District
- #53 Resolution Authorizing Multiple Hook-ups- Cohen Property- Riverhead Sewer District
- #54 2004 Wading River Creek Parking & Boat Ramp Improvement Budget Adjustment
- #55 Accepts 5% Security Bond of Omnipoint Communications, Inc. (Riverhead Water District Plant #9)
- #56 Approves Temporary Sign Permit of Michael Berglass
- #57 Ambulance Fund Budget Adjustment
- #58 Sets Salaries for the Office of the Town Attorney for the Year 2005
- #59 Setting Terms and Conditions for Mary Hartill, Deputy Town Attorney

- #60 Authorizes Markowitz, Fenelon & Bank, LLP to Conduct Annual Audit of the Records of the Town of Riverhead
- #61 Irma Murphy Open Space Acquisition Budget Adjustment
- #62 Appoints Senior Citizens Advisory Council
- #63 Authorized Supervisor to Execute Lease Agreement with Sprint Spectrum, LP
- #64 Order Calling Public hearing-Extension 75- Riverhead Water District, Calverton Water Extension
- #65 Sets Fees for Usage of Recreation and other Town Facilities
- #66 Extends Bid Contract for Work Clothes
- #67 Authorizes the Town Clerk to Publish and Post a Help Wanted Ad for an Account Clerk Typist
- #68 Appoints Senior Account Clerk Typist (K. Schroeher)
- #69 Appoints Official Newspaper
- #70 Awards Bid for Court Street Parking Municipal Parking Facility
- #71 Accepts Resignation of a Detention Attendant (D. Doscinski)
- #72 Authorizes Town Clerk to Publish and Post a Notice of Public Hearing- Transfer of Development Rights Local-Law
- #73 Authorizes Town Clerk to Publish and Post Notice to Consider Final Supplemental Generic Environmental Impact Statement (Transfer of Development Rights)
- #74 Authorizes Town Clerk to Publish and Post Notice of Public Hearing- Amendment to Zoning Use District Schedule; Manufacturer's Outlet Center; Business F
- #75 Pays Bills
- #76 Authorizing the Sale of a Portion of the Town of Riverhead Public Parking Improvement District No. 1 to the Town of Riverhead Community Development Agency, an Urban Renewal Agency of the State of New York, for Redevelopment Pursuant to the Town of Riverhead's East Main Street Urban Renewal Plan, Adopted October 19, 1993

January 19th, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 40

**DETERMINES ENVIRONMENTAL SIGNIFICANCE AND ADOPTS
NOTICE OF SCOPING HEARING – ZONING AMENDMENTS AT EPCAL**

COUNCILMAN DENSIESKI

_____ offered the following resolution which
was seconded by _____ **COUNCILWOMAN SANDERS**

WHEREAS, the Riverhead Town Board desires to amend the Zoning Use District Map of the Town of Riverhead to provide for the Planned Industrial Park Zoning Use District to the exclusion of the current Planned Recreational Park Zoning Use District upon approximately 590 acres located at the Enterprise Park at Calverton; such real property more particularly described as Suffolk County Tax Map Number 0600-135-1-7.33, and

WHEREAS, the Planning Department has recommended that such action be considered a Type I action requiring the preparation of a Supplemental Generic Environmental Impact Statement (SGEIS) pursuant to 6NYCRRR Part 617.10, now

THEREFORE BE IT

RESOLVED, that the Riverhead town Board declares itself to be the Lead Agency in the subject action and further determines the action to have potentially significant adverse impacts upon either the natural or social environment and that a SGEIS need be prepared, and

BE IT FURTHER

RESOLVED, that the Planning Department prepare a Draft Scope of Environmental Issues to be addressed in the SGEIS, and

BE IT FURTHER

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

RH/planning

absent **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
NOTICE OF SCOPING HEARING**

PLEASE TAKE NOTICE, that a scoping hearing will be held pursuant to the New York State Environmental Conservation Law and its attending regulations will take place on the 15th day of February, 2005 at 2:15 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the potential environmental impacts to be assessed in the preparation of a Draft Supplemental Generic Environmental Impact Statement to be prepared in support of the motion of the Riverhead Town Board to amend the Zoning Use District Map of the Town of Riverhead to provide for the Planned Industrial Park Zoning Use District to the exclusion of the Planned Recreational Park Zoning Use District upon approximately 590 acres of real property located at the Enterprise Park at Calverton, such real property more particularly described as Suffolk County Tax Map Number 0600-135-1-7.33.

A draft scope of issues as prepared by the Town Board will be available for inspection in the office of the Town Clerk of the Town of Riverhead beginning on February 4th, 2005 between the hours of 8:30 am and 4:30 pm.

DATED: January 19th, 2005
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

January 19th, 2005

TOWN OF RIVERHEAD

Resolution # 41

APPROVES SITE PLAN OF BONSAI AMERICAN

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

WHEREAS, a site plan and elevations were submitted by Bonsai American for renovations to an existing manufacturing facility to allow for a materials processing facility upon property located at Grumman Blvd, Calverton, New York, known and designated as Suffolk County Tax Map Number 0600-135-1-7.8; and

WHEREAS, the Planning Department has reviewed the site plan dated December 7th, 2004 as prepared by Barrett, Bonacci and VanWeele, P.C. and elevations dated October 25^h, 2004 as prepared by Barrett, Bonacci and VanWeele, P.C. has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

WHEREAS, the site plan, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Check Number 56543-2005 of the Office of the Financial Administrator of the Town of Riverhead; and;

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

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the site plan application of Bonsai American, the Riverhead Town Board declares itself to be the Lead Agency and further determines the action to be unlisted without a significant impact upon the environment pursuant to 6NYCRR and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Bonsal American for renovations to an existing manufacturing facility to allow for a materials processing facility upon property located at Grumman site in Calverton, New York, site plan dated December 7th, 2004, as prepared by Barrett, Bonacci and VanWeele, P.C. and elevations dated October 25th, 2004, as prepared by Barrett, Bonacci and VanWeele, P.C. be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Bonsal American, hereby authorizes and consents to the Town of Riverhead to enter premises at Grumman Blvd, Calverton, New York, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all utilities shall be constructed underground;
12. That pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;
15. That no Building Permit shall issue prior to those approvals required by the Riverhead Town Fire Marshall; be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Bonsal American, 8201 Arrowridge Blvd, Charlotte, N.C. 28224, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

Planning Dept.

~~absent~~ 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

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2005, made by Bonsal American, 8201 Arrowridge Blvd, Charlotte, N.C. 28224, Calverton, Declarant:

WITNESSETH:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

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

13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock", as published by the American Association of Nurserymen;
14. That all necessary precautions shall be taken to contain all dust, dirt, and sand within property boundaries. Such precautions may include the application of dust down, watering, or proper screening or other appropriate measures;

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

BONSAL AMERICAN

DEVELOPMENT INC.

State of New York, County of Suffolk) ss.:

On the ___ day of _____ in the year 2005, before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

January 19th, 2005

TOWN OF RIVERHEAD

Resolution # 42

APPROVES SITE PLAN OF ROBERT J. ANDREWS
TEMPORARY GREENHOUSE

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

WHEREAS, a site plan and elevations were submitted by Robert J. Andrews to allow the construction of a 16,000 sq. ft. eight (8) bay temporary greenhouse upon real property located at 1038 Sound Avenue, Calverton, New York 11933, New York, known and designated as Suffolk County Tax Map Number 0600-58-2-12.2; and

WHEREAS, the Planning Department has reviewed the site plan dated December 2003 and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be a(n) Type II Action pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617; and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the site plan submitted by Robert J. Andrews for a temporary greenhouse, located at 1038 Sound Avenue, Riverhead, New York, site plan dated December 2003 be and is hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant, containing all the limitations and provisions of these approvals in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
7. That the use of the structure(s) approved herein shall be limited solely to agricultural production and that there shall be no retail use conducted therein;
8. That no Certificate of Occupancy shall issue prior to a conveyance of drainage easement to the Town of Riverhead pursuant to such easement language as prepared by the Town Attorney of the Town of Riverhead; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Robert J. Andrews, 1038 Sound Avenue, Calverton, New York 11933, the Riverhead Planning Department, Riverhead Building Department, and Office of the Town Attorney.

absent 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

DECLARATION AND COVENANTS

THIS DECLARATION, made the ____ day of _____, 2005, made by Robert J. Andrews, 1038 Sound Avenue, Calverton, New York 11933
Declarant.

WITNESSETH:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;

5. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
6. That the use of the structure(s) approved herein shall be limited solely to agricultural production and that there shall be no retail use conducted therein.

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

ROBERT J. ANDREWS

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

On the _____ day of _____, in the year 2005, before me, the undersigned personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

TOWN OF RIVERHEAD

Adopted

Resolution # 44

ACCEPTS CASH SECURITY OF NEW YORK INC. D/B/A/ NEXTEL COMMUNICATIONS INC. (CHERRY CREEK)

COUNCILMAN DENSIECKI offered the following resolution,

which was seconded by COUNCILWOMAN SANDEFRE

WHEREAS, Munley, Meade, Nielsen and Re' as agent for New York Inc. d/b/a/ Nextel Communications Inc. has posted a cash security (check from Munley, Meade, Nielsen and Re' #4163 Building Department Receipt #30884) in the sum of Two Thousand Dollars (\$2,000) representing the 5% site plan security as noted in the approved site plan dated September 21, 2004 Resolution #860 for three sets of antennas with additional equipment cabinets onto existing tower located at Cherry Creek Golf Course, 900 Reeves Avenue, Riverhead, New York, Suffolk County Tax Map # 600-18.-2-1.3, pursuant to Section 108-133 (I) of the Riverhead Town Code;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% cash security in the sum of Two Thousand Dollars (\$2,000); and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Munley, Meade, Nielsen and Re', Mr. Lawrence Re', 36 North New York Avenue, Huntington, New York 11743, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

absent
Bartunek Yes No Sanders Yes No
Blass Yes No Densieski Yes No *abstain*
Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 45

ACCEPTS 5% SECURITY BOND OF 23 WEST SECOND STREET ASSOC. LLC (TWOMEY, LATHAM, SHEA AND KELLEY)

COUNCILWOMAN SANDERS offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

WHEREAS, 23 West 2nd Street Assoc. LLC (Twomey, Latham, She & Kelley) has posted a security bond (Travelers Casualty and Surety of America - #104365478) in the sum of Twenty Five Thousand Three Hundred Fifty Eight Dollars (\$25,358) presenting the 5% site plan security bond as noted in the approved site plan dated May 18, 2004 Resolution #420 for work located at 23 West Second Street, Riverhead, New York, Suffolk County Tax Map # 600-128.-6-3.1 and 4.1 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% performance bond in the sum of Twenty Five Thousand Three Hundred Fifty Eight Dollars (\$25,358) issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to 23 West Second Street Associates, 23 West Second Street, Riverhead, New York 11901, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

Adopted

JANUARY 19, 2005

TOWN OF RIVERHEAD

CALVERTON COMMUNITY CENTER CAPITAL PROJECT

BUDGET ADJUSTMENT

RESOLUTION # 46

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

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

	<u>FROM</u>	<u>TO</u>
406.071400.541203.70004 LANDSCAPING EXP.	\$2,500	
406.071400.522150.70004 BUILDING CONSTRUCTION		\$2,500

THE VOTE

absent
Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No *absent*

Cardinale Yes No

January 18, 2005

TOWN OF RIVERHEAD

Adopted

Resolution # 47

REAppoints Members to the Riverhead
Farmland Preservation Committee

COUNCILMAN DENSIESKI

offered the following

COUNCILWOMAN BLASS

resolution, which was seconded by _____

WHEREAS, the Riverhead Town Board adopted Local Law 14-1997 designated to conserve agricultural land of the Town; and

WHEREAS, such local law provided for the creation of a Farmland Preservation Committee, its composition and its authority; and

WHEREAS, such local law empowers the Town Board to appoint members of the Farmland Preservation Committee; and

WHEREAS, the Town Board desires to reappoint those members whose terms have expired.

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby appoints the following individuals to the Farmland Preservation Committee with their respective terms for the calendar years 2005 and 2006;

- Mr. Charles F. Scheer, Jr. 2 years (Agriculture representative)
- Mr. Mark Zaweski 2 years (Agriculture representative)
- Mr. Richard A. Wines 2 years (Community member)

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to members of the Riverhead Farmland Preservation Committee,, Richard A. Wines, PO Box, 1470, Jamesport, New York 11947; the Riverhead Planning Department, the office of the Town Attorney and the Office of Accounting.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Bartunek Yes No *absent*

Cardinale Yes No

The Resolution Was Was Not

Thereupon Duly Declared Adopted

1/18/05

Adopted

TOWN OF RIVERHEAD

Resolution # 48

AUTHORIZES ATTENDANCE AT THE 2005 TRAINING SCHOOL HELD BY THE ASSOCIATION OF TOWNS

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

WHEREAS, the Association of Towns is hosting their 2005 Training School at the Hilton Hotel, New York City, on February 20th through February 23rd, 2005; and

WHEREAS, it is the desire of Philip Cardinale, Supervisor; Barbara Blass, Councilperson; Rose Sanders, Councilperson; Edward Densieski, Councilperson; Mark Kwasna, Highway Superintendent; Richard Hanley, Planning Director and Leroy Barnes, Jr., Building Department Administrator; to attend such course.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the aforementioned individuals to attend the Association of Towns 2005 Training School to be held at the Hilton Hotel, New York City on February 20th through February 23rd, 2005; and be it further

RESOLVED, that all related expenses incurred by the employees will be reimbursed upon proper submission of receipts; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Philip Cardinale, Supervisor; Barbara Blass, Councilperson; Edward Densieski, Councilperson; Rose Sanders, Councilperson; Mark Kwasna, Highway Superintendent; Richard Hanley, Planning Director; Leroy Barnes, Jr., Building Department Administrator; the Office of the Town Attorney and the Office of Accounting.

absent 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

1/18/05

Adopted

TOWN OF RIVERHEAD

Resolution # 49

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 48 ENTITLED, "BEACHES AND RECREATION CENTERS" OF THE RIVERHEAD TOWN CODE

COUNCILWOMAN SANDERS offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

RESOLVED, the Town Clerk is hereby authorized to publish the attached public to consider a local law to amend Chapter 48 entitled, "Beaches and Recreation Centers" of the Riverhead Town Code once in the January 27, 2005 issue of the Traveler-Watchman, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Bay Constable; Code Enforcement; Police Chief David Hegermiller and the Recreation Department.

THE VOTE

Bartunek ^{absent} 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 meeting will be held before the Town Board of the Town of Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 1st day of February, 2005 at 7:05 p.m. o'clock to consider a local law amending Chapter 48 of the Riverhead Town Code entitled, "Beaches and Recreation Centers" as follows:

**Chapter 48
BEACHES AND RECREATION CENTERS**

§ 48-22. Penalties for offenses.

A. Persons cited on a Town parking summons for a violation of this article, permit parking or parking-related violations shall be subject to a fine of ~~\$25~~ \$100, and shall answer and/or appear on or before the designated return date. Persons failing to appear on or before the designated return date shall be subject to the following surcharges in addition to the prescribed fines:

Dated: Riverhead, New York
January 18, 2005

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

BARBARA GRATTAN, Town Clerk

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

January 18, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 50

AUTHORIZES UMPIRE/REFEREE FEE SCHEDULE FOR POLICE ATHLETIC LEAGUE (P.A.L.) PROGRAMS FOR YEAR 2005

COUNCILWOMAN BLASS offered the following resolution

which was seconded by COUNCILMAN DENSIECKI

WHEREAS, The Town of Riverhead is responsible for setting a fee schedule for umpires and referees participating in the Riverhead Police Athletic League; and

WHEREAS, those fees are established below for the Year 2005:

Basketball referees	One referee per game	\$45.00 per game
Baseball/Softball umpires	Two umpires per game	\$60.00/each umpire, each game
	One umpire per game	\$90.00/umpire
Football referees	Two referees per game	\$50.00/each referee, each game
	One referee per game	\$75.00/referee
Lacrosse referees (5 th - 8 th grade)	Two referees per game	\$45.00/each referee per game
	One referee per game	\$67.50/referee per game
Lacrosse referees (3 rd - 4 th grade)	Two referees per game	\$40.00/each referee per game
	One referee per game	\$60.00/referee per game
Town Soccer referees	One referee per game	\$30.00 for one referee per game

NOW, THEREFORE BE IT RESOLVED, that the above P.A.L. Umpire/Referee fee schedule is established for the year 2005.

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

C:\Janice Seus\JAB-PAL

THE VOTE

Bartunek absent ~~yes~~ ~~no~~ Sanders yes ~~no~~

Blass yes ~~no~~ Densieski yes ~~no~~

Cardinale yes ~~no~~

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

Adopted

1/18/05

TOWN OF RIVERHEAD

Resolution # 51

REDUCES PERFORMANCE BOND OF THE SUBDIVISION ENTITLED, "CRESCENT ON THE SOUND" (F/A "DARREN DEVELOPMENT")

COUNCILMAN DENSIECKI offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

WHEREAS, by resolution dated June 22, 2001, the Riverhead Planning Board conditionally approved the final plat entitled, "Darren Development Crescent on the Sound"; and

WHEREAS, by Resolution #860 dated December 18, 2001, the Riverhead Town Board accepted a performance bond in the amount of \$455,000.00 representing the improvements to be completed in the aforementioned subdivision; and

WHEREAS, by written request dated January 3, 2005, Golfo Development Corp. did request a reduction of the performance bond for road and drainage work completed in the within subdivision;

WHEREAS, upon the inspection and recommendation of Vincent A. Gaudiello, P.E., consulting engineer to the Planning Board, it is recommended that the performance bond posted for the work to be completed in the subject subdivision be reduced from \$455,000.00 to the amount of \$151,666.67.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby approves the reduction of the Bank of Smithtown Irrevocable Letter of Credit No.100218 in the amount of \$455,000.00 to the amount of \$151,666.67; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby accepts Bank of Smithtown Irrevocable Letter of Credit No.100291 in the amount of \$151,666.67' and further, authorizes the release of the Bank of Smithtown Irrevocable Letter of Credit No.100218 in the amount of \$455,000.00 representing the improvements to be completed within said subdivision; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Golfo Development Corp., P.O. Box 578, Riley Avenue, Calverton, New York, 11933; Bank of Smithtown, 1 East Main Street, Smithtown, New York, 11787, Attn: Thomas J. Stevens, W:\Laura Calamita\bonds\Darren Devreducebond.res.doc

absent THE VOTE

Bartunek <input checked="" type="checkbox"/> yes <input checked="" 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

Executive Vice President,; John J. Raynor, P.E. & L.S., P.C., Deerfield Green, 860 Montauk Highway, P.O. Box 720, Water Mill, New York, 11976, Attn: Vincent A. Gaudiello, P.E.; the Riverhead Planning Department; the Riverhead Building Department and the Office of the Town Attorney.

Adopted

1/19/05

ORDER CALLING PUBLIC HEARING
EXTENSION No. 1
CALVERTON SEWER DISTRICT

Resolution # 52

Adopted _____

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

WHEREAS, the Town of Riverhead owns and operates the existing sewage collection and conveyance system and sewage treatment plant servicing the former Naval Weapons Industrial Reserve Plant in Calverton, New York, and

WHEREAS, a map and plan detailing the proposed extension has been prepared by H2M, consulting engineers to the Riverhead Sewer District which report recommends the construction of Pump Stations and gravity sewer and force main as more particularly set forth in the map and plan of H2M dated November 18, 2004, which is on file with the Town Clerk, and

WHEREAS, the maximum amount to be expended for the extension is \$1,470,000, exclusive of key money, and

WHEREAS, by previous resolution the District has established a Nitrogen Reduction Fund to be paid by new connection and flow increases at the rate of \$14.20 per gallon per day, which will be owed at Certificate of Occupancy for any new construction within the District as extended, and

WHEREAS, the boundary of the said extension is set forth fully in the attached Exhibit A, and

WHEREAS, it is necessary for the Town Board to hold a public hearing to hear all persons wishing to be heard with regard to the proposed extension,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will hold a public hearing on the 15th day of February, 2005, at 7:05 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, NY, to hear all interested persons with regard to the extension to the Calverton Sewer District to be known as Extension No. 1, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in full in the February 3, 2005, edition of The Traveler Watchman,

AND BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Michael Reichel, Frank Isler, Esq., Cameron Engineering at Three Aerial Way, Suite 100, Syosset, NY 11791, and H2M.

BY ORDER OF THE RIVERHEAD
TOWN BOARD
BARBARA GRATTAN
TOWN CLERK

Dated: January 19, 2005
Riverhead, NY

RESOLUTION PREPARED BY FRANK A. ISLER, ESQ., FOR
THE CALVERTON SEWER DISTRICT

THE VOTE
Bartunek ^{absent} ~~yes~~ ~~no~~ Sanders yes no
Blass yes no Densieski yes no
Cardinale yes no
THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

Exhibit A

Legal Description

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

BEGINNING at a point on the northerly side of Grumman Boulevard distant 10,026.36 feet easterly from the intersection formed by the easterly line of Wading River-Manorville Road (C.R. 25) and the northerly line of Grumman Boulevard;

Running thence along the lands of the Town of Riverhead the following ten (10) courses and distances: 1) North $04^{\circ}07'36''$ West, a distance of 721.60 feet; 2) thence along the arc of a curve bearing to the left and having a radius of 3634.79 feet; a distance of 400.24 feet; 3) thence South $82^{\circ}58'57''$ West, a distance of 1,633.67 feet; 4) thence North $30^{\circ}00'00''$ West, a distance of 318.17 feet; 5) thence North $90^{\circ}00'00''$ West, a distance of 330.33 feet; 6) thence North $04^{\circ}05'28''$ West, a distance of 2,564.03 feet; 7) thence North $40^{\circ}20'10''$ East, a distance of 3,321.67 feet; 8) thence South $49^{\circ}39'50''$ East, a distance of 8453.30 feet; 9) thence South $69^{\circ}37'16''$ West, a distance of 318.93 feet; 10) thence North $89^{\circ}01'31''$ West, a distance of 1480.82 feet to the lands of the United States of America; thence running along the lands of The United States of America the following three (3) courses and distances: 1) North $53^{\circ}05'17''$ West, a distance of 3080.34 feet; 2) thence North $90^{\circ}00'00''$ West, a distance of 1306.50 feet; 3) thence South $04^{\circ}00'00''$ East, a distance of 2153.67 feet to the northerly side of Grumman Boulevard; thence westerly along the northerly side of Grumman Boulevard the following two (2) courses and distances: 1) South $86^{\circ}13'29''$ West, a distance of 206.66 feet; and (2) westerly along the arc of a curve concave bearing to the left having a radius of 2914.79 feet, a distance of 243.87 feet to the point or place of beginning.

Excepting therefrom the following described property:

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Beginning at a point which is the following five (5) courses and distances from the intersection of the northerly side of Grumman Boulevard and the easterly side of Wading River-Manorville Road (C.R. 25): 1) Easterly along the northerly side of Grumman Boulevard, 10,026.36 feet; 2) easterly still along the northerly side of Grumman Boulevard along the arc of a curve bearing to the right, having a radius of 2,914.79 feet, a distance of 243.87 feet; 3) still along the northerly side of Grumman Boulevard North 86°13'29" East, a distance of 206.66 feet to the lands of the United States of America; 4) North 04°00'00" West, a distance of 2153.67 feet along the lands of the United States of America to a rebar & cap; 5) North 79°33'33" West, a distance of 1277.77 feet, to the Point or Place of Beginning.

Running thence North 78°43'00" West, a distance of 831.93 feet; thence North 07°05'00" East, a distance of 314.99 feet; thence South 78°43'00" East, a distance of 210.00 feet; thence North 11°17' 00" East, a distance of 155.00 feet; thence South 78°43'00" East, a distance of 385.00 feet; thence North 11°17'00" East, a distance of 215.00 feet; thence South 78°43'00" East, a distance of 260.00 feet; thence South 11°17'00" West, a distance of 684.15 feet; to the Point of Beginning.

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Excluding therefrom all of the property within the existing Calverton Sewer District as described below:

Calverton Sewer District

Commencing at the point of beginning, which is on the northerly side of Grumman Boulevard, being distant 8,484.96' westerly along the northerly side of said road from a highway monument at the intersection formed by the northerly side of Grumman Boulevard and the easterly side of Wading River - Manorville Road; from said point of beginning; running thence North 04°20'00" West, a distance of 1310.73 feet; thence South 85°40'00" West, a distance of 375.00 feet; thence North 04°20'00" West, a distance of 2336.06 feet; thence North 41°21'00" East, a distance of 2109.42 feet; thence South 48°39'00" East, a distance of 2235.06 feet; thence South 41°21'00" West, a distance of 1116.40 feet; thence South 04°00'00" East, a distance of 2728.16 feet; thence South 86°13'29" West, a distance of 206.66 feet to the beginning of a curve concave to the south having a radius of 2914.79 feet, a central angle of 11°56'55", an arc length of 607.86 feet and subtended by a chord which bears South 88°57'25" West 606.75 feet; thence South 82°58'57" West, a distance of 1069.85 feet to the point or place of beginning containing 236.28 acres.

1/19/05

Adopted

RESOLUTION AUTHORIZING MULTIPLE HOOK-UPS
COHEN PROPERTY
RIVERHEAD SEWER DISTRICT

Resolution #53

Adopted _____

COUNCILWOMAN BLASS

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

WHEREAS, application has been made by Theodora Cohen to hook multiple
buildings to a single service line as more particularly set forth in the attached Declaration
and Maintenance Agreement, and

WHEREAS, the Superintendent, based upon such agreement, recommends that
this Board approve the multiple connections,

NOW, THEREFORE, BE IT

RESOLVED, that the Superintendent be and is hereby authorized to permit
multiple connection to the sewer service as set forth in the attached Declaration and
Maintenance Agreement, and be it further

RESOLVED, that the Town Clerk shall forward certified copies of this agreement
to Michael Reichel, Frank Isler, Esq. and Building Department.

RESOLUTION PREPARED BY FRANK A. ISLER, ESQ., FOR
THE RIVERHEAD SEWER DISTRICT

absent 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



SUFFOLK COUNTY CLERK
 RECORDS OFFICE
 RECORDING PAGE

Type of Instrument: DECLARATION/DOP
 Number of Pages: 7
 Receipt Number : 05-0000968

Recorded: 01/04/2005
 At: 03:21:24 PM

LIBER: D00012363
 PAGE: 786

District: 0600 Section: 127.00 Block: 07.00 Lot: 014.000

EXAMINED AND CHARGED AS FOLLOWS

Received the Following Fees For Above Instrument

		Exempt			Exempt
Page/Filing	\$21.00	NO	Handling	\$5.00	NO
COE	\$5.00	NO	NYS SRCHG	\$15.00	NO
TP-584	\$0.00	NO	Notation	\$0.00	NO
Cert.Copies	\$17.50	NO	RPT	\$70.00	NO
SCTM	\$0.00	NO			

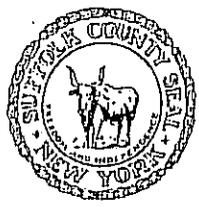
Fees Paid \$133.50

THIS PAGE IS A PART OF THE INSTRUMENT
 THIS IS NOT A BILL

Edward P.Romaine
 County Clerk, Suffolk County

Number of pages <u>7</u>	1 2	1
TORRENS		RECORDED 2005 Jan 04 03:21:24 PM Edward P. Romaine CLERK OF SUFFOLK COUNTY L 000012363 P 786
Serial # _____		
Certificate # _____		
Prior Cl. # _____		
Deed / Mortgage Instrument	Deed / Mortgage Tax Stamp	Recording / Filing Stamps
4 FEES		

Page / Filing Fee <u>21</u>		Mortgage Amt. _____
Handling <u>5</u>		1. Basic Tax _____
TP-584 _____		2. Additional Tax _____
Notation _____		Sub Total _____
EA-52 17 (County) _____	Sub Total <u>26</u>	Spec./Assit. _____
EA-52 17 (State) _____		Or _____
R.P.T.S.A. <u>2</u> <u>70.-</u>		Spec./Add. _____
Comm. of Ed. <u>5 00</u>		TOT. MTG. TAX _____
Affidavit _____		Dual Town _____ Dual County _____
<u>2</u> Certified Copy <u>17 50</u>		Held for Apportionment _____
Reg. Copy _____		Transfer Tax _____
Other <u>15</u>	Sub Total <u>107 50</u>	Mansion Tax _____
	GRAND TOTAL <u>133 50</u>	The property covered by this mortgage is or will be improved by a one or two family dwelling only.
		YES _____ or NO _____
		If NO, see appropriate tax clause on page # _____ of this instrument.



5 Real Property Tax Service Agency Verification	6 Community Preservation Fund
Dist. Section Block Lot	Consideration Amount \$ <u>0</u>
Stamp Date Initials	CPF Tax Due \$ <u>0</u>
<p>0600 12700 0700 014000 0600 12700 0700 023001 0600 12700 0700 024000</p> <p>PT S R MMA A 04-JAN-05</p>	Improved _____ Vacant Land _____ TD _____ TD _____ TD _____
7 Satisfactions/Discharges/Releases List property owners mailing Address RECORD & RETURN TO: THEODORA COHEN 761 ESTAT MAN STREET RIVERHEAD NY 11901	

8 Title Company Information
Co. Name _____
Title # _____

9 Suffolk County Recording & Endorsement Page

This page forms part of the attached DECLARATION made by:

(SPECIFY TYPE OF INSTRUMENT)

THEADORA COHEN AND LAURA COHEN

TO _____

The premises herein is situated in SUFFOLK COUNTY, NEW YORK

In the Township of RIVERHEAD

In the VILLAGE _____

or HAMLET of RIVERHEAD

**DECLARATION AND
MAINTENANCE AGREEMENT**

AGREEMENT, this 15th day of January, 2005, between **THEODORA COHEN** (COHEN), residing at 761 East Main Street, Riverhead, NY 11901 and **THEADORA D. COHEN a/k/a THEODORA COHEN** and **LAURA COHEN**, both residing at 761 East Main Street, Riverhead, NY 11901 (**COHEN and COHEN**).

WHEREAS, **COHEN** is the owner of premises, improved by a residential structure and accessory buildings located on the south side of East Main Street, Riverhead, NY, identified by SCTM #0600-127-07-014 (Exhibit 1); and

WHEREAS, **COHEN and COHEN** are the owners of premises, improved by a residential structure located to the south and southwest of the improved premises owned by **COHEN** and to the west of the right-of-way or private road, identified by SCTM #0600-127-07-023.001 (Exhibit 2); and

WHEREAS, **COHEN** is also owner of a 16 foot wide right-of-way or private road providing access to the other two premises referred to herein and which is located immediately to the east of them, identified by SCTM #0600-127-07-024 (Exhibit 3); and

WHEREAS, the parties wish to install a sewer line within said right-of-way which will provide both improved parcels with connection to the public sewer; and

WHEREAS, the parties wish to formalize their agreement as to the sharing of the cost of installation and maintenance of such sewer line.

IT IS THEREFORE

AGREED

1. The entire cost of installation shall be paid by **COHEN**, as owner of SCTM #0600-127-07-014, the improved premises with frontage upon East Main Street.

2. So long as the premises of **COHEN and COHEN**, SCTM #0600-127-07-023.001, the premises to the south and west of the premises of **COHEN** shall not be connected to such sewer line, such owners shall not incur any cost of maintenance, but all such cost shall be paid by **COHEN**.

3. At such time as the said premises of **COHEN and COHEN** shall connect to such sewer line, such owners shall bear all costs of connection to such sewer line, and from the date of connection, the owners of SCTM #0600-127-07-023.001 (now **COHEN and COHEN**) shall equally share the cost of maintenance with the owners of SCTM #0600-127-07-014 (now **COHEN**).

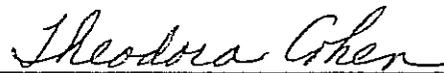
4. COHEN, as owner of the 16 foot wide right-of-way or private road, SCTM #0600-127-07-024, hereby consents to the installation of a sewer line, as determined is necessary by the Town of Riverhead to serve the two improved premises. COHEN, as owner of the right-of-way or private road, shall bear no part of the costs of installation or maintenance of the sewer line.

5. In no event shall the Town of Riverhead or Town of Riverhead Sewer District be held liable to repair or to maintain the sewer line to be installed within the premises described in this Declaration and Maintenance Agreement.

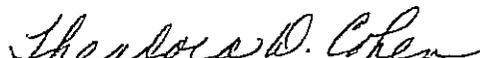
6. This Declaration shall be relied upon by the Town of Riverhead and Town of Riverhead Sewer District to allow multiple connections to a single sewer line.

7. The conditions contained in this Declaration and Maintenance Agreement shall run with the land and this Declaration and Maintenance Agreement shall be binding upon the parties thereto, their executors, successors, heirs and assignees.

IN WITNESS WHEREOF, the parties hereto have signed this Agreement as of the date first written above.



THEODORA COHEN
(Lot 014 and Lot 024)




THEADORA D. COHEN a/k/a
THEODORA COHEN (Lot 023.001)


LAURA COHEN
(Lot 023.001)

STATE OF NEW YORK, COUNTY OF SUFFOLK ss.:

On the 4th day of January, 2005, before me, the undersigned, personally appeared THEODORA COHEN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

WILLIAM F. BATES
Notary Public, State of New York
No. 02BA4671530
Qualified in Suffolk County
Commission Expires December 31, 2006

STATE OF NEW YORK, COUNTY OF SUFFOLK ss.:

On the 4th day of January, 2005, before me, the undersigned, personally appeared THEADORA D. COHEN a/k/a THEODORA COHEN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

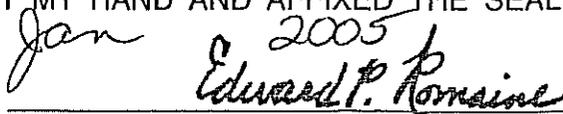
WILLIAM F. BATES
Notary Public, State of New York
No. 02BA4671530
Qualified in Suffolk County
Commission Expires December 31, 2006

STATE OF NEW YORK
COUNTY OF SUFFOLK

SS:

I EDWARD P. ROMAINE, CLERK OF THE COUNTY OF SUFFOLK AND CLERK OF THE SUPREME COURT OF THE STATE OF NEW YORK IN AND FOR SAID COUNTY (SAID COURT BEING A COURT OF RECORD) DO HEREBY CERTIFY THAT I HAVE COMPARED THE ANNEXED COPY OF DEED LIBER 12363 AT PAGE 786 RECORDED 1-4-05 AND THAT IT IS A JUST AND TRUE COPY OF SUCH ORIGINAL DECLARATION AND OF THE WHOLE THEREOF.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED THE SEAL OF SAID COUNTY AND COURT THIS 4 DAY OF Jan 2005



CLERK

EXHIBIT 1

0600 - 127 - 07 - 014

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Riverhead, at Riverhead, County of Suffolk and State of New York, bounded and described as follows: BEGINNING at a point in the southerly side of East Main Street where the same is intersected by the Westerly line of a right-of-way; said point being distant South 30 degrees 37' 50" West 219.90 feet from the corner formed by the intersection of the Northerly side of East Main Street with the westerly side of Prospect Place; RUNNING THENCE South 36 degrees 26' 00" East along the westerly side of said right-of-way, 265.40 feet to land now or formerly of Gerard Young; THENCE South 53 degrees 34' 00" West along said last mentioned land, 74.52 feet to land now or formerly of Anna and Sarah Petty; THENCE North 36 degrees 26' 00" West along said last mentioned land, 256.83 feet to the Southerly side of East Main Street; THENCE North 47 degrees 00' 00" East along the southerly side of East Main Street, 75 feet to the point or place of BEGINNING.

EXHIBIT 2

0600 - 127 - 07 - 023.001

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

BEGINNING at a monument set in the Westerly side of a Right of Way, distant 265.40 feet Southerly as measured along said Right of Way from the corner formed by the intersection of the Westerly side of the Right of Way with the Southerly side of East Main Street;

RUNNING THENCE along the Westerly side of said Right of Way South 36 degrees 26 minutes East, a distance of 170.11 feet to a monument set in the Northerly side of the Long Island Railroad;

RUNNING THENCE along the Northerly side of the Long Island Railroad, the following two courses and distances

- (1) In a Westerly direction along the arc of a curve bearing to the right, having a radius of 2809.12 feet, a distance of 82.36 feet to a monument;
- (2) In a Westerly direction along the arc of a curve bearing to the right, having a radius of 2809.12 feet, a distance of 73.26 feet to a monument set in the Southeasterly corner of land now or formerly of Solomon Raffae;

RUNNING THENCE along last mentioned land North 36 degrees 55 minutes West, a distance of 103.79 feet to a monument and land now or formerly of Anna and Sarah Petty;

RUNNING THENCE along last mentioned land North 53 degrees 51 minutes East, a distance of 65.15 feet to a monument and land now or formerly of Anton F. Vojvoda Estate;

RUNNING THENCE along last mentioned land the following two courses and distances:

- (1) South 36 degrees 26 minutes East, a distance of 3.54 feet to a monument.
- (2) North 53 degrees 34 minutes East, a distance of 74.52 feet to a monument set in the Westerly side of a Right of Way at the point or place of BEGINNING.

EXHIBIT 3

0600 - 127 - 07 - 024

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

A right-of-way approximately sixteen (16) feet in width from the south side of East Main Street to the northerly side of property of L.I.R.R. Said right-of-way is shown on the tax map of the Town of Riverhead as follows:

N - Main Street

E - 127-7 Parcel 9 SCTM #0600-127.00-07.00-009

W - 127-7 Parcel 14 and 23.1 SCTM# 0600-127.00-07.00-014 and 023.001

S - 127-7 Parcel 10 (MTA L.I.R.R.)

Adopted

JANUARY 19, 2005

TOWN OF RIVERHEAD

2004 WADING RIVER CREEK PARKING & BOAT RAMP IMPROVEMENT

BUDGET ADJUSTMENT

RESOLUTION # 54

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>
406.095031.481900.40121	PARK & REC. TRANSFER	\$300,000	
406.012610.421070.40121	KEYSPAN SETTLEMENT PAYMENT	50,000	
406.072300.523018.40121	CONSTRUCTION		\$300,000
406.072300.543505.40121	ENGINEERING EXP.		32,000
406.072300.547900.40121	CONTINGENCY		18,000

THE VOTE

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

01/18/05

Adopted

TOWN OF RIVERHEAD

Resolution # 55

ACCEPTS 5% SECURITY BOND OF OMNIPPOINT COMMUNICATIONS, INC. (RIVERHEAD WATER DISTRICT PLANT#9)

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS

WHEREAS, Omnipoint Communications, Inc. has posted a security bond (Travelers Casualty and Surety Company of America #104285971 dated October 6, 2004) in the sum of Five Thousand Dollars (\$5,000) representing the 5% site plan security bond as noted in the approved site plan dated September 7, 2004 Resolution #800 for work located at Tower #2, Plant 9 of the Riverhead Water District, Wading River (Lewin Hills), New York, Suffolk County Tax Map # 600-57.-1-1.5 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% performance bond in the sum of Five Thousand Dollars (\$5,000) issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Robert A Worth, T-Mobile, Omnipoint Communications, Inc., 3500 Sunrise Highway, Suite D-123, Great River, New York 11739, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Bartunek	^{absent} <input 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
Thereupon Duly Declared Adopted

January 18, 2005

Adopted

TOWN OF RIVERHEAD
Resolution # 56

APPROVES TEMPORARY SIGN PERMIT OF MICHAEL BERGLASS

COUNCILWOMAN SANDERS offered the following resolution, which was seconded by

COUNCILWOMAN BLASS

WHEREAS, a temporary sign permit and sketch were submitted by Michael Berglass for property located at 1307 Roanoke Ave, Riverhead, New York also known as SCTM# 103.00-01-004.00; and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the temporary sign permit application for Family Dental Center submitted by Michael Berglass and be it

RESOLVED, that said temporary sign permit shall expire on April 18, 2005 and the applicant shall removed the affected sign, in its entirety, on or before said date; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Michael Berglass c/o Orenstein, 44 Whippoorwill Lane, Quogue, New York 11959, the Planning Department and the Building Department.

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

Application
FOR SIGN PERMIT
Town of Riverhead
Suffolk County, New York

Fee	100 -	Receipt No.	30869
Application No.	33847	Date Permit Issued	
ZB No.	28991	Date Approved or Denied	
Building Inspector			
Board of Appeals No.		Date Granted	
Date Denied			

Dated: 1-3-05
SCTM# 103-1-4

APPLICATION IS HEREBY MADE to the Building Inspector in the Town of Riverhead for the issuance of a Permit pursuant to the Zoning Ordinance of the Town of Riverhead, Suffolk County, New York, for the use and the erection or the structural alteration of a sign or signs, as hereinafter described and as shown on the accompanying layout or plot plan:

1. The sign to be located at 1307 ROANOKE AVE in the Town of Riverhead, Bus PB Use District, is to be erected Erected or Structurally altered

2. The sign will have an area of 24 Sq. feet, and will be 6 feet in height. The base of the sign will be 2 feet above ground level.

3. The sign will be Permanent or Temporary installation.
(Circle one)

4. Description of sign: (Check appropriate items below).

- a. Lighted
- b. Single Face
- c. Double Faced
- d. Attached to Building
- e. Facial (Painted or Affixed)
- f. Independent Construction
- g. Advertising
- h. Business

5. Materials to be used: Wood with ACP Posts

6. Has permission been obtained from property owner, if other than the applicant, upon which the sign is to be erected?

All statements made in this application and shown on the attached plot plan are true to the best of my knowledge and belief.

Property Owner Name & Address: 1A Michael Berglass
c/o Omenstein 44 Whipoorwill Lane Quogue NY 11959

Applicant Name: Michael Berglass

Business Name: East End Health Corp

Address: 166 Shore Rd Pt. Washington NY 11050 Phone Number: 516-883-4477

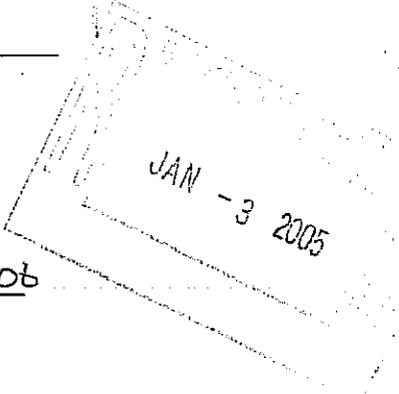
(Signature of owner or applicant)

Sworn to before me this 31 day of

2004

Notary Public

JOHN McGREGOR
Notary Public, State of New York
No. 01MC6012385
Qualified in Suffolk County
Commission Expires August 31, 2006



READ THIS DOCUMENT CAREFULLY
YOU MAY CONSULT YOUR ATTORNEY BEFORE COMPLETING.

DISCLOSURE AFFIDAVIT

STATE OF NEW YORK)

SS:

COUNTY OF SUFFOLK)

I, Michael Benglass an applicant for
the following relief: SIGN and being
(Type of Permit)

duly sworn, deposes and says:

That I make and complete this affidavit under the penalty of perjury and swear to the truth thereof.

knowing failure to provide true information is punishable as a misdemeanor. Being so warned, I state:

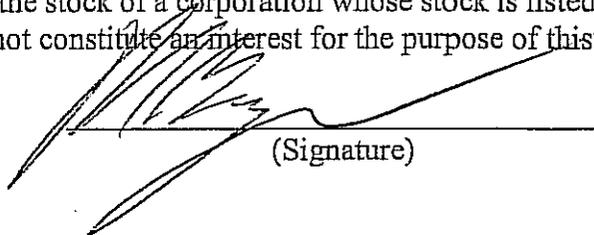
That ✓ NONE, is a State Officer, is
(Relative)

an officer or employee of Riverhead Town, and:

That this person has an interest in the person, partnership or association requesting the above stated relief.

That for the purpose of this section, an officer or employee shall be deemed to have an interest in the applicant where he, his spouse, or their brothers, sisters, parents, children, grandchildren or the spouse of any of them.

- a. is an applicant,
- b. is an officer, director, partner or employee of the applicant,
- c. legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association, applicant, or
- d. is a party to an agreement with such an application, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependant or contingent upon the favorable approval of such application, petition or request.
- e. That ownership of less than five (5) per cent of the stock of a corporation whose stock is listed on the New York or American Stock Exchange shall not constitute an interest for the purpose of this section.


(Signature)

Sworn to before me this 31 day
of Dec, 2004

J. McG
Notary Public

JOHN MCGREGOR
Notary Public, State of New York
No. 01MC6012385
Qualified in Suffolk County
Commission Expires August 31, 2006

COMING FALL 2005

FAMILY DENTAL CENTER

SPACE AVAILABLE

INFORMATION – 631-653-6369

516-885-8417

DONALD ORENSTEIN, LIC. BROKER

SPECIFICATIONS- SIGN WILL BE 4'X6' Double-faced MDO sign in 4"x4" ACQ posts and be located 15' from the property line and 25' from each side of the property line. Black letters on white background. No lighting required.

LETTERING – ENGLISH BLOCK 4"

JANUARY 19, 2005

Adopted

TOWN OF RIVERHEAD

AMBULANCE FUND

BUDGET ADJUSTMENT

RESOLUTION # 57

COUNCILMAN DENSIECKI

_____ 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>
120.045400.524214	RADIOS & SCANNERS	\$19,000	
120.045400.543925	RVAC INC. MANAGEMENT CONTRACT EXP.		\$19,000

THE VOTE

Bartunek ^{absent} Yes No Sanders Yes No
 Blass Yes No Densieski Yes No
 Cardinale Yes No

TOWN OF RIVERHEAD

SETS SALARIES FOR THE OFFICE OF THE TOWN ATTORNEY FOR THE YEAR 2005

RESOLUTION # 58

COUNCILWOMAN BLASS

offered the following Resolution,

COUNCILWOMAN SANDERS

which was seconded by

WHEREAS, TBR #20 (2005) which set the salaries of the General Town employees for the year 2005 was adopted without the Office of the Town Attorney.

NOW THEREFORE, BE IT RESOLVED, that the salaries for the Office of the Town Attorney of the Town of Riverhead for the year 2005 be, and are hereby set as follows:

<u>EMPLOYEE</u>	<u>GROUP/STEP</u>	<u>TITLE</u>	<u>ANNUAL SALARY</u>	<u>HOURLY</u>
<u>TOWN ATTORNEY</u>				
Dawn C. Thomas	(38)	Town Attorney	\$83,200.00	
Chris Kent	(48)	Deputy Town Attorney	\$75,000.00	
Sean Walter	(2)	P/T Deputy Town Attorney(CPF)		\$38.5000
Mary Hartill	(49)	Deputy Town Attorney	\$75,000.00	
Laura Lenox	7/5	Paralegal Assistant	\$56,782.96	
Christopher Coverdale	(16)	Student Intern		\$15.0000

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Bartunek Yes No *absent*

Cardinale Yes No

TOWN OF RIVERHEAD

Adopted

Resolution # 59

**SETTING TERMS AND CONDITIONS OF EMPLOYMENT
FOR MARY HARTILL, DEPUTY TOWN ATTORNEY**

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

BE IT RESOLVED, THAT the terms and conditions of employment of Mary Hartill, Deputy Town Attorney ("the Employee") shall, effective January 1, 2005, be as follows:

TERM

1. These terms and conditions of employment shall continue in full force and effect until subsequently altered by Town Board resolution.
2. The employee is employed at the will of the Town Board and for no specific term or duration, except as otherwise provided by law.

HOURS OF WORK

1. The employee's minimum basic work week shall be 35 hours. There shall be no maximum number of hours of work per week. The employee shall not receive additional compensation for holiday pay. The employee is not entitled to earn, accrue, or be paid for overtime or compensatory time.
2. The employee shall be entitled to the same paid holidays as are set forth in the 2004-2007 CSEA collective bargaining agreement,
3. (a) Five (5) days of personal leave will be granted.

(b) Personal leave may not be accumulated and must be used within the calendar year earned, except that unused personal days at the end of each year shall be converted to sick time and may be used as sick time, subject to all the rules and pertaining to sick time.

(c) Personal leave must be approved by the Town Supervisor. The employee must request such leave at least forty eight (48) hours in advance unless the personal leave is deemed to be an emergency of which the employee had no prior knowledge, in which case the employee must notify the Town Supervisor or designee of such absence. Failure to notify the Town Supervisor or designee of the absence will result in loss of pay for the day's absence.
4. Funeral Leave. The employee shall be entitled to four (4) consecutive working days leave of absence computed either from the day of death or the day following death, at the

employee's option, for the death of the employee's spouse, child (including adopted children), father, mother, brother, sister, parents, parents-in-law, grandparents, grandparents-in-law, grandchildren, daughter-in-law, brother-in-law, sister-in-law, son-in-law, or stepchild.

5. Jury Service. The employee will be paid the employee's regular salary while performing jury service upon documentary proof being filed with the Town Supervisor. The employee shall endorse the jury salary checks to the Town. Travel allowance or mileage compensation checks for jury service are to be retained by the employee.

6. Court Appearance. The employee's absence by reason of appearance as a defendant or witness on behalf of the Town in any court action involving the Town will be approved by the Town Supervisor for the number of days necessary. The employee shall not lose any salary therefrom.

7. Parentage Leave. The employee shall receive a parentage leave as defined in the 2004-2007 CSEA contract, Article III, Section 5.

VACATIONS

1. The employee shall be entitled to 20 working days' of vacation (January 1 to December 31) during fiscal year 200

2. The employee, upon request, shall be paid the employee's vacation pay prior to the vacation, providing the employee shall have given three (3) weeks' notice to the Supervisor.

3. Upon retirement or termination of service, except for cause, the employee shall be compensated, in cash, for any accumulated vacation.

4. The employee may carry over any unused vacation days from one (1) year into the following year, but in no event shall the employee carry over more than sixty (60) vacation days from one year to the next.

5. The employee, at the employee's option, shall be entitled to make an election to work the current year's allotted vacation time. The employee must provide written notification to the Supervisor of the exercising of this option not fewer than thirty (30) days prior to the date of which payment is requested. The Supervisor is to acknowledge receipt of this notification to the payroll personnel prior to payment. Payment is to be processed during the next overtime run. Payment will be the same method as outlined in the 2002-2004 Superior Officers' Contract, Article IX, Section C, except that the buyback shall be in blocks of three days per month.

SICK LEAVE

1. Sick leave is absence necessitated by the employee's illness or other physical disability. Sick leave will be accumulated at the rate of 10.5 hours per month, up to a total

accumulated sick leave of 2100 hours. After 2100 hours, additional paid sick leave may be granted in the sole discretion of the Town Board. In order to receive sick leave, the employee shall, when absent because of sickness for more than three (3) days, furnish the Supervisor, when requested by him, with a medical certificate. Failure to furnish a medical certificate will result in loss of pay for absent days. The Town Board, in its discretion, may request a physical examination the employee before the employee's return to work.

2. The employee, or legal representative, upon retirement or severance, is entitled to cash payment for accumulated sick leave. Said payment shall be paid in a lump sum the value of the employee's accumulated and unused sick leave to the extent of one hundred (100%) percent of the first 1960 hours thereof.

3. The employee may elect to reduce the sick time accrued under paragraph "1" one by filing a written election with the Supervisor one (1) month prior to payment. Buy-out shall be in lots of 35 hours. No buy-out shall be permitted unless, at the time of election, the employee has accumulated at least 70 hours. The rate of pay shall be calculated at the time of payment based on a two hundred sixty (260) day work year. If the employee "buys-out" sick leave, the employee shall be permitted to reaccumulate sick days to a maximum of 2100 hours.

4. If the employee falls ill while on vacation then, upon presentation of a medical certificate certifying that the employee was confined to bed for more than five (5) working days during the vacation, may charge this illness to sick leave upon proper notification to the Supervisor and may take the same number of sick days as vacation days.

GRIEVANCE PROCEDURE

1. Consideration of Grievance.

A grievance by the employee shall be made, in writing, to the Town Board. Upon receipt of the grievance, the Town Board may request the employee to submit any agreed statement of facts or the employee's version of the facts, or any other documents that the Town Board may deem pertinent to the determination of the appeal.

The Town Board shall conduct a hearing within twenty (20) business days of receipt of an appeal. Within twenty (20) business days after the hearing, the Town Board shall make a decision based on its findings and advise the employee. The decision of the Town Board shall be final and all parties bound thereby.

2. Time of Hearings.

All discussions and hearings shall, so far as practicable, be conducted during working hours.

3. Representation.

The employee shall have the right at all times to representation of the employee's choosing.

4. Limitations.

If a grievance occurs and cannot be resolved immediately, the employee shall obey all directives and shall present the grievance as soon thereafter as practicable. Grievances that are not presented within ten (10) days of the occurrence shall be deemed to have been abandoned.

5. Withdrawn Grievances.

The employee may withdraw a grievance at any point in the grievance procedure.

HEALTH INSURANCE

1. The Town shall reimburse the employee for the cost of health insurance premiums paid by her to the County of Suffolk to maintain coverage obtained through prior employment with the County, but only to the amount that it would cost the Town for family coverage for hospitalization under the Town Health Insurance Program.

2. The Town shall pay, on the employee's behalf, one hundred (100%) percent of the cost of either the individual or family plan for dental coverage under the Riverhead Town Dental Plan.

3. The Town shall pay, on the employee's behalf, one hundred (100%) percent of the cost of either the individual or family plan for optical coverage under the Riverhead Town Optical Plan.

4. The Town will offer a Universal Life Insurance policy, a disability insurance policy or participation in the New York State deferred compensation program. The employee may, at the employee's option, choose the life insurance, the disability insurance or the deferred compensation program, or any combination thereof. The cost of these policies to the Town may not exceed \$2,500.00. Any additional cost may be supplemented by the employee via a payroll deduction. The cost will be adjusted yearly based on the Consumer Price Index for New York and Northeastern New Jersey area for all Urban Consumers as produced by the U.S. Department of Labor, Bureau of Labor Statistics. The Base Year to be used will be 1989.

5. The employee, at the employee's option, may elect not to accept the Town's hospitalization coverage for a period of not less than one calendar year and receive the following payment during the first full pay period of each year the election is made: \$1,650.00 if the employee changes from family to no coverage; \$900 if the employee changes from family to individual coverage; \$750 if the employee changes from individual to no coverage. Also, at the employee's option, the employee may elect not to accept the dental coverage for a period of not

less than one calendar year and receive the following payment during the first full pay period of each year the election is made: \$230 if the employee changes from family to no coverage; \$150 if the employee changes from family to individual coverage; \$80 if the employee changes from individual to no coverage. Also, at the employee's option, the employee may elect not to accept the optical coverage for a period of not less than one calendar year and receive a payment of twenty five dollars (\$25.00) during the first full pay period of each year the election is made. The employee must sign an application form each year and said application shall include an acknowledgment that the employee is covered under another plan.

GENERAL PROVISIONS

1. The Town agrees to provide legal counsel to defend the employee in any action arising out of an assault on the employee on Town business, and the Town hereby agrees to defend, indemnify, and hold the employee harmless for any and all acts performed for the Town, its agents and employees, provided the employee was acting within the scope of employment. In the event that the employee is appointed, authorized or directed by the Town or one of its agencies to represent it as a member of the board of directors of an organization or agency, then the employee shall be covered by the provisions of Public Officers Law Section 18 and Town Code Sections 15-1 and 15-2 pertaining to the defense and indemnification of officers and employees of public entities, provided the employee is otherwise eligible for coverage pursuant to the terms of those provisions.

2. If the employee is injured or assaulted in the course of employment, the employee shall receive full salary until such time as the employee's application for reinstatement to full duty status, or, in the event of permanent disability, the employee's application for a disability pension be finally determined or by a physician's examination determining no further disability, whichever comes first. If the employee is injured on the job and reports the same to the Supervisor, and has to be absent from work, no days shall be deducted from his sick leave for such injury. If the employee receives a compensation check for lost time due to a compensable injury, the employee shall endorse the employee's check over to the Town. The above shall apply if the employee was acting within the scope of employment.

3. A leave of absence, without pay, may be granted to the employee in the discretion of the Town Board for a maximum of six (6) months, upon written application therefore and good cause shown.

4. If the employee is absent without leave or without due notification to the Supervisor, the employee shall suffer loss of pay for the days of such absence.

5. The employee will be paid every two (2) weeks on Thursday of the latter week.

6. Upon the employee's request to examine the employee's official employment personnel file, the employee may be permitted to do so at the discretion of the Town Board. Any material classified as confidential shall not be subject to duplication by the employee, but the employee shall have an opportunity to read said material and make a written reply, which shall be inserted in the personnel folder.

7. To the extent permitted by the U.S. Internal Revenue Code and the New York State Income Tax Laws, the Town shall establish a deferred compensation plan for the employee.

8. The Town will provide a college and/or post-graduate incentive program for courses approved by the Town Board. The Town will reimburse the employee the tuition cost on a grade related basis. A grade of "A" will receive seventy five (75%) percent of the tuition cost. A grade of "B" will receive fifty (50%) percent of the tuition cost. A grade of "C" will receive twenty five (25%) percent of the tuition cost. Payment will only be made upon submission of voucher and proof of grade.

WAGES

The employee shall receive the following annual salary: \$75,000

THE VOTE
Bartunek ^{absent} ~~yes~~ ~~no~~ Sanders yes no
Blass yes no Densieski yes no
Cardinale yes no
THE RESOLUTION ~~WAS~~ WAS NOT
THEREFORE DULY ADOPTED

JANUARY 19, 2005

Adopted

TOWN OF RIVERHEAD

AUTHORIZES MARKOWITZ, FENELON & BANK, L.L.P.
TO CONDUCT ANNUAL AUDIT OF THE RECORDS OF THE
TOWN OF RIVERHEAD

RESOLUTION # 60

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

RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes Markowitz, Fenelon & Bank L.L.P. to conduct an audit of the records of the Town of Riverhead for Fiscal Year 2004 and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a Certified Copy of this Resolution to Markowitz, Fenelon & Bank, L.L.P., 608 Northville Turnpike, Riverhead, NY 11901, and the Office of Accounting.

THE VOTE

Bartunek ^{absent} <input checked="" type="checkbox"/> Yes <input checked="" 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	

JANUARY 19, 2005

Adopted

TOWN OF RIVERHEAD

IRMA MURPHY OPEN SPACE ACQUISITION

BUDGET ADJUSTMENT

RESOLUTION # 61

COUNCILMAN DENSIECKI

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>
406.019400.494200.42021 SERIAL BOND PROCEEDS	\$16,000	
406.019400.523021.421021 DEMOLITION EXP.		\$16,000

THE VOTE

Bartunek ^{absent} Yes No Sanders Yes No
 Blass Yes No Densieski Yes No
 Cardinale Yes No

1/19/05

Adopted

Town of Riverhead

Resolution # 62

Appoints Senior Citizens Advisory Council

COUNCILMAN DENSIESKI offered the following resolution, which was seconded by

COUNCILWOMAN SANDERS :

Whereas the Riverhead Town Board wishes to be advised on how the Town might improve and enrich its programs for senior citizens;

Whereas the Town Board seeks regular input on issues of particular concern to senior citizens;

Whereas the Town Board believes it valuable to assemble a group of volunteers for the purpose of providing advice to the Town Board on an organized basis with respect to issues of interest and importance to senior citizens;

Now, therefore, be it resolved that the Town Board appoints the following residents to serve for two year terms as unpaid members of a Senior Citizens Advisory Council:

Thomas D. Bozza

Eleanor Nystrom

Vincent Grassi

Lou Ann Ruthinoski

John Huck

Sandy Sanjek

Peggy Kluge

Bernadette Ann Voras

Harry Koehler

Thelma White

~~absent~~ 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

1/19/05

Adopted

AUTHORIZED SUPERVISOR TO EXECUTE
LEASE AGREEMENT WITH
SPRINT SPECTRUM L.P.

Resolution # 63

Adopted _____

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

WHEREAS, a public hearing was held on the 16th day of December, 2003,
wherein all persons wishing to be heard were heard regarding the proposed lease
agreement with Sprint Spectrum L.P. to lease certain space located at Plant 9, for the
installation and operation of wireless antennas and appurtenances, and

WHEREAS, a copy of the proposed lease agreement is on file with the Riverhead
Town Clerk,

NOW, THEREFORE, BE IT

RESOLVED, that the supervisor be and is hereby authorized to execute a lease
agreement with Sprint Spectrum L.P. and be it further

RESOLVED, that the Town clerk shall forward a certified copy of this resolution
to Gary Pendzick, Frank Isler, Esq., and Alfred Amato, Esq., at Amato & Associates, and
be it further

RESOLVED, that a fully executed copy of the lease agreement shall be filed with
the Town Clerk.

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

absent 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

1/19/05

Adopted

TOWN OF RIVERHEAD

ORDER CALLING PUBLIC HEARING - EXTENSION NO. 75
RIVERHEAD WATER DISTRICT
CALVERTON WATER EXTENSION

Resolution #64
Adopted _____

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

WHEREAS, a petition has been filed by M-GBC, LLC to allow public water to be provided to Calverton Enterprise Park, which parcel of land is located just outside the boundaries of the existing water district, and

WHEREAS, a map and plan detailing the proposed extension has been prepared by H2M, consulting engineers to the Riverhead Water District, which report recommends as extension of 150 feet of six inch, 3,250 of eight inch and 8,000 twelve inch ductile iron water main, with valves, castings and hydrants, as more particularly set forth in table 3-1 of the revised summary of costs prepared by H2M, and

WHEREAS, a maximum amount to be expended for the extension is \$731,000, to be borne by the applicant and no public monies shall be expended for this extension, and

WHEREAS, key money will be assessed by new connections, which will be owed at Certificate of Occupancy for any new construction within the District as extended, and

WHEREAS, the boundary of said extension is set forth fully in the attached Exhibit A, and

WHEREAS, it is necessary for the Town Board to hold a public hearing to hear all persons wishing to be heard with regard to the proposed extension,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board will hold a public hearing on the 3rd day of February, 2005, at 7:10 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the extension to the Riverhead Water District to be known as Extension 75, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in full in the February 3, 2005, edition of The Traveler Watchman, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Gary Pendzick, Frank Isler, Esq., the developer, and H2M.

BY ORDER OF THE RIVERHEAD
TOWN BOARD
BARBARA GRATTAN
TOWN CLERK

Dated: January 19, 2005
Riverhead, NY 11901

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

THE VOTE
Bartunek yes no ^{Absent} Sanders yes no
Blass yes no Densieski yes no
Cardinale yes no
THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

EXHIBIT "A"

RIVERHEAD WATER DISTRICT

ENGINEERING REPORT FOR PROPOSED EXTENSION NO. 75 CALVERTON ENTERPRISE PARK

DESCRIPTION OF EXTENSION

DECEMBER 2002

All those certain lots, parcels of land, said properties being known as Section 135, Block 1, Lots 7.10, 7.13, 7.14, 7.16, 7.18, 7.20, 7.22, 7.23, 7.25, 7.26, 7.27 and 7.8, situated and lying and being at Calverton, Town of Riverhead, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a point formed by the northerly right-of-way of Grumman Boulevard and the easterly right-of-way of Wading River-Manorville Road.

Traveling easterly along the northerly right-of-way of Grumman Boulevard a distance of 10,026.36 feet to a POINT OF BEGINNING.

From said POINT OF BEGINNING, running thence along the lands of the Town of Riverhead the following 10 courses and distances:

1. North 04° 07' 36" West, a distance of 721.6 feet;
2. THENCE along an arc of a curve bearing to the left and having a radius of 3,634.79 feet; a distance of 400.24 feet and the said arc having a chord of a line being South 86° 08' 13" West, a distance of 400.04 feet;
3. THENCE South 82° 58' 57" West, a distance of 1,633.67 feet;

4. THENCE North 30° 00' 00" West, a distance of 318.17 feet;
5. THENCE North 90° 00' 00" West, a distance of 330.33 feet;
6. THENCE North 04° 05' 28" West, a distance of 2,564.03 feet;
7. THENCE North 40° 20' 10" East, a distance of 3,321.67 feet;
8. THENCE South 49° 39' 50" East, a distance of 8,453.30 feet;
9. THENCE South 69° 37' 16" West, a distance of 318.93 feet;

10. THENCE North 89° 01' 31" West, a distance of 1,480.82 feet to the lands of the United States of America.

THENCE running along the lands of the United States of America the following three (3) courses and distances:

1. North 53° 05' 17" West, a distance of 3,080.34 feet;
2. THENCE North 90° 00' 00" West, a distance of 1,306.50 feet;
3. THENCE South 04° 00' 00" East, a distance of 2,153.67 feet to the northerly side of Grumman Boulevard.

THENCE westerly along the northerly side of Grumman Boulevard the following two (2) courses and distance:

1. South 86° 13' 29" West, a distance of 206.66 feet;

2. THENCE westerly along the arc of a curve concave bearing to the left having a radius of 2,914.79 feet, a distance of 244.17 feet and the said arc having a chord of a line being South 87° 21' 39" West, a distance of 2,44.10 feet to the said POINT OF BEGINNING.

All these certain lots, parcels of land, said properties described above being known as "Proposed Extension No. 76 – Calverton Enterprise Park" shall EXCLUDE a certain lot, known as Section 135. Block 1. Lot 7.3 or "OUT PARCEL" and described as follows:

BEGINNING at a point which is the following five (5) courses and distances from the intersection of the northerly right-of-way of Grumman Boulevard and the easterly right-of-way of wading River-Manorville Road:

1. Easterly along the northerly right-of-way of Grumman Boulevard 10,026.36 feet;
2. Easterly still along the northerly right-of-way of Grumman Boulevard along the arc of a curve bearing to the right, having a radius of 2,914.79 feet, a distance of 244.17 feet;
3. Still along the northerly right-of-way of Grumman Boulevard North 86° 13' 29" East, a distance of 206.66 feet to the lands of the United States of America;
4. North 04° 00' 00" West, a distance of 2,153.67 feet along the lands of the United States of America to a rebar & cap;
5. North 79° 33' 33" West, a distance of 1,277.77 feet, to the POINT OF BEGINNING for "OUT PARCEL".

From said POINT OF BEGINNING running the following eight (8) courses and distances:

1. North 78° 43' 00" West, a distance of 831.93 feet;

2. North 07° 05' 00" East, a distance of 314.99 feet;
3. South 78° 43' 00" East, a distance of 210.00 feet;
4. North 11° 17' 00" East, a distance of 155.00 feet;
5. South 78° 43' 00" East, a distance of 385.00 feet;
6. North 11° 17' 00" East, a distance of 215.00 feet;
7. South 78° 43' 00" East, a distance of 260.00 feet;
8. South 11° 17' 00" West, a distance of 684.15 feet;

to the said POINT OF BEGINNING for "OUT PARCEL".

END OF DESCRIPTION

1/18/05

Adopted

TOWN OF RIVERHEAD

Resolution # 65

SETS THE FEES FOR USAGE OF RECREATION AND OTHER TOWN FACILITIES

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

RESOLVED, that the Town Board does authorize the Recreation Department to set the following fees for the 2005 calendar year.

BEACH/ PARK RESERVATIONS

- | | | |
|----|--|---|
| 1. | Group picnic/ beach party/ field use
(resident/ business) | \$5.00 Application fee |
| 2. | Group picnic/ beach party/ field use
(Non profit group) | \$5.00 Application fee |
| 3. | Park/ beach attendant (after hours)/
Out of season | \$15.00 per hour
Weekends & Holidays |
| 4. | Field lights & attendant (residents only)
Out of season | \$30.00 per hour
Weekends & Holidays |
| 5. | Tournament reservations | \$300.00 per day/ field |
| 6. | Lights only | \$15.00 per hour |

EAST CREEK DOCK

Resident/ Taxpayer	\$60.00 per foot
Electricity	\$200.00 per line
Initial Processing Fee	\$75.00
Renewal Thereafter fee	\$35.00

RIVERFRONT DOCKING

- | | | |
|----|-------------------|--------------|
| 1. | Daily (Overnight) | \$25.00 fee |
| 2. | Weekly | \$150.00 fee |

ROLLER RINK/ SKATE PARK

- | | | |
|----|---|--|
| 1. | Group party/ rink use
(Residents only)
8:30- 12:00 P.m. Saturday & Sunday only | \$5.00 Application fee

\$50.00 per hour (min 2 hrs)
20 Participant max |
|----|---|--|

2. SESSION FEE
\$5.00 Residents
\$10.00 Non-Residents

ANNUAL FEES
\$25.00 Residents
\$75.00 Non-Residents

TOWN BUILDINGS

1. Fees for after hours and weekend use (Residents and nonprofit Groups Only) \$5.00 Application fee
Deposit/ Cleaning/ Late/ Damages \$20.00 per hour
\$100.00

VEHICLE USAGE

1. Bus rental fee \$30.00 per hour
(Riverhead sponsored groups only)

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

THE VOTE
Bartunek ^{absent} ~~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/ Resolution Facility usage& sticker fees

JANUARY 19, 2005

Adopted

TOWN OF RIVERHEAD

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST
A HELP WANTED AD FOR AN ACCOUNT CLERK TYPIST

RESOLUTION # 67

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

BE IT RESOLVED, that the Town Clerk was directed to publish the attached Help Wanted Ad in the January 27, 2005 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 Accounting Department.

THE VOTE

absent
Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking a qualified individual to serve in the position of Account Clerk Typist. The Town requests that all applicants must have at least two (2) years bookkeeping experience and type 35 wpm. Applications are to be submitted to the Accounting Department, 200 Howell Avenue, Riverhead. No applications will be accepted after 4:00pm on February 4, 2005. EOE

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

JANUARY 19, 2005

Adopted

TOWN OF RIVERHEAD

APPOINTS SENIOR ACCOUNT CLERK TYPIST

Resolution # 68

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

WHEREAS, the position of Senior Account Clerk Typist has been created in the Town Attorney's Office; and

WHEREAS, the Town has received a Certification of Eligibles list from the Suffolk County Department of Civil Service; and

WHEREAS, the position was duly posted, job posting 2004 #22, all applicants have been interviewed and a recommendation was made by the Town Attorney.

NOW, THEREFORE BE IT, RESOLVED, the Town Board hereby appoints Kathleen Schroeher, who is currently an Account Clerk Typist in the Accounting Department, to the position of Senior Account Clerk Typist in the Town Attorney's Office on Group 11 Step 9A of the Clerical and Supervisory Salary Schedule of the CSEA Contract effective January 31, 2005

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

THE VOTE

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

January 19, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 69

APPOINTS OFFICIAL NEWSPAPER

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

RESOLVED, that pursuant to Section 64(11) of New York State Town Law, the Town Board of the Town of Riverhead hereby designates the Official Newspaper of the Town of Riverhead to be the Traveler Watchman; and

RESOLVED, that pursuant to Section 64(11) of New York State Town Law, The New York Times, Newsday, The News Review, and the Traveler Watchman are hereby designated as official publications for the Town of Riverhead; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the News Review, The New York Times, Newsday, the Traveler Watchman and the Riverhead Accounting Department.

THE VOTE

Sanders	Yes	No	Blass	Yes	No
Densieski	Yes	<u>No</u>	Bartunek	<i>Absent</i>	No
Cardinale	Yes	No			

Adopted

January 19, 2005

TOWN OF RIVERHEAD

RESOLUTION # 70

AWARDS BID FOR COURT STREET
PARKING MUNICIPAL PARKING FACILITY

COUNCILWOMAN SANDERS

offered the following resolution

COUNCILWOMAN BLASS

which was seconded by _____.

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for the Court Street Parking Municipal Parking Facility; and

WHEREAS, seventeen (17) bids were received, opened and read aloud on the 27th DAY of December, 2004 in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the Court Street Municipal Parking Facility be and is hereby awarded to Bove Industries, Inc. in the amount of Seven Hundred Fifty Nine Thousand Five Hundred Sixty Eight & 00/100 (\$759,568.00); Subject to receipt, renewal, and approval of the information contained in the NYS Uniform Contracting Questionnaire; and

BE IT FURTHER RESOLVED, that the Town Board be and does hereby authorize the Town Clerk to return any and all bid bonds received in connection with the above; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Bove Industries, Inc., Kenneth Testa, P.E., Andrea Lohneiss, Cashin Associates, 1200 Veterans Memorial Highway, Hauppauge, NY 11788, and the Office of Accounting.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
 THEREFORE DULY ADOPTED

January 19, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 71

ACCEPTS RESIGNATION OF A DETENTION ATTENDANT

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

WHEREAS, Chief of Police David J. Hegermiller has received a letter of resignation submitted by Deborah Doscinski, from the position of Detention Attendant, effective immediately.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby accepts the letter of resignation submitted by Deborah Doscinski.

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

absent THE VOTE

Partonek yes no Sanders yes no
 Bias yes no Densieski yes no
 Cardinale yes no

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

Adopted

January 19, 2005

TOWN OF RIVERHEAD

Resolution # 72

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING – TRANSFER OF DEVELOPMENT RIGHTS LOCAL LAW

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

WHEREAS, in furtherance of the implementation of the Town of Riverhead Comprehensive Plan adopted by the Town Board pursuant to Section 261-a of the Town Law, the Riverhead Town Board did draft a Transfer of Development Rights Local Law, and

WHEREAS, a public hearing was held on the 17th day of December, 2004, to hear all persons and parties of interest, and

WHEREAS, significant commentary was put into the record, and

WHEREAS, the Town Board has carefully considered such commentary and has made significant modifications to the proposed local law, now

THEREFORE BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the attached notice of public hearing to consider a local law to amend Chapter 108 entitled "Zoning" of the Riverhead Town Code (Transfer of Development Rights) once in the January 27, 2005 edition of the official newspaper of the Town of Riverhead and also cause a copy of the proposed local law to be posted on the sign board of the Town, and

BE IT FURTHER

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

RH/planning

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

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 15th day of February, 2005 at 7:15 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider a local law to amend Chapter 108 of the Riverhead Code entitled, "Zoning" to provide for a transfer of development rights local law pursuant to Section 261-a of the Town Law. The text and map of the proposed Transfer of Development Rights Local Law will be available for public inspection at the office of the Town Clerk, 200 Howell Avenue, Riverhead, New York beginning on the 4th day of February, 2005 between the hours of 8:30 AM and 4:30 PM.

DATED: January 19, 2005
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

January 19, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 73

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO CONSIDER FINAL SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT (TRANSFER OF DEVELOPMENT RIGHTS)

COUNCILWOMAN SANDERS offered the following resolution which

was seconded by COUNCILWOMAN BLASS

WHEREAS, on December 17, 2004, the Riverhead Town Board did hold a public hearing on a Draft Supplemental Generic Environmental Impact Statement prepared in support of the Town of riverhead Transfer of Development Rights Local Law, and

WHEREAS, significant commentary was put into the record from persons and parties of interest, , and

WHEREAS, the Town Board has carefully considered such commentary and has made certain modifications to the Draft, now

THEREFORE BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the attached notice of public hearing to consider the merits of the Final Supplemental Environmental Impact Statement supporting the Town of Riverhead Transfer of Development Rights Local Law prepared pursuant to 6 NYCRR Part 617 once in the January 27, 2005 edition of the official newspaper of the Town of Riverhead and also to cause a copy of the notice to be posted on the sign board of the Town.

RH/planning

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

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 15th day of February, 2005 at 7:30 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the merits of the Final Supplemental Generic Environmental Impact Statement supporting the Town of Riverhead Transfer of Development Rights Local Law prepared pursuant to 6 NYCRR Parts 617.9(a)(4)(i) and 617.10 (d)(4). The text of the Final Generic Supplemental Environmental Impact Statement will be available for public inspection at the office of the Town Clerk, 200 Howell Avenue, Riverhead, New York beginning on the 4th day of February, 2005 between the hours of 8:30 AM and 4:30 PM.

DATED: January 19, 2005
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

Adopted

January 19, 2005

TOWN OF RIVERHEAD

Resolution # 74

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING – AMENDMENT TO ZONING USE DISTRICT SCHEDULE; MANUFACTURER’S OUTLET CENTER; BUSINESS F

COUNCILWOMAN BLASS

offered the following resolution which

was seconded by COUNCILMAN DENSIESKI

WHEREAS, the Riverhead town Board has prepared a Draft Supplemental Generic Environmental Impact Statement (DSGEIS) in support of the proposed Town of Riverhead Transfer of Development Rights Local Law and Map pursuant to Section 261-a of the Town Law, and

WHEREAS, a public hearing was held on December 17, 2004 to hear the public on the DSGEIS, and

WHEREAS, the DSGEIS did assess the impacts of the employment of lands within the Manufacturer’s Outlet Zoning Use district as a receiving area, and

WHEREAS, the Town Board desires to hold a public hearing on this matter at this time, now

THEREFORE BE IT

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

RH/planning

THE VOTE

Bartunek	<u>absent</u>	yes	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
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 1st day of February, 2005 at 7:10 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

**Chapter 108
ARTICLE XA
Business F District
(Manufacturers Outlet Center Overlay Zone)**

~~§ 108-44.8. General lot, yard and height requirements.~~

- ~~A. The minimum lot area shall be 25 acres.~~
- ~~B. The minimum lot width shall be 500 feet.~~
- ~~C. The maximum building area shall be 15%.~~
- ~~D. The minimum front yard shall be 100 feet.~~
- ~~E. The minimum side yard shall be 50 feet.~~
- ~~F. The maximum height shall be 35 feet.~~

ZONING

118 Attachment -

Town of Riverhead

Commercial Districts Schedule of Dimensional Regulations

Amended 10-5-2004, 10-12-2004, 10-21-2004, 11-3-2004, 11-16-2004 by L.L. Nos. - 2004

Zoning Use District	Building lot coverage (footprint)			Floor area ratio (FAR)			Side yards, interior lots			Side yards, corner lots		
	Min. lot width at front street (feet)	Maximum without sewer (%)	Maximum with sewer (%)	Maximum height of buildings (feet)	Maximum without sewer	Maximum with sewer	Minimum front yard depth (feet)	Min. depth for each side (feet)	Min. combined depth for 2 sides (feet)	Min. depth facing side street (feet)	Min. combined depth for 2 sides (feet)	Minimum rear yard depth (feet)
Downtown Center 1: Main Street (DC-1)	5,000	80	100	60 (N1)(N2)	NA	4.00	0	0	0	0	0	0
Downtown Center 2: Waterfront (DC-2)	5,000	NA	50	35	NA	1.25	15	15	30	15	NA	100
Downtown Center 3: Office (DC-3)	5,000	50	NA	80	35	1.50	15 (N3)	10	20	10	NA	25
Downtown Center 4: Office / Residential Transition (DC-4)	5,000	NA	60	35	NA	1.00	15 (N3)	10	20	10	NA	25
Downtown Center 5: Residential (DC-5)	5,000	NA	60	35	NA	0.70	15 (N3)	10	20	10	NA	25
Hamlet Center (HC)	5,000	35	35	60	0.50	0.50	25	15	30	25	50	25
Village Center (VC)	5,000	80	NA	100	35	1.00	10	0	0	10	20	25
Business Center (BC)	20,000	15	20	30	0.15	0.20	50 (N4)	15	30	25	40	25
Shopping Center (SC)	40,000	15	20	30	0.15	0.20	50 (N4)	25	50	25	50	50
Destination Retail Center (DRC)	40,000	10	15	30	0.10	0.20	50 (N5)	25	50	25	50	50
Commercial/Residential Campus (CRC) (N7) (N8)	40,000	20	25	NA	0.20	0.50	NA	30	15	30	25	40
Rural Corridor (RLC)	40,000	200	10	NA	25	0.10 (N9)	NA	50	25	50	100	50
Business CR	40,000	200	15	NA	75	0.20	NA	30	25	50	60	25
Tourism/Resort Campus (TRC)	80,000	200	8	NA	25	0.15	NA	100	30	60	100	100
Industrial A (IA)	80,000	300	40	NA	70	0.40	NA	100	50	100	50	75
Industrial C (IC)	80,000	300	40	NA	60	0.40	NA	30	30	60	30	50
Manufacturers	120,000	250	10	15	30	0.10	0.20	50 (N6)	25	50	25	50
Office Center	120,000	250	10	15	30	0.10	0.20	50 (N6)	25	50	25	50

N1: Minimum building setback (house uses shall be thirty-five (35) feet.

N2: Not to exceed five (5) stories

N3: Front porches may extend up to five (5) feet into the front yard, provided that they are at least five (5) feet back from the front property line.

N4: Thirty-five (35) feet of the front yard in the BC and SC Zoning Use District shall remain unoccupied or landscaped area with the exception of free-standing signs and access driveways.

N5: Fifty (50) feet of the front yard in the DRC Zoning Use District shall remain unoccupied as landscaped area with the exception of free-standing signs and access driveways.

N6: Preservation credits may be used to increase the height to fifty (50) feet.

N7: The minimum floor area of a warehouse shall be 900 square feet.

N8: Two-family residences shall require a lot of 40,000 square feet and shall employ the use of one (1) Preservation Credit for the second dwelling unit.

N9: The Floor Area Ratio (FAR) for retail stores or shops shall be calculated utilizing the frontage along the major arterial highway to a depth of no more than 500 linear feet.

N10: Not to exceed two (2) stories

Dated: Riverhead, New York
January 19, 2005

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

BARBARA GRATTAN, Town Clerk

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

01/19/05

TOWN OF RIVERHEAD

Adopted

Resolution # 76

AUTHORIZING THE SALE OF A PORTION OF THE TOWN OF RIVERHEAD PUBLIC PARKING IMPROVEMENT DISTRICT NO. 1 TO THE TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY, AN URBAN RENEWAL AGENCY OF THE STATE OF NEW YORK, FOR REDEVELOPMENT PURSUANT TO THE TOWN OF RIVERHEAD'S EAST MAIN STREET URBAN RENEWAL PLAN, ADOPTED OCTOBER 19, 1993

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

WHEREAS, the Town Board of the Town of Riverhead, as the governing body of the Town of Riverhead Public Parking Improvement District No. 1, held a public hearing, pursuant to Article 12 of the New York State Town Law, on December 21, 2004 at 2:10 o'clock in the afternoon, to declare a certain portion of District property, 6,882.39 square feet of the parcel known as SCTM No. 0600-128.00-06.00-066.002 and as more particularly depicted upon the map of Joseph Ingegno, Land Surveyor, dated December 13, 1993 and last revised November 8, 2004, which map has been filed with the Town Board and the Town Clerk, as not required for the purposes of the Riverhead Public Parking Improvement District No. 1 and authorizing the sale thereof to the Town of Riverhead Community Development Agency, an Urban Renewal Agency of the State of New York pursuant to the Town of Riverhead's East Main Street Urban Renewal Plan, previously adopted October 19, 1993, for the purchase price of \$14,000.00 and the subsequent conveyance of said property pursuant to Article 15 of the General Municipal Law as part of the sale and transfer of the Suffolk Theatre to Pike Realty Company, LLC as provided in the Agreement of Sale between the Town of Riverhead Community Development Agency and Pike Realty Company, LLC, which Agreement is on file with the Town Clerk; and

WHEREAS, the sale and transfer of said property as part of the Suffolk Theatre Urban Renewal Project has been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment; and

WHEREAS, there was no opposition to the proposed sale of said portion of the Town of Riverhead Public Parking Improvement District No. 1 to the Town of Riverhead Community Development Agency expressed to the Town Board at the public hearing or in any other manner;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead, as governing body of the Riverhead Public Parking Improvement District No. 1 hereby declares a certain portion of

District property, 6,882.39 square feet of the parcel known as SCTM No. 0600-128.00-06.00-066.002 and as more particularly depicted upon the map of Joseph Ingegno, Land Surveyor, dated December 13, 1993 and last revised November 8, 2004, which map has been filed with the Town Board and the Town Clerk, as not required for the purposes of the Riverhead Public Parking Improvement District No. 1 and authorizes the sale thereof to the Town of Riverhead Community Development Agency, an Urban Renewal Agency of the State of New York, for redevelopment pursuant to the Town of Riverhead's East Main Street Urban Renewal Plan, previously adopted October 19, 1993, for the purchase price of \$14,000.00 and the subsequent conveyance of said property pursuant to Article 15 of the General Municipal Law as part of the sale and transfer of the Suffolk Theatre to Pike Realty Company, LLC as provided in the Agreement of Sale between the Town of Riverhead Community Development Agency and Pike Realty Company, LLC, which Agreement is on file with the Town Clerk; and be it

FURTHER RESOLVED, that Pike Realty Company, LLC, at its sole cost and expense, shall develop a site plan in a form acceptable to the Town Board to expand the existing Suffolk Theatre and to improve the adjacent parking lot with suitable curbing, drainage and plantings; and be it

FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Town Attorney, the Director of the Community Development Agency, the Town Financial Administrator and Mergim Bazhdari, Esq., the Attorney for Pike Realty Company, LLC.

absent 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