

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

May 3, 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 Janecek
Judy Doll
John Reeve
Michael Reichel
Gary Pendzick**

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

Call to Order and Salute to the Flag

Approves minutes of April 19th, 2005

Blass

Offered the minutes to be approved, which

was seconded by

Savelle

4 yes

CONGRATULATIONS TO DEBBIE SCHWARZ EMPLOYEE OF THE QUARTER

The Month of May is Older Americans' Month
"Celebrate Long Term Living in 2005"

REPORTS

Receiver of Taxes: Total Collections to date: \$53,115,698.51
Utility Collections Report for April, 2005
Total Collected: \$209,387.09

Town Clerk: Monthly report for April, 2005
Total Collected: \$12,704.73

Industrial Development
Agency: Annual report for 2004

Police Dept.: Monthly report for March, 2005

APPLICATIONS

Special Events Permit:

Church of the Harvest-May 21, 2005 5:30pm
To 9:00 pm-BBQ, live music.

Church of the Harvest-July 23,2005-12pm to
5 pm-community day

Special Permits:

Captain Hawkin's House restoration-
Jamesport-to convert an existing mansion into
Country Inn/Restaurant.

1998 Peconic LLC-Gas/Convenience Store
East of Edwards Ave. Calverton

Site Plans:

South Bay Sportsplex Family Recreation
Facility-Phase I-Indoor recreation facility
expansion.

Sunken Pond Estates-Renovation of entry
Road to property

Parade Permit:

St. John the Evangelist RC Church-
May 12th Sacrament of Confirmation

CORRESPONDENCE

(No correspondence received)

PUBLIC HEARINGS

- 7:05 p.m. The Special Permit Petition of David and Mary Andruzkiewicz to allow a two family dwelling on property located at Washington Avenue, Jamesport.
- 7:10 p.m. Special Permit of Altaire Pharmaceuticals (Adjourned)
- 7:15 p.m. The Special Permit Petition of John Wherry to allow a two family dwelling on property located at Sixth Street, Jamesport.

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

CDA
#11

Authorizes Town Staff and Araiys Design to Proceed
with Phase 1A Calverton Park Project

REGULAR TOWN BOARD MEETING:

- #400 General Fund Budget Adjustment
- #401 Mountain Brook Homes Water Project Budget Adjustment
- #402 Accepts the Retirement of Sonja Butler in the Accounting Department
- #403 Accepts Offer of Sale of Development Rights (Alfred Popp and Mary Jane Popp)
- #404 Awards Bid fro Additional Items Added to the Annual Asphalt Contract
- #405 Awards Bid for Connecticut Avenue Culvert Replacement
- #406 Rejects Bid for Altec Model AT37-G Bucket Truck and Authorizes Town Clerk to Post and Publish the Attached Notice to Bidders

- #407 Awards Bid for Sporting Goods
- #408 Extends Bid Contract for Calcium Hypochlorite Tablets
- #409 Ratifies the Submission of a Grant Application to Keyspan Corporate Giving Program
- #410 Requests the New York State Public Service Commission undertake the Regulation of Rates for Basic Cable Service and Associated Equipment
- #411 Sets Non-Resident Fees for Summer Recreation Program
- #412 1996 Clean Water/Clean Air Bond Act-Title 3 Section 56-0303 Water Quality Improvement Projects and Environmental Protection Fund Article 17-14 Environmental Conservation Law; Nonagricultural Non-point Source Abatement and Control Project
- #413 Appoints Beach Attendants to the Recreation Department
- #414 Appoints Lifeguard to the Recreation Department
- #415 Appoints a Park Attendant III, Level II to the Recreation Department (S. Bartunek)
- #416 Appoints a Waterfront Coordinator Level VIII to the Recreation Department (M. Sanders)
- #417 Authorizes the Selling of Annual & Daily Non-Resident Beach Permits, South Jamesport Boat Ramp Permits by Warren's Bait & Tackle and Fishermans Deli. Also Authorizes the Selling of Resident and Senior Resident Parking Permits, Annual and Daily Non-Resident Parking Permits by Wading River Tackle Center, Inc.
- #418 Appoints a Maintenance Mechanic II in the Water Department (J. Carey)
- #419 Appoints Temporary Clerks to the Tax Receiver's Office (M. Wilhelm and C. Koroleski)

- #420 Authorizes Town Clerk to Publish and Post Notice to Bidders for Water Meters and Accessory Equipment for Use by the Riverhead Water District
- #421 Authorizes the Supervisor to Execute a License Agreement
- #422 Authorizes the Supervisor to Execute a Satisfaction of Mortgage
- #423 Accepts SCNB Irrevocable Letter of Credit of Vinland Commons, LLC
- #424 Approves the Town of Riverhead Police Department's Participation in Call to Protect Program
- #425 Authorizes the Town Clerk to Publish and Post Public Notice of Public hearing to Consider a Proposed Local Law for an Amendment of Chapter 101 Entitled, "Vehicles and Traffic" of the Riverhead Town Code
- #426 Approves Chapter 90 Application of Little Flower Children's Service of New York
- #427 Approves Amended Site Plan of County Seat Plaza at Riverhead Phase I
- #428 Ratifies the Authorization of Town Clerk to Publish and Post a Help Wanted Ad for Full Time Deputy Town Attorney in the Town Attorney's Office
- #429 Appoints Part Time ZBA Town Attorney (S. DeSimone)
- #430 Authorization to Publish Advertisement for Proposals for 2005-2006 Snack Vendor Services

- #431 Amends Resolution #387-2005 and Ratifies the Publication of the Amended Hearing Notice; Declares Lead Agency, Determines Environmental Significance and Authorizes the Town Clerk to Post and Publish Notice of Scoping Hearing Site Plan Petition of Headriver, LLC/Wal-Mart Store
- #432 Re-Establishes the Membership of the Public Parking District Advisory Committee
- #433 Classifies Action and Declares Lead Agency on Special Permit 1998 Peconic LLC, Directs Application to the Zoning Board of Appeals and Refers Petition to the Planning Board
- #434 Adopts a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (108-3-Definitions)
- #435 Declares Lead Agency and Determines Environmental Significance of the Bond Authorization of \$500,000 for the Resurfacing of Various Roads within the Town of Riverhead
- #436 Pays Bills
- #437 Declaring Lead Agency and Determining Significance of the Proposed Condemnation of the Titled Interest, if any, that Swezey-Riverhead Holding, LLC has in the Properties Described herein, located on Main Street and Roanoke Avenue, Riverhead, New York
- #438 Scheduling a Public Hearing Pursuant to Article 2 of the New York State Eminent Domain Procedure Law in Connection with the Condemnation of the Title Interest, if any, that Swezey-Riverhead Holding, LLC has in the Properties Described Herein. Located on Main Street and Roanoke Avenue, Riverhead, New York

MAY 3, 2005

Adopted

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 400

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS

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

	<u>FROM</u>	<u>TO</u>
001.016230.542500 Shared Service, Supplies and Service	365	
001.016230.524000 Shared Service, Equipment		365
001.016230.542500 Police/Court Complex, Supplies & Service	1275	
001.016230.524000 Police/Court Complex, Equipment		1275
001.014100.542108 Town Clerk, Mtg Tapes	25	
001.014100.542114 Town Clerk, Dues Exp		25
001.000000.390599 Appropriation Fund Balance	2000	
001.036400.540000 Civil Defense Contra Exp		2000
001.000000.390599 Appropriation Fund Balance	1000	
001.072300.54000 Pump Out Expenses		1000

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No *absent*

May 3, 2005

Adopted

TOWN OF RIVERHEAD

MOUNTAIN BROOK HOMES WATER PROJECT

BUDGET ADJUSTMENT

RESOLUTION # 401

COUNCILWOMAN SANDERS

offered the following resolution,

COUNCILMAN BARTUNEK

which was seconded by _____

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

	<u>FROM</u>	<u>TO</u>
406.092705.421050.30074 Developer Fees	\$222,000	
406.083200.523002.30074 Construction		170,000
406.083200.543501.30074 Engineering Expenses		31,000
406.083200.549001.30074 Administrative Fees		11,900
406.083200.547900.30074 Contingency		9,100

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No *absent*

May 3, 2005

TOWN OF RIVERHEAD

Adopted

Resolution # 402

**ACCEPTS THE RETIREMENT OF SONJA BUTLER
IN THE ACCOUNTING DEPARTMENT**

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

WHEREAS, the Town has received a notice from Sonja Butler advising of her intent to retire effective April 16, 2005.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the retirement of Sonja Butler.

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

THE VOTE

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

TOWN OF RIVERHEAD

6
Adopted

Resolution # 403

ACCEPTS OFFER OF SALE OF DEVELOPMENT RIGHTS
(Alfred Popp and Mary Jane Popp)

COUNCILWOMAN BLASS offered the following resolution, which was seconded

by COUNCILWOMAN SANDERS :

WHEREAS, the Riverhead Farmland Preservation Committee ("the Committee") has received an offer for the sale of development rights from Alfred Popp and Mary Jane Popp, consisting of approximately 10 acres of their agricultural lands located on the easterly side of Tuthills Lane, Aquebogue, New York, at \$45,000.00 per acre, further described as Suffolk County Tax Map #0600-46-3- p/o 2, to the Town of Riverhead, which parcel is zoned Agricultural Protection Zone; and

WHEREAS, the Committee has commissioned an appraisal of the value of development rights inherent in the subject real property; and

WHEREAS, the Committee has assessed the subject real property with respect to the criteria provided in the Agricultural Preservation Law and has formally recommended that the Town Board of the Town of Riverhead consider the purchase of development rights from this property; and

WHEREAS, the Town Board has carefully considered the merits of the offer of sale of development rights, the report of the Peconic Land Trust, the appraisal of development rights by Given Associates, the report of the Farmland Preservation Committee, the criteria set forth in the agricultural preservation law and all other pertinent planning, zoning and environmental information; and

WHEREAS, the Town Board finds that the acquisition of the development rights on the subject parcel is the best alternative for the protection of community character of all reasonable alternatives available to the Town.

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby accepts the offer of sale of development rights from the subject real property of Alfred Popp and Mary Jane Popp, pursuant to Chapter 14 and Chapter 44, Section 44-5 B(2) of the Code of the Town of Riverhead; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a contract for purchase of development rights from the subject property in an amount not to exceed forty-five thousand dollars per acre (\$45,000.00) and authorizes the Town Attorney to order a survey and title report for the subject real property and directs the Accounting Department to set up a budget; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Martin Katzman, Esq. 1103 Stewart Avenue - Suite 200, Garden City 11530; the Farmland Preservation Committee; Peconic Land Trust, Attn: Julie Westnoffske, 296 Hampton Road, P.O. Box 1776, Southampton, New York, 11968; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office and the Office of the Town Attorney.

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

May 3, 2005

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 404

AWARDS BID FOR ADDITIONAL ITEMS ADDED TO THE ANNUAL ASPHALT CONTRACT

COUNCILWOMAN SANDERS offered the following resolution which was

seconded by COUNCILWOMAN BLASS

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for Additional Items to be added to the Annual Asphalt Contract; and

WHEREAS, three (3) bids were received, opened and read aloud on the 11th day of April, 2005 in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York.

NOW, THEREFORE, BE IT RESOLVED, that the bid for Additional Items to be added to the Annual Asphalt Contract be and is hereby awarded to GL Paving Products, Inc. as follows:

- Item 260: \$30/Ton
- Item 270: \$37/Ton

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 GL Paving Products, Inc., P. O. Box 608, East Moriches, NY 11940, Kenneth Testa, P.E., Mark Kwasna, Gary Pendzick, Michael Reichel and the Office of Accounting.

THE VOTE

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

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

May 3, 2005

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 405

AWARDS BID FOR CONNECTICUT AVENUE CULVERT REPLACEMENT

COUNCILWOMAN BLASS offered the following resolution which was

seconded by COUNCILMAN BARTUNEK.

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for the Connecticut Avenue Culvert Replacement; and

WHEREAS, six (6) bids were received, opened and read aloud on 15th day of April, 2005 in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the Connecticut Avenue Culvert Replacement be and is hereby awarded to Hawkeye, LLC in the amount of One Hundred Sixty One Thousand, Six Hundred Sixteen & 00/100 (\$161,616.00); 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 Hawkeye, LLC, Kenneth Testa, P.E., Mark Kwasna and the Office of Accounting.

THE VOTE

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

Cardinale yes no *absent*

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

May 3, 2005

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 406

REJECTS BIDS FOR ALTEC MODEL AT37-G BUCKET TRUCK AND AUTHORIZES TOWN CLERK TO POST AND PUBLISH THE ATTACHED NOTICE TO BIDDERS

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

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for the purchase of an Altec Model AT37-G Bucket Truck; and

WHEREAS, one (1) bid was received, opened and read aloud in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, NY.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board has reviewed the bid received and has determined that it exceeded the amount allocated and wishes to reject the bid received.

BE IT RESOLVED, that the Town Clerk be and is hereby authorized to reject the bid received in the Office of the Town Clerk and is authorized to publish and post the attached Notice to Bidders in the May 12, 2005 issue of the official Town newspaper for the purchase of an Altec Model AT37-G Bucket Truck; and

BE IT FURTHER RESOLVED, THAT THE Town Clerk be and is hereby authorized to forward a copy of this resolution to Steven Martino, Altec Industries, Inc., Eastern Division, 250 Laird Street, Plains PA 18705, Kenneth Testa, P.E. and the Office of Accounting.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed proposals for the purchase of an Altec Model AT37-G Bucket Truck will be received by the Town of Riverhead at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until 11:00 am on May 24, 2005 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and/or obtained on or about May 12, 2005 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays.

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

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

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

Dated: May 3, 2005

MAY 3, 2005

Adopted

TOWN OF RIVERHEAD

AWARDS BID FOR SPORTING GOODS

RESOLUTION # 407

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

WHEREAS, the Town of Riverhead advertised for bids for SPORTING GOODS in the March 10th, 2005 issue of the Traveler Watchman and

WHEREAS, the Town received one bid; and

NOW, THEREFORE, BE IT RESOLVED, that the bid for SPORTING GOODS is hereby awarded to SPORT SUPPLY GROUP, INC., dba Passon's Sports for the prices on the attached sheets to expire on April 6, 2006 and;

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to SPORT SUPPLY GROUP, INC., Juvenile Aide Bureau, Recreation Department and the Purchasing Department.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Bartunek Yes No

Cardinale Yes No absent

RIVERHEAD PAL SPORTS BID - 2005-6

UNIT PRICE

BASEBALL/SOFTBALL

BBBASEPR	BASEBALL BASES W/GROUND ANCHORS	79.92
BBSPTNT	ATEC SPORTS NET	76.64
BBBATTEE	BATTING TEE	10.96
MSBASBOK	BASEBALL/SOFTBALL SCOREBOOK	2.19
BBEQTBAQ	BASEBALL EQUIPMENT CARRIER	21.12
1048933	TEAM ROLLER EQUIPMENT BAG	29.49
5A1030B	WILSON HIGH SCHOOL BASEBALL	29.99
MCB73CPL	MACGREGOR BASEBALL	25.29
MCB79PXX	MACGREGOR PRACTICE BASEBALL	15.88
TUFFYSBX	12" PITCHING MACHINE BALLS	27.76
TUFFYBBX	9" PITCHING MACHINE BALLS	17.24
MCSB12YH	YELLOW SOFTBALLS	34.48
MCSB12FA	WHITE SOFTBALLS	25.94
5PSBY12	PRACTICE SOFTBALLS	18.42
5BK11	BASEBALL BAT	31.98
5BK23	BASEBALL BAT	75.18
MCX6SB	SOFTBALL BAT	14.84
SBSWBTB	SOFTBALL BAT	27.53
52792PN	ONE SIZE PONYTAIL HELMET	9.93
1059069	ONE SIZE BATTING HELMET	14.99
20011434	COOPER CATCHERS HELMET	22.92
1048704	PRO STYLE CATCHERS HEADGEAR	43.89
MCB73	BASEBALL CHEST PROTECTOR	12.67
MCB81	SOFTBALL CHEST PROTECTOR (YOUTH)	11.86
MCB80	SOFTBALL CHEST PROTECTOR (ADULT)	12.68
BBKSVY	KNEE SAVERS	17.99
MCB66	SHIN GUARDS	21.51
1012187	REPLACEMENT STRAPS	6.96
MCCM100X	BASEBALL CATCHERS MITT	34.43
MCCM300X	SOFTBALL CATCHERS MITT	37.72
MLBPA	MLB REPLIC JERSEY'S W/#'S	13.36
MLBPAXX	XXL MLB REPLIC JERSEY'S W/#'S	14.46
MLBCAPY	MLB REPLIC CAPS	3.96
MLBV	MLB REPLIC VISORS	3.98
BBBELT	BASEBALL BELT	1.82
C12V	TWO-IN-ONE STIRRUP SOCKS	25.32
C17V	ONE COLOR BASEBALL SOCK	27.83
C72	BELTED BASEBALL PANT	9.16
C72XXL	BELTED BASEBALL PANT	11.98
BSAIPISX	BASEBALL PANT W/PIPING	14.97
BSAIPISXXL	BASEBALL PANT W/PIPING	16.67
BSWJ22MX	50/50 SLEEVELESS JERSEY W/#'S	9.62
BSWJ22XX	50/50/ SLEEVELESS JERSEY w/#'S	10.82
BSAJMSH1	MESH TWO BUTTON JERSEY W/#'S	16.13
BSAJMSH1XX	MESH TWO BUTTON JERSEY W/#'S	17.58
HITSTKBB	BASEBALL PITCHING MACHINE	249.64
HITSTKSB	SOFTBALL PITCHING MACHINE	249.64
MCB22Y	4" THROAT PROTECTORS	1.46

UNIT PRICE

FOOTBALL

MCFMXJNR	JUNIOR FOOTBALL	<u>20.76</u>
MCFMXPWF	PEE WEE FOOTBALL	<u>21.43</u>
3F1360	WILSON TDJ JUNIOR FOOTBALL	<u>29.99</u>
3F1382B	WILSON PEE WEE FOOTBAL	<u>27.99</u>
STFBHRAC	ROLLAWAY HELMET RACK	<u>124.98</u>
20028017	HELMET DECALS (NY GIANTS)	<u>7.72</u>
20028015	2" HELMET NUMBERS	<u>4.96</u>
MSMOUTPK	VARSITY MOUTHPIECES	<u>4.50</u>
FBUJPDZ	UNIVERSAL JAW PADS	<u>39.96</u>
FBCS100L	HARD CUP LOW HOOK UP CHINSTRAP	<u>6.19</u>
FBCS4XXX	SOFT CUP LOW HOOK UP CHINSTRAP	<u>2.36</u>
FBLTNXXXPK	1/2" T-NUT LONG	<u>6.61</u>
FBMTNXXXPK	3/8" T-NUT MEDIUM	<u>5.56</u>
FBSTNXXXPK	1/8" T-NUT SHORT	<u>4.49</u>
FBMCSBXXPK	METAL CHIN STRAP BUCKLE	<u>7.12</u>
FBCSSXXXPK	1/4" CHINSTRAP SNAP	<u>6.88</u>
FBSSWASHPK	STEEL WASHER	<u>4.24</u>
FBHSXXXPK	1/2" HELMET SCREW	<u>3.36</u>
FBLPRO	RIDDELL LITTLE PRO HELMET	<u>42.62</u>
FBVSRYW	RIDDELL VSRZY HELMET	<u>68.92</u>
20018075	RECRUIT YFS HELMET	<u>49.67</u>
20018077	YOUTH ADVANTAGE HELMET	<u>70.23</u>
P3801400	HIP PAD SET	<u>2.99</u>
P3804000	THIGH PAD	<u>3.16</u>
P3801000	KNEE PAD	<u>1.89</u>
P3301400	HIP PADS	<u>4.03</u>
P2104000	THIGH PADS	<u>5.13</u>
P2003100	KNEE PADS	<u>2.44</u>
2001690	3 POCKET YOUTH GIRDLE	<u>7.84</u>
2001693	3 POCKET ADULT GIRDLE	<u>8.14</u>
2001695	ADULT 5 POCKET GIRDLE	<u>9.46</u>
FBSWBWHX	WRISTBAND	<u>7.12</u>
PSP26100	XS HAWK SHOULDER PADS	<u>22.99</u>
PSP26200	SM HAWK SHOULDER PADS	<u>25.17</u>
PSP26300	MD HAWK SHOULDER PADS	<u>25.57</u>
PSP26400	LG HAWK SHOULDER PADS	<u>27.19</u>
PSP26500	XL HAWK SHOULDER PADS	<u>31.74</u>
P7100000	AUXILIARY SHOULDER PADS	<u>11.62</u>
P7520000	YOUTH FLAK VEST	<u>9.77</u>
FBCC501R	MCDavid COWBOY COLLAR	<u>33.98</u>
FBCCBPXX	BACK PLATE	<u>8.44</u>
STSHPRAC	SHOULDER PAD RACK	<u>104.76</u>
STSPRDBL	DOUBLE WIDE RACK	<u>198.46</u>
FBSP136B	BLACK LACES	<u>13.42</u>
FBRE150B	1-1/2" BLACK ELASTIC	<u>25.62</u>
FBRE100B	1" BLACK ELASTIC	<u>18.09</u>
20028366	PARTS KIT	<u>129.99</u>
FBTH100XPK	1" METAL T HOOK	<u>11.46</u>
FBKWM150PK	1-1/2" METAL FASTENER	<u>12.17</u>
FBSTH150PK	1-1/2" SWIVEL T-HOOK	<u>32.61</u>
1008579	PRO KICK HOLDER	<u>22.99</u>
MSPATXXX	EXTRA POINT TEE	<u>1.76</u>
200235000	ROUND BLOCKING DUMMY	<u>64.94</u>
200234411	PRO SHEILD	<u>33.89</u>

200232811	COLLEGIATE SHIELD	39.92
MSSLDPDS	SQUARE DUMMY PAD	244.52
MSVARDBC	VARSIY DOWN BOX/CHAIN SET	142.24
FBPROBOX	PRO STYLE DOWN BOX	226.96
C46	ADULT SCRIMMAGE VEST	2.46
C46Y	YOUTH SCRIMMAGE VEST	2.36
1023336	DAZZLE FOOTBALL PANTS	14.98
LL640SLX	ADULT DAZZLE FOOTBALL PANTS	17.72
1022919	YOUTH FOOTBALL PANT	8.98
3650SL	ADULT FOOTBALL PANT	14.38
NFLJY	YOUTH REPLIC JERSEYS W/#'S	NOT AVAILABLE
NFLJA	ADULT REPLIC JERSEYS W/#'S	NOT AVAILABLE
FBBLT1	FOOTBALL BELTS	.76
2190XXXX	TRAINERS TAPE	37.98
2215XXXX	COLD PAKS	7.04
FBYDMMJ1	FULL LENGTH DAZZLE JERSEY W/#'S	21.39
7912RFK	MINI MED REFILL KIT	22.62
MDMINMED	MINI MED KIT	31.34
FBVSR2YI	HELMET INFLATOR	NOT AVAILABLE
MSTBAG	FOOTBALL TRAVEL BAG	17.96
C33Y	YOUTH PRACTICE JERSEY W/#'S	10.89
C33	ADULT PRACTICE JERSEY'S W/#'S	12.24
3059XXXXDZ	WHISTLES	3.36
MSLNYD	LANYARDS	2.98
MS12CONEY	ECONOMY CONE	.86
MSCON-6	6" POLY CON	11.88
1040814	12" CONE	3.33
FBPLWHXX	FOOTBALL PANT LACES	11.63
1048742	TEAM BAG	12.24
SNBCNETB	BALL EQUIPMENT BAG	2.98
5GM2085	POPCORN POPPER	546.38
5GM2836	POPCORN KIT	15.43
5GM2053	POPCORN BAGS	15.22
5GM5551	PRETZEL WARMER	839.96
5GM8007	HOT DOG STEAMER	420.72
1052466	MICROWAVE	122.73
MSECOELEY	ELECTRIC INFLATOR	43.98
61XXXXXX	DELUXE SCALE	229.92

LACROSSE

1075151	WOMENS STX LACROSSE STICK	24.66
1071412	WOMENS DEBEER LACROSSE STICK	32.88
LCSTKGLE	BRINE GOALIE STICK	61.64
17GM3W	STX GOALIE STICK	60.27
VLCBALL	VOIT LACROSSE BALL	12.96
1725UPB	STX PRACTICE BALL	14.88
1049336	SHAMROCK BALLS 36CT.	47.72
1049343	SHAMROCK BALLS 36 CT. YELLOW	47.72
1049367	SHAMROCK BALLS 72 CT. YELLOW	94.24
1049350	SHAMROCK BALLS 72CT.	94.24
1075144	STX STICK	25.21
1725BHSTX	BALL HOG STICK	15.12
1051414	CASCADE IRIS EYEMASK	35.99
1049305	SHAMROCK GOGGLES	17.39
STLACROSSE	LACROSSE GOALS	309.96
SNLACNET	LACROSSE NETS	85.24

7CLHW	CASCADE HELMET	99.46
1051421	CASCADE CJ YOUTH HELMET	99.93
1071245	GAIT SMALL SHOULDER PADS	23.29
1071252	GAIT MEDIUM SHOULDER PADS	24.66
1071269	GAIT LARGE SHOULDER PADS	31.99
1071276	GAIT SMALL GLOVES	20.56
1071283	GAIT MEDIUM GLOVES	23.29
1071290	GAIT LARGE GLOVES	24.66
1071214	GAIT SMALL ARM PADS	13.79
1071221	GAIT MEDIUM ARM PADS	15.07
1071238	GAIT LARGE ARM PADS	16.44
1049329	SHAMROCK STARTER PACK	116.44
1049312	SHAMROCK VARSITY STARTER PACK	123.29
1049374	SHAMROCK PROFLEXX GLOVES	72.74
757OLA	REVERSIBLE JERSEY W/2 SIDED LOGO	Not Available
C33Y	LACROSSE JERSEY W/LOGO & #	12.39
C98	MESH SHORTS W/LOGO	9.27

SOCCER

MCS30005	SIZE 5 SOCCER BALL	7.19
MCS30004	SIZE 4 SOCCER BALL	6.46
MCS30003	SIZE 3 SOCCER BALL	6.44
VSBMFEL5	SIZE 5 INDOOR BALL	8.98
VSBMFEL4	SIZE 4 INDOOR BALL	8.94
70200225	SIZE 5 EURO BALL	9.98
70200224	SIZE 4 EURO BALL	8.98
6660XXXX	SOCCER GOALS	71.24
1038873	SOCCER GOALS	38.73
SN383SNRY	SOCCER NETS	55.72
MCSG7WHS	SHIN GUARDS	1.59
MCSG9WHS	SHIN GUARDS	1.86
1040890	LOW PROFILE CONES	.36
93095XXX	WIRE CARRIER	1.49
MSSOCFLG	CORNER FLAGS	23.27
C18J	JUNIOR SOCKS	21.39
C18Y	YOUTH SOCKS	22.21
C18V	ADULT SOCKS	23.34
MSECOLEY	ELECTRIC INFLATOR	43.98
SNBCNETB	BALL BAGS	2.98
C90YK	GOALKEEPER JERSEY	22.29
C90KR	GOALKEEPER JERSEY	23.99
1028300	UNISEX JERSEY	9.52
1028331	ADULT UNISEX JERSEY	10.89
CS524Y	YOUTH METRO SHORT	7.88
CS524A	ADULT METRO SHORT	8.63
MSNEDPAC6	INFLATING NEEDLES	.76
C58	REFEREE JERSEY md-xi	15.12
MSLNYD— DZ	LANYARDS	2.88
3059XXXXDZ	WHISTLES	3.36

May 3, 2005

11
Adopted

TOWN OF RIVERHEAD

EXTENDS BID CONTRACT FOR CALCIUM
HYPOCHLORITE TABLETS

RESOLUTION # 408

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

WHEREAS, the Riverhead Water District has requested that the contract with Eagle Control Corp, originally awarded under Resolution #519 adopted June 1, 2004, be extended until June 1, 2006 ; and

WHEREAS, the above-named vendor has agreed to extend the contract until June 1, 2006 per the attached Bid Extension Notice, at the original bid amount; and

WHEREAS, the Town Board has reviewed said request.

NOW, THEREFORE, BE IT

RESOLVED, that the bid contract for calcium hypochlorite tablets be and is hereby extended to June 1, 2006; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Eagle Control Corp., 23 Old Dock Road, Yaphank, New York, 11980, the Riverhead Water District and the Purchasing Department.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
 THEREFORE DULY ADOPTED



RWD Riverhead Water District

Gary J. Pendzick, Superintendent
1035 Pulaski Street, Riverhead, New York 11901
Phone: 631-727-3205 FAX: 631-369-4608

Bid Extension Notice

To: Eagle Control Corp.
From: Riverhead Water District
Date: April 26, 2005
Subject: Extension of Bid Services

This letter is to inform you that our current bid contract with you for Calcium Hypochlorite tablets will expire on June 1, 2005.

The Town of Riverhead would like to extend this contract for a period of one (1) year until June 1, 2006. This will be the first extension.

If this extension meets with your approval, please complete the bottom portion of this letter and return it to us immediately.


Authorized Signature

F. Richard J. Threster
Print Name

Eagle Control Corp
Company Name

April 27, 2005
Date

May 3, 2005

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 409

RATIFIES THE SUBMISSION OF A GRANT APPLICATION TO KEYSpan CORPORATE GIVING PROGRAM

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

WHEREAS, grant funding is available from Keyspan Corporation under its Corporate Giving program; and

WHEREAS, the Town of Riverhead Fire Marshal prepared and submitted a grant application to support the purchase of radio equipment to facilitate effective communications and interoperability with area emergency services providers; and

WHEREAS, the grant application requests \$2,900, a sum not currently available through the Code Enforcement budget for fiscal year 2005;

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby ratifies the grant application submitted by Fire Marshal Bruce Johnson on April 21, 2005.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Fire Marshal Bruce Johnson, Chief of Police David Hegermiller, Grants Coordinator Jennifer Mesiano, and the Office of Accounting.

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

May 3, 2005

17
Tabled

Adopted
05/17/05

TOWN OF RIVERHEAD

Resolution # 410

**REQUESTS THE NEW YORK STATE PUBLIC SERVICE COMMISSION
UNDERTAKE THE REGULATION OF RATES FOR BASIC CABLE
SERVICE AND ASSOCIATED EQUIPMENT**

COUNCILWOMAN BLASS offered the following

resolution, which was seconded by COUNCILWOMAN SANDERS

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby requests that the New York State Public Service Commission undertake, on behalf of the Town of Riverhead and at its behest, the regulation of rates for basic cable service and associated equipment charged by Cablevision which is franchised to provide cable service in said Town in accordance with 47 C.F.R. Sections 76.900; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the New York State Public Service Commission Cable Television Bureau, Agency Building Three, Empire State Plaza, Albany, New York 12223-1350, the Office of the Town Attorney and the Office of Accounting.

Town Board Meeting of May 17, 2005

Councilman Densieski offered the resolution to be brought off the table, seconded by Councilman Bartunek.

All members in favor of untabling the resolution.

Councilman Densieski offered the resolution for adoption seconded by Councilman Bartunek.

All members in favor of adoption of the resolution.

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

Tabled

Attorney: CK

Adopted

5/3/05

Adopted

TOWN OF RIVERHEAD

Resolution # 411

SETS NON-RESEIDENT FEES FOR SUMMER RECREATION PROGRAM

COUNCILWOMAN SANDERS offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

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

Non-resident Summer Recreation Program fee:

- 1. Session I \$551.00 fee (\$21.00 cash/check discount)
- 2. Session II \$577.00 fee (\$22.00 cash/check discount)

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 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 N-on res Sum Rec fees

5/3/05

Town of Riverhead
Resolution 412

19
Tabled

1996 Clean Water/Clean Air Bond Act – Title 3 Section 56-0303
Water Quality Improvement Projects and Environmental Protection Fund Article 17=14
Environmental Conservation Law;
Nonagricultural Non-point Source Abatement and Control Project

COUNCILWOMAN BLASS

offered the following resolution, which was seconded by

COUNCILMAN BARTUNEK

WHEREAS, the Town of Riverhead, herein called the “Municipality”, after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the “Project”, is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith; and

WHEREAS, the Municipality has made the Peconic River watershed a priority in the pursuit of funding for non-point source pollution abatement in order to improve water quality and the overall ecology of the area; and

WHEREAS, the Municipality has developed a program to comprehensively provide for improvements in furtherance of these priorities.

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby ratifies the execution by the Supervisor of any and all documents necessary for the submission of an application to the NYS Department of Environmental Conservation by the Community Development Director for funding in the amount of \$565,000 with a match of \$611,000 to be provided by Ab-Tech Industries; and

BE IT FURTHER RESOLVED, that the Supervisor is the representative authorized to act on behalf of the Town of Riverhead in all matters related to State assistance under ECL Article 56, Title 3 including submission of project documentation, execution of the State Assistance Contract, and otherwise act for the Municipality’s governing body in all matters related to the Project and to State assistance; and

BE IT FURTHER RESOLVED, that the Municipality agrees that, upon receipt of the private funds in the amount of \$611,000 from Ab-Tech Industries, it will proceed to undertake the Project and that funds will be available to initiate the Project within twelve

(12) months of written approval of its application by the Department of Environmental Conservation; and

BE IT FURTHER RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to NYS DEC, Sandra Allen, Director of Water, 625 Broadway, 4th Floor, Albany, NY 12233-3500, and Andrea Lohneiss, Community Development Director.

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

Tabled

Adopted

5/3/05

TOWN OF RIVERHEAD

Resolution # 413

APPOINTS BEACH ATTENDANTS TO THE RECREATION DEPARTMENT

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN BARTUNEK

RESOLVED, that the Town Board re-appoints the attached list of Beach Attendants to the Recreation Department effective May 4, 2005 to and including September 5, 2005 and to serve as needed on an at will basis and to serve at the pleasure of the Town Board and

BE IT FURTHER, RESOLVED, that the Town Board hereby authorize the Town clerk to forward this resolution to the Recreation Department and the Office of Accounting.

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

**RECREATION DEPARTMENT APPOINTMENTS
5/3/05 TOWN BOARD MEETING**

<u>Last</u>	<u>First</u>	<u>Title</u>	<u>Start</u>	<u>End</u>	<u>Salary</u>
Segal	Meyer	Beach Attendant V	5/4/05	9/5/05	\$10.50
Janecek	Carol	Beach Attendant IV	5/4/05	9/5/05	\$10.00
Villanell	Frank	Beach Attendant IV	5/4/05	9/5/05	\$10.00
Flood	Daniel	Beach Attendant IV	5/4/05	9/5/05	\$10.00
McCafferty	Shannon	Beach Attendant III	5/4/05	9/5/05	\$9.50
Wooten	Amy	Beach Attendant III	5/4/05	9/5/05	\$9.50
Flood	Liam	Beach Attendant II	5/4/05	9/5/05	\$9.00
Hasty	Kim	Beach Attendant II	5/4/05	9/5/05	\$9.00
McCafferty	Kelsey	Beach Attendant II	5/4/05	9/5/05	\$9.00

BE IT FURTHER, RESOLVED, that these positions are subject to the following condition:

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

Adopted

5/3/05

TOWN OF RIVERHEAD

Resolution # 4145

APPOINTS LIFEGUARDS TO THE RECREATION DEPARTMENT

COUNCILMAN BARTUNEK offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

RESOLVED, that the Town Board appoints the attached list of Lifeguards to the Recreation Department effective May 4, 2005 to and including September 5, 2005 and to serve as needed on an at will basis and to serve at the pleasure of the Town Board and

BE IT FURTHER, RESOLVED, that the Town Board hereby authorize the Town clerk to forward this resolution to the Recreation Department and the Office of Accounting.

abstain

THE VOTE

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

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

**RECREATION DEPARTMENT APPOINTMENTS
5/3/05 TOWN BOARD MEETING**

<u>Last</u>	<u>First</u>	<u>Start Date</u>	<u>End Date</u>	<u>End date</u>	<u>Salary</u>
Hennenlotter	Debbie	Lifeguard VIII	5/4/05	9/5/05	14.50
Sanders	Greg	Lifeguard VII	5/4/05	9/5/05	\$14.00
Vandercreek	Dorie	Lifeguard VII	5/4/05	9/5/05	\$14.00
Monahan	Jeremiah	Lifeguard VI	5/4/05	9/5/05	\$13.50
May	Kathleen	Lifeguard V	5/4/05	9/5/05	\$13.00
Condzella	Tom	Lifeguard IV	5/4/05	9/5/05	\$12.50
Raynor	Michelle	Lifeguard IV	5/4/05	9/5/05	\$12.50
Everitt	Michael	Lifeguard IV	5/4/05	9/5/05	\$12.50
Burns	Christopher	Lifeguard IV	5/4/05	9/5/05	\$12.50
Burns	Katherine	Lifeguard III	5/4/05	9/5/05	\$12.00
May	Robert	Lifeguard III	5/4/05	9/5/05	\$12.00
Baird	Brandon	Lifeguard III	5/4/05	9/5/05	\$12.00
Hegermiller	David.B.	Lifeguard III	5/4/05	9/5/05	\$12.00
Heller	Brandon	Lifeguard II	5/4/05	9/5/05	\$11.50
Cholodenko	Devin	Lifeguard I	5/4/05	9/5/05	\$10.50
Fisher	George	Lifeguard I	5/4/05	9/5/05	\$10.50
McCoy	Jared,	Lifeguard I	5/4/05	9/5/05	\$10.50
Vogal	Spencer	Lifeguard I	5/4/05	9/5/05	\$10.50

BE IT FURTHER, RESOLVED, that these positions are subject to the following conditions:

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



5/3/05

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TOWN OF RIVERHEAD

Adopted

Resolution # 415

**APPOINTS A PARK ATTENDANT III, LEVEL II
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS

RESOLVED, that Steve Bartunek is hereby appointed as a Park Attendant III, Level II effective, May 4th, 2005 to and including September 14th, 2005 and to serve as needed on an at will basis to be paid at the rate of \$11.00 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

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

¹ Rec. Doris/ Resolution. Park Attend III Level III Bartunek

5/3/05

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TOWN OF RIVERHEAD

Adopted

Resolution # 416

APPOINTS A WATERFRONT COORDINATOR LEVEL VIII TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILWOMAN SANDERS offered the following resolution,

which was seconded by COUNCILMAN BARTUNEK

RESOLVED, that Matthew Sanders is hereby re-appointed to serve as a Waterfront Coordinator Level VIII effective May 4, 2005 to and including September 5, 2005 to be paid at the rate of \$17.00 per hour, and to serve as needed on an at will basis and to serve at the pleasure of the Town Board and

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

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

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

THE VOTE

Bartunek yes ___ no Sanders *abstain*

Blass yes ___ no Densieski yes ___ no

Cardinale ___ yes ___ no *absent*

THE RESOLUTION WAS ___ WAS NOT THEREFORE DULY ADOPTED

¹ Rec. Doris/ Res Waterfront coordinator Matt Sanders Level VIII

5/3/05

TOWN OF RIVERHEAD

Adopted

Resolution # 417

AUTHORIZES THE SELLING OF ANUNAL & DAILY NON-RESIDENT BEACH PERMITS, SOUTH JAMESPORT BOAT RAMP PERMITS BY WARREN'S BAIT & TACKLE AND FISHERMANS DELI. ALSO AUTHORIZES THE SELLING OF RESIDENT & SENIOR RESIDENT PARKING PERMITS, ANNUAL AND DAILY NON-RESIDENT PARKING PERMITS BY WADING RIVER TACKLE CENTER, INC.

COUNCILMAN BARTUNEK

offered the following resolution,

COUNCILWOMAN SANDERS

which was seconded by

WHEREAS, Warren's Bait & Tackle and Fisherman's Deli requests to sell annual and daily non-resident beach permits and South Jamesport boat ramp permits at their facilities from Mat 4th, 2005 through December 31, 2005 with out any reimbursement or services being charged.

WHEREAS, Wading River Tackle Center, Inc. requests to sell annual and resident & senior resident, daily non-resident beach permits and annual non-resident parking permits at their facilities from May 4th, 2005 through December 31, 2005 with out any reimbursement or services being charged.

NOW THEREFORE BE IT RESOLVED, the Town Board of Riverhead hereby authorizes Warren's Bait & Tackle, Fisherman's Deli to sell annual and daily non-resident beach permits and South Jamesport boat ramp permits at prices set by the Riverhead Recreation Department.

NOW THEREFORE BE IT RESOLVED, the Town Board of Riverhead hereby authorizes Wading River Tackle Center, Inc. to sell annual and resident & senior resident, daily non-resident beach permits and annual non-resident parking permits at prices set by the Riverhead Recreation Department.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Warren's Bait & Tackle, Fisherman's Deli and Wading River Tackle Center Inc., the Recreation Department and the Office of Accounting.

1

¹ Rec./ Doris:Res Warren's & Fisherman's and Wading River Tackle.

THE VOTE

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

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

MAY 3, 2005

TOWN OF RIVERHEAD

Adopted

Resolution # 418

APPOINTS MAINTENANCE MECHANIC II
IN THE WATER DEPARTMENT

COUNCILWOMAN SANDERS _____ offered the following

COUNCILWOMAN BLASS

resolution, which was seconded by _____

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

WHEREAS, this position was duly posted, posting #3, advertised and interviews have been conducted, and

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

NOW, THEREFORE, BE IT RESOLVED, that effective May 9th, 2005 James Carey is hereby appointed to the position of Maintenance Mechanic II as found on Group 7, Step P of the Operational and Technical Salary Schedule of the CSEA Contract, and

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

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale ^{Absent} Yes No

04/25/05

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 419

APPOINTS TEMPORARY CLERKS TO THE TAX RECEIVER'S OFFICE

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

WHEREAS, this Town Board recognizes the need to provide additional clerical personnel to the Office of the Receiver of Taxes to assist in the processing of tax money.

NOW, THEREFORE, BE IT RESOLVED, that Matthew Wilhelm and Cori Koroleski be and are hereby appointed as temporary clerks effective May 16, 2005 at an hourly rate of compensation of

Matthew Wilhelm	\$10.00 per hour
Cori Koroleski	\$10.00 per hour

and

BE IT FURTHER RESOLVED that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Cori Koroleski; Matthew Wilhelm; Maryann Wowak Heilbrunn, Receiver of Taxes; and the Office of Accounting.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

Adopted 30

May 3, 2005

TOWN OF RIVERHEAD

AUTHORIZES TOWN CLERK TO PUBLISH & POST
NOTICE TO BIDDERS FOR WATER METERS &
ACCESSORY EQUIPMENT FOR USE BY THE
RIVERHEAD WATER DISTRICT

RESOLUTION # 420

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the
attached Notice to Bidders for water meters and accessory equipment to be used by the
Riverhead Water District; and be it further

RESOLVED, that the Town Clerk is authorized to forward a certified copy of this
resolution to the Riverhead Water District and the Purchasing Department.

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of WATER METERS & ACCESSORY EQUIPMENT for use by the RIVERHEAD WATER DISTRICT will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m. on May 26, 2005.**

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

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

All bids are to be submitted in a sealed envelope bearing the designation BID FOR WATER METERS & ACCESSORY EQUIPMENT.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

May 3, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 421

AUTHORIZES THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT

COUNCILWOMAN SANDERS offered the following resolution, was seconded by

COUNCILMAN BARTUNEK :

WHEREAS, The Town of Riverhead plays pre-recorded music in the form of compact discs, digital video discs, cassettes, and other media in Town facilities and at Town events (e.g. the senior center, teen activities); and

WHEREAS, many of these works are protected by U.S. Copyright Law; and

WHEREAS, a municipality requires permission from the holders of such copyrights to use the works in a public forum; and

WHEREAS, the American Society of Composers, Authors, and Publishers (ASCAP) represents the holders of copyrights for over 8 million such works; and

WHEREAS, ASCAP offers a license granting permission to municipalities to play all of the works of copyright holders ASCAP represents;

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute a license agreement with ASCAP in the amount of \$260.00 per year for the right to play pre-recorded music represented by ASCAP; and be it further

RESOLVED, So that the intent of this Honorable Board be widely known, the Town Clerk is hereby directed to forward a certified copy of this resolution to Jennifer Chadwick, American Society of Composers, Authors, & Publishers, 2690 Cumberland Parkway, Suite 490, Atlanta, GA 30339; the Office of the Supervisor; the Accounting Department; Parks and Recreation; Senior Citizens' Services and the Office of the Town Attorney.

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

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

See Sean Walter

May 3, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 422

AUTHORIZES THE SUPERVISOR TO EXECUTE A SATISFACTION OF MORTGAGE

COUNCILMAN BARTUNEK

offered the following resolution, was seconded by

COUNCILWOMAN BLASS

WHEREAS, The Town of Riverhead made a deferred loan of \$50,000.00 to The Place For Learning, Inc. on the 2nd day of June, 1999 for the operation of The Long Island ScienCenter; and

WHEREAS, The Place For Learning, Inc. executed a mortgage to the Town of Riverhead for that same \$50,000.00 also on the 2nd day of June, 1999; and

WHEREAS, said mortgage was recorded on the 18th day of June, 1999 in Liber 19546, Page 371, in the office of the Clerk of the County of Suffolk; and

WHEREAS, The Place For Learning, Inc. has fulfilled all of the obligations of that same mortgage; and

WHEREAS, The Long Island ScienCenter was required to be in operation for a period of five (5) years from June 2, 1999, and to be in operation with at least 4000 square feet of space on the fifth anniversary of the mortgage as a condition of obtaining a satisfaction of said mortgage; and

WHEREAS, The Long Island ScienCenter has been in continuous operation since June 2, 1999 to the present date utilizing 5,238 square feet of space;

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute a satisfaction of mortgage for said mortgage; and be it further

RESOLVED, So that the intent of this Honorable Board be widely known, the Town Clerk is hereby directed to forward a certified copy of this resolution to Richard W. Vandenburg, 4 Montauk Highway, Westhampton, NY 11977; the Office of the Supervisor; the Office of the Town Attorney; Community Development and the Accounting Department.

THE VOTE

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

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

5/3/05

33

TOWN OF RIVERHEAD

Adopted

Resolution # 423

ACCEPTS S.C.N.B. IRREVOCABLE LETTER OF CREDIT OF
VINLAND COMMONS, LLC

COUNCILWOMAN BLASS offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

WHEREAS, by Resolution #655 adopted on July 20, 2004, the Riverhead Town Board did accept Suffolk County National Bank Letter of Credit #040407 in the amount of \$35,866.00, having an expiration date of April 7, 2005, representing 5% of the cost of construction for improvements to be completed at Country Commons, Main Road, Aquebogue, New York; and

WHEREAS, said Letter of Credit has an expiration date of April 7, 2005; and

WHEREAS, Vinland Commons, LLC has submitted Suffolk County National Bank Letter of Credit #050413 in the amount of \$35,866.00, having an expiration date of April 30, 2006, to replace the previously submitted letter of credit which has now expired; and

WHEREAS, the Town Attorney has reviewed said S.C.N.B. Irrevocable Letter of Credit No. 050413 and has determined that same is satisfactory in its form.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby accepts S.C.N.B. Irrevocable Letter of Credit No. 050413 in the amount of \$35,866.00, having an expiration date of April 30, 2006; and be it further

RESOLVED, that the Riverhead Town Board hereby authorizes the Town Clerk to return Suffolk County National Bank Letter of Credit #040407 dated March 30, 2004 to Vinland Commons, LLC; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Vinland Commons, LLC, P.O. Box 1000, Aquebogue, New York, 11931; the Building Department and the Office of the Town Attorney.

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

May 3, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 424

APPROVES THE TOWN OF RIVERHEAD POLICE DEPARTMENT'S PARTICIPATION IN CALL TO PROTECT PROGRAM

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

WHEREAS, the Town of Riverhead Police Department currently conducts a cell phone program where used cell phones are collected and distributed to members of the community in need of an emergency cell phone; and,

WHEREAS, the program has been successful in distributing numerous cell phones to senior citizens and victims of domestic violence; and,

WHEREAS, the Police Department has accumulated an excess number of cell phones beyond the demand from the community.

NOW, THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead approves the Police Department's partnership with The Wireless Foundation. The excess cell phones will be turned over to the Foundation in return for up to \$10.00 for newer cell phones and \$1.00 to \$2.00 for older cell phones. The money will be returned to local community organizations in the form of a donation.

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

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

Adopted

5/3/05

TOWN OF RIVERHEAD

Resolution # 425

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT OF CHAPTER 101 ENTITLED, "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE

COUNCILMAN BARTUNEK

offered the following resolution,

COUNCILWOMAN BLASS

which was seconded by _____:

RESOLVED, that the Town Clerk is hereby authorized to post and publish the attached public notice to consider a proposed local law to consider the amendment of Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code, once in the May 12, 2005 issue of the Traveler Watchman, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Highway Department; the Riverhead Police Department and the Office of the Town Attorney.

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 17th day of May, 2005 at 7:15 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

**Vehicles and Traffic
Article V
Parking, Standing and Stopping**

§ 101-10. Parking prohibited.

The parking of vehicles is hereby prohibited in the locations as follows:

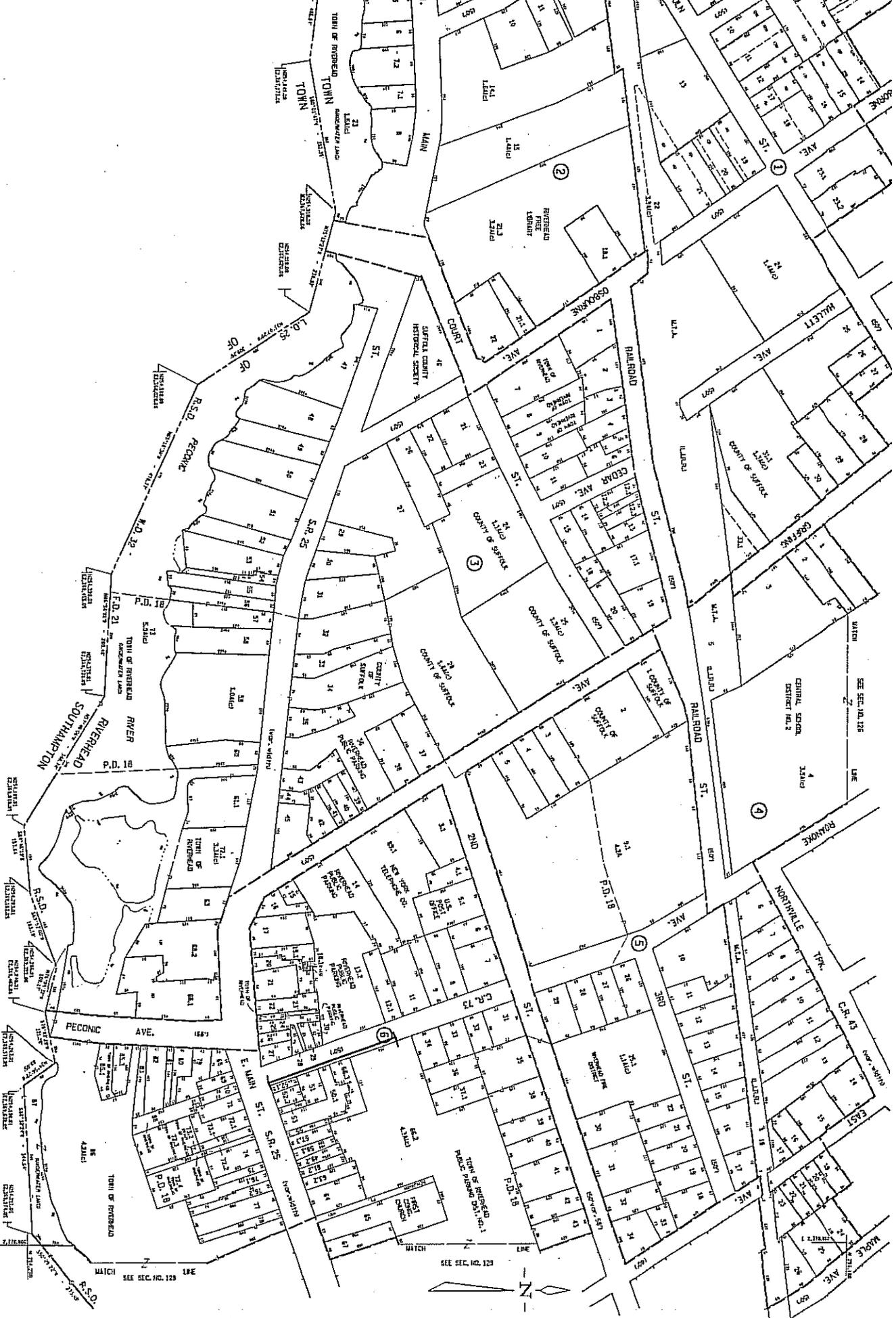
Name of Street	Side	Location
<u>Roanoke Avenue</u>	<u>East</u>	<u>Beginning at its intersection of the northly curb line of East Main Street in a northerly direction approximately 300 feet to its intersection with First Street (western entrance of the municipal parking lot)</u>

Dated: Riverhead, New York
May 3, 2005

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

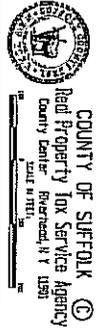
BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)



Map No. 128	Section No. 128
City or Town	RIVERHEAD
County	SUFFOLK
State	NEW YORK
Year of Issue	1960
Author	PROPERTY MAP
Scale	AS SHOWN
Projection	AS SHOWN
Notes	SEE SEC. NO. 128

NOTICE
 THE COUNTY OF SUFFOLK HAS THE HONOR TO ANNOUNCE THAT IT HAS BEEN DETERMINED THAT THE PROPERTY MAPS OF THE COUNTY OF SUFFOLK SHALL BE REISSUED IN THE YEAR 1960. THE PROPERTY MAPS OF THE COUNTY OF SUFFOLK SHALL BE REISSUED IN THE YEAR 1960. THE PROPERTY MAPS OF THE COUNTY OF SUFFOLK SHALL BE REISSUED IN THE YEAR 1960.



PROPERTY MAP
 SECTION NO. 128
 RIVERHEAD
 SUFFOLK COUNTY, NEW YORK
 1960

5/3/05

Adopted

TOWN OF RIVERHEAD

Resolution # 426

APPROVES CHAPTER 90 APPLICATION OF LITTLE FLOWER CHILDREN'S SERVICES OF NEW YORK

COUNCILWOMAN BLASS

offered the following resolution, was seconded by

COUNCILWOMAN SANDERS

:

WHEREAS, Little Flower Children's Services of New York (Little Flower) has submitted a Chapter 90 Application for the purpose of conducting an Outdoor Open House 75th Anniversary Celebration to be held on their property at 2450 North Wading River Road, Wading River, New York on Sunday, May 22, 2005 between the hours of 1:00 p.m. and 5:00 p.m.; and

WHEREAS, Little Flower has completed and filed and Short Form Environmental Assessment Form in accordance with 6 NYCRR 617, and

WHEREAS, the Town Board of the Town of Riverhead has declared itself "Lead Agency" in accordance with 6 NYCRR 617.6(b), and

WHEREAS, Little Flower has requested the applicable Chapter 90 fee be waived due to its not-for-profit status; and

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

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

NOW THEREFORE BE IT RESOLVED, that Town of Riverhead hereby determines the action to be an "Unlisted" action in accordance with 6 NYCRR 617.7(a) and hereby issues a Negative Declaration pursuant to 6 NYCRR 617.7(a)(2), and be it further

RESOLVED that the Chapter 90 Application of Little Flower Children's Services of New York for the purpose of conducting an Outdoor Open House 75th Anniversary Celebration to be held on their property at 2450 North Wading River Road, Wading River, New York on Sunday, May 22, 2005 between the hours of 1:00 p.m. and 5:00 p.m., is hereby approved; and be it further

RESOLVED, that the applicable Chapter 90 Application fee is hereby waived; and be it further

RESOLVED, that the revised site plan to include an additional tent submitted under cover letter dated April 26, 2005 is hereby approved; and be it further

RESOLVED, that the tent installation and any and all electric shall comply with the applicable provisions of the Building and Fire Code of New York State, the National Electrical Code and National Fire Protection Agency 102 and the Tents & Membrane Structures; and be it further

RESOLVED, that a fire safety inspection by the Town Fire Marshal is required prior to the opening of this event to the public. The tent installation shall be ready for inspection no later than 11:00 a.m. on Sunday, May 22, 2005; and be it further

RESOLVED, that this approval is subject to the provisions of Riverhead Town Code Chapter 81 - "Noise Control", Chapter 108-56 - "Signs" and any other section of the Riverhead Town Code that may pertain to this event; and be further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Little Flower Children's Services of New York, 2450 North Wading River Road, Wading River, New York, 11792; the Riverhead Fire Marshal and the Riverhead Police Department.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

May 3rd, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 427

APPROVES SITE PLAN OF COUNTY SEAT PLAZA AT RIVERHEAD PHASE I

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

WHEREAS, a site plan was submitted by the Hampshire Company, to renovate an existing building façade, canopy, fence and install landscaping, upon real property located at Old Country Road (CR 58), Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-108-4-14.5; and

WHEREAS, the Planning Department has reviewed the elevations dated January 27th, 2005 as prepared by Rosenbaum Design Group, has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Check Number 2005-00107425 of the Office of the Financial Administrator of the Town of Riverhead; and;

WHEREAS, this Town Board has reviewed the building elevations and fence location aforementioned.

NOW, THEREFORE, BE IT

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

BE IT FURTHER

RESOLVED, that the improvements described as Phase I submitted by Bohler Engineering, to renovate an existing building façade, canopy, erect a fence and install

landscaping, upon real property located at Old Country Road, Riverhead, New York, and elevations dated January 27th, 2005, as prepared by Rosenbaum Design Group, 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 approval 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, Suffolk 87 Associates, hereby authorizes and consents to the Town of Riverhead to enter premises at Old Country Road (CR 58), Riverhead, New York, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all new utilities shall be constructed underground, if feasible;
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 no building permit shall issue prior to the posting of a performance bond in the amount of \$150,000.00 to insure the completion of Phases 1 and 2 and no certificate of occupancy shall issue prior to the completion of Phases 1 and 2 as depicted on the site plan prepared by Bohler Engineering last dated April 25, 2005; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to The Hampshire Company, 86 Maple Avenue, Morristown, New Jersey 07960, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

eroman/planning

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2005, made by Suffolk 87 Associates, 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, Suffolk 87 Associates hereby authorizes and consents to the Town of Riverhead to enter premises at Old County Road (CR58), Riverhead New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground, if feasible;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;

13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock", as published by the American Association of Nurserymen;
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.

SUFFOLK 87 ASSOCIATES

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

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

May 3, 2005

Adopted

TOWN OF RIVERHEAD

RATIFIES AUTHORIZATION OF TOWN CLERK TO PUBLISH AND POST A HELP WANTED AD FOR FULL TIME DEPUTY TOWN ATTORNEY IN THE TOWN ATTORNEY'S OFFICE

RESOLUTION # 428

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

RESOLVED, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the May 5th, 2005 issue of The Traveler Watchman;

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No *absent*

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking qualified individuals to serve in the position of Full Time Deputy Town Attorney in the Town Attorney's Office. Applicants must be an attorney licensed to practice Law in NY with minimum of (4) years of experience. Municipal experience is a plus. Applications are to be submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY. No applications will be accepted after 4:00pm on 5/13/04.

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

May 3, 2005

Adopted

TOWN OF RIVERHEAD

APPOINTS PART TIME ZBA TOWN ATTORNEY

RESOLUTION # 429

COUNCILMAN BARTUNEK

_____ offered the following

resolution, which was seconded by _____ COUNCILWOMAN SANDERS

WHEREAS, the Town Board wishes to appoint a part-time Town Attorney to represent the Zoning Board of Appeals; and

WHEREAS, the Town Board has identified a willing candidate for the position.

NOW THEREFORE, BE IT RESOLVED, that Scott DeSimone is hereby appointed to the part-time position of Part Time Town Attorney at an annual salary of \$7,500.00 (prorated) effective 5/9/2005 to attend meetings and act as general counsel, and

BE IT FURTHER RESOLVED, that Litigation shall be billed at the rate of \$175.00/hour

RESOLVED, that the Town Clerk be, and is hereby, authorized to forward a copy of this resolution to Scott DeSimone, the Office of Accounting and the Zoning Board of Appeals.

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No absent

MAY 3, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 430

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR PROPOSALS FOR 2005-2006 SNACK VENDOR SERVICES

COUNCILWOMAN SANDERS offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for 2005-2006 SNACK VENDOR SERVICES for the Town of Riverhead at Reeves Park Beach, Iron Pier Beach, Wading River Beach and Stotzky Park; and

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the May 12th, 2005 issue of the Traveler Watchman.

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

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No *absent*

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for **2005-2006 SNACK VENDOR SERVICES FOR the Town of Riverhead for each of the following locations**: Wading River Beach, Reeves Beach, Iron Pier Beach and Stotzky Park will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m. on MAY 24, 2005**.

(Individual or all locations may be bid on.)

May 24, 2005

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

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

All bids are to be submitted in a sealed envelope bearing the designation **BIDS FOR 2005-2006 SNACK VENDOR SERVICES.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

May 3, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 431

AMENDS RESOLUTION #387-2005 AND RATIFIES THE PUBLICATION OF THE AMENDED HEARING NOTICE; DECLARES LEAD AGENCY, DETERMINES ENVIRONMENTAL SIGNIFICANCE AND AUTHORIZES THE TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE OF SCOPING HEARING SITE PLAN PETITION OF HEADRIVER, LLC/WAL-MART STORE

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

WHEREAS, Resolution #387-2005 was passed on April 19, 2005 scheduling a scoping hearing for Headriver, LLC/Wal-Mart Store on May 21, 2005 at 3:00 pm and the availability of the draft scope of issues was scheduled to be available on May 25, 2005;

WHEREAS, the 21st of May is a Saturday, it is necessary to change the date of the scoping hearing, and also the date of the availability of the draft scope of issues;

WHEREAS, the date of the scoping hearing will now be the 4th day of May, 2005, and the availability date of the draft scope of issues will now be April 25, 2005;

BE IT RESOLVED the Town Board of the Town of Riverhead hereby ratifies the publication of the corrected public notice in the April 21, 2005 issue of the Traveler Watchman;

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Riverhead Town Attorney; the Riverhead Planning Department and Linda U. Margolin, Esq., Bracken, Margolin & Gouvis, LLP, One Suffolk Square, Suite 300, Islandia, New York 11749

THE VOTE

Bartunek yes no Sanders yes no

Blass yes no Densieski yes no

Cardinale yes no *absent*

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE OF SCOPING HEARING**

PLEASE TAKE NOTICE that a scoping hearing will be held pursuant to New York State Environmental Conservation Law and its attending regulations on the 4th day of May, 2005 at 3:00 o'clock p.m. at Riverhead Senior Center, Shade Tree Lane, Riverhead, New York to consider the potential environmental impacts to be assessed in the preparation of a Draft Supplemental Environmental Impact Statement in support of the site plan petition of Headriver LLC Wal-Mart Store, to allow the construction of a 167,951 square foot Wal-Mart Store and a separate 27,000 square foot retail building upon real property located at Route 58, Riverhead, New York, such real property more particularly described as Suffolk County Tax Map #0600-119-1-1.2.

A draft scope of issues as prepared by the applicant will be available for inspection in the Office of the Town Clerk beginning on April 25, 2005 between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

Dated: Riverhead, New York
April 19, 2005

BY ORDER OF THE BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

**TOWN OF RIVERHEAD
PUBLIC NOTICE OF SCOPING HEARING**

PLEASE TAKE NOTICE that a scoping hearing will be held pursuant to New York State Environmental Conservation Law and its attending regulations on the 21st day of May, 2005 at 3:00 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 Environmental Impact Statement in support of the site plan petition of Headriver LLC Wal-Mart Store, to allow the construction of a 167,951 square foot Wal-Mart Store and a separate 27,000 square foot retail building upon real property located at Route 58, Riverhead, New York, such real property more particularly described as Suffolk County Tax Map #0600-119-1-1.2.

A draft scope of issues as prepared by the applicant will be available for inspection in the Office of the Town Clerk beginning on May 25, 2005 between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

Dated: Riverhead, New York
April 19, 2005

BY ORDER OF THE BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

May 3, 2005

Adopted

TOWN OF RIVERHEAD

Resolution No. 432

REESTABLISHES THE MEMBERSHIP
OF THE PUBLIC PARKING DISTRICT ADVISORY COMMITTEE

COUNCILMAN BARTUNEK offered the following resolution which was seconded by

COUNCILWOMAN SANDERS

WHEREAS on March 7, 1995, the Town Board Adopted resolution #166, establishing the membership of the Public Parking District Advisory Committee and;

WHEREAS, the Town Board is aware of the need for a liaison group to advise the Riverhead Town Board acting in their capacity as Trustees of the Parking District on all matters pertaining to the maintenance and future development of areas within the Parking District.

NOW THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby appoints the following individuals to act as a liaison between the Riverhead Town Board and the Parking District:

James Bissett
Vincent Cangiano
Edward Densieski
Raymond Dickhoff

Timothy Griffing
Martin Sendlewski
Liz Strebel
Vince Tria

BE IT FURTHER RESOLVED, that the Town Clerk shall hereby forward a copy of this resolution to the above mentioned individuals.

THE VOTE

Sanders ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Bartunek ~~Yes~~ No

Cardinale ~~Yes~~ No absent

Adopted

May 3, 2005

TOWN OF RIVERHEAD

Resolution # 433

**CLASSIFIES ACTION AND DECLARES LEAD AGENCY
ON SPECIAL PERMIT 1998 PECONIC, LLC, DIRECTS
APPLICATION TO THE ZONING BOARD OF APPEALS
AND REFERS PETITION TO THE PLANNING BOARD**

COUNCILMAN BARTONĀK

offered the following resolution which

was seconded by COUNCILWOMAN SANDERS

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from 1998 Peconic, LLC pursuant to Section 108-45B. and Article XXVIA of the Riverhead Town Code, to construct a 3,600sq.ft. gasoline station/convenience store, 1,000sq.ft. car wash and related improvements on 1.8ac. of land zoned Industrial A; such property more particularly described as SCTM 0600-117-2-p/o2.5 (lot 1 of minor subdivision of 1998 Peconic, LLC, map#11224, filed 2/10/05), and

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

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

WHEREAS, the Riverhead Planning Department has prepared a staff SEQR report outlining the project impacts, and

WHEREAS, the project needs height and yard variances from the Industrial A requirements; such relief being prerequisite to the Town Board's acting on the special permit, and

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

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declares itself to be the lead agency for the special permit application of 1998 Peconic, LLC which it classifies as an Unlisted action, and

BE IT FURTHER

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

BE IT FURTHER

RESOLVED, that the applicant be hereby directed to apply to the Riverhead Zoning Board of Appeals for any and all prerequisite variances required for the construction, and

BE IT FURTHER

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

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

5/3/05

Adopted

TOWN OF RIVERHEAD

Resolution # 434

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 OF THE TOWN CODE OF THE TOWN OF RIVERHEAD ENTITLED, "ZONING" (108-3 - DEFINITIONS)

COUNCILWOMAN BLASS offered the following resolution, was seconded by

COUNCILWOMAN SANDERS

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

WHEREAS, a public hearing was held on the 1st day of March, 2005 at 7:10 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

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

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

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

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

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on May 3, 2005 as follows:

Chapter 108
Zoning

§ 108-3. Definitions.

~~FLOOR AREA~~ — ~~The total of the horizontal areas of the floors of a building, measured between exterior faces of exterior walls, excluding areas for accessory garage purposes and such basement and cellar areas as are devoted exclusively to uses accessory to the operation of the building.~~

FLOOR AREA, GROSS – The sum of the horizontal areas of all floors of a building, including interior balconies and mezzanines, but excluding uncovered exterior balconies, decks or porches. All horizontal dimensions of each floor are to be measured from the exterior faces of the walls of each such floor, including all roofed-over areas, or from the center line of party walls with any adjoining building. In computing gross floor area, attic space having a headroom of less than seven feet six inches (7' 6"), cellar and basement space, floor space used exclusively for mechanical equipment and building maintenance or service purpose, including but not limited to, elevators, HVAC, required stairways and public rest rooms. Floor space used for off-street parking and loading purposes shall be excluded. Notwithstanding the foregoing, that portion of gross floor area comprising any covered plaza or similar pedestrian common area amenity which is not used directly for commercial purposes shall be excluded in calculating required off-street parking and loading spaces, except for any kiosk or similar commercial facility, the area of which shall be included.

FLOOR AREA, RATIO – The gross floor area of all buildings on a lot, including accessory buildings, divided by the total lot area.

Dated: Riverhead, New York
May 3, 2005

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

BARBARA GRATTAN, Town Clerk

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

May 3rd, 2005

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 435

DECLARES LEAD AGENCY AND DETERMINES ENVIRONMENTAL SIGNIFICANT OF THE BOND AUTHORIZATION OF \$500,000 FOR THE RE-SURFACING OF VARIOUS ROADS WITHIN THE TOWN OF RIVERHEAD

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

WHEREAS, by resolution dated April 19th, 2005, the Riverhead Town Board did authorize the issuance of \$500,000 in serial bonds to pay the cost of the re-surfacing of various roadways within the Town of Riverhead, and

WHEREAS, the Riverhead Planning Department has reviewed the documents supporting such bond authorization and has recommended that such spending be considered an Unlisted action pursuant to 6NYCRR Part 617.

NOW, THEREFORE BE IT

RESOLVED, that in the matter of the funding of the cost associated with various road re-surfacing, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action not to have significant adverse impacts upon either the natural or social environment and that a Draft Environmental Impact Statement need not be prepared.

BE IT FURTHER

RESOLVED, that a copy of the resolution be transmitted to the Planning Department, Accounting Department and the office of the Town Attorney.

THE VOTE

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

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

May 3, 2005

TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY
Resolution # 437

DECLARING LEAD AGENCY AND DETERMINING SIGNIFICANCE OF THE
PROPOSED CONDEMNATION OF THE TITLE INTEREST, IF ANY, THAT
SWEZEY-RIVERHEAD HOLDING LLC HAS IN THE PROPERTIES DESCRIBED
HEREIN, LOCATED ON MAIN STREET AND ROANOKE AVENUE
RIVERHEAD, NEW YORK

COUNCILWOMAN BLASS offered the following resolution, was
seconded

by COUNCILMAN BARTUNEK :

WHEREAS the Town Board previously approved an urban renewal project commonly referred to as the Swezey's Project more fully described in the petition of Swezey-Riverhead Holding LLC, dated May 21, 1998 on file with the Town of Riverhead, Town Board. The project called for the construction of a new, downtown department store of approximately 60,000 square feet, to be located on Roanoke Avenue and Main Street in conformity with the East Main Street Urban Renewal Plan, adopted by this Board on October 19, 1993. The project was to be substantially built within three years, which time period was extended an additional year by the Town. The project was not constructed with the time period provided; and

WHEREAS the Town Board, in accordance with its East Main Street Urban Renewal Plan, adopted by this Board on October 19, 1993, proposes to acquire by exercise of its eminent domain powers, the title interest, if any, Swezey-Riverhead Holding LLC. has in the parcels listed below

1. property formally known as 24 East Main Street (the Acard building)
SCTM 0600-128.00-06.00-55.000
2. property formally known as 14 East Main Street,
SCTM 0600-128.00-06.00-53.000
3. property formally known as part of the Riverhead Parking District No. 1
SCTM 0600-128.00-06.00-66.003 (formerly part of 66.001)
4. property formally known as the Rimland Building
0600-128.00-06.00-50.001

5. property formally known as the Suburban Furniture Building
0600-128.00-06.00-51.000; and

WHEREAS, the Town Board previously declared itself lead agency with respect to the "Swezey's Project", classified the action as Unlisted, and adopted a determination that the action would not have a significant environmental impact and that a Draft Environmental Impact Statement need not be prepared; and

WHEREAS, an Short Environmental Assessment Form has been completed with respect to the proposed acquisition by the Town, together with a SEQRA report from the Town Planning Department, which reports that the proposed acquisition is an Unlisted action that will not have a significant effect on the environment;

THEREFORE, BE IT RESOLVED, that the Town Board declares itself to be the lead agency with respect to the proposed condemnation and that the action be considered Unlisted and one which will not have a significant impact on the environment and that a Draft Environmental Impact Statement need not be prepared; and

BE IT FURTHER RESOLVED, that the Riverhead Planning Department be directed to publish and post those notices required by 6 NYCRR Part 617; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Planning Department, the Riverhead Community Development Agency, the Town Attorney, and Frank A. Isler, Esq.

This resolution was prepared by Frank A. Isler, Esq., special counsel to the Town Board.

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

RIVERHEAD COMMUNITY DEVELOPMENT AGENCY

May 3, 2005

TOWN OF RIVERHEAD

Resolution # 438

SCHEDULING A PUBLIC HEARING PURSUANT TO ARTICLE 2 OF THE NEW YORK STATE EMINENT DOMAIN PROCEDURE LAW IN CONNECTION WITH THE CONDEMNATION OF THE TITLE INTEREST, IF ANY, THAT SWEZEY-RIVERHEAD HOLDING LLC HAS IN THE PROPERTIES DESCRIBED HEREIN, LOCATED ON MAIN STREET AND ROANOKE AVENUE RIVERHEAD, NEW YORK

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

BE IT RESOLVED, that the Town Board of the Town of Riverhead, hereby determines to hold a public hearing on June 7, 2005 at 7:05 o'clock in the evening of that day at the Riverhead Town Hall pursuant to Article 2 of the New York State Eminent Domain Procedure Law with respect to the proposed condemnation of the title interest, if any, that Swezey-Riverhead Holding LLC. may have in the following properties located on Main Street and Roanoke Avenue that had been assembled in connection with the proposed urban renewal project known as the "Swezey's project", which project was not constructed:

1. property formally known as 24 East Main Street (the Acard building)
SCTM 0600-128.00-06.00-55.000
2. property formally known as 14 East Main Street,
SCTM 0600-128.00-06.00-53.000
3. property formally known as part of the Riverhead Parking District No. 1
SCTM 0600-128.00-06.00-66.003 (formerly part of 66.001)
4. property formally known as the Rimland Building
0600-128.00-06.00-50.001
5. property formally known as the Suburban Furniture Building
0600-128.00-06.00-51.000

The acquisitions will be for the purpose of urban renewal pursuant to the Town of Riverhead East Main Street Urban Renewal Plan, adopted October 19, 1993.

The acquisitions have been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment, as more fully set forth in the resolution of the Town Board adopted this date; and be it further

RESOLVED, that the Town Clerk is hereby directed to publish the attached notice of public hearing as follows:

a. in two (2) successive issues of the Traveler Watchman, the official newspaper of the Town of Riverhead commencing on Thursday, May 12, 2005, and

b. in five (5) successive issues of Newsday, a newspaper of general circulation within the Town of Riverhead, commencing no later than May 9, 2005; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution and the attached notice to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP., P.O. Box 389, 456 Griffing Avenue, Riverhead, New York, 11901; the Town Attorney; Andrea Lohneiss, Director of the Community Development Agency; Murray B. Schneps, Esq., attorney for Swezey-Riverhead Holding LLP, One Union Square, P.O. Box 1080, Aquebogue, New York 11931.

This resolution was prepared by Frank A. Isler, Esq., special counsel to the Town Board.

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT THEREFORE DULY ADOPTED

TOWN OF RIVERHEAD
RIVERHEAD COMMUNITY DEVELOPMENT AGENCY
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held before the Town Board of the Town of Riverhead, on the 7th day of June, 2005, at 7:05 o'clock in the evening of that day at Riverhead Town Hall, Riverhead, New York, to hear all interested persons with regard to the condemnation of the title interest, if any, that Swezey-Riverhead Holding LLC. may have in the following properties located on Main Street and Roanoke Avenue that had been assembled in connection with the proposed urban renewal project known as the "Swezey's project", which project was not constructed:

1. property formally known as 24 East Main Street (the Acard building)
SCTM 0600-128.00-06.00-55.000
2. property formally known as 14 East Main Street,
SCTM 0600-128.00-06.00-53.000
3. property formally known as part of the Riverhead Parking District No. 1
SCTM 0600-128.00-06.00-66.003 (formerly part of 66.001)
4. property formally known as the Rimland Building
0600-128.00-06.00-50.001
5. property formally known as the Suburban Furniture Building
0600-128.00-06.00-51.000

The acquisitions will be for the purpose of urban renewal pursuant to the Town of Riverhead East Main Street Urban Renewal Plan, adopted October 19, 1993.

The acquisitions have been determined by the Town Board of the Town of Riverhead, as lead agency, to be an Unlisted action without a significant impact on the environment, as more fully set forth in the resolution of the Town Board adopted this date.

Dated: Riverhead, New York
May 3, 2005

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

RESOLUTION IN OPPOSITION TO RECOMMENDATIONS BY CONGRESS'S JOINT COMMITTEE ON TAXATION TO LIMIT CHARITABLE DEDUCTIONS RELATED TO GIFTS OF LAND AND CONSERVATION EASEMENTS

WHEREAS, the East End Supervisors and Mayors Association strongly supports both public and private conservation efforts that protect working farms, natural lands, watershed areas, historic properties, and other lands that define the character of the East End; and

WHEREAS, Congress's Joint Committee on Taxation has recommended changes to the Internal Revenue Code that would severely limit tax deductions for gifts of land and conservation easements; and

WHEREAS, the proposed changes will adversely affect public and private conservation efforts, and increase both the cost of land acquisitions and the impact of development on our communities;

NOW, THEREFORE, BE IT RESOLVED, that the East End Supervisors and Mayors Association strongly urges our representatives in Congress and the Joint Committee on Taxation to reject the proposed changes to tax deductions for gifts of land and conservation easements and directs its Chair to forward this resolution to:

The Honorable Hillary Rodham Clinton
476 Russell Senate Office Building
Washington, DC 20510

The Honorable Charles E. Schumer
313 Hart Senate Office Building
Washington, DC 20510

The Honorable Timothy Bishop
1133 Longworth House Office Building
Washington, DC 20515

AND, BE IT FURTHER RESOLVED, that the Association requests that the East End Town and Village Boards forward a similar resolution to our Senators and Representative.

Motion by:
Second by:
All in Favor: _____ Opposed: _____
EES&M Meeting of

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

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

SAMPLE LETTER

I am writing to ask for your support of existing tax incentives that are critical to public and private conservation efforts throughout the country. A recently released report from the Joint Committee on Taxation (JCT) recommends changes to the tax code that would have a devastating effect on the ability of land trusts and local governments to protect working farms and natural lands.

The JCT report recommends that charitable gifts of land be limited to basis (the value of the land when it was acquired plus improvements) rather than fair market value. Another recommendation is to eliminate conservation easement gifts altogether if protected properties include a personal residence. In other instances, conservation easement gifts would be limited to 1/3 of their fair market value. Eliminating these incentives will have a profound effect on the conservation of working farms and natural lands throughout America. Donations of land and conservation easements as well as bargain sales (sales that provide charitable deductions to donors of the difference between fair market value and a below market sales price) will dramatically decrease in frequency. Without significant tax incentives, conservation efforts will, of necessity, depend primarily on fair market purchases at a time when real estate values are appreciating rapidly.

While there may be questionable activities by a few organizations and individuals who have exploited these incentives, the vast majority of conservation organizations—many of which include state and local governmental agencies—take their responsibilities seriously and do not encourage abusive deductions. Conservationists support efforts by Congress to correct abuses and tighten accountability standards for donations. This is why conservation organizations are prepared to work with the tax-writing committees to come up with workable solutions that would not destroy the incentives that protect working farms and natural lands throughout the country.

Please reject the JCT recommendations and support sensible reforms—where there are problems—without harming tax incentives that have been so effective for decades. Please urge your colleagues on the tax-writing committees to defend these valuable tools for conservation.

Thank you for your consideration of my views.



LAND TRUST ALLIANCE

Joint Committee Proposes Slashing Conservation Incentives

FACT SHEET

A recent report by Congress's Joint Committee on Taxation¹ recommends dismantling tax deductions for landowners who volunteer to conserve their land—a program that has been essential to private and public conservation efforts.

Those tax incentives, in place for more than 25 years, have led to voluntary conservation of more than 34 million acres of working agricultural lands, working forests, wildlife habitats, historic landscapes, and parklands.

Currently, landowners who care about conservation and are willing to protect important resources on their property have several options:

- They can donate a conservation easement, which protects these resources forever, but allows families to continue to live on and farm the land, and pass the property on to their heirs. Now, they receive a tax deduction for the value of the development rights they give up.

The Joint Committee proposes: (1) forbidding any deduction for donating an easement if the landowner continues to live on the land; and (2) in all other cases, allowing the donor to deduct only 1/3 the value of their donation. This would effectively eliminate the tax incentives for donations of conservation easements.

- They can also choose to donate their land, or sell it for less than its value. Landowners who do so qualify for a tax deduction.

The Joint Committee would slash this incentive, by limiting deductions to the price the landowner originally paid for the property (their "basis"). This would make it extremely difficult for farmers, ranchers, and other residents who have owned their lands for decades to be able to afford to donate.

At a time when development and sprawl threaten much of what makes our communities livable—clean air and water, open space, parks, and wildlife habitat—private landowners have a critical role to play in conservation. With state and federal budget deficits limiting government purchase of conservation land, one of the best ways to conserve America's natural legacy is through incentives to private landowners. This approach is working because it encourages voluntary charitable gifts, respects private property rights, and keeps land on the tax rolls.

Conservationists support reforms targeted to prevent abuse of the existing laws. The proposals of the Joint Tax Committee don't do that – instead, they punish all donors, fail to identify abusers, and wreak havoc with private, voluntary conservation, at a time when it is needed more than ever.

¹ Joint Committee on Taxation. (2005). *Options to Improve Tax Compliance and Reform Tax Expenditures* (JCS-02-05).

Senators

Honorable Hillary Rodham Clinton
476 Russell Senate Office Building
Washington, DC 20510
202- 224-4451; FAX 202-228-0282

Honorable Charles E. Schumer
313 Hart Senate Office Building
Washington, DC 20510
202-224-6542; FAX 202-228-3027

Congressman

Honorable Timothy Bishop
1133 Longworth House Office Building
Washington, DC 20515
202-225-3826; FAX 202-225-3143

Other Long Island Representatives

Steve Israel, Peter King, Carolyn McCarthy, Gary Ackerman

Joint Commission on Taxation

House of Representatives: William M. Thomas, Chairman, California; E. Clay Shaw, Jr., Florida; Nancy L. Johnson, Connecticut; Charles B. Rangel, New York; Fortney Pete Stark, California

Senate: Charles E. Grassley, Vice Chairman, Iowa; Orrin G. Hatch, Utah; Trent Lott, Mississippi; Max Baucus, Montana; John D. Rockefeller IV, West Virginia

House Ways & Means Committee

Republicans: William M. Thomas, CA - Chair; E. Clay Shaw, FL; Nancy L. Johnson, CT; Wally Herger, CA; Jim McCrery, LA; Dave Camp, MI; Jim Ramstad, MN; Jim Nussle, IA; Sam Johnson, TX; Rob Portman, OH; Phil English, PA; J.D. Hayworth, AZ; Jerry Weller, IL; Kenny C. Hulshof, MO; Ron Lewis, KY; Mark Foley, FL; Kevin Brady, TX; Thomas M. Reynolds, NY; Paul Ryan, WI; Eric Cantor, VA; John Linder, GA; Bob Beauprez, CO; Melissa A. Hart, PA; and Joseph C. Chocola, IN

Democrats: Charles B. Rangel, NY - Ranking Member; Fortney "Pete" Stark, CA; Sander M. Levin, MI; Benjamin L. Cardin, MD; Jim McDermott, WA; John Lewis, GA; Richard E. Neal, MA; Michael R. McNulty, NY; William J. Jefferson, LA; John S. Tanner, TN; Xavier Becerra, CA; Lloyd Doggett, TX; Earl Pomeroy, ND; Stephanie Tubbs Jones, OH; Mike Thompson, CA; John B. Larson, CT; and Rahm I. Emanuel, IL

Senate Finance Committee

Republicans: Charles E. Grassley, IA - Chair; Orrin G. Hatch, UT; Trent Lott, MS; Olympia J. Snowe, ME; Jon L. Kyl, AZ; Craig Thomas, WY; Richard J. Santorum, PA; Bill Frist, TN; Gordon H. Smith, OR; Jim Bunning, KY; and Michael D. Crapo, ID

Democrats: Max Baucus, MT - Ranking Member; John Rockefeller, WV; Kent Conrad, ND; James M. Jeffords, VT; Jeff Bingaman, NM; John F. Kerry, MA; Blanche Lincoln, AR; Ron Wyden, OR; and Charles E. Schumer, NY

Visit www.senate.gov, www.house.gov or contact Peconic Land Trust for contact information.

OVERVIEW OF ADVERSE IMPACTS OF JOINT COMMITTEE ON TAXATION
STAFF REPORT (JCS-02-05)

The staff of the Joint Committee on Taxation recently released a 435+ page report entitled "Options to Improve Tax Compliance and Reform Tax Expenditures." This report recommends numerous changes to tax policy that could generate \$80 billion in additional revenue to the federal government. Embedded therein are several proposals that would undermine voluntary conservation with grave consequences to both public and private land protection efforts throughout the country. If enacted, private donations of land and conservation easements as well as partial gifts through bargain sales (i.e. sales at less than fair market value to a unit of government or a charitable organization, the difference constituting a charitable deduction) will provide substantially less charitable benefits to donors and such gifts will dramatically decrease in frequency. Meanwhile, all levels of government and private conservation organizations such as the Peconic Land Trust (PLT) will have to rely primarily on fair market purchases of land and development rights in order to protect working farms, natural lands, parks, and watershed areas. Unfortunately, the pace and extent of development will increase, especially on Eastern Long Island, given the high real estate values and the finite amount of funds available to purchase land and development rights. Ultimately, the cost to government and taxpayers will also increase as a result of the additional public services (i.e. police, schools, roads, etc.) that will be required for an already rapidly increasing population.

Section F. Modify Charitable Deduction for Contributions of Conservation and Façade Easements

Under present law, donors of qualified conservation easements are entitled to a charitable deduction equal to the difference between the fair market value of the property before and after the conservation easement restrictions are in place less any enhancement that accrues to the donors as a consequence of the easement donation. An easement qualifies for a deduction if the protected land results in: 1) areas for outdoor recreation by, or for the education of, the general public; 2) the protection of relatively natural habitats or similar ecosystems; 3) the preservation of open space (including farmland and forest land) that yields a significant public benefit either by providing for the scenic enjoyment of the general public or pursuant to a clearly delineated Federal, State, or local governmental policy; and 4) the preservation of an historically important land area or a certified historic structure.

There are a number of proposed modifications in Section F of the Joint Committee staff report including: a) disqualification of conservation easements from any charitable deduction if the donor (or a family member of the donor) has a right to use all or a portion of the real property as a personal residence (principal or otherwise) at any time after the contribution, and b) reduction of the charitable deduction for qualifying easements from 100% to 33% of fair market value.

Section H. Reform Rules for Charitable Gifts of Property

Under present law, donors of capital gain property (e.g. land) are entitled to a charitable deduction equal to the fair market value of the contributed property on the date of the contribution. If a landowner sells property to a unit of government or a charitable organization for less than its fair market value, a charitable deduction may be available equal to the difference between the fair market value of the property and the bargain sale price received at the time of the transaction.

The proposed modification of greatest significance in Section H of the Joint Committee staff report is the limitation of the deduction for charitable gifts of property to the donor's basis in the property or, if less, the fair market value of the property.

PLT Perspective – The Peconic Land Trust maintains 59 preserves that consist of approximately 1,000 acres of donated land and provide many public benefits including miles of public trails, a cooperative organic farm that engages hundreds of people in agriculture, and a mariculture cooperative that produces millions of clams, oysters, and scallops to seed our bays. The total value of these preserves based on appraisals at the time of the donations is approximately \$36 million. Many donors inherited or acquired their land many years prior to the donations and were able to benefit from charitable deductions based on the fair market value of the land at the time of such donations. All units of government, especially Suffolk County and local Towns on Long Island, have also received donations of land over the years. By limiting charitable deductions of property to basis, there will be very few donations of land in the future, especially by landowners with a low basis. In addition, the limitation to basis effectively undermines bargains sales of future parks, open space, watershed areas, etc. thus assuring that units of government and organizations such as the Peconic Land Trust will have to acquire land at fair market value.

Once again, the staff of the Joint Committee argues that the proposed changes are necessary because of valuation issues. "The determination of fair market value creates a significant opportunity for error or abuse by taxpayers making charitable gifts of property... Whether due to mistake, incompetence, misunderstanding of the law or facts, or efforts to evade taxes, valuation misstatements are common. In addition, valuation is a difficult and resource intensive issue for the IRS to identify, audit, and litigate." Interestingly, the Joint Committee's reasoning to limit taxpayers to basis for charitable purposes is inconsistent with current Federal government practices that uses fair market value ("highest and best use") for estate tax purposes.

Rather than eliminating the benefits of charitable gifts of appreciated real estate, which will have a devastating effect on public and private conservation efforts throughout the country, efforts should be made to improve the appraisal process and increase penalties for overvaluation for all parties involved in transactions that include charitable deductions.

Conclusion

The staff of the Joint Committee on Taxation has proposed changes to the Internal Revenue Code that would undermine voluntary conservation with grave consequences to both public and private land protection efforts throughout the country. If enacted, private donations of land and conservation easements as well as partial gifts through bargain sales will no longer provide significant charitable benefits to donors and such gifts will dramatically decrease in frequency while development will increase proportionately. Meanwhile, all levels of government and private conservation organizations such as the Peconic Land Trust will have to rely primarily on fair market purchases of land, conservation easements, and development rights in order to protect working farms, natural lands, parks, and watershed areas. Ironically, any gain to the Treasury will be lost through increased expenditures by conservation organizations as well as cash-strapped State, County, and local governments, when possible. Rather than lose significant conservation opportunities forever, current charitable deduction benefits should be maintained and valuation issues should be addressed.

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