

**WAIVER OF NOTICE AND CONSENT
OF SPECIAL MEETING OF THE TOWN BOARD OF PUBLIC HEARING**

We, the Undersigned, being all members of the Riverhead Town Board of the Town of Riverhead, County of Suffolk, and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York at 2:00 a.m. on the ~~5th~~ ^{17th} day of November, 2005 and do consent to the holding of such meeting for the purpose of:

SPECIAL BOARD MEETING RESOLUTIONS

- #1097** Determines Veterinary Office to be a Professional Office within the Multi-Family Residential Professional Office Zoning Use District

- #1098** Declares Surplus Vehicles for Auction

- #1099** Authorizes the Town Clerk to Publish and Post Notice of Auction of Abandoned and Surplus Vehicles and All Other Unclaimed Property being Held by the Police Department

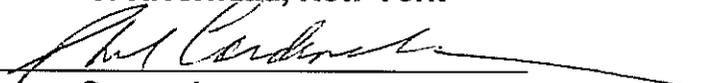
- #1100** Adopts Town of Riverhead 2006 Annual Budget

- #1101** Revokes Excavation Permit as Provided by ^{Resolution 948} ~~Chapter 62~~ to TRW Realty, LLC

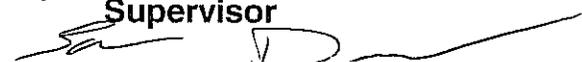
DATED: November 9th, 2005
Media Notified by Supervisor's Office

News Review, Suffolk Life,
Newsday, WRIV, North Fork
Independent, Newsday & Community
Journal

**Town Board Members
of Riverhead, New York**



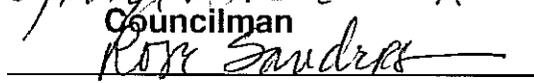
Supervisor



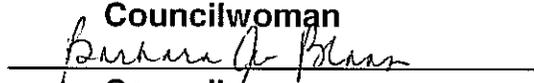
Councilman



Councilman



Councilwoman



Councilwoman

Adopted

November 17th, 2005

TOWN OF RIVERHEAD

Resolution # 1097

DETERMINES VETERINARY OFFICE TO BE A PROFESSIONAL OFFICE WITHIN THE MULTI-FAMILY RESIDENTIAL PROFESSIONAL OFFICE ZONING USE DISTRICT

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

WHEREAS, an inquiry has been made of the Town of Riverhead Zoning Officer by Matthew Gibbons, D.V.M. as to whether a Use Permit could be issued for a veterinary office upon real property lying within the Multi-Family Residential Professional Office Zoning Use District (MRP) and located at NYS Route 25A, Wading River, New York; such real property more particularly described as Suffolk County Tax Map Number 0600-75-1-4.5, and

WHEREAS, the text of the MRP Zoning Use District does not list Veterinary Office as a permitted use, and

WHEREAS, the MRP Zoning District permits the Town Board to determine those persons to be engaged in a profession similar to those listed as permitted as determined by the Riverhead Town Board, and

WHEREAS, the building existing upon the subject real property is so arranged as to allow for the convenient use of a veterinary office compatible with the existing professional office uses, now

THEREFORE, BE IT,

RESOLVED, that the Town Board hereby determines the veterinary office use to be substantially similar to those professional office uses specifically permitted within the Multifamily Residential Professional Office Zoning Use District, and

BE IT FURTHER

RESOLVED, that this determination should not be construed to allow for the boarding of animals on the subject real property.

THE VOTE

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

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

Adopted

November 17, 2005

TOWN OF RIVERHEAD

DECLARES SURPLUS VEHICLES FOR AUCTION

RESOLUTION # 1098

Councilman Bartunek offered the following resolution, which was seconded by

Councilwoman Blass

WHEREAS, Town of Riverhead surplus vehicles have been salvaged for parts and are no longer usable; and

WHEREAS, it is the recommendation of the Police Department that these vehicles have no residual value and should be auctioned. The Police Department hereby requests that the Town Board excess these surplus vehicles so that they may be removed from the records.

NOW, THEREFORE BE IT

RESOLVED, that the following vehicles are hereby declared excess surplus and that they are to be disposed of at public auction on December 3, 2005.

| | | | | | |
|-------|------|-----------|----------------|-------------------|--------|
| TV-01 | 1984 | Trojan | Payloader | 3133304 | Yellow |
| TV-02 | 1986 | Ford | F700 | 1FDXK74N2GVA36966 | Orange |
| TV-03 | 1988 | Chevrolet | 1500 | 2GCDK14KIJ1204471 | White |
| TV-04 | 1988 | Ford | F150 | 2FTEF14NIJCA45376 | White |
| TV-05 | 1988 | Mazda | 323 | JMIBF2224J0170820 | Blue |
| TV-06 | 1988 | Jeep | Cherokee | IJCNR7719JT116357 | White |
| TV-07 | 1989 | Ford | Van | 1FTHS34H1KHB65722 | Blue |
| TV-08 | 1989 | Mazda | 626 | JMIGD2227K1743877 | Blue |
| TV-09 | 1992 | Ford | F150 | 2FTEF14NCA84777 | Orange |
| TV-10 | 1993 | Ford | Crown Victoria | 2FALP74W7PX176884 | Gray |
| TV-11 | 1993 | Chevrolet | 3500 | 1GCHK34K7PE189446 | White |
| TV-12 | 1995 | Ford | Crown Victoria | 2FALP71W6SX178154 | White |
| TV-13 | 1995 | Ford | Crown Victoria | 2FALP71W3SX178158 | White |
| TV-14 | 1995 | Ford | Crown Victoria | 2FALP71W8SX178155 | White |
| TV-15 | 1995 | Ford | Crown Victoria | 2FALP71W2SX196294 | White |
| TV-16 | 1995 | Ford | Crown Victoria | 2FALP71W5SX196290 | White |
| TV-17 | 1997 | Ford | Crown Victoria | 2FALP71WXVX153195 | White |
| TV-18 | 1997 | Ford | Crown Victoria | 2FALP71W6VX153193 | White |
| TV-19 | 1998 | Ford | Crown Victoria | 2FALP71W3WX151884 | White |
| TV-20 | 1998 | Ford | Crown Victoria | 2FAFP71W8WX151881 | White |
| TV-21 | 1999 | Ford | Crown Victoria | 2FALP71W1XX199983 | White |

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

November 17, 2005

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST NOTICE OF AUCTION OF ABANDONED AND SURPLUS VEHICLES AND ALL OTHER UNCLAIMED PROPERTY BEING HELD BY THE POLICE DEPARTMENT

RESOLUTION # 1099

Councilwoman Blass offered the following resolution which was seconded by

Councilman Bartunek

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Public Notice of Abandoned Vehicles to be sold at Public Auction, pursuant to Section 1224 of the Vehicle and Traffic Law of the State of New York, once in the November 23, 2005 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the notice to be posted on the sign board of the Town; and be it further

RESOLVED, that any and all other unclaimed property being held by the Police Department will also be available for public auction on December 3, 2005; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Police Chief David Hegermiller, the Municipal Garage, and the office of Accounting.

PLEASE TAKE NOTICE, that a public auction will be held on December 3, 2005 at 9:00 a.m. to be held at the Riverhead Town Impound Area, located on Route 58 in the Town of Riverhead as follows:

ABANDONED

| | | | | | | |
|-------|----------|------|------------|---------------------|-------------------|-------------|
| AV-01 | 02-06091 | 1996 | Kawasaki | 100 | JKAKXTB15TA016246 | Gray/Purple |
| AV-02 | 03-17164 | 2000 | Kawasaki | Ninja ZX9R | JKAZX2E13YA000462 | Green |
| AV-03 | 03-18718 | 1993 | Kawasaki | Dirt Bike | JKAKWR15PA007320 | Green |
| AV-04 | 04-16284 | 1988 | Suzuki | Dirt Bike RM125/250 | JS1RJ14A112101156 | Yellow |
| AV-05 | 04-22810 | 1960 | House Trlr | - | | White |
| AV-06 | 5000967 | 1982 | Chrysler | Imperial | 2A3BY62J7CR223610 | White |
| AV-07 | 5001244 | 1988 | Chevrolet | S10 Blazer | IGNCT18Z3J0175770 | Gray |
| AV-08 | 5005407 | 1979 | Hobie Cat | Sailboat | CCMB8262M79K | Yellow |
| AV-09 | 5009725 | 2000 | Kawasaki | Moped | In pieces | Red |
| AV-10 | 5014256 | 2005 | Honda | CRF70F | JH2DE02005K807556 | Red/White |
| AV-11 | 5015440 | 2003 | Honda | Motorcycle | LX8YCD3003D00248 | Red |

SURPLUS

| | | | | | | |
|-------|--|------|-----------|-----------|--------------------|--------|
| TV-01 | | 1984 | Trojan | Payloader | 3133304 | Yellow |
| TV-02 | | 1986 | Ford | F700 | 1FDXXK74N2GVA36966 | Orange |
| TV-03 | | 1988 | Chevrolet | 1500 | 2GCDK14K1J1204471 | White |
| TV-04 | | 1988 | Ford | F150 | 2FTEF14N1JCA45376 | White |
| -05 | | 1988 | Mazda | 323 | JM1BF2224J0170820 | Blue |

| | | | | | |
|-------|------|-----------|----------------|-------------------|--------|
| TV-06 | 1988 | Jeep | Cherokee | IJCNR7719JT116357 | White |
| TV-07 | 1989 | Ford | Van | 1FTHS34H1KHB65722 | Blue |
| TV-08 | 1989 | Mazda | 626 | JM1GD2227K1743877 | Blue |
| TV-09 | 1992 | Ford | F150 | 2FTEF14NCA84777 | Orange |
| TV-10 | 1993 | Ford | Crown Victoria | 2FALP74W7PX176884 | Gray |
| TV-11 | 1993 | Chevrolet | 3500 | 1GCHK34K7PE189446 | White |
| TV-12 | 1995 | Ford | Crown Victoria | 2FALP71W6SX178154 | White |
| TV-13 | 1995 | Ford | Crown Victoria | 2FALP71W3SX178158 | White |
| TV-14 | 1995 | Ford | Crown Victoria | 2FALP71W8SX178155 | White |
| TV-15 | 1995 | Ford | Crown Victoria | 2FALP71W2SX196294 | White |
| TV-16 | 1995 | Ford | Crown Victoria | 2FALP71W5SX196290 | White |
| TV-17 | 1997 | Ford | Crown Victoria | 2FALP71WXVX153195 | White |
| TV-18 | 1997 | Ford | Crown Victoria | 2FALP71W6VX153193 | White |
| TV-19 | 1998 | Ford | Crown Victoria | 2FALP71W3WX151884 | White |
| TV-20 | 1998 | Ford | Crown Victoria | 2FAFP71W8WX151881 | White |
| TV-21 | 1999 | Ford | Crown Victoria | 2FALP71W1XX199983 | White |

Vehicles may be inspected prior to the auction on December 2, 2005 between the hours of 9:00 a.m. to 2:00 p.m.

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**

PUBLIC NOTICE
TOWN OF RIVERHEAD
POLICE AUCTION OF ABANDONED AND SURPLUS VEHICLES
& ALL OTHER UNCLAIMED PROPERTY
December 3, 2005 at 9:00 a.m.
at the
Town of Riverhead Municipal Garage, Route 58
Riverhead, New York

List of vehicles available at the Riverhead Town Clerk's Office, 210 Howell Avenue, Riverhead, New York, Monday – Friday, between the hours of 8:30a.m. – 4:30 p.m. and on the Riverhead Town Website at www.riverheadli.com.

DATED: Riverhead, New York
November 17, 2005

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
BARBARA GRATTAN, Town Clerk

Adopted

NOVEMBER 17, 2005

TOWN OF RIVERHEAD

ADOPTS TOWN OF RIVERHEAD 2006 ANNUAL BUDGET

RESOLUTION # 1100

Councilman Bartunek offered the following resolution,
which 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 the adoption of the Town of Riverhead 2006 Annual Budget; and

WHEREAS, a public hearing was held on the 9th day of November, 2005 at 2:00 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 the Town of Riverhead 2006 Annual Budget is hereby adopted.

THE VOTE

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

**REVOKES EXCAVATION PERMIT AS PROVIDED BY RESOLUTION
#948 TO T.R.W. REALTY LLC**

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

WHEREAS, T.R.W. Realty LLC, are the owners of the subject property located at 1800 Old Country Road, Route 58, Riverhead, NY known as Riverhead Auto Mall, Suffolk County tax map number, 119-1-5.1, and

WHEREAS, the owners petitioned the Town Board for a site plan amendment and an excavation permit approval to allow the importation of 21,100 cubic yards of clean soils for the construction of a vehicle storage area as depicted on a site plan prepared by Young and Young Land Surveyors, dated January 6, 2000 and last amended September 27, 2005, and

WHEREAS, the owners received an excavation permit consistent with their approved site plan as provided by Resolution 1277 dated December 2, 2003, and by Resolution #949 dated October 4, 2005, and

WHEREAS, the excavation permit contained certain conditions set forth in Resolution #948 of 2005, allowing the importation of 21,100 cubic yards of clean soil to be imported provided the materials came from an approved DEC site, registered pursuant to 6 NYCRR Part 360-16 and supported by a manifest from the owners showing the origins of the soils and approved by the Town of Riverhead Engineer and Building Department, and

WHEREAS, the 21,100 cubic yards of imported materials was also subject to random soil testing to be conducted by the town's consultant testing company at the supervision of the Town Engineer and Building Department as directed by the Town Board to detect the existence of environmental contaminants in excess of the standards set forth in 6 NYCRR Part 360-16, and

WHEREAS, the testing of the soil was conducted pursuant to the conditions of the aforementioned permit, and

WHEREAS, the soil test results were presented and analyzed in a document prepared by Coastal Environmental dated November 7, 2005 and submitted to the Town Attorney, and

WHEREAS, soil test results revealed contamination in excess of the limits set forth in NYSDEC and Suffolk County Health Department Technical Guidance Documents referenced in the "Coastal" report, and

WHEREAS, the Town of Riverhead has reviewed the results of the soil testing and has concluded that they are unacceptable results and that the soils and aggregates do not meet the definition for "uncontaminated" and are therefore not clean soils.

NOW, THEREFORE, BE IT

RESOLVED, that based upon the foregoing, the Town Board hereby revokes the excavation permit granted to the applicant pursuant to resolution no. 948-05, and be it further,

RESOLVED, that TRW Realty, Inc. is hereby directed to remove all of the material imported to the site pursuant to the importation permit previously granted by the Town of Riverhead and to deliver all of the imported soils to a suitable disposal facility approved by the New York State Department of Environmental Conservation within 30 days, and be it further

RESOLVED, that the Town of Riverhead will refund the excavation fees previously paid by the applicant in the amount of \$ 42,200.00 dollars representing \$2.00 per cubic yard for the soils to be imported upon presentation of proof satisfactory to the Town Attorney that the offending soils were disposed of in accordance with requirements of this resolution, be it further,

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to T.R.W. Realty LLC, the Riverhead Planning Department, The Riverhead Accounting Department, The Riverhead Town Engineer, and the Riverhead Building Department.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Bartunek Yes No

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted