

**TOWN BOARD MEETING
AGENDA
PHILIP CARDINALE, Supervisor
September 6, 2006**

**Edward Densieski, Councilman
George Bartunek, Councilman**

**Barbara Blass, Councilwoman
John Dunleavy, Councilman**

**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
Ray Coyne
Judy Doll
John Reeve
Michael Reichel
Gary Pendzick**

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

PUBLIC COMMENT ON ANY RESOLUTIONS LISTED BELOW:

REGULAR TOWN BOARD MEETING:

- #800** General Fund Budget Adjustment
- #801** Splish Splash Water Ext. #84 Budget Adoption
- #802** Stoneleigh Woods Water Ext. #83
- #803** Country Trails Installation of Water Mains Budget Adoption
- #804** General Fund Police Department Budget Adjustment
- #805** Tri-State Horticultural Services, Inc./Joseph Alberto Development Rights Budget Adoption
- #806** Carl E. Carter & Karen Terry Carter Open Space Budget Adoption
- #807** Releases Certificate of Deposit of True Tech, Inc.
- #808** Approves Extension of Performance Bond of NF Development, LLC A/K/A Reeves Farms (Road and Drainage Improvements)
- #809** Authorizes the Release of a Bond for Sons Riverhead, LLC (Sports Authority Development)
- #810** Accepts Irrevocable Letter of Credit of Riverhead Commerce Park (#6)
- #811** Accepts Irrevocable Letter of Credit of Riverhead Commerce Park (#6)
- #812** Adopts Findings Statement – Site Plan Petition of Headriver, LLC (Wal-Mart Store)
- #813** Approves Amended Site Plan of Traditional Links, LLC (6 Guest Cottages)
- #814** Approves Site Plan of Baiting Hollow Club
- #815** Approves Site Plan of McGann-Mercy High School
- #816** Approves Site Plan of Willow Ponds on the Sound (Sound Housing LLC)

- #817** Reassigns the Code Enforcement Officers to the Town Attorney's Office
- #818** Amends Resolution #751 of 2006 (Appointment of Traffic Control Officers to the Police Department)
- #819** Approves Request for Leave of Absence (Tanya Newman)
- #820** Approves Request for Leave of Absence (Patrick Lennon)
- #821** Approves Request for Leave of Absence (Robert Tribuzio)
- #822** Transfer of an Account Clerk Typist to the Sanitation Department (Gina Chew)
- #823** Transfer of an Account Clerk Typist to the Building Department (Billie Jo Jaeger)
- #824** Appoints Members to the Riverhead Open Space/Park Preserve Committee (George A. Goode, II & Mark B. Terry)
- #825** Appoints Member to the Parking District Advisory Committee (Edwin Tuccio)
- #826** Appoints Members to the Small Business Advisory Committee (Mark Lembo & Vincent Cangiano)
- #827** Authorizes Supervisor to Execute Contract Agreement (Captain Richard T. Smith)
- #828** Authorizes Supervisor to execute Grant Agreement for RESTORE Grant
- #829** Authorizes Supervisor to Execute Application to NYS Department of Transportation for Local Safe Streets and Traffic Calming Grant
- #830** Authorizes the Town Supervisor to Execute the Attached Memorandum of Understanding with East End Transportation Council
- #831** Authorizes Town Clerk to Advertise for Bids Repainting of Plant No. 8 & 9 Standpipes Riverhead Water District
- #832** Authorizes Town Clerk to Advertise for Bids Extension No.84, Splish Splash Riverhead Water District
- #833** Authorizes Town Clerk to Publish and Post Public Notice for a Local Law to Consider an Amendment to Chapter 58 Entitled, "DOGS" of the Riverhead Town Code

- #834** Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law Providing for Rules and Regulations for Use of the Runway at Calverton Executive Airpark
- #835** Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (§ 108-64 Prefabricated dwellings.)
- #836** Order Calling Public Hearing – Extension No. 87 Riverhead Water District Demchuk Estates, Riley Avenue, Calverton
- #837** Order Calling Public Hearing Riverhead Water District Lateral Water Main (Fedun Estates, Gordon Boulevard)
- #838** Amends Resolution #790 of 2006 (Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Planned Recreational Park (PRP) District)
- #839** Approves Chapter 90 Application of Word of Life Ministries of Riverhead (Church Related Street Fair)
- #840** Approves Chapter 90 Application of the Peconic Bay Region of the AACA (Antique Car Show)
- #841** Approves Chapter 90 Application of the Hallockville Museum Farm and Folklife Center
- #842** Approves Chapter 90 Application of Garden of Eve, LLC
- #843** Sets Registration Fees for the Riverhead Recreation Department
- #844** Authorizes the Implementation, and Funding in the First Instance 100% of the Federal Aid and State Marchiselli Program-aid Eligible Costs, of a Transportation Federal-Aid Project (Local Safe Streets and Traffic Calming – Middle Road Roundabout) and Appropriating Funds Therefore
- #845** Awards Bid Stoneleigh Woods, Extension No. 83 Riverhead Water District
- #846** Order Establishing Extension No. 88 Riverhead Water District Gendot Homes Subdivision, Osborn Avenue
- #847** Adopts a Local Law Amending Chapter 14 (Community Preservation Fund) of the Riverhead Town Code

- #848** Adopts a Local Law Repealing and Replacing Chapter 86 of the 86 Entitled, "Rental Dwelling Units" of the Riverhead Town Code.
- #849** Adopts a Local Law Amending Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Commercial Districts Schedule of Dimensional Regulations)
- #850** Adopts a Local Law Amending Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Greenhouses)
- #851** Adopts a Local Law to Amend Chapter 101 Entitled "Vehicles & Traffic" of the Riverhead Town Code (101-10 - Parking Prohibited)
- #852** Approves Public Informational Sign of Peconic Bay Medical Center
- #853** Approves Temporary Sign Permit of Day by Day Calendar
- #854** Pays Bills

September 6, 2006

Adopted

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 800

COUNCILMAN DENSIESKI

_____ 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>
001.000000.390599	Appropriated Fund Balance	33,128.45	
001.031220.524190	Boats		33,128.45

THE VOTE

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

Adopted

TOWN OF RIVERHEAD

SPLISH SPLASH WATER EXT. # 84

BUDGET ADOPTION

RESOLUTION # 801

COUNCILMAN BARTUNEK

_____ offered the following resolution,
which was seconded by **COUNCILMAN DUNLEAVY** _____.

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

	<u>FROM</u>	<u>TO</u>
406.092705.421050.60085 Developer Fees	\$62,500	
406.083200.543501.60085 Engineering Expenses		\$6,500
406.083200.523002.60085 Construction		\$50,000
406.083200.549001.60085 Administration Fees		\$3,500
406.083200.547900.60085 Contingency		\$2,500

THE VOTE

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

Adopted

TOWN OF RIVERHEAD

STONELEIGH WOODS WATER EXT. #83

BUDGET ADOPTION

RESOLUTION # 802

COUNCILMAN DUNLEAVY

_____ offered the following resolution,
COUNCILWOMAN BLASS
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>
406.092705.421050.30077	Developer Fees	\$270,000	
406.083200.543501.30077	Engineering Expenses		\$29,400
406.083200.523002.30077	Construction		\$196,000
406.083200.549001.30077	Administration Fees		\$13,800
406.083200.524451.30077	Meter & AMR Fees		\$21,000
406.083200.547900.30077	Contingency		\$9,800

THE VOTE

Bartunek Yes No

Dunleavy Yes No

Blass Yes No

Blawie Densieski Yes No

Cardinale Yes No

Adopted

TOWN OF RIVERHEAD

COUNTRY TRAILS INSTALLATION OF WATER MAINS

BUDGET ADOPTION

RESOLUTION # 803

COUNCILMAN DUNLEAVY

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

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

	<u>FROM</u>	<u>TO</u>
406.092705.421050.30066 Developer Fees	\$148,500	
406.083200.543501.30066 Engineering Expenses		\$18,200
406.083200.523002.30066 Construction		\$114,800
406.083200.549001.30066 Administration Fees		\$6,500
406.083200.547900.30066 Contingency		\$9,000

THE VOTE

Bartunek Yes No

Dunleavy Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

absent

TOWN OF RIVERHEAD

GENERAL FUND

POLICE DEPARTMENT

BUDGET ADJUSTMENT

RESOLUTION # 804

COUNCILMAN DENSIESKI

_____ offered the following resolution, which was
seconded by **COUNCILMAN DUNLEAVY** _____.

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

	<u>FROM</u>	<u>TO</u>
001.033310.493210 US Justice, Federal Aid	\$10,000.00	
001.031200.543401 Training		\$10,000.00

THE VOTE

DUNLEAVY ✓ YES ___ NO BARTUNEK ✓ YES ___ NO
 BLASS ^{absent} ~~YES~~ ___ ~~NO~~ DENSIESKI ✓ YES ___ NO
 CARDINALE ✓ YES ___ NO

**THIS RESOLUTION ~~X~~ IS ___ IS NOT
DECLARED DULY ADOPTED**

Adopted

TOWN OF RIVERHEAD

CARL E. CARTER & KAREN TERRY CARTER
OPEN SPACE

BUDGET ADOPTION

RESOLUTION # 806

COUNCILMAN DUNLEAVY

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

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

	<u>FROM</u>	<u>TO</u>
406.019400.494200.42054 Serial Bond Proceeds	\$1,320,000	
406.019400.521000.42054 Land Acquisition		\$1,300,000
406.019400.543000.42054 Professional Services		20,000

THE VOTE

Bartunek Yes No
absent
 Blass Yes No
 Dunleavy Yes No
 Densieski Yes No
 Cardinali Yes No

9/6/06

Adopted

TOWN OF RIVERHEAD

Resolution # 807

RELEASES CERTIFICATE OF DEPOSIT OF TRUE TECH, INC.

COUNCILMAN DENSIESKI

offered the following resolution, was seconded by

COUNCILMAN BARTUNEK

WHEREAS, by Resolution #37 dated January 3, 2006, the Riverhead Town Board did accept a certificate of deposit in the amount of \$5,000.00 from True Tech, Inc. to ensure landscaping improvements installed survived the winter of 2006 at their property located at Elton Street, Riverhead, more particularly described as Suffolk County Tax Map #0600-109-1-18; and

WHEREAS, by memorandum from Vincent A. Gaudiello, P.E. at John J. Raynor, P.E., & L.S., dated September 6, 2006, it has been determined that said landscaping improvements have survived the winter of 2005.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the certificate of deposit submitted in the amount of \$5,000.00; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to True Tech, Inc., 680 Elton Street, Riverhead, New York, 11901, the Building Department; the Planning Department and the Office of the Town Attorney.

THE VOTE

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

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

9/6/06

Adopted

TOWN OF RIVERHEAD

Resolution # 808

**APPROVES EXTENSION OF PERFORMANCE BOND OF NF
DEVELOPMENT, LLC A/K/A REEVES FARMS
(ROAD AND DRAINAGE IMPROVEMENTS)**

COUNCILMAN DUNLEAVY

_____ offered the following resolution, was seconded

COUNCILMAN BARTUNEK

by _____:

WHEREAS, the Riverhead Town Board, by Resolution #1287 adopted on December 17, 2002, did accept a performance bond in the amount of \$1,000,000.00 representing road and drainage improvements to be completed in the subdivision entitled, "Reeves Farms"; and

WHEREAS, at the request of Peter S. Danowski, Jr., Esq., attorney for NF Development, LLC a reduction was requested to reduce said performance bond. The Town Board, by Resolution #88 adopted on February 1, 2005, did approve the reduction of the aforementioned performance bond from \$1,000,000.00 to the amount of \$333,333.00; and

WHEREAS, by letter from Peter S. Danowski, Jr., Esq., dated August 31, 2006, it has been requested that an additional extension be granted for the performance bond representing the road and drainage improvements to be completed within the subdivision; and

WHEREAS, Water Key Money in the amount of \$187,500.00, Park and Recreation Fees in the amount of \$228,000.00 and Engineer Fees in the amount of \$33,900.00 have been paid.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby approves the extension of time for the performance bond representing the road and drainage improvements to be completed within the subdivision for an additional two-year period as provided by Riverhead Town Code Chapter 108-97 A. (4); and be it further

RESOLVED, that the Town Board hereby accepts the \$2,000.00 fee associated with such extension approval; and be it further

RESOLVED, that this extension shall extend the performance bond representing the road and drainage improvements to be completed within the subdivision to May 3, 2007; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., 616 Roanoke Avenue, P.O. Box 779, Riverhead, New York, 11901; Greenwich Insurance Company, One Exchange Place, Suite 501, Jersey City, New Jersey, 07302; the Planning Board; the Planning Department; the Building Department; the Office of Accounting and the Town Attorney's Office.

THE VOTE

Dunleavy yes no Bartunek yes no
Blass yes absent no Densieski yes no
Cardinale yes no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

09/06/06

Adopted

TOWN OF RIVERHEAD

Resolution # 809

**AUTHORIZES THE RELEASE OF A BOND FOR SONS RIVERHEAD, LLC
(SPORTS AUTHORITY DEVELOPMENT)**

COUNCILMAN BARTUNEK

offered the following resolution,

which was seconded by

COUNCILMAN DUNLEAVY

WHEREAS, Sons Riverhead LLC for Sports Authority posted a performance bond (#SU1019471 The American Institute of Architects) in the amount of Seventy Five Thousand Dollars (\$75,000) as per Resolution #34 dated January 3, 2006 for work at Old Country Road, Riverhead, New York, 11901 known and designated as Suffolk County Tax Map Number 0600-108.-3-13.9 pursuant to Section 108-133(I) of the Riverhead Town Code; and

WHEREAS, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department's satisfaction and the satisfaction of the Planning Department as per the approved site plan and a Certificate of Occupancy has been issued.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the performance bond (SU1019471) in the sum of Seventy Five Thousand Dollars (\$75,000); and

BE IT FURTHER RESOLVED, that the Riverhead Town Clerk is hereby authorized to forward a certified copy of this resolution to Sons Riverhead LLC, 70 East Sunrise Highway, Suite 610, Valley Stream, New York, 11581; the Building Department; the Town Clerk and the Town Attorney's Office.

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No
absent

Densieski Yes No

Cardinale Yes No

The Resolution Is Is Not
Declared Duly Adopted

09/06/06

Adopted

TOWN OF RIVERHEAD

Resolution # 810

**ACCEPTS IRREVOCABLE LETTER OF CREDIT OF RIVERHEAD
COMMERCE PARK (#6)**

COUNCILMAN DUNLEAVY

offered the following resolution,

which was seconded by

COUNCILMAN DENSIESKI

WHEREAS, Riverhead Commerce Park Associates has posted a Letter of Credit (#060807A) in the sum of Seventeen Thousand Two Hundred Ninety Dollars (\$17,290) representing the 5% site plan bond for the work at 54 Commerce Park Avenue, Riverhead, New York 11901 known and designated as Suffolk County Tax Map # 600-101.-1-10.10 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said letter of credit and deems it to be sufficient in its form.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the Letter of Credit in the sum of Seventeen Thousand Two Hundred Ninety Dollars (\$17,290) issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Riverhead Commerce Park Associates, 185 Old Country Road, Suite 5, Riverhead, New York 11901, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No
absent

Densieski Yes No

Cardinale Yes No

The Resolution Is Is Not
Declared Duly Adopted

09/06/06

Adopted

TOWN OF RIVERHEAD

Resolution # 811

ACCEPTS IRREVOCABLE LETTER OF CREDIT OF RIVERHEAD COMMERCE PARK (#6)

COUNCILMAN DENSIESKI

offered the following resolution,

which was seconded by COUNCILMAN BARTUNEK

WHEREAS, Riverhead Commerce Park Associates has posted a Letter of Credit (#060807B) in the sum of Twenty Six Thousand Fifty Eight Dollars (\$26,058) representing the 5% site plan bond for the work at 44 Commerce Park Avenue, Riverhead, New York 11901 known and designated as Suffolk County Tax Map # 600-101.-1-10.18 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said letter of credit and deems it to be sufficient in its form.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the Letter of Credit in the sum of Twenty Six Thousand Fifty Eight Dollars (\$26,058) issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Riverhead Commerce Park Associates, 185 Old Country Road, Suite 5, Riverhead, New York 11901, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No *Absent*

Densieski Yes No

Cardinale Yes No

The Resolution Is Is Not
Declared Duly Adopted

Adopted

9/6/06

TOWN OF RIVERHEAD

Resolution # 812

**ADOPTS FINDINGS STATEMENT – SITE PLAN PETITION OF
HEADRIVER, LLC (WAL-MART STORE)**

COUNCILMAN DUNLEAVY

_____ offered the following resolution which
was seconded by **COUNCILMAN DENSIESKI**

WHEREAS, the Riverhead Town Board is in receipt of a site plan petition from Headriver, LLC to allow the construction of a 167,951 square foot Wal-Mart Store and associated improvements upon real property located at Suffolk County Route 58, Riverhead New York; such property more particularly described as Suffolk County Tax Map Number 0600-119-1-1.2; and

WHEREAS, by resolution dated November 15, 2005, the Riverhead Town Board did accept a Draft Supplemental Environmental Impact Statement (“DSEIS”), as prepared by Nelson, Pope and Voorhis, LLC dated October, 2005 supporting the subject site plan petition, and

WHEREAS, a public hearing was held upon the DSEIS on the 7th day of December, 2005 at which significant comment was made, and

WHEREAS, the Town Board is in receipt of a Final Supplemental Environmental Impact Statement (“FSEIS”) as prepared by Nelson, Pope and Voorhis dated May, 2006, and

WHEREAS, the Planning Department has reviewed the FSEIS and has determined that the document adequately addresses that significant commentary made upon the relevant DSEIS made by both involved agencies and parties of interest and does so in a level of detail to allow the preparation of Lead Agency Findings, and

WHEREAS, by Resolution #667, dated July 18, 2006, the Riverhead Town Board did accept the FSEIS supporting the site plan petition of Headriver, LLC as prepared by Nelson and Pope dated May, 2006; and

WHEREAS, a draft findings statement has been prepared pursuant to 6 NYCRR Part 617.

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby adopts the attached findings statement which serves to mitigate those potentially significant adverse impacts and to allow the consideration of the subject site plan application; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Planning Department; the Town Attorney and Morton Weber, Esq. as agent for the applicant.

Rh/planning

THE VOTE

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

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

**TOWN OF RIVERHEAD
TOWN BOARD
FINDINGS STATEMENT FOR THE FINAL SUPPLEMENTAL
ENVIRONMENTAL IMPACT STATEMENT (FSEIS) PURSUANT TO THE
STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)**

This Notice is issued pursuant to Title 6, New York Code of Rules and Regulations (6 NYCRR) Part 617 of the implementing regulations pertaining to Article 8 (SEQRA) of the Environmental Conservation Law of New York State. The Findings Statement for the FSEIS is being prepared by the Town of Riverhead ("the Town") for the proposed Headriver, LLC/Wal-Mart Store project to be located on the north side of Suffolk County Route (CR) 58, opposite Kroemer Road in Riverhead, Town of Riverhead, New York.

Project Name:

Headriver, LLC/Wal-Mart Store, Amended Site Plan Application

Project Location:

The 21.21-acre project site is located on the north side of CR 58, east of the terminus of the Long Island Expressway, in the hamlet of Riverhead, Town of Riverhead. A New York State Department of Transportation (NYSDOT) maintenance facility is adjacent to the site to the west, and a Long Island Power Authority (LIPA) power line traverses along the site's northern boundary, in a northwest-southeast direction. To the north of this is the Adchem industrial property, which is accessed by a roadway running along the eastern boundary of the project site north from its intersection with CR 58. Contiguous to the east of the site is the 2.71-acre "OC Riverhead 58 LLC" property owned by an affiliate company of the Applicant (though not part of the application), occupied by an Applebee's restaurant. To the south of the site, across CR 58, is the Tanger Outlet Center Complex.

The project site is identified as Suffolk County Tax Map District 600, Section 119, Block 1, Lot 1.2. The subject property is presently vacant. The site is in the following service and planning districts:

- Riverhead Fire District
- Riverhead Central School District
- Riverhead Water District
- Riverhead Sewer District
- Riverhead Police Department
- Destination Retail Center (DRC) Zoning District
- Groundwater Management Zone III
- Central Suffolk Special Groundwater Protection Area (SGPA)
- Riverhead Commercial Sewer District

Project Description:

The proposed project seeks to develop a total of 194,422 square feet (SF) of retail floor area, in the form of a Wal-Mart store and a separate 27,000 SF retail structure. The project conforms to the DRC zoning district for the site, although minor relaxations of the applicable parking space dimensions, floor area ratio and impervious surface area limit are required.

This proposal to construct a new Wal-Mart store would result in the relocation of the existing Wal-Mart store from its present location about 2 miles to the east, near the intersection of CR 58 and CR 43. The existing Wal-Mart store has operated at that location since January 2001, and is a total of 120,341 SF in size.

The proposed Wal-Mart store will be a total of 167,422 SF in size, of which 146,018 SF are indoors and 21,404 SF are an outdoor garden center. The garden center is divided into three separate areas: 9,091 SF under a canopy on the eastern side of the building, 8,138 SF uncovered on the east of the covered area, and 4,175 SF of uncovered area on the south side or front of the building. Inside the Wal-Mart structure are a 2,305 SF snack bar (containing 54 seats), a three-bay truck loading dock on the northern (rear) side of the building, and a 9-bay, 3,744-SF tire/lube center. The auto maintenance operations at this facility will store and dispense common auto-related fluids, including new and used motor oil, lubricating oil and windshield washer fluid. A closed-system oil-water separator having a 1,000-gallon capacity is proposed in order to contain all fluids should a spill or leak occur.

The future occupants of the separate retail building are unknown at this time; it is anticipated that this secondary structure will be designed in an architectural style complementary to that of the Wal-Mart structure, using building materials having colors and textures similar to that of the Wal-Mart store.

The proposed Wal-Mart store will be sited in the deeper northwestern corner of the property, with the smaller free-standing retail store located to the east, and along the rear (northern) property line. Parking areas are primarily distributed in the center and southern portions of the property, with 86 spaces are located along the western property line, on the side of the Wal-Mart building. As part of the proposed project, a total of 0.46 acres of the Kroemer Avenue right of way ("ROW") located at the eastern periphery will be dedicated to the Town. Additionally, an undetermined amount of land along the southern portion of the site (preliminarily estimated at approximately one-half acre) would be offered for dedication to the County in connection with improvements to CR 58; a bus shelter would be provided in this area. The 194,422 SF of retail area would exceed the 15% maximum allowed lot coverage by 43.4% (58,884

SF), assuming a net lot area of 20.74 acres. Thus, Town Code Section 108-330H would require that 40 development credits be required to compensate for this overage. The applicant intends to acquire and present to the Town a preservation credit certificate for 40 preservation credits to be redeemed for this project.

Two signalized site accesses will be provided: at the eastern end of the site opposite Kroemer Avenue, and at the western corner of the site opposite the Tanger Outlet Mall site access. A retaining wall is required along the western perimeter of the site to allow for the construction of the site access drive in this location. Additionally, a five-foot wide sidewalk is proposed around the eastern and southern perimeters of the site and along the eastern portion of the westernmost access drive. A landscaped berm will be provided along the CR 58 frontage and additional landscaping will be provided within the parking area and adjacent to the proposed structures. A fifteen-foot wide Town of Riverhead Water District easement is proposed along the northern property boundary and will also be supplemented with landscape species following installation of utilities.

A minimum of 887 parking spaces are required for the proposed project under the Town Code for the site's DRC zone; 918 parking stalls will be provided (including 37 stalls "landbanked" until such time that the Town determines that these spaces are needed, and 24 handicapped stalls), thereby satisfying this requirement. In addition to landbanked parking, minor reductions in parking space dimensions have also been proposed to increase the amount of landscaped area and reduce impervious surfaces.

An on-site drainage system will be utilized to handle and recharge all stormwater runoff originating on the property. This system will be composed of subsurface drywell fields distributed in appropriate lower-elevation collection areas throughout the developed portions of the site. The drainage system will be sized to accommodate a 2-inch rainfall, in conformance with applicable Town standards.

Based on Suffolk County Department of Health Services (SCDHS) design criteria for wastewater system sizing, the proposed uses will generate approximately 7,143 gallons per day (gpd) of sanitary wastewater. This volume, in combination with an annual average landscape irrigation rate of 1,980 gpd, results in a total expected water use of 9,123 gpd. This demand is well within the capability of the Riverhead Water District supply system in the vicinity. Site lighting is subject to regulation under Town Zoning Code Section 108-250 to 108-252. The proposed project will satisfy all Town Code requirements for types of fixtures, pole height, average parking area illumination and streetlight illumination. In general, illumination of the parking areas increases in proximity to the buildings and internal roadways, with the roadways lit at a roughly constant level. Superimposed on these levels, illumination increases in

proximity to the buildings and at intersections of the internal access roadways.

Permits and Approvals:

The project will require the following permits and approvals:

Agency/Entity Permit/Approval
Town Board Site Plan Approval
Town Architectural Review
Board
Review and Recommendation
Town Department of Buildings,
Engineering and Housing
Building Permit
Riverhead Water District Water Supply Connection
Riverhead Sewer District Sewer Connection
Suffolk County Department of
Public Works (SCDPW)
Roadwork Permit
Suffolk County Planning
Commission (SCPC)
Review and Recommendation
SCDHS
Suffolk County Sanitary Code (SCSC) Articles 4
(Water Supply), 6 (Realty Subdivisions,
Development & Other Construction Projects), 7
(Water Pollution) & 12 (Toxic & Hazardous Materials
Storage & Controls)
New York State Department of
Environmental Conservation
(NYSDEC)
Stormwater Pollution Prevention Plan (SWPPP)

Steps Taken in Connection with the Action:

The history of project review for this site includes a previously-proposed Lowe's Home Improvement Center, which at that time required a Special Permit from the Town Board under the site's then-extant Industrial A zoning. That application did not receive approval and subsequently the Town Board changed the zoning designation for the site. The current Wal-Mart Store application was prepared and submitted in connection with the new DRC zoning of the site. Steps taken are described in more detail below.

On March 8, 2000, the Riverhead Town Board declared itself as lead agency on the environmental review of the Headriver, LLC/Lowe's Special Permit application and issued a Positive Declaration. The Town held a scoping hearing on May 17, 2000 to determine the Scope of Issues to be addressed in the required Draft Environmental Impact Statement (DEIS). The Town Planning Department issued the final DEIS Scope on July 26, 2000. The applicant submitted a DEIS for review by the Town Board on August 15, 2000; it was accepted by the Town Board on October 3, 2000 and a public hearing was held on December 20,

2000. Written comments received by the Town Board were sent to the applicant on January 26, 2001. On April 20, 2001, the Town Board received the applicant's Final EIS (FEIS). Based on its review, the Town Board identified four issues that required further analyses. Between April and August of 2001, the applicant prepared and submitted the additional analyses and, on August 29, 2001, the Town Board issued its Notice of Completion of the FEIS. The Findings Statement for the Headriver, LLC/Lowe's Special Permit application was adopted by the Town Board on October 2, 2001. On January 3, 2002, the SCPC issued its recommendation to the Town Board to deny the application. On February 20, 2002, a majority of the Town Board voted to approve the application. However, as a result of the SCPC's recommendation to deny the application, a simple majority vote was insufficient to constitute an approval of the application; therefore, the Resolution was deemed not adopted. Subsequent to this vote and, in conformance with recommendations of the Town Comprehensive Plan (adopted by the Town Board in November 2003), the subject site was rezoned to Destination Retail Center (DRC). As a result of these developments, the applicant for the Headriver, LLC/Lowe's Special Permit application amended the Site Plan that had been submitted in conjunction with the Special Permit application to reflect a different type of retail use for the site. This amended site plan application is known as "Headriver, LLC/Wal-Mart Store". This amended project was designed to conform to the DRC zoning district of the site, with the exception of minor relaxations for parking space dimensions, floor area ratio (FAR) and impervious surface area.

The Town Board, continuing as lead agency under SEQRA, reviewed the amended site plan application and issued its Positive Declaration, requiring that a Supplement to the prior EIS be prepared. The Town Board conducted a Scoping meeting for this amended Site Plan application on May 21, 2005.

The Draft Supplemental EIS (DSEIS) for the amended application was submitted to the Town Board on October 7, 2005, and was determined to be complete on November 15, 2005.

The Town Board conducted a public hearing on the document on February 15, 2006, and an FSEIS was submitted on May 9, 2006.

A Notice of Completion of the FSEIS was issued by the Town Board on _____, 2006.

FACTS, CONCLUSIONS AND MITIGATION MEASURES CONTAINED WITHIN THE DSEIS/FSEIS RELIED UPON TO SUPPORT THE LEAD AGENCY DECISION:

The following summarizes the results of the analyses performed for the five issues of potentially significant environmental impacts identified in the DSEIS Scope. The Draft and Final EIS documents contain substantial information on these and other issues that were analyzed as part of the SEQRA process. The following is a summary of the key issues of concern; however, the complete documents should be consulted for additional information on the project,

potential impacts and mitigation, and alternatives.

The analyses presented in the EIS compare the impacts of the proposed project to those of the prior proposal. The comparison demonstrates that the proposed project, on an environmental basis, will have more benefits and fewer impacts as compared to the prior proposal, as follows:

- a smaller net increase in retail space;
- preservation of farmland via redemption of preservation credits;
- greater degree of conformance to zoning;
- less building floor area;
- less building surface area;
- less impervious surface area;
- greater landscaped area;
- similar retention of natural vegetation;
- less sanitary wastewater generation and overall water use;
- similar volume of groundwater recharged;
- identical nitrogen concentration in recharge;
- fewer vehicle trips generated during the AM and Saturday peak hours;
- fewer parking spaces required and proposed;
- less solid waste generation;
- increased property tax generation; and
- more direct employment.

As a result of the changes incorporated in the proposed project, the proposed project conforms to the revised Town Zoning Code and requires no variances. The proposed Wal-Mart facility and separate retail building represent a less intense use than the prior proposal, based on all measures as quantified and qualitatively discussed in the EIS. Therefore, the overall impacts of the proposed project would be less than those of the previously-proposed project, as discussed and analyzed in greater detail in appropriate sections of the EIS document.

a. Disturbance and alteration of the project site:

- The prior DEIS anticipated that the entire 21.21-acre site would be subject to clearing and/or grading. The proposed project will disturb approximately 21.13 acres, including roadway dedications.
- The extent of clearing and grading operations for the proposed project does not include different types of excavation than previously described and analyzed. As a result, this proposed clearing/grading program is anticipated to represent a similar degree of potential impact as that discussed and analyzed in the prior DEIS, which was found to have marginal potential for adverse impact to geologic resources, which was mitigated by proper construction management and grading techniques.
- In consideration of the fact that there are no unusual landforms on the subject site, and with use of the above-noted dust and erosion controls, no significant adverse geologic impacts are expected.

b. Water:

- Based on SCDHS design standards for wastewater system design, the proposed project will result in a sanitary wastewater generation of approximately 7,143 gpd.

In comparison, the prior Lowe's project and associated uses would have generated 14,888 gpd, so that the proposed project will result in a substantial (52%) reduction of sanitary wastewater generated on-site.

- Similar to the prior proposal, all sanitary effluent will be disposed of off-site via public sanitary sewers of the Riverhead Sewer District. The proposed project will conform to SCDHS standards and, as such, will limit the impact to groundwater quality.
- In addition to the 7,143 gpd of water required in the buildings, an additional 1,980 gpd are needed for landscaping irrigation (no use of fertilizers is planned). The proposed project would have a recharge nitrate level of 0.02 milligrams per liter (mg/l), which is the same as the prior project. This is significantly lower than the drinking water standard of 10 mg/l and, as such, no impacts are expected.
- Based on the quantities presented for the proposed project, it is anticipated that a total of 20.48 million gallons per year (MGY) of water will be recharged on the site. This represents a 4.8% decrease in recharge generated on the property as compared with the recharge volume of the prior proposal (21.49 MGY). However, both recharge volumes represent substantial increases in site-generated recharge as compared to that of the site's existing condition. All stormwater will be discharged to the underlying groundwater through properly designed leaching systems. Use of an on-site drainage system (designed and approved in conformance to applicable Town standards) would ensure that the potential for impact to groundwater quality from runoff is minimized.
- The proposed project includes a Wal-Mart Tire and Lube Express, which offers a limited number of basic automotive services including oil changes and sales/installation of tires, batteries, windshield wiper blades, air filters and headlights. Wal-Mart operation methodology for these services complies with all hazardous materials handling regulations as required by federal, state and local authorities. Wal-Mart's operational requirements for its stores outline how the main products, oil, tires and batteries, as well as regulated materials, are to be handled so that each product is handled appropriately. This includes the management of automotive waste streams with a strong commitment to recycling.
- Following is a list of special protection and other design measures applicable to the tire and lube facility:
 - a. only typical auto-related fluids (motor oil, lubricating oil and windshield washer fluid) are to be present;
 - b. dispensing of oil and windshield washer solvent will be limited in scale and volume by the small amounts of these substances dispensed per vehicle and the small number of service bays;
 - c. the nature of the operation is such that spillage is not likely, as the fluids are dispensed in small volumes to specific locations/filling ports in each vehicle;
 - d. all maintenance procedures will occur indoors on an impervious concrete floor with no floor drains or potential for release;
 - e. any spilled fluids will have no opportunity to reach soil beneath the building due to the installation of a closed-system oil-water separator;
 - f. the fluids will be stored in double-walled tanks and properly designed indoor drum storage areas prior to dispensing, which conform to applicable federal, state and local regulations in regard to spillage, overfill, gauging and alarms;
 - g. the fluids will be dispensed through sealed rubber (or similar) hoses;
 - h. waste fluids will be recovered and stored in double-walled tanks until removed

by qualified vendors and removed on a frequent basis (used oil: at least once every 2 weeks; used tires: at least once a month; used batteries: weekly); and i. all new-oil and used-oil tanks are placed indoors in a room designed for the specific purpose of containing and dispensing automotive fluids in the safest manner possible.

- Based on adherence to the stringent regulations already in place in Suffolk County (Articles 7 and 12 of the SCSC) and Wal-Mart's corporate management structure and operational requirements, no significant adverse environmental impacts are expected as a result of the tire and lube center.
- The prior DEIS included a description and analysis of the water resource characteristics of the off-site pond in which the endangered tiger salamander is found; this pond is located within the Tanger Factory Outlet Center, approximately 600 feet south of the subject site and across CR 58. The prior FEIS addressed comments related to the potential for impact to this pond from water originating on the subject site, via overland runoff, via nitrogen, bacteria or viruses in groundwater, or as a result of construction activities. Based on the analysis, the similarity of its recharge characteristics to those of the prior proposal, the protective measures to be incorporated into the proposed project and the changes in permit requirements, it is concluded that the proposed project will likewise not impact this off-site resource.

c. Plants & Animals:

- It is anticipated that a total of 21.13 acres of vegetation will be cleared from the site, including roadway improvement areas (whereas the entire 21.21 acres of the site were proposed for clearing/grading operations under the prior application). The area to be retained includes the northwestern corner of the site, in the rear of the Wal-Mart building. This retained natural area is configured in a single block of vegetation; it is not a long, narrow band, and so would retain some potential for wildlife habitat, particularly for those species favoring "edge" habitat.
- A total of 4.84 acres of landscaping are proposed, compared to 2.62 acres under the prior application. This represents a significant (84.7%) increase in vegetated surfaces.
- Potential impacts to endangered tiger salamander was analyzed and considered in detail. Based on the proximity of the Tanger Factory Outlet Center to the tiger salamander preserve (particularly the Tanger II expansion, which abuts this pond), the buildings and parking areas within the Tanger site, the presence of CR 58 between this pond and the subject site, the fact that groundwater recharged on the subject which does not flow toward this pond, the lack of significant construction period impacts and the analyses presented in the prior FEIS, it is a logical conclusion that no impacts to this breeding pond would occur as a result of the proposed project.

d. Air and Transportation:

Air Resources

- The proposed project is not subject to additional air quality impact analysis under the NYSDOT Environmental Procedures Manual. It is anticipated that the potential for air quality impacts of the proposed project are similar to those of the prior proposal, although somewhat reduced in intensity, for the following reasons:

1. the level of potential for air quality impact is directly related and proportional to vehicle emissions;
2. analyses in the DEIS for the prior project indicated that that proposal would not result in significant air quality impacts;
3. the number of vehicle trips generated by the proposed project will be less than that generated by the prior proposal;
4. traffic impact analysis and mitigation will ensure that significant congestion, delays and resultant vehicle idling will not occur; and
5. therefore, the proposed project would not result in an increased level of vehicle emissions or related air quality impacts.

Traffic and Parking

- Based on analyses in the Traffic Impact Study (TIS), it has been concluded that the proposed project will not adversely affect traffic conditions on the street network in the vicinity of the site. Although the proposed development will add traffic to the surrounding street system, the impact of additional traffic will be minimized and accommodated by roadway and signalization modification. The following points should be recognized:

1. The amended development proposal for the subject site will generate substantially less traffic than the originally proposed home improvement store, retail space and restaurants.
2. Access points are located and designed such that site-generated traffic will be serviced without adversely affecting CR 58. In keeping with good access management practices, both access driveways will provide combined access to adjacent properties on CR 58.
3. Access points to the site will be clearly visible to traffic on CR 58, and no sight distance problems will exist in the vicinity of the driveways.
4. Most locations in the vicinity of the site have a history of minimal accident occurrence. In combination with recommended roadway modifications, traffic volumes generated by the proposed development will not have an adverse impact on current accident experience.
5. Capacity analyses indicate that intersections in the vicinity of the proposed development will operate well once the proposed roadway modifications are made.

- It should be noted that, with certain modifications, existing bus route [S-62] provides service that can be utilized by both the customers and employees of the proposed development. This bus service permits residents of the surrounding areas to obtain transportation to the Long Island Rail Road (LIRR) station as well as downtown Riverhead. The use of this bus service by both customers and employees of the proposed development will also reduce the traffic impact of the proposed development on the surrounding street network.

- The proposed bus shelter at the site's frontage will be a convenience for public transit users.

- The DRC zone requires at least 887 parking spaces; the proposed project includes 918 spaces, thereby satisfying this requirement. It should be noted that 37 of these spaces have been "landbanked" along the site's southern boundary abutting CR 58 (this area is to be landscaped), leaving 881 spaces physically available. If the Town or applicant determines that these spaces

are needed in the future, they can be provided.

- The Town Code requires parking space dimensions to be 10 feet 20 feet; however, the applicant requests a relaxation to 9.5 feet x 19 feet to reduce the total amount of impervious surfaces required to furnish the number of spaces needed. This 9.75% paved area reduction thereby enables an increase in landscaped area, which is a Town goal for the DRC zone. This relaxation, if granted, would not constitute an impact to parking availability or access, as the requisite number of spaces are provided, and the ability to enter and exit these spaces would not be impaired by the small reduction in per-space area (180.5 SF versus 200 SF). Therefore, this relaxation would not impact the parking characteristics of the project, and no adverse impacts are expected.

e. Growth and Community Character:

- The proposed project represents a slightly smaller building coverage in comparison to the prior project, although it is similar with respect to height. However, the use of a bermed, landscaped buffer area along CR 58 will screen virtually all of the parking area from the view of passing motorists, mitigating the visual impact of the proposal. Landscaping will also be provided within the parking areas as well as along the building foundations. In addition, the Wal-Mart building will be set back a distance of 360 feet from CR 58, further reducing potential visual impacts from “massing” of the structure in the proximity to passing motorists. Finally, the building materials to be utilized would tend to reduce adverse visual impact by providing an attractive palette of color and texture, blending the structures with those of adjacent and nearby sites.

- The proposed project is located along CR 58, a major commercial corridor in Riverhead. It should be noted that abutting or adjacent commercial uses (including the Tanger Outlet Center, which are immediately south of and across CR 58 from the site), an industrial use, a regional highway frontage and a NYSDOT maintenance yard characterize the community to which the proposed project must relate. Thus, the proposed project is well within the character of this type of community and no adverse impacts would be expected.

- The proposed project does not include any operations or facilities that generate odors that would impact the site or area. It is anticipated that the potential for noise impacts from the proposed project are similar to those of the prior proposal, which were determined to be not significant.

- The prior DEIS established that there are no cultural resources on the site; therefore, similar to the prior proposal, the proposed project does not represent an impact on such resources.

Four additional environmental issues were identified, described and analyzed in the DSEIS. The following summarizes the results of those additional analyses.

Land Use, Zoning and Town Comprehensive Plan:

- The land use category represented by the proposed project is similar to that of the majority of adjacent and nearby properties; this portion of the CR 58 Corridor is retail/commercial in nature as has been established and codified by the Town Board in its rezoning of this site to DRC, as well as other sites in the corridor.

Therefore, the proposed project, similar to the prior proposal, would not adversely impact the land use pattern of the area.

- In general, the proposed project conforms to the zoning of the site and the vicinity to a greater degree than was the case for the prior Lowe's to the Industrial A zone of the prior proposal.
- The proposed project is an "as-of right" use specifically listed in the DRC code for this zone. The project is designed to comply with all enforceable provisions of Sections 108-258, 108-259 and 108-260 of the Town Code. No Special Permits or Variances are needed, though relaxations of limits on FAR, limits on impermeable surface and the required dimensions for parking spaces are needed. As the agency administering commercial site plan applications, the Town Board is empowered to grant such relaxations. The applicant has committed to acquire 40 farmland credits, which will be required by the Town Board to achieve the density proposed for this project. The farmland acreage corresponding to these credits will be permanently preserved.
- The Town Board changed the zoning of the subject site from Industrial A to DRC in November 2004 in response to recommendations of the Town Comprehensive Plan. Therefore, as the proposed project conforms to the DRC zone, it may be concluded that the proposed project also conforms to the Plan for this site, and no adverse impacts are anticipated.
- The Wal-Mart store portion of the project includes a snack bar of 2,305 SF and a tire/lube center of 3,744 SF. These uses are 1.4% and 2.2 % of the square footage of the Wal-Mart store, respectively. The nature of these uses has been shown to be customary accessory uses to a store of this nature and size, and the percentages of each of these uses has demonstrated them to be incidental to the overall Wal-Mart store use.

Socio-Economic Conditions:

- Tax revenues generated by the project (totaling an estimated \$292,782/year) are anticipated to offset at least a portion of the increased cost to the various services to provide their services to the project, so that there will be minimal potential impact to the use, availability of and cost of these services to other site and areas within the various service areas. That is, there will be minimal potential impact to community services in the downtown and local community centers in the area.
- It is important to note that the proposed Wal-Mart is a relocation of the existing Wal-Mart store located less than two miles to the east, near the intersection of CR 58 and CR 43. This existing facility has been operating at this location for approximately five (5) years, so that socio-economic conditions of the area have had sufficient time to adapt to and accommodate this facility. As the project would be only slightly larger than this existing store, it is anticipated that it would attract the same consumer base, with the net result being that no significant adverse socio-economic impact is expected. It is also noteworthy that this relocated Wal-Mart store will be substantially farther from downtown Riverhead than the existing store (by approximately 1.5 miles).
- Construction of the project will create a number of job opportunities. Short-term construction jobs and some long-term employment opportunities (associated with the new 27,000 SF retail building) will be created, with consequent direct positive economic impacts from the income and property and sales taxes generated by the

new employees. In addition, indirect positive economic impacts will be realized, arising from:

1. the potential increase in the number of jobs at the local material suppliers patronized during the construction process,
2. the increased monetary flow to these suppliers from material purchases during this phase, and
3. the increased potential for these suppliers to experience long-term increased sales from customers attracted to the area due to the proposed project.

Community Facilities and Services:

- The proposed project would not generate any school-age children, and therefore will not impact enrollment of the Riverhead Central School District. In addition, the proposed project will significantly increase school district taxes generated in the site, increasing by 7.2x the existing \$24,702/year allocation (assuming the 2004-05 tax year rates) to approximately \$177,650/year. This increase will be a significant beneficial impact, particularly with respect to defraying the cost of the district's building construction/expansion, which is now in the planning stage.
- The Wal-Mart portion of the site will be monitored by Wal-Mart, while the remainder of the site will be monitored by the site owner, thereby reducing and/or minimizing the potential workload of the Riverhead Police Department.
- It is not anticipated that the existing low level of need for police services experienced at the existing Wal-Mart would be changed by the proposed project, in consideration of the following:
 1. The project site, similar to the vicinity of the existing Wal-Mart, is located in a commercial corridor wherein numerous large retail establishments are located, (e.g., Tanger Outlet Center, Riverhead Centre and Home Depot), so that police services, patrol assignments, etc. are well-established.
 2. The new Wal-Mart is not anticipated to contain any features, services or merchandise which would tend to increase the potential need for police services.
 3. The new Wal-Mart will include security lighting and alarm systems, which will help to reduce the potential need for police services.
 4. The new Wal-Mart will continue to pay property taxes, to be allocated to the Riverhead Police Department, which will offset the cost of police services.
- The Riverhead Fire District had indicated their ability to service the prior project and site, and increased tax generation would help to offset potential budgetary impacts incurred as discussed above; it is expected that the proposed project would also be served by these agencies and would represent reduced impacts due to its reduced size. The two major site access points of the prior proposal are part of the proposed project, increasing the Fire District's ability to access the site and surrounding areas. As noted in the TIS, *"Due to the excellent patrol coverage and the close proximity of the firehouse, it should be recognized that excellent emergency services are available to service the proposed development."*
- The proposed project is anticipated to generate approximately 1,730 pounds (lbs) of solid waste daily, an increase as compared to the 1,050 lbs/day estimated for the prior proposal. This volume of waste will be removed and disposed of by a private carter. Similar to the prior project, this waste is not anticipated to contain toxic or hazardous materials; oils and other wastes associated with the tire/lube center will

be stored, dispensed and removed under appropriate standards and guidelines, including use of licensed haulers.

- The Riverhead Water District is chartered to supply potable water to uses within its designated service area, and as a result is required to provide potable water to the site. The volume of potable water required by the proposed project is not excessive in consideration of the proposed use, and is significantly less than that previously proposed. Finally, the prior proposal had been issued a letter of water availability, suggesting that the proposed project could be supplied with potable water as well.
- The Riverhead Sewer District states that the sanitary wastewater generated by the proposed project can be accommodated in the district's collection system and treatment facility.
- LIPA and KeySpan had indicated their ability to provide electric and natural gas services to the prior proposal; it is anticipated that the same services would be available to the proposed project, particularly as the demand would be somewhat reduced, due to the reduction in building size.

Cumulative Development:

- The potential cumulative impacts of the proposed project (in conjunction with hypothetical development assumed for the adjacent OC Riverhead 58 property) were compared against those of the prior project (with the same hypothetical additional development). The comparison was based on the respective sanitary wastewater generation, land use and zoning, and traffic characteristics of each proposal. It should be noted that there are no pending development applications for the OC Riverhead 58 property.
- The combined 23.92-acre area was allotted 17,214 gpd of sanitary wastewater flow by the Riverhead Sewer District, for facility planning purposes. Deleting the 7,143 gpd from the proposed project and 5,940 gpd attributable to the Applebee's restaurant (determined in the prior DEIS), only 4,131 gpd of treatment capacity would remain for any additional development on the two sites. This 4,131 gpd of wastewater allotment corresponds to 137 restaurant seats assumed for this property in the prior DEIS.
- The anticipated cumulative water consumption and wastewater generation rates of the prior project (25,148 gpd) would have been too large to allow connections to the Riverhead Water District or Riverhead Sewer District. As the proposed project will significantly decrease water and wastewater generation in comparison to the prior proposal, the potential cumulative impacts to these services for the proposed project would be reduced as well.
- The cumulative development analysis in the TIS for the prior proposal indicated that excellent levels of service would be achieved, once the prior-proposed roadway and signalization changes were made. The same applies to the proposed project. The following describes and discusses the mitigation measures taken by the proposed project, for all of the of environmental issues addressed in the DSEIS:

a. Disturbance and alteration of the project site:

- The Site Plan has been designed so that, to the greatest degree practicable (commensurate with site elevation requirements to provide for proper drainage and wastewater flow), excavated material will be reused within the site as fill, reducing the need for import or export of fill.

- An SWPPP will be submitted to the NYSDEC for its approval, prior to the onset of construction.
- Recommendations of the SWPPP (which includes an Erosion Control Plan) will be implemented to minimize the potential for erosion of the site's soils during the construction period. These mitigation measures include: use of groundcovers (vegetative or artificial), drainage diversions, soil traps, minimizing the area of soil exposed to erosive elements at one time, and minimizing the time span that soil is exposed to erosive elements.
- Dust raised during grading operations may be minimized and controlled by the use of water sprays, a truck cleaning station at the construction exit, and implementation of any dust suppression systems specified by the appropriate Town agencies.
- Truck movements and construction activities will be undertaken on the site during the hours of approximately 7 AM-6 PM or as specified by the Town Code.

b. Water:

- The Wal-Mart Tire and Lube Center will store and dispense small quantities of common auto-related fluids, including new and used motor oil, lubricating oil and windshield washer fluid. These activities will take place in a specially-designed and operated facility within the Wal-Mart store, which includes installation of a closed-system oil-water separator, ensuring that no release or leakage of oil will reach the soil beneath the structure. Consequently, no impact to groundwater quality is anticipated from this source.
- The proposed project will utilize the public sewer system for disposal of sanitary wastes. The overall nitrogen concentration in recharge of 0.02 mg/l will result from irrigation and stormwater runoff. The anticipated concentration is less than the NYSDEC drinking water standard of 10 mg/l and therefore, the proposed project is not expected to result in significant adverse effects to groundwater quality with regard to nitrogen loading.
- Computer model results for the proposed project indicate that a total of 20.48 MGY of water will be recharged on the site. In conformance with the Town requirements, all stormwater runoff generated on developed surfaces will be retained on-site, to be recharged to groundwater in proposed stormwater catch basins and leaching pools.
- The project site will utilize public water, to be supplied by the Riverhead Water District via an existing main beneath CR 58. The potable water requirement of the project, 7,143 gpd, is not anticipated to impact the ability of the Riverhead Water District to serve the public in the vicinity.
- Where applicable, construction will utilize water-saving plumbing fixtures and systems.
- An on-site irrigation system will be utilized for the 4.84 acres of landscaping proposed; it may be equipped with moisture sensors to further reduce the volume of water required for irrigation.
- As no impacts to the water resources of the off-site tiger salamander breeding pond are anticipated from stormwater runoff or groundwater originating on the subject site, no mitigation measures are necessary in this regard, and none are proposed.

c. Plants & Animals:

- The majority of the 18.95 acres of natural vegetation on the property are dominated by successional and somewhat mature woodland. Approximately 0.08 acres of this woodland will be retained, in the northwestern portion of the site. Approximately 4.84 acres of landscaping will replace a portion of this removed vegetation, and will incorporate native and native-compatible species.
- Regional impacts to vegetation and habitat will be negligible, as the project site has experienced several events of prior disturbance, is surrounded by a highway, NYSDOT maintenance yard, industrial building and commercial use, is small in size and represents only a small portion of the natural vegetation in the area.
- As no impacts to the ecological conditions of the off-site tiger salamander breeding pond are anticipated from water resources originating on the subject site, no mitigation measures are necessary in this regard, and none are proposed.

d. Air and Transportation:

Air Resources

- As no impacts to air quality are anticipated from the proposed project or the increase in vehicle traffic, no mitigation is necessary or proposed.

Traffic and Parking

- Based on analyses in the TIS, it has been concluded that the construction of the proposed project will not adversely affect traffic conditions on the street network in the vicinity of the site. Although the proposed development will add traffic to the surrounding street system, the impact of additional traffic will be minimized and accommodated by the proposed roadway and signalization modifications.
- The existing S-62 bus route provides service that can be utilized by both the customers and employees of the proposed development. The use of this bus service will reduce the traffic impact of the proposed development on the surrounding street network.

e. Growth and Community Character:

- The potential visual impact of the proposed project will be mitigated due to the design and layout of the site (including a 360-foot highway setback for the Wal-Mart building), the use of a professionally-designed landscaping plan, and by the limited views of the site from most points to the east, west and north. In addition, the project will include an attractive lighting design that will heighten the attractiveness of the site for individuals viewing it from CR 58.
- The visual character of the site will be changed by the proposed project; however, this change will be in keeping with the existing visual character of the adjacent and nearby commercial uses along the CR 58 corridor.

Land Use, Zoning and Town Comprehensive Plan:

- As no significant impact to the land use pattern in the vicinity is anticipated, no mitigation measures are necessary or proposed. The proposed structures have been sited in the portion of the site farthest from CR 58, minimizing the effect of the anticipated land use change of the site relative to adjacent and nearby land uses.
- Redemption of the 40 preservation credits that the applicant proposes to acquire (to enable the 15% maximum lot coverage requirement to be exceeded, per Town

Code Section 108-330H), will permanently preserve farmland resources of the Town. The relaxation of certain dimensional requirements needed for this project are of the kind to be expected when preservation credits are redeemed to increase lot coverage.

- As no impact to the existing zoning of the site or the zoning pattern in the area is anticipated, no mitigation measures are necessary or proposed. Except for the required relaxations, the proposed project has been designed to conform with all applicable zoning regulations and requirements, including setbacks, yards and building height. It is not anticipated that approval of the proposed project will significantly impact the existing potential for development or redevelopment of other sites in the area.
- As the proposed project conforms with the enforceable provisions of the DRC zoning legislation which was adopted pursuant to the Town Comprehensive Plan and enacted by the Town Board, the proposed project conforms with the Town's implementation of the Town Comprehensive Plan. As a result, no impacts are anticipated, and no mitigation is necessary or proposed.

Socio-Economic Conditions:

- The significant increase in property taxes paid by the project will offset at least a portion of the increased costs to police, fire/ambulance and other public services caused by the project.
- The proposed project will provide a significant positive benefit in terms of tax revenues to the Riverhead School District, particularly as the site presently and will in the future generate no school-age children. The proposal will provide a large increase (of approximately 7.2x) in school taxes generated by the site.
- The Economic Impact analysis prepared for the proposed project indicates that it will result in significant increases in sales taxes, employee wages and employment during both the (temporary) construction period and (long-term) site occupancy.
- The proposed Wal-Mart store is the relocation of an existing Wal-Mart store located an estimated 2 miles to the east, and therefore does not represent the installation of a new store in an area not previously served by Wal-Mart. As such, there would be no change in the socio-economic condition of the area due to the proposed Wal-Mart.
- Relocation of the existing Wal-Mart store to the project site will increase the property taxes generated on the Headriver, LLC site, while substantial property taxes will continue to be paid in connection with the vacated store site. As a result, the impact of the proposed project will be to increase taxes paid by the site of the proposed project, and will not reduce property tax revenues from the site of the existing Wal-Mart store.

Community Facilities and Services:

- In regard to police and fire protective services, the TIS states:
Due to the excellent patrol coverage and the close proximity of the firehouse, it should be recognized that excellent emergency services are available to service the proposed development.
- Provision of security alarms and lighting for the facilities will increase the level of security on the entire property.
- Use of fire resistant building materials, as well as adherence to the NYS Fire Code

will increase the level of safety from fires and minimize the potential for use of ambulance services.

- The substantial increase in school district taxes paid by the proposed project will help defray the costs of the Riverhead Central School District's on-going facility expansion program.
- Use of water-saving plumbing fixtures and equipment will minimize the increase in water use on the property.
- As the Riverhead Water District had indicated that the district would be able to provide water service to the prior proposal, and the proposed project will require significantly less water, it is anticipated that no significant impacts are expected. Design and installation of the water supply system will be subject to the review and approval of the Riverhead Water District and SCDHS.
- Use of energy-conserving equipment and building materials will minimize the increase in the use of electrical and natural gas resources.

Cumulative Development:

- The prior proposal could not have met the Riverhead Sewer District's wastewater allocation for the 23.92-acre site (encompassing the 21.21-acre subject site and adjacent 2.71-acre OC Riverhead 58 site) of 17,214 gpd. The proposed project also cannot satisfy this limit, though it is significantly closer to this limit than the prior proposal (17,403 gpd vs. 25,148 gpd). Therefore, while full development under either proposal for this overall planning area would not be permitted to connect to the District, the proposed project would require only a minor decrease in yield (7 restaurant seats) to satisfy the limit, whereas the prior proposal would require a significant reduction, or until such time that re-allocation, reductions in sanitary generations or increased allocation become available, or it is demonstrated that the proposed uses meet the allocated flow.
- The results of the cumulative traffic analysis indicate that excellent levels of service will be achieved for the proposed cumulative development once the proposed mitigation measures (including geometric and signalization changes) are implemented.
- Unsignalized intersection capacity analyses were performed at the intersection of NYS Route 25 at Kroemer Avenue. The results indicate that marginal operating conditions exist at the intersection during the PM peak hour, and that these conditions will deteriorate to unacceptable levels in the future No Build condition. It is recommended that the Town of Riverhead contact the NYSDOT to discuss this condition. Although the deterioration in levels of service is due, not to the addition of traffic from the proposed development, but to the projected normal traffic growth combined with the traffic flow from other area developments, the applicant is willing to participate in reasonable improvements at this location for mitigation purposes as might be requested by NYSDOT.
- It should be noted that, with certain modifications, existing bus routes provide bus service that can be utilized by both the customers and employees of the proposed development. The bus service permits residents of the surrounding communities to obtain transportation to the Riverhead LIRR station as well as downtown Riverhead. The use of this bus service by both customers and employees of the proposed development will also reduce the traffic impact of the proposed development on the surrounding street network.

CERTIFICATION OF FINDINGS TO APPROVE/UNDERTAKE:

Based upon the information contained in the FSEIS (which includes the entire EIS record for this project), as outlined in these Findings and the supporting documentation provided, the Riverhead Town Board hereby finds that the Project, as proposed, minimizes potential environmental impacts and will provide the necessary balance between the protection of the environment and the need to accommodate social and economic considerations. Therefore, having considered the DSEIS, the FSEIS and having further considered the foregoing written facts and conclusions relied upon to meet the requirements of 6NYCRR Part 617.11, this Statement of Findings certifies that:

1. The requirements of 6NYCRR Part 617 have been met.
2. Consistent with social, economic and other essential considerations from among the reasonable alternatives thereto, the proposed action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable, including the effects disclosed in the FSEIS.
3. Consistent with social, economic, and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the FSEIS process will be minimized or avoided by adoption of the proposed plan and by incorporating as conditions to the decision those mitigation measures which are practicable contained herein.

The Town Board, pursuant to 6NYCRR Part 617.11 has prepared the Findings stated herein and shall cause it to be filed in accordance with 6NYCRR Part 617.12(b).

Copies of this Statement have been filed with:

NYSDEC, Division of Regulatory Services, Albany
Environmental Notice Bulletin

SCDPW

SCDHS

Robert Cardinale, Supervisor, Town of Riverhead
Town Board, Town of Riverhead

Barbara Grattan, Town Clerk, Town of Riverhead
Planning Board, Town of Riverhead

Building Department, Town of Riverhead

Town Engineer, Town of Riverhead

Riverhead Water District

Riverhead Sewer District

Riverhead Free Library

Richard Hanley, Director, Town of Riverhead Planning Department

Parties of Interest

Linda U. Margolin, Esq. (for the applicant)

Applicant

September 6, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 813

APPROVES AMENDED SITE PLAN OF TRADITIONAL LINKS, LLC

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

WHEREAS, a site plan application was submitted by Traditional Links, LLC (Friar's Head Golf Club) to construct three (3) guest cottages as accessory use to an existing private golf course and club, upon real property located at Sound Avenue, Baiting Hollow, New York, known and designated as Suffolk County Tax Map Number 0600-41.-1-10.6 and

WHEREAS, the site plan was granted relief by the Riverhead Zoning Board of Appeals from the strict provisions of Chapter 12 of The Riverhead Town Code; such determination dated June 8, 2006 (Appeal Number 06-48) and

WHEREAS, the Riverhead Planning Board by resolution dated November 5, 2005 did approve the construction of cottage number three (3) pursuant to Chapter 12 of the Riverhead Town Code, and

WHEREAS, the matter was referred to the Suffolk County Planning Commission; such commission determined the matter to be one of local determination.

WHEREAS, the Planning Department has reviewed the site plan dated August 30, 2006 as prepared by E.S. Kalogeras, P.E. and elevations submitted to the Planning Department be approved; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 406 of the Office of the Financial Administrator of the Town of Riverhead; and;

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

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the site plan application of Traditional Links, LLC, the Riverhead Town Board hereby relies upon that finding statement made by the Riverhead Town Board by resolution number 1180 of November 5, 2003 by which the adverse impact of the construction of 22 guest cottages were mitigated through Project Design, and

BE IT FURTHER

RESOLVED, that the Riverhead Town Board hereby determines the proposed guest cottages are considered a customary accessory use on the subject premises due to the following site and future use conditions:

- (i) That the Friar's Head Golf Club is a private golf club with private membership and is in no instance made available for public play;
- (ii) That the accessory guest cottages are for the exclusive use by the members of Friar's Head Golf Club and their guests;
- (iii) That the twenty-two (22) guest cottages analyzed in the relevant SEQRA record will not result in providing overnight accommodations for greater than ten percent (10%) of the total club membership;
- (iv) That the guest cottages will not be constructed on subdivided lots;
- (v) That no kitchen facilities will be provided within the subject guest cottages, and

BE IT FURTHER

RESOLVED, that the site plan submitted by Traditional Links, LLC to construct three guest cottages as accessory use to an existing private golf course and club, site plan prepared by E.S. Kalogeras, P.E. is hereby approved by the Town Board 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, 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 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 all new utilities shall be constructed underground;
6. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
7. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
8. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further
9. That the use of the guest cottages are exclusive to the members of Friar's Head Golf Club and their guests;
10. That the guest cottages shall exist on land owned by Friar's Head Golf Club and shall not be located on single and separate lots;
11. That no parking or driveway facilities shall be constructed in connection with guest cottages;
12. That no kitchen facilities shall be provided within guest cottages.

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Traditional Links, LLC (Friar's Head Golf Club) the Riverhead Planning Department, the Riverhead Building Department, the Town Attorney and the Town Engineer.

Planning Department

THE VOTE

Dunleavy ✓	yes	no	Bartunek ✓	yes	no
Blass <i>absent</i>	yes	no	Densieski ✓	yes	no
			Cardinale ✓	yes	no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

September 6, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 814

APPROVES SITE PLAN OF BAITING HOLLOW CLUB

COUNCILMAN BARTUNEK _____ offered the following resolution,
which was seconded by **COUNCILMAN DUNLEAVY** _____:

WHEREAS, a site plan application was submitted by The Baiting Hollow Club to construct a temporary observation platform, upon real property located at Sound Avenue, Baiting Hollow, New York, known and designated as Suffolk County Tax Map Numbers 0600-40.-2-6.3 and 0600-40.-2-p/o 10 and

WHEREAS, the Planning Department has reviewed the site plan dated August 22, 2006 as prepared by Young & Young and elevations submitted to the Planning Department be approved; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 406 of the Office of the Financial Administrator of the Town of Riverhead; and;

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

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the site plan application of The Baiting Hollow Club, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Type II pursuant to 6NYCRR Part 617.

BE IT FURTHER

RESOLVED, that the site plan submitted by The Baiting Hollow Club to construct a temporary observation platform, site plan prepared by Young & Young is hereby approved by the Town Board 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, 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 pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
4. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further
5. That the proposed temporary observation platform shall be abandoned within six months of the issuance of the relevant building permit.

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Mr. Barry Beil, the Riverhead Planning Department, the Riverhead Building Department, the Town Attorney and the Town Engineer.

Planning Department

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

Adopted

September 6, 2006

TOWN OF RIVERHEAD

Resolution # 815

APPROVES SITE PLAN OF MCGANN-MERCY HIGH SCHOOL

COUNCILMAN DENSIESKI

_____ offered the following resolution,
which was seconded by **COUNCILMAN BANTONER** _____:

WHEREAS, a site plan application was submitted by McGann-Mercy High School (Roman Catholic Diocese of Rockville Centre) to re-construct an existing parking area and construct tennis courts with fencing and lighting, upon real property located at the 1225 Ostrander Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-082-3-6 and

WHEREAS, the Planning Department has reviewed the site plan dated January 23, 2006 as prepared by John C. Ehlers Land Surveyor and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 20901 of the Office of the Financial Administrator of the Town of Riverhead; and;

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

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the site plan application of McGann-Mercy High School (Roman Catholic Diocese of Rockville Centre) the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Type II pursuant to 6NYCRR Part 617.

BE IT FURTHER

RESOLVED, that the site plan submitted by McGann-Mercy High School to re-construct an existing parking area and construct tennis courts with fencing and lighting, site plan prepared by John C. Ehlers Land Surveyor and dated January 23, 2006 is hereby approved by the Town Board 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 no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
4. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
5. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
6. 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, McGann-Mercy High School hereby authorizes and consents to the Town of Riverhead to enter premises at 1225 Ostrander Avenue, Riverhead, New York 11901, to enforce said handicapped parking regulations;
7. 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;
8. That all new utilities shall be constructed underground;
9. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the

site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.

10. That no certificate of occupancy shall issue for the tennis court, fencing and lighting until such time as a Chapter 107 Permit has been issued by the Riverhead Conservation Advisory Committee.

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to McGann-Mercy High School (Roman Catholic Diocese of Rockville Centre), the Riverhead Planning Department, the Riverhead Building Department, the Town Attorney and the Town Engineer.

Planning Department

THE VOTE

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

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

September 6, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 816

APPROVES SITE PLAN OF WILLOW PONDS ON THE SOUND

(SOUND HOUSING LLC.)

COUNCILMAN DUNLEAVY

_____ offered the following resolution,

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

WHEREAS, a site plan application was submitted by Willow Ponds on the Sound (Sound Housing, LLC) to allow the construction of a 900 sq. ft. Maintenance Building and the re-stripping of a parking area, upon real property located at the north side of Sound Avenue, west of Doctor's Path, Riverhead, New York, known and designated as Suffolk County Tax Map Numbers 0600-018-1-12 and 0600-018-1-13 and

WHEREAS, the Planning Department has reviewed the site plan dated July 24, 2006 as prepared by Young & Young and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 404 of the Office of the Financial Administrator of the Town of Riverhead; and;

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

NOW, THEREFORE, BE IT

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

BE IT FURTHER

RESOLVED, that the site plan submitted by Sound Housing, LLC to allow the construction of a 900 sq. ft. Maintenance Building and the re-stripping of a parking area, site plan prepared by Young & Young and dated July 24, 2006, is hereby approved by the Town Board 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, 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 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 parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
6. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
7. 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, Sound Housing LLC hereby authorizes and consents to the Town of Riverhead to enter premises at Sound Avenue, Riverhead, New York 11901, to enforce said handicapped parking regulations;
8. 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;
9. That all new utilities shall be constructed underground;
10. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures

the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Sound Housing, Inc. the Riverhead Planning Department, the Riverhead Building Department, the Town Attorney and the Town Engineer.

Planning Department

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

Adopted

9/6/06

TOWN OF RIVERHEAD

Resolution 817

REASSIGNS THE CODE ENFORCEMENT OFFICERS TO THE TOWN ATTORNEY'S OFFICE

Councilman Densieski offered the following resolution, which was seconded by Councilman Dunleavy:

WHEREAS, the Town of Riverhead is initiating a Safe Housing Initiative which would focus on code enforcement issues created by overcrowded housing within the Town, and

WHEREAS, the Town Board has determined that the appropriate department through which to conduct the Safe Housing Initiative is the Town Attorney's office, and

WHEREAS, in order to consolidate and coordinate the Safe Housing Initiative with the Town's code enforcement needs the Town has determined that the code enforcement officers (ordinance inspectors/ordinance enforcement officers) should be reassigned to the Town Attorney's office.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead, hereby authorizes the reassignment of the code enforcement officers (ordinance inspectors/ordinance enforcement officers) to the Town Attorney's office effective immediately; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Fire Marshal, Code Enforcement Officers, Town Attorney, Office of Accounting.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

9/6/06

Adopted

TOWN OF RIVERHEAD

Resolution # 818

AMENDS RESOLUTION #751 OF 2006
(APPOINTMENT OF TRAFFIC CONTROL OFFICERS
TO THE POLICE DEPARTMENT)

COUNCILMAN BARTUNEK

_____ offered the following resolution, was seconded by

COUNCILMAN DUNLEAVY

WHEREAS, Chief of Police David J. Hegermiller has recommended that the names of Leroy A. Brown and Tianna R. Vassallo be removed from Resolution #751 adopted by the Riverhead Town Board on August 15, 2006 due to their refusal to accept the position of Traffic Control Officer.

NOW THEREFORE BE IT RESOLVED, that Resolution #751 is hereby amended to reflect the deletion of Leroy A. Brown and Tianna R. Vassallo; and be it further

RESOLVED, that effective August 16, 2006, Jan McKenna and James R. Magee are appointed to the position of Traffic Control Officer at the hourly rate of pay of \$12.; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Leroy A. Brown, Tianna R. Vassallo; the Chief of Police and the Office of Accounting.

THE VOTE

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

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

9/6/2006

Adopted

TOWN OF RIVERHEAD

Resolution # 819

APPROVES REQUEST FOR LEAVE OF ABSENCE

COUNCILMAN DUNLEAVY

offered the following

resolution, which was seconded by COUNCILMAN BARTUNEK

WHEREAS, Tanya Newman, a Public Safety Dispatcher, has requested a 30 day, non-paid leave of absence from the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that Tanya Newman's request for a non-paid leave of absence from September 2, 2006 through October 1, 2006 is hereby approved subject to the following condition(s):

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

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

THE VOTE

Dunleavy	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Bartunek	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Blass	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

September 6, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 820

APPROVES REQUEST FOR LEAVE OF ABSENCE

COUNCILMAN BARTUNEK

_____ offered the following
resolution, which was seconded by _____
COUNCILMAN DUNLEAVY

WHEREAS, Patrick Lennon, a Maintenance Mechanic III in the Water Department has requested a 3 month non-paid leave of absence to attend the Suffolk County Police Academy.

NOW, THEREFORE, BE IT RESOLVED, that Patrick Lennon's request for a 3 month non-paid leave of absence from September 12, 2006 to December 12, 2006 is hereby approved subject to the following condition(s):

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

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

THE VOTE

Dunleavy	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Bartunek	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Blass	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

September 6, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 821

APPROVES REQUEST FOR LEAVE OF ABSENCE

COUNCILMAN DUNLEAVY

_____ offered the following
resolution, which was seconded by **COUNCILMAN BARTUNEK**

WHEREAS, Robert Tribuzio, a Laborer in the Sanitation Department has requested a 1 month non-paid leave of absence.

NOW, THEREFORE, BE IT RESOLVED, that Robert Tribuzio's request for a 1 month non-paid leave of absence from October 1, 2006 to November 1, 2006 is hereby approved subject to the following condition(s):

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

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Robert Tribuzio, the Sanitation Supervisor, and the Office of Accounting.

THE VOTE

Dunleavy	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Bartunek	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

September 6, 2006

TOWN OF RIVERHEAD

Resolution # 822

Adopted

**TRANSFER OF AN ACCOUNT CLERK TYPIST
TO THE SANITATION DEPARTMENT**

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

WHEREAS, a position for an Account Clerk Typist has been created in the Sanitation Department; and

WHEREAS, the position has been duly posted (Posting#15), interviews conducted, and

WHEREAS, the Personnel Committee and the Department Head wishes to transfer Gina Chew; and

NOW, THEREFORE, BE IT RESOLVED, that effective September 11, 2006, the Town Board hereby transfers Gina Chew to the position of Account Clerk Typist in the Sanitation Department at no change in pay, and

BE IT FURTHER RESOLVED, that the paid position of Cashier is hereby abolished.

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No
absent

Densieski Yes No

Cardinale Yes No

Adopted

September 6, 2006

TOWN OF RIVERHEAD

Resolution # 823

TRANSFER OF AN ACCOUNT CLERK TYPIST TO THE BUILDING DEPARTMENT

COUNCILMAN BARTUNEK

_____ offered the following
resolution, which was seconded by _____

COUNCILMAN DUNLEAVY

WHEREAS, a vacancy exists for the position of Account Clerk Typist in the Building Department, and

WHEREAS, the position has been duly posted (Posting#15), interviews conducted, and

WHEREAS, the Town Board and the Department Head wishes to transfer Billie Jo Jaeger; and

NOW, THEREFORE, BE IT RESOLVED, that effective September 11, 2006, the Town Board hereby transfers Billie Jo Jaeger to the position of Account Clerk Typist in the Building Department at no change in pay, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Billie Jo Jaeger, the Building Department and the Accounting Department.

THE VOTE

Dunleavy	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Bartunek	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

TOWN OF RIVERHEAD

Adopted

Resolution # 824

APPOINTS MEMBERS TO THE RIVERHEAD OPEN SPACE/PARK PRESERVE COMMITTEE

COUNCILMAN DUNLEAVY

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

WHEREAS, Chapter 14-40 of the Riverhead Town Code entitled "Open Space/Park Preserve Committee" causes the establishment of an advisory body to the Town Board known as the Open Space/Park Preserve Committee consisting of (7) members; and

WHEREAS, two vacancies presently exist on the committee, and

WHEREAS, the Riverhead Town Board has reviewed resumes submitted for consideration.

NOW THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby appoints two members to the Open Space/Park Preserve Committee as follows:

George A. Goode, II
Mark B. Terry

Two-year term expiring September, 2008
Two-year term expiring September, 2008

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to George Goode II, Mark B. Terry, and members of the Open Space/Park Preserve Committee.

THE VOTE

DUNLEAVY YES NO BARTUNEK YES NO
BLASS YES NO *Absent* DENSIESKI YES NO
CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

MARK B. TERRY

3174 Sound Avenue
Riverhead, New York 11901
(631)-727-3771

EDUCATION: **SUNY College of Environmental Science and Forestry**, Syracuse, New York.

Bachelor of Science Degree: cum laude, May 1992

Major: Environmental Studies: Concentration, Wetland Science

Presidents Honor List: 1990-1992

Suffolk Community College, Selden, New York.

Member - Pi Alpha Sigma Honor Society: 1990

University of Florida Institute of Food and Agricultural Sciences, Ft Lauderdale, Florida.

Continuing Education Classes 1993 -1995

Related Course Work:

Wetland Wildlife Ecology and Management

Freshwater Wetland Systems

Wetland Assessment and Mitigation

Environmental Impact/Principles/Strategies

Propagation of Aquatic Plants

Community Development Processes

Watershed Hydrology

Coastal Zone Management

Technical Writing

Soils

Certification:

US Army Corps of Engineers Wetland Delineation Course (Certificate 1995)

Related Papers:

A Watershed Runoff Model to Calculate Peak Runoff for a Sprawling Development Scenario using Microsoft Spreadsheet Format.

SKILLS:

Field:

SEQR/Environmental Assessments

Propagation of Fresh and Saltwater Plants

Taxonomic Identification of Northeast Flora and Fauna

Wetland Delineation Techniques

Identification and Evaluation of Biotic Communities

Project Management

Wetland Monitoring

Water Quality Assessment

Orienteering

SCUBA certified

Construction Management

Biotic Community Mapping

Providing Expert Testimony

Applying Evaluation Indices (WET)

Computer:

Global Positioning Systems

Geographic Information Systems

MapInfo

Microsoft Word for Windows

Microsoft Access and Excel

Word Perfect

Statistical Applications

EXPERIENCE: **The Town of Southold Department of Planning**

Southold, New York

Acting Department Head

2005-Present

Local Waterfront Revitalization Coordinator

2005- Present

Senior Environmental Planner

2002-Present

Acting Department Head responsibilities include; management of the Planning Department and staff, serving as long term planning project manager, reviewing code and drafting code amendments, financial management and administration of Town Policy.

Local Waterfront Revitalization Program Coordinator responsibilities include; Implementation of the LWRP, reviewing all applications for consistency review to the Program, soliciting and managing grants, monitoring storm water projects and recommending code amendments.

Senior Environmental Planner responsibilities include; Overseeing the environmental review of subdivision applications, lot line and site plan applications within the Planning Department. Evaluating applications to the New York State Environmental Quality Review Act and coordinating with other jurisdictional agencies and Town departments and creating and updating natural resource map layers for Town GIS system.

The East Coast Adventure Tour Company, Inc. - President/Senior Guide Seasonal/1996-2001
Sag Harbor, New York

Responsibilities included formulating and applying business and marketing plans, training and management of personnel, forecasting sales, attending trade shows, purchasing equipment, creating and submitting advertisements, performing accounting tasks and designing and implementing educational adult and children's eco-tour kayak programs with an emphasis on wetland stewardship and conservation.

Cramer Consulting Group - Per-Diem Project Manager/Biologist 1999-2000
Miller Place, New York

Assisted clients through the U.S. Army Corps of Engineers/NY Department of State Division of Coastal Resources and the New York State Department of Environmental Conservation permitting process. Conducted field evaluations, biotic community mapping, water depth soundings and aerial photo interpretation for dock, bulkhead and saltwater marsh construction and/or restoration projects. Prepared project drawings, support materials and responses for submittal to regulatory agencies.

Forestry Resources Environmental Services, Inc. - Per-diem Project Manager 1996-1998
Ft. Myers, Florida

Developed, applied and managed the Ft. Myers International Airport Wetland Mitigation Management Program. Worked closely with the U.S. Army Corps of Engineers, the Florida Department of Environmental Protection and the South Florida Water Management District to permit and manage numerous private and public wetland mitigation projects. Designed and applied exotic and nuisance species eradication programs to mitigated wetlands and performed cost estimating, project management and success monitoring.

CZR Incorporated - Biologist I/Project Manager 1994-1996
Jupiter, Florida

Reported to regulatory agencies to permit, manage, and monitor wetland and upland mitigation projects. Applied evaluation indices and delineation techniques to degraded wetlands habitats and made recommendations for restoration. Designed exotic species control and mitigation remediation plans for habitats. Conducted endangered species (Sea grass, Gopher Tortoise and Scrub Jay) surveys, mapping and relocation programs. Served as the lead consultant for the Lake Okeechobee, Trail Glades and Six Mile Slough mitigation bank projects. Provided expert testimony to the Florida Legislature on the mitigation bank projects and long-term feasibility of the concept.

Plants for Tomorrow, Inc. - Monitoring Biologist/ Project Manager 1992-1993
Loxahatchee, Florida

Monitored coastal and aquatic wetland mitigation systems, applied statistical operations to data groups, published and submitted reports to government agencies, collected and installed aquatic plants and conducted chemical and manual exotic species control techniques in mitigated areas.

PROFESSIONAL ORGANIZATIONS: American Planning Association, The Society of Wetland Scientists (inactive).

GEORGE A. GOODE, II

6 Summit Drive, Baiting Hollow, New York 11933
Home (631) 369-0377, goodes@optonline.net
Office (631) 344-4549, goode@bnl.gov

QUALIFICATION SUMMARY:

- *Twenty years of environmental management experience.*
- *Strong technical knowledge of environmental regulations, environmental management systems, pollution prevention, natural resource management, waste management, facilities and project management.*
- *Excellent working relationships with colleagues, DOE, and local, state, and federal regulators.*
- *M. S. Environmental Technology, B.S. Biology*
- *Nationally recognized pollution prevention expert*

EXPERIENCE:

Manager, Environmental & Waste Management Services Division **3/2003-Present**
BROOKHAVEN NATIONAL LABORATORY, UPTON, NY

Manage all elements of the environmental program at the Laboratory with the exception of the CERCLA clean-up. Supervise a staff of 48 professional and technical personnel providing full range of environmental and waste management services, including compliance programs for CAA, CWA, RCRA, SDWA, TSCA, NEPA, NESHAPS, Cultural and Natural Resources Management. Manage all aspects of radioactive and hazardous waste management, transportation, and disposal. Obtain and maintain all environmental permits and prepare all regulatory reports. Manage combined budget of approximately \$8.3M. Also serve as management representative for ISO 14001 registered Environmental Management System, and oversee the Lab's participation in EPA's Performance Track Program. Strong commitment to continual improvement and environmental excellence.

Section Manager, Environmental Services Division, Waste Management Division **5/91- 3/2003**
BROOKHAVEN NATIONAL LABORATORY, UPTON, NY

Manage BNL ISO 14001 Environmental Management System (EMS). Section Manager in the Environmental Services Division (ESD), managing Environmental Compliance Representatives (ECRs). Supervise five environmental professionals. Participate in strategic planning, self-assessment, communication and budget processes.

Pollution prevention (P2) program manager 1991-present. Developed and implemented sitewide program focused on waste reduction and cost savings. Deployed strategies to integrate P2 into work planning processes and EMS, resulting in greatly improved participation by scientific staff. Organized and chair the P2 Council. From 1993-present, hazardous and mixed waste generation is down approximately 80% and radioactive waste generation is down approximately 70%. Documented cost savings are over \$5M.

Source Reduction Engineer **10/88-5/91**
SUFFOLK COUNTY WATER AUTHORITY, OAKDALE, NY

Responsible for the design, implementation, and management of a County-wide Pollution Prevention technical assistance program with a focus on prevention of groundwater pollution. Worked with county, state, and federal regulatory agencies to develop outreach programs targeting high-risk industrial operations located in water supply sensitive areas. Performed P2 opportunity assessments, organized hazardous waste management workshops, conducted environmental compliance audits, developed multi-industry multimedia waste reduction technical library resource, and a risk ranking system utilizing analytical groundwater modeling techniques and a geographic information system (GIS). Participated in Long Island Regional Planning Board, Special Groundwater Protection Area study and Pine Barrens planning processes. Other responsibilities included management of the SCWA internal environmental compliance program, project management of water conservation programs and recycling programs, environmental assessment and siting of future wellfields, contaminant plume tracking, permitting, and wellhead protection program development.

Environmental/Safety Engineer **7/86-10/88**
RAYTHEON CORPORATION, SEDCO SYSTEMS DIVISION, MELVILLE, NY

Developed and implemented ESH programs at this military electronics manufacturer with approximately 1800

employees. Confidential security clearance. Responsibilities and accomplishments included:

Environmental...Managed all aspects of the environmental program in accordance with local, state, and federal regulations and corporate policies. Compliance programs included hazardous waste, air, effluent, and SCDHS Article 12. Managed all waste disposal activities, including contracts, shipments and manifests. Initiated a Pollution Prevention program and reduced solvent waste by 50%. Prepared all regulatory reports and permits, including SARA TRI, Annual Generator, Article 12 registrations, SPDES, air permits, and UST management.

Safety...Implemented a comprehensive safety program including Hazard Communication, Respiratory Protection, Hearing Conservation, and Medical Surveillance Programs. Other activities included industrial hygiene monitoring, fire safety, emergency response, safety inspections, workers compensation loss control, accident investigations, Hazcom training, and First-Aid Squad manager.

Assistant Plant Manager

6/84-7/86

LEARONAL INC., FREEPORT, NY

Assistant Plant Manager responsible for facility management, environmental compliance, safety program management and chemical engineering for this NYSE listed plating chemical manufacturer, gold refinery, research laboratory, and licensed TSDF.

Environmental/Safety...Oversight of all phases of the storage and processing of over 1000 chemical raw materials, products, and wastes in compliance with all applicable regulations/standards. Multimedia environmental compliance program included permitting, training, reporting, regulatory liaison and policy development. Managed all disposal activities, including contracts, shipments and manifests. Initiated a waste minimization program. Wrote MSDS and developed and implemented HazCom Program bringing the company into full compliance. Completed TSCA registration of proprietary products.

Facility Management...Supervised approximately sixty (60) production and waste treatment personnel and oversaw the operation and maintenance of production essential equipment including HVAC, compressors, exhaust/make-up air systems, material handling equipment, laboratory instrumentation, and processing equipment. Specified, contracted for, and supervised the installation of capital equipment.

Chemical Engineering...Designed production and waste treatment process systems. Specified materials, pumps, valves, tanks, exhaust systems, filters, mixers, and process controls.

Plant Chemist, Supervisor Coating Dept.

1/82-1/83

SUFFOLK ETCHED PRODUCTS, INC., RIVERHEAD, NY

Chemical Engineering Technician

5/80-5/81

PHOTOCIRCUITS CORPORATION, AQUEBOGUE, NY

EDUCATION:

M.S. Environmental Technology (with Distinction) NEW YORK INSTITUTE OF TECHNOLOGY	1995 WESTBURY, NY
Engineering Chemistry, 28 Credits SUNY STONY BROOK	1981-84 STONY BROOK, NY
B.S. Biology DICKINSON COLLEGE	1979 CARLISLE, PA
Regents Diploma RIVERHEAD HIGH SCHOOL	1975 RIVERHEAD, NY

AWARDS, MEMBERSHIPS, ACCOMPLISHMENTS, AND CERTIFICATIONS:

- Licensed Real Estate Salesperson
- Whitehouse Closing the Circle Award winner presented by Federal Environmental Executive
- Brookhaven Award for Outstanding Service, January 2001
- ISO 14001 Lead Auditor qualified
- Recipient of DOE Pollution Prevention Awards 1995, 1996, 1997, 1999, 2001 (2), 2005
- Member, New York State Department of Environmental Conservation Risk Reduction Strategies Work Group, July 1997-2000
- Participant, Volunteer Environmental Educator Program (VEEP), 2000-present
- Former Member, Conservation Advisory Council, Town of Riverhead

9/6/06

Adopted

TOWN OF RIVERHEAD

Resolution # 825

Appoints Member to the Parking District Advisory Committee

COUNCILMAN BARTUNEK

_____ offered the following resolution, which was

COUNCILMAN DENSIESKI

seconded by _____.

WHEREAS, pursuant to Advisory Committee guidelines adopted by the Riverhead Town Board, a vacancy exists on the Parking District Advisory Committee; and

WHEREAS, it is desirable for each Advisory Committee to have adequate representation; and

WHEREAS, Edwin Tuccio has expressed interest in serving as a volunteer on the Parking District Advisory Committee;

NOW THEREFORE BE IT RESOLVED that the Riverhead Town Board hereby appoints Edwin Tuccio to the Parking District Advisory Committee for a two-year term.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the members of the Parking District Advisory Committee, and Edwin Tuccio.

THE VOTE

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

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

9/6/06

Adopted

TOWN OF RIVERHEAD

Resolution # 826

Appoints Members to the Small Business Advisory Committee

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

WHEREAS, pursuant to Advisory Committee guidelines adopted by the Riverhead Town Board, a vacancy exists on the Small Business Advisory Committee; and

WHEREAS, it is desirable for each Advisory Committee to have adequate representation; and

WHEREAS, Mark Lembo and Vincent Cangiano have expressed interest in serving as volunteers on the Small Business Advisory Committee;

NOW THEREFORE BE IT RESOLVED that the Riverhead Town Board hereby appoints Mark Lembo and Vincent Cangiano to the Small Business Advisory Committee for a two-year term.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the members of the Small Business Advisory Committee, Mark Lembo, and Vincent Cangiano.

THE VOTE

Dunleavy yes no Bartunek yes no
Blass yes no Densieski yes no
Cardinale yes no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

Adopted

09/06/06

STATUS _____

TOWN OF RIVERHEAD

Resolution # 827

AUTHORIZES SUPERVISOR TO EXECUTE CONTRACT AGREEMENT

COUNCILMAN BARTUNEK

_____ offered the following resolution, which was seconded

by COUNCILMAN DUNLEAVY

BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead hereby approves a two-year employee contract for the years 2005 and 2006 with Captain Richard T. Smith and authorizes the Town Supervisor to execute it with his signature; and

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

THE VOTE

DUNLEAVY YES NO BARTUNEK YES NO
 Blass *absent* YES NO DENSIESKI YES NO
 CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

9/6/06

TOWN OF RIVERHEAD

RESOLUTION # 828

Adopted

Authorizes Supervisor to Execute Grant Agreement for RESTORE Grant

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

WHEREAS, the Town of Riverhead submitted an application for funding to the NYS Department of Housing and Community Renewal for funding under the RESTORE program to aid low to moderate income, frail elderly in the Town of Riverhead with emergency home repairs; and

WHEREAS, the Town of Riverhead has been awarded a \$36,250 grant for the provision of such assistance to the target population.

THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a grant agreement between the Town of Riverhead and NYS DHCR Housing Trust Fund for the administration of funding under this program; and

BE IT FURTHER RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Andrea Lohneiss, CD Director.

Andrea Lohneiss 8/22/06

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

9/6/06

TOWN OF RIVERHEAD

Adopted

RESOLUTION 829

Authorizes Supervisor to Execute Application to NYS Department of Transportation for
Local Safe Streets and Traffic Calming Grant

COUNCILMAN BARTUNEK

_____ offered the following resolution, which was
seconded by **COUNCILMAN DUNLEAVY**

WHEREAS, the NYS Department of Transportation has solicited proposals for projects that involve traffic calming and pedestrian or bicycling safety capital projects; and

WHEREAS, eligible project elements may include installation of roundabouts, speed tables, sidewalk gap fillers and bike lanes which have high potential to reduce excessive travel speeds, reduce traffic volume and reduce the occurrence and/or severity of potential accidents on local streets; and

WHEREAS, for approximately two years the Town of Riverhead and Riverhead Central School District in conjunction with the NYS Department of Transportation and its consultant, The RBA Group, have been working on both short and long term solutions to improve traffic and pedestrian safety on town roads in the vicinity of the school campus; and

WHEREAS, in November 2005 community members, Town and school officials participated in a Safe Routes to Schools workshop focused on the development of an Action Plan to improve bicycle/pedestrian conditions for students utilizing this campus; and

WHEREAS, the recommendations were summarized in a technical memorandum prepared by The RBA Group and issued February 2006 providing the basis for implementation by the RCSD and the Town of Riverhead as funding opportunities arise.

WHEREAS, the resulting analysis has been incorporated into a grant application reflecting input obtained through this consensus-building process which involved the Town Board, Departments of Highway, Police, Engineering and Community Development as well as the school board, administration, security and transportation staff for submission to the DOT on or before September 15, 2006.

THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes the submission of an application to the NYS Department of Transportation for grant funds in

the amount of approximately \$600,000 reflecting 80% of the estimated total project cost on or before September 15, 2006; and

BE IT FURTHER RESOLVED, that the Town Clerk shall provide a copy of this resolution to Community Development, Engineering, Police Department, Highway Department and Vincent Corrado (Dunn Engineering, 66 Main St., Westhampton Beach, NY 11978) and a certified copy to Mr. David Glass (Planning Office, NYSDOT, State Office Building, 250 Veterans Memorial Highway, Hauppauge, NY 11788-5518), and Mr. Paul Doyle (Superintendent, Riverhead Central School District).

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

9/6/06

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 830

AUTHORIZES THE TOWN SUPERVISOR TO EXECUTE THE ATTACHED MEMORANDUM OF UNDERSTANDING WITH EAST END TRANSPORTATION COUNCIL

COUNCILMAN DUNLEAVY

_____ offered the following resolutions, which was seconded

by ~~_____~~ **COUNCILMAN BARTUNEK**

RESOLVED, that the Supervisor is hereby authorized to execute the attached memorandum of understanding with the East End Transportation Council.; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to East End Transportation Council, The Town Attorney, and the Office of Accounting.

THE VOTE

Dunleavy ~~Yes~~ No
absent
Blass ~~Yes~~ No

Bartunek ~~Yes~~ No
Densieski ~~Yes~~ No

Cardinale ~~Yes~~ No

Z:/Trina

MEMORANDUM OF UNDERSTANDING AMONG THE FIVE EAST END TOWNS AND SUPPORTING VILLAGES TO FURTHER THE PROCESS OF ADDRESSING REGIONAL LAND USE AND TRANSPORTATION ISSUES

RECITALS

WHEREAS, municipal corporations are authorized, pursuant to Article 9 Section 1, of the New York State Constitution and General Municipal Law Section 5 (g) to enter into intergovernmental agreements; and

WHEREAS, General Municipal Law Section 5 (g) promotes and encourages municipal corporations to enter into agreements with other municipalities to facilitate the increased coordination and effectiveness of local land use planning and regulation, to enhance the protection of the region's natural resources, and to encourage the more efficient use of infrastructure and municipal revenues; and

WHEREAS, the five Towns and supporting Villages of Eastern Long Island acknowledge that no single municipality acting alone can effectively control or resolve intricate regional issues since the jurisdiction of each municipality's land use approval agencies ends at its municipal borders, therefore, the East End Towns and supporting villages must coordinate their efforts to address and ameliorate some of these issues; and

WHEREAS, the five East End Towns and supporting Villages recognize the need to implement regional land use and transportation principles in order to preserve the quality of life and community character on the East End; and

WHEREAS, the East End Transportation Council ("the Council") was formed by the East End Supervisors and Mayors Association in 1996 to address regional transportation issues; and

WHEREAS, in 2001, the East End Supervisors and Mayors Association authorized the undertaking of the Sustainable East End Development Strategies (SEEDS) initiative to help provide insight and consensus on how to address land use and transportation issues; and

WHEREAS, the Council was assigned the task of managing the SEEDS initiative on behalf of the East End Towns and Villages; and

WHEREAS, the five East End Towns and supporting Villages recognize that the SEEDS public consensus process has identified preferred future land use development patterns and transportation scenarios that would optimize transportation improvements on the East End; and

WHEREAS, the Council has determined that the identified specific land use principles that form the basis of the SEEDS scenarios are consistent with each of the Town's master plans; and

WHEREAS, the preferred scenarios identified through the SEEDS regional public consensus process are:

Land use:

- The towns and villages should reduce the overall future development potential in their communities.
- Efforts to protect agricultural and open space should continue. The Towns and Villages should incorporate this vision into their land use plans by delineating large tracts where future development should be strictly limited.
- New land use development should be focused in and around a series of village/hamlet centers in the form of new mixed-use development and by encouraging infill development opportunities.

Transportation:

- The region should pursue implementation of an intermodal hub system that would coordinate and integrate expanded rail, bus, and demand responsive feeder/distributor services, shuttle bus service, park-and-ride facilities, bicycle and pedestrian facilities and a range of passenger amenities.
- Transportation management strategies should be employed by all agencies and levels of government to maximize the efficiency, safety, and accessibility of the existing roadway system, rather than significantly expanding its physical capacity.

WHEREAS, the Council has identified additional areas worthy of intermunicipal cooperation as follows:

- Improve the quality and efficiency of transportation services provided to the elderly, youth, and individuals with special/medical needs.
- Incorporate the delivery of emergency services and emergency plan preparedness into the list of regional transportation issues of concern, in order to further assist emergency service providers in their pursuit of general public safety.

THEREFORE, BE IT RESOLVED that this Memorandum of Understanding amongst the five Towns and supporting Villages of Eastern Long Island empowers the Council as follows:

- To work with the Towns and supporting Villages in this effort.
- To work with funding and service provider organizations in both the public and private sector, in order to pursue transportation system improvements consistent with the aforementioned regional goals, as summarized above and detailed in the final SEEDS Summary Report of June, 2006.
- To pursue cooperative human service, emergency service and emergency preparedness opportunities identified.
- To continue to provide regular updates to, and take guidance from, the East End Supervisors and Mayors Association

THEREFORE, BE IT RESOLVED that the five Towns and supporting Villages agree to reference the SEEDS land use principles, in conjunction with their individual master plans, as guidance for future land use policy decisions on the East End, understanding that development consistent with these principles will optimize opportunities to improve the region's transportation system; and

THEREFORE, BE IT RESOLVED that the five Towns and supporting Villages agree to form a working committee to work with the EETC in making recommendations regarding land use policies, as a part of the transportation improvements initiatives, consistent with the SEEDS Summary Report.

IN WITNESS WHEREOF, the following municipalities have caused its corporate seal to be affixed hereto and to be attested to by the day and year written below.

TOWN OF SOUTHAMPTON

BY: _____
PATRICK A. HEANEY
SUPERVISOR

DATE:

TOWN OF EAST HAMPTON

BY: _____
WILLIAM MCGINTEE
SUPERVISOR

DATE:

TOWN OF RIVERHEAD

BY: _____
PHILIP J. CARDINALE
SUPERVISOR

DATE:

TOWN OF SOUTHOLD

BY: _____
SCOTT A. RUSSELL
SUPERVISOR

DATE:

TOWN OF SHELTER ISLAND

BY: _____
ALFRED J. KILB, JR.
SUPERVISOR

DATE:

The following Villages are in support of and fully endorse the aforementioned Memorandum of Understanding and intend to work on a cooperative basis with the other East End Villages and Towns who are parties to this agreement:

VILLAGE OF SOUTHAMPTON

VILLAGE OF SAGAPONACK

BY: MARK EPLEY
MAYOR

BY: WILLIAM TILLOTSON
MAYOR

DATE:

DATE:

VILLAGE OF QUOGUE

VILLAGE OF EAST HAMPTON

BY: GEORGE MOTZ
MAYOR

BY: PAUL F. RICKENBACH, JR.
MAYOR

DATE:

DATE:

VILLAGE OF SAG HARBOR

VILLAGE OF GREENPORT

BY: EDWARD DEYERMOND
MAYOR

BY: DAVID KAPPELL
MAYOR

DATE:

DATE:

VILLAGE OF WESTHAMPTON DUNES

VILLAGE OF DERING HARBOR

BY: GARY VEGLIANTE
MAYOR

BY: TIMOTHY HOGUE
MAYOR

DATE:

DATE:

VILLAGE OF WESTHAMPTON BEACH

VILLAGE OF NORTHAVEN

BY: ROBERT T. STREBEL
MAYOR

BY: LAURA NOLAN
MAYOR

DATE:

DATE:

MoU Rev. 6-14-06

9/6/06

Adopted

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS REPAINTING OF PLANT NO 8 AND 9 STANDPIPES RIVERHEAD WATER DISTRICT

Adopted _____

Resolution # 831

COUNCILMAN DENSIESKI

Councilperson _____ offered the following resolution
which was seconded by Councilperson **COUNCILMAN BARTUNEK**

RESOLVED, that the town Clerk be and is hereby authorized to publish and post the attached Notice of Bidders in the September 14, 2006, edition of the News Review, with regard to receiving bids for the repainting of Plant No. 8 and 9 Standpipes of the Riverhead Water District, and be it further

RESOLVED, that the town Clerk shall forward certified copies of this resolution to Gary Pendzick, H2M, and Frank Isler, Esq.

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

THE VOTE

Dunleavy yes no Bartunek yes no
 Blass yes no Densieski yes no
 Cardinale yes no

THE RESOLUTION WAS WAS NOT
 THEREFORE DULY ADOPTED

The Town Board of Riverhead will receive bids for the “**Repainting of Plant No. 8 & 9 Standpipes**” for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, until **11:00 A.M.**, on **Monday, October 2, 2006**, at which time and place all bids will be publicly opened and read aloud for:

***PROJECT NO.: RDWD 06-04,
REPAINTING OF PLANT 8 & 9 STANDPIPES***

Plans and specifications may be examined and obtained on or after *September 14, 2006* at the Office of the Town Clerk between the hours of 8:30 A.M. and 4:30 P.M. weekdays, except holidays or by visiting the Town of Riverhead website: www.riverheadli.com and click on “Bid Requests”.

Each proposal must be accompanied by a bid bond in the amount of five percent (5%) of the total bid, or a certified check made payable to the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

The right is reserved to reject any or all bids, to waive any informality, and to accept the lowest responsible bid.

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD
SUFFOLK COUNTY, NEW YORK

ACTING AS THE GOVERNING BODY
OF THE RIVERHEAD WATER DISTRICT

BARBARA GRATTAN, TOWN CLERK

DATED: September 14, 2006

9/6/06

Adopted

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS EXTENSION NO. 84, SPLISH SPLASH RIVERHEAD WATER DISTRICT

Adopted _____

Resolution # 832

COUNCILMAN DUNLEAVY

Councilperson _____ offered the following resolution
which was seconded by Councilperson _____

COUNCILMAN BARTUNEK

RESOLVED, that the town Clerk be and is hereby authorized to publish and post the attached Notice of Bidders in the September 14, 2006, edition of the News Review, with regard to receiving bids for Extension No. 84, Splish Splash, of the Riverhead Water District, and be it further

RESOLVED, that the town Clerk shall forward certified copies of this resolution to Gary Pendzick, H2M, and Frank Isler, Esq.

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

THE VOTE

Dunleavy yes no Bertunek yes no
Blass yes no *absent* Densieski yes no

Cardinale yes no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

NOTICE TO BIDDERS

The Town Board of Riverhead will receive bids for the **“Installation of Water Mains and Appurtenances”** for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, until **11:00 A.M.**, on **Monday, September 25, 2006**, at which time and place all bids will be publicly opened and read aloud for:

**PROJECT NO.: RDWD 05-53,
EXTENSION No. 84 - SPLISH SPLASH WATER PARK
2006 EXPANSION
RIVERHEAD TOWN NO.: 60085**

Plans and specifications may be examined and obtained on or after *September 14, 2006* at the Office of the Town Clerk between the hours of 8:30 A.M. and 4:30 P.M. weekdays, except holidays or by visiting the Town of Riverhead website: www.riverheadli.com and click on “Bid Requests”.

Each proposal must be accompanied by a bid bond in the amount of five percent (5%) of the total bid, or a certified check made payable to the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

The right is reserved to reject any or all bids, to waive any informality, and to accept the lowest responsible bid.

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD
SUFFOLK COUNTY, NEW YORK

ACTING AS THE GOVERNING BODY
OF THE RIVERHEAD WATER DISTRICT

BARBARA GRATTAN, TOWN CLERK

DATED: September 14, 2006

9/6/06

Adopted

TOWN OF RIVERHEAD

Resolution # 833

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE FOR A LOCAL LAW TO CONSIDER AN AMENDMENT TO CHAPTER 58 ENTITLED, "DOGS" OF THE RIVERHEAD TOWN CODE

COUNCILMAN BARTUNEK

_____ offered the following resolution, was seconded by

COUNCILMAN DUNLEAVY

RESOLVED, the Town Clerk is hereby authorized to publish the attached public notice once in the September 14, 2006 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law amending Chapter 58 entitled, "Dogs" to be posted on the sign board of the Town; and be it further

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

THE VOTE

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

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead, at 200 Howell Avenue, Riverhead, New York on the 19th day of September, 2006 at 7:25 o'clock p.m. to consider a local law amending Chapter 58 entitled, "Dogs" of the Riverhead Town Code as follows:

**Chapter 58
DOGS
ARTICLE I**

§ 58-4. Redemption of impounded dogs.

D. A fee shall be paid to the Town Clerk for the adoption of an impounded dog. No redemption fee shall be charged in addition to such adoption fee. There shall be an adoption fee of ~~\$10~~ **\$50**. ~~An additional fee of \$15 shall be charged if the dog does not have an active rabies vaccination.~~ Said fees shall be established annually by resolution of the Town Board.

Dated: Riverhead, New York
September 6, 2006

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

9/6/06

TOWN OF RIVERHEAD

Resolution # 834

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO
CONSIDER A LOCAL LAW PROVIDING FOR RULES AND REGULATIONS FOR
USE OF THE RUNWAY AT CALVERTON EXECUTIVE AIRPARK**

COUNCILMAN DUNLEAVY

_____ offered the following resolution, was seconded by
COUNCILMAN DENSIESKI

RESOLVED, the Town Clerk is hereby authorized to publish the attached public to consider a local law providing for rules and regulations for use of the runway at Calverton Executive Airpark, once in the September 14, 2006 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Office of the Supervisor; the Office of the Community Development Agency; Police Chief David Hegermiller and the Office of the Town Attorney.

THE VOTE

Dunleavy yes no Bartunek yes no
Blass yes no absent Densieski yes no
Cardinale yes no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public meeting will be held before the Town Board of the Town of Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 3rd day of October, 2006 at 7:30 p.m. o'clock to consider a local law providing for rules and regulations for use of the runway at Calverton Executive Airpark as follows:

THESE RULES AND INSTRUCTIONS ARE NOT INTENDED TO PRE-EMPT THE RESPONSIBILITIES OF THE PILOT-IN-COMMAND FOR SAFE AIRCRAFT OPERATION NOR ARE THEY INTENDED TO CONFLICT WITH INSTRUCTIONS FROM AIR TRAFFIC CONTROL OR THOSE WHICH ARE THE EXCLUSIVE AUTHORITY OF THE FAA.

Rules and Regulations

Calverton Executive Airpark
FAA Airport Identifier – K3C8

Pilots permitted to use the runway at Calverton will make every attempt to stay as far from the depicted noise sensitive areas as possible and abide by these simple rules. Your cooperation will ultimately create a more aviation friendly community and is greatly appreciated by your neighbors on the ground.

HOURS OF OPERATION – 7:00am to 11:00pm

RUNWAY DESIGNATION – Runway 14/32 is the operational runway at Calverton.

RUNWAY 14 – is a RIGHT traffic pattern heading SOUTH with right hand rectangular pattern.

RUNWAY 32 – is a LEFT traffic pattern heading NORTH with left hand rectangular pattern.

FULL RUNWAY LENGTH DEPARTURES REQUIRED

TRAFFIC PATTERN ALTITUDE – 1000 ft. AGL for small piston aircraft and 1500'ft. AGL for larger piston/turbo prop and jet aircraft.

GROUND MAINTENANCE ENGINE RUNS – Permitted between 8:00am and 7:00pm weekdays, 9:00am and 3:00pm weekends, and prohibited on Sundays

GROSS WEIGHT LIMITS – 100,000 lbs. maximum.

AVOID USE OF THRUST REVERSERS ON LANDING

Prohibited Activities:

“BACK TAXIING”
PRACTICE EMERGENCY PROCEDURES
TOUCH & GO'S, PRACTICE APPROACHES

**MULTIPLE/REPETITIVE TAKEOFFS AND FULL STOP
LANDINGS**

STOP AND GO'S OR ANY VARIATION THEREOF – prohibited on the runway, taxiways, pads, fields, parking lots, or landing areas of any kind anywhere within EPCAL.

DEPARTURE PROCEDURES

JET AIRCRAFT VFR

Avoid noise sensitive areas and use the following NBAA – noise abatement departure procedures:

1. Climb at maximum practicable rate at V2 20 KIAS to 500 ft MSL with takeoff flap setting. (Use best angle of climb (Vx) for smaller aircraft.)
2. At 500 ft MSL, reduce to a quiet climb power setting while maintaining 1000 FPM maximum climb rate and V2 20 KIAS until reaching 1000 ft MSL.
3. At 1000 ft MSL, accelerate to final segment speed (Vfs) and retract flaps. Maintain quiet climb power 1000 FPM climb rate and airspeed not to exceed 190 KIAS until reaching 3000 ft MSL.
4. At 3000 ft MSL and above, resume normal climb schedule with gradual application of climb power.
5. Observe all airspeed limitations and ATC instructions.

RW 14 – (southerly departure) Fly runway heading, climb straight out, do not turn on course until 1.5 miles passed the end of the runway.

RW 33 – (northerly departure) Fly runway heading. North of the Airpark boundary (Route 25), turn right to 030 Degrees. Continue climb to 2500 ft MSL before turning on course.

SINGLE AND MULTI ENGINE FIXED WING AIRCRAFT – VFR

Avoid noise sensitive areas and take the following noise awareness steps:

1. Make every effort to fly above 2000 ft over noise sensitive areas when overflight cannot be avoided.

2. Use a reduced power setting if flight must be low approaching Calverton Executive Airpark. Propellers generate more noise than engines, flying with the lowest RPM setting reduces aircraft noise substantially.
3. On takeoff, gain altitude as quickly as possible without compromising safety (Vx).
4. Use VASI for approach. This will indicate a safe glide path and a smooth quiet decent to the runway.
5. If consistent with safety, make the first power reduction at 500 ft. Reduce the RPM to below supersonic, which can be 200-300 RPM.
6. Fly a tight landing pattern to keep noise as close to the airport as possible. Practice decent to the runway at low power settings and with as few power changes as possible.
7. If possible, do not adjust propeller control for flat pitch on the downwind leg but instead wait until short final. This practice not only provides a quieter approach but also reduces stress on the engine and the propeller governor.
8. Avoid low-level high-power approaches, which not only create high noise impacts but also limit options in the event of an engine failure.

RW – 14 Fly runway heading, climb straight out, do not turn on course until 1.5 miles passed the end of the runway.

RW – 33 Fly runway heading, North of the Airpark boundary (Route 25) turn right to 030 Degrees. Continue climb to 2000 ft MSL before turning on course.

HELICOPTER DEPARTURE PROCEDURES – VFR

Departing in a Southerly direction – Avoid flying over and near noise sensitive areas. Fly 180 Degrees if possible, climbing to 1000 ft as soon as practical. Turn on course east or west 1.5 miles south of the LIE.

Departing in a Northerly direction – Avoid flying over and near noise sensitive areas. Fly 360 Degrees if possible, climbing to 1000 ft as soon as practical. Turn on course East or West North of Route 25.

Pilots approaching the Airpark from the South to Runway 33 are to remain 1.5 miles to the south of the approach end of the runway prior to turning to final. Stay clear of noise sensitive areas.

Pilots approaching the Airpark from the North to Runway 14 are to remain 1.5 miles to the north of the approach end of the runway prior to turning to final. Stay clear of noise sensitive areas.

ARRIVAL PROCEDURES

Aircraft arriving to runway 33 and 14 will use standard FAA recommended procedures for Uncontrolled airports including communication and flying procedures as outlined in current FAA regulations including but not limited to the FAR's (Federal Aviation Regulations) and the AIM (Airmen's Information Manual).

FAA - Federal Aviation Association AGL – Above Ground Level
FAR - Federal Aviation Regulations ATC – Air Traffic Control
AIM - Airman's Informational Manual

(Perhaps additional fees could be charged for any landing or departure before or after these hours)

(FYI – These are the identical patterns that Grumman used.)

(FYI - This is for safety and noise abatement and minimizes runway incursion. The aircraft can also get up higher prior to leaving the airpark environment.)

(FYI – This means to turn around on the runway and taxi back down the runway opposite the direction of the landing traffic. Unless an emergency condition exists, all aircraft must taxi straight ahead after landing and turn off at the next available taxiway.)

(FYI – In the absence of a control tower and crash rescue, there is no reason to encourage this activity for safety and liability reasons.)

(FYI – This minimizes liability, safety and noise.)

(FYI – Not needed on a 10,000 ft runway.)

(FYI – Not needed on a 10,000 ft runway.)

Dated: Riverhead, New York
September 6, 2006

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

BARBARA GRATTAN, Town Clerk

9/6/06

Adopted

TOWN OF RIVERHEAD

Resolution # 835

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (\$108-64 Prefabricated dwellings.)

COUNCILMAN DUNLEAVY

_____ offered the following resolution, was seconded by
COUNCILMAN BARTUNEK

RESOLVED, the Town Clerk be and is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" (Article XIII Supplementary Use Regulations) of the Riverhead Town Code once in the September 14, 2006 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

THE VOTE

Dunleavy yes no Bartunek yes no
 Blass yes no Densieski yes no
 Cardinale yes no

THE RESOLUTION WAS WAS NOT
 THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 3rd day of October, 2006 at 7:25 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

Chapter 108
Zoning
Article XIII
Supplementary Use Regulations

§ 108-64. Prefabricated dwellings.

No building or other structure which is prefabricated or which is constructed, manufactured, built or fabricated at a place other than the site on which it is to be located or used shall be used as a dwelling, except in a mobile home park or travel trailer park and except as a seasonal agricultural dwelling under ~~§ 108-21C(4)~~ §108-64.4 of this chapter, unless:

Dated: Riverhead, New York
September 6, 2006

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

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

Adopted

9/6/06

RESOLUTION #836

TOWN OF RIVERHEAD

ORDER CALLING PUBLIC HEARING - EXTENSION NO. 87
RIVERHEAD WATER DISTRICT
DEMCHUK ESTATES, RILEY AVENUE, CALVERTON

Adopted
COUNCILMAN BARTUNEK

Councilperson _____ offered the following resolution which was
seconded by Councilperson **COUNCILMAN DUNLEAVY**.

WHEREAS, a petition has been filed by the developer of the proposed subdivision to be known as Demchuk Estates, Extension No. 87 to the Riverhead Water District, located along the north side of Riley Avenue at its intersection with Twomey Avenue in Calverton, New York, to allow public water to be provided to the proposed subdivision, which property is located just outside the boundaries of the existing water district, and

WHEREAS, a map and plan detailing the proposed extension has been prepared by H2M, consulting engineers to the Riverhead Water District, which report specifically outlines the installation of water mains to service the ten (10) new single family residences proposed to be constructed, as more particularly set forth in the map and plan of H2M, District engineers, most recently dated June, 2006, which is currently on file with the Riverhead Town Clerk, and

WHEREAS, a maximum amount to be expended for the extension is \$86,000 to be borne by the applicant and no public monies shall be expended for this extension, and

WHEREAS, key money will be assessed at the rate of \$2,500 per single family residence with the total cost of key money being \$25,000, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board will hold a public hearing on the 3rd day of October, 2006, at 7:05 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, NY, to hear all interested persons with regard to the extension to the Riverhead Water District to be known as Extension 87, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in full in the September 21, 2006, edition of The news Review, and

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

BY ORDER OF THE RIVERHEAD
TOWN BOARD
BARBARA GRATTAN
TOWN CLERK

Dated: September 6, 2006
Riverhead, NY 11901

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

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

EXHIBIT "A"

RIVERHEAD WATER DISTRICT

PROPOSED EXTENSION NO. 87

DEMCHUK ESTATES

DESCRIPTION OF EXTENSION

JUNE 2006

All this certain lot, parcel of land, said property being known as Section 79, Block 1, Lot 9.1, situated and lying and being at Calverton, Town of Riverhead, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a point formed by the westerly right-of-way of Twomey Avenue and the northerly right-of-way to Riley Avenue.

Traveling westerly along the northerly right-of-way of Riley Avenue a distance of 330.57 feet to a point formed by the northerly right-of-way of Riley Avenue and the westerly property line of Section 79, Block 1, Lot 9.3.

THENCE running northerly along the westerly property line of Section 79, Block 1, Lot 9.3 a distance of 250.00 feet to a POINT OF BEGINNING.

From said POINT OF BEGINNING, running northerly along a projected line of the westerly property line of Section 79, Block 1, Lot 9.3 the following bearing and distance:

1. North 36° 32'-00" East 250.00 feet,

to a point formed by a line 500 feet parallel to the northerly right-of-way of Riley Avenue and a projected westerly property line of Section 79, Block 1, Lot 9.3.

THENCE running westerly along a line 500 feet parallel to the northerly right-of-way of Riley Avenue the following bearing and distance:

1. South 53° 28'-00" West 175.88 feet,

to a point formed by the westerly property line of Section 79, Block 1, Lot 9.1 and a line 500 feet parallel to the northerly right-of-way of Riley Avenue.

THENCE running northerly and easterly along the westerly and northerly property lines of Section 79, Block 1, Lot 9.1 the following two (2) bearings and distances:

1. North 20° 40'-00" West 866.93 feet;
2. South 78° 35'-00" East 737.14 feet,

to a point formed by the northerly property line of Section 79, Block 1, Lot 9.1 and the westerly right-of-way line of Twomey Avenue.

THENCE running southerly along the westerly right-of-way of Twomey Avenue the following bearing and distance:

1. South 21° 18'-00" East 556.07 feet,

to a point formed by the westerly right-of-way of Twomey Avenue and the northerly property line of Section 79, Block 1, Lot 9.2.

THENCE running westerly along the northerly property line of Section 79, Block 1, Lot Nos. 9.2 and 9.3 the following bearing and distance:

1. South 53° 28'-00" West 408.75 feet,

to the said POINT OF BEGINNING.

END OF DESCRIPTION

x:\rdwd (riverhead water district) - 10810\0651 - demchuk estates_water mains\report\exhibit a.doc

Adopted

9/6/06

TOWN OF RIVERHEAD

ORDER CALLING PUBLIC HEARING
RIVERHEAD WATER DISTRICT
LATERAL WATER MAIN
Fedun Estates, Gordon Boulevard

Adopted _____

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

WHEREAS, a petition has been filed by the owners of the subdivision known as Fedun Estates, Gordon Boulevard, Calverton, located along the north side of Riley Avenue, for the installation of a lateral water main of the Riverhead Water District, and

WHEREAS, by letter and report dated June 21, 2006 H2M, consulting engineers to the Riverhead Water District, did prepare a report detailing the necessary measures and costs associated with extending a lateral water main to the proposed subdivision, and

WHEREAS, this development will consist of the construction of twenty eight (28) new single family dwellings to include the extension of Gordon Boulevard to meet Donna Drive within a proposed subdivision to the east of the subject property with approximately 2,800 linear feet of eight and twelve inch diameter water main to be installed within the proposed roadways, and

WHEREAS, a map and plan is available for review and inspection at the Office of the Riverhead Town Clerk, 200 Howell Avenue, Riverhead, New York, during normal business hours, and

WHEREAS, all costs associated with this lateral shall be borne by the petitioner with an estimated cost of \$192,000 and the petitioner will be required to pay key money in the amount of \$2,500 for each proposed dwelling unit for a total cost of \$70,000. This cost represents the infrastructure costs to the Riverhead Water District to service these additional residences, and

WHEREAS, the Town Board desires to call a public hearing to consider the aforementioned petition, and

NOW, THEREFORE, BE IT

THE VOTE

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

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a Notice of Public Hearing to be held on the 3rd day of October, 2006, at 7:10 p.m at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the proposed petition for a lateral water main to service the new proposed development to be known as Fedun Estates, Calverton, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in full in the September 21, 2006, edition of The News Review, and

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

BY ORDER OF THE RIVERHEAD
TOWN BOARD
BARBARA GRATTAN
TOWN CLERK

Dated: September 6, 2006
Riverhead, NY 11901

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

Adopted

9/6/06

TOWN OF RIVERHEAD

Resolution # 838

AMENDS RESOLUTION #790 OF 2006
(AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO
CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF
THE RIVERHEAD TOWN CODE
(Planned Recreational Park (PRP) District)

COUNCILMAN BARTUNEK

_____ offered the following resolution, was seconded by

COUNCILMAN DUNLEAVY

WHEREAS, Resolution #790 adopted by the Riverhead Town Board on August 15, 2006, authorized the Town Clerk to publish and post a public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code (Planned Recreational Park (PRP) District); and

WHEREAS, said resolution incorrectly advised that a public hearing shall take place at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York; and

WHEREAS, the correct public hearing location shall be at the Wading River Congregational Church, North Country Road, Wading River, New York; and be it further

RESOLVED, that the Town Clerk was able to publish the correct resolution in the August 24, 2006 edition of the News Review newspaper.

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby amends Resolution #790 dated August 15, 2006 to reflect a correct public hearing location to be the Wading River Congregational Church, North Country Road, Wading River, New York; and be it further

RESOLVED, that all other terms and conditions of Resolution #790 shall remain in full force and effect; and be it further

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

Z:\Laura Calamita\reso\amend2.res.doc

THE VOTE

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

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

9/6/06

Adopted

TOWN OF RIVERHEAD

Resolution # 839

**APPROVES CHAPTER 90 APPLICATION OF WORD OF LIFE MINISTRIES OF
RIVERHEAD
(CHURCH RELATED STREET FAIR)**

COUNCILMAN DUNLEAVY

_____ offered the following resolution, was seconded by

COUNCILMAN DENSIESKI

WHEREAS, on July 11, 2006, Word of Life Ministries of Riverhead had submitted a Chapter 90 Application for the purpose of conducting a church related street fair to be held in the Peconic Riverfront municipal parking lot, Riverhead, New York, on Saturday, September 16, 2006 between the hours of 3:00 p.m. and 9:00 p.m., having a rain date of Saturday, September 23, 2006; and

WHEREAS, Word of Life Ministries has completed and filed a Short 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, the applicant has requested the Chapter 90 Application fee be waived due it's 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 Word of Life Ministries of Riverhead for the purpose of conducting a church related street fair to be held in the Peconic Riverfront municipal parking lot, Riverhead, New York, on Saturday, September 16, 2006 between the hours of 3:00 p.m.

and 9:00 p.m., having a rain date of Saturday, September 23, 2006, is hereby approved; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby waives the Chapter 90 Application fee; and be it further

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

RESOLVED, that 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 Riverhead Fire Marshal shall be contacted at least three days in advance at (631) 727-3200 extension 209, for the purpose of arranging the "pre-opening" inspection appointment; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Word of Life Ministries of Riverhead 10 Peconic Avenue, Riverhead, New York, 1190; the Riverhead Fire Marshal; Chief Hegermiller, Riverhead Police Department and the Office of the Town Attorney.

THE VOTE

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

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

9/6/06

TOWN OF RIVERHEAD

Resolution # 840

**APPROVES CHAPTER 90 APPLICATION OF THE PECONIC BAY REGION OF THE
AACA (ANTIQUE CAR SHOW)**

COUNCILMAN BARTUNEK

_____ offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

WHEREAS, on August 23, 2006, the Peconic Bay Region of the AACA had submitted a Chapter 90 Application for the purpose of conducting an Antique Car Show to be held at the Hallockville Museum, 6038 Sound Avenue, Riverhead, New York, on October 22, 2006, having a rain date of October 29, 2006, between the hours of 10:00 a.m. and 5:00 p.m.; and

WHEREAS, the Peconic Bay Region of the AACA has completed and filed a Short 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, the applicable Chapter 90 Application fee has been received; 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 the Peconic Bay Region of the AACA for the purpose of conducting an Antique Car Show to be held at the Hallockville Museum, 6038 Sound Avenue, Riverhead, New York, on October 22, 2006, having a rain date of October 29, 2006, between the hours of 10:00 a.m. and 5:00 p.m. is hereby approved; and be it further

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

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

RESOLVED, that any tent installations 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 Association – Standard 102 Tents & Membrane Structures; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Peconic Bay Region of the AACA, 21 Silver Beech Lane, Calverton, New York, 11933; the Riverhead Fire Marshal; the Office of the Town Attorney and the Riverhead Police Department.

THE VOTE

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

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

abstain

9/6/06

Adopted

TOWN OF RIVERHEAD

Resolution # 841

APPROVES CHAPTER 90 APPLICATION OF THE HALLOCKVILLE MUSEUM FARM AND FOLKLIFE CENTER

COUNCILMAN BARTUNEK

_____ offered the following resolution, was seconded by

COUNCILMAN DUNLEAVY :

WHEREAS, on August 23, 2006, the Hallockville Museum Farm and Folklife Center had submitted a Chapter 90 Application for the purpose of conducting a Fall Festival and Craft Show to be held at the Hallockville Museum, 6038 Sound Avenue, Riverhead, New York, on September 30, 2006 through October 1, 2006, between the hours of 10:00 a.m. and 5:00 p.m.; and

WHEREAS, Hallockville has completed and filed a Short 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, the applicant has requested the Chapter 90 Application fee be waived due to its not-for-profit status; 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 Hallockville Museum Farm and Folklife Center for the purpose of conducting a Fall Festival and Craft Show to be held at the Hallockville Museum, 6038 Sound Avenue, Riverhead, New York, on September 30, 2006 through October 1, 2006, between the hours of 10:00 a.m. and 5:00 p.m. is hereby approved; and be it further

RESOLVED, that the Riverhead Town Board hereby waives the Chapter 90 Application fee for this event; and be it further

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

RESOLVED, that this approval is subject to a fire safety inspection by the Town Fire Marshal prior to the opening of this event to the public. The Riverhead Fire Marshal shall be contacted at least three days in advance at (631) 727-3200 extension 209, for the purpose of arranging the “pre-opening” inspection appointment to ensure compliance with the New York State Fire Code; and be it further

RESOLVED, that any tent installations 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 Association – Standard 102 Tents & Membrane Structures; and be it further

RESOLVED, that employees of the Riverhead Buildings and Grounds Department, the Riverhead Police Department, the Riverhead Highway Department, the Sanitation Department and the Riverhead Fire Protection and Code Enforcement Division are hereby authorized to utilize overtime expenditures to ensure the necessary public safety and security in connection with this event; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Hallockville Museum Farm and Folklife Center, 6038 Sound Avenue, Riverhead, New York, 11901; the Riverhead Fire Marshal; the Office of the Town Attorney and the Riverhead Police Department.

THE VOTE

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

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

9/6/06

Adopted

TOWN OF RIVERHEAD

Resolution # 842

APPROVES CHAPTER 90 APPLICATION OF GARDEN OF EVE, LLC

COUNCILMAN DUNLEAVY

_____ offered the following resolution, was seconded by

~~COUNCILMAN BARTUNEK~~

WHEREAS, on July 21, 2006, Garden of Eve, LLC had submitted a Chapter 90 Application for the purpose of conducting an Annual Long Island Garlic Festival featuring vendors selling garlic and garlic related products and crafts to be held at 4558 Sound Avenue, Riverhead on Saturday, September 30, 2006 and Sunday, October 1, 2006 between the hours of 10:00 a.m. and 6:00 p.m.; and

WHEREAS, Garden of Eve, LLC has completed and filed a Short 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, 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 including the certificate of insurance regarding said application; and

WHEREAS, the applicable Chapter 90 fee has been paid.

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 Garden of Eve, LLC for the purpose of conducting an Annual Long Island Garlic Festival featuring vendors selling garlic and garlic related products and crafts to be held at 4558 Sound Avenue, Riverhead on Saturday, September 30, 2006 and Sunday, October 1, 2006 between the hours of 10:00 a.m. and 6:00 p.m. is hereby approved; and be it further

RESOLVED, that a fire safety inspection by the Town Fire Marshal is required prior to

the opening of this event to the public so that an outdoor place of assembly permit can be issued. The Riverhead Fire Marshal shall be contacted at least three days in advance at (631) 727-3200 extension 209 for the purpose of scheduling the required inspection appointment; 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 the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Garden of Eve, LLC, P.O. Box 216, Aquebogue, New York, 11931; Bruce Johnson, Fire Marshal; Chief Hegermiller, Riverhead Police Department; the Riverhead Fire Department and the Office of the Town Attorney.

THE VOTE
Dunleavy yes no Bartunek yes no
Blass yes no ~~about~~ Densieski yes no
Cardinale yes no
**THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED**

9/5/06

Adopted

TOWN OF RIVERHEAD

Resolution # 843

SETS REGISTRATION FEES FOR THE RIVERHEAD RECREATION DEPARTMENT

_____ offered the following resolution,
COUNCILMAN DUNLEAVY **COUNCILMAN BARTUNEK**
which was seconded by _____

RESOLVED, that the Town Board sets the Registration Policy and fees for the 2006-2007 Fall / Winter Recreation Department Program Brochure.

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

1

THE VOTE

Dunleavy yes no Bartunek yes no
Blass yes no Denisieski yes no
Cardinale yes no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

¹ Rec. Doris/Resolution -2006/7 Fall/ winter Brochure

Family Account Name _____
(main contact) Last First Date of Birth

Address _____

Home Phone # _____ **Work #** _____

Emergency Contact Name _____ **Phone #** _____

Last Name	First	Activity	DOB	Sex	Medical	Fee

Waiver: All participants in Town Parks and Recreation Programs do so at their own risk. Individuals are responsible to check all class descriptions and be sure that they or their child's physical condition and skill dictate that they may safely participate.

Total \$ _____

Signature: _____ **Date** _____
Parent/Guardian/Participant

SUGGESTIONS!!!!



Town of Riverhead
Recreation Department
2006 FALL/2007 WINTER BROCHURE



REGISTRATION POLICY

Pre-Registration with payment is required for all programs.

Online Registration: You can now register online @www.riverheadll.com

Payment Methods: Cash, check, Visa/Mastercard or Discover Card.

There will be a \$20 fee for all returned checks

Program fees will not be prorated.

In Person registration received prior to Monday, September 25th will not be processed until 3:00 p.m. on September 25th. In-person registration will take precedence over early mail-in registrations. **No telephone registration on the first day.** Make all checks and money orders payable to **Riverhead Recreation Dept. and mail to 200 Howell Avenue, Riverhead, NY 11901.**

Please note: If we receive your check without the discount taken, the discount monies will be applied to our youth scholarship fund.

Bus Trips--A family account will be limited to a maximum of 6 tickets

The deadline for registration is five (5) business days before a program is due to start unless otherwise stated.

Cancellations: Minimum class requirement must be reached in all programs in order for them to be offered. Programs are also subject to cancellation based on availability of instructors, facilities, and equipment.

Refund Policy Refunds will be given only if the Riverhead Recreation refund request form is submitted more than 5 business days prior to the start of a program or if we cancel a program. This form can be found on our website at www.riverheadll.com. **All program fees include a NON-REFUNDABLE \$5 processing fee, unless you take credit on your account.**

All Refunds will be processed by **CHECK ONLY** and will be mailed to participant approx. 4 weeks after request is submitted or a class is officially cancelled.

Health Requirements - Participants are advised to have a complete physical prior to participating in activities which could be strenuous. Medical and waiver forms may have to be completed for particular activities.

Parental permission required if under 18.

Participant Dismissal - Some instructors may require parental presence at an activity. If it is deemed that a participant can no longer remain in a class due to behavioral problems, the Recreation Dept. reserves the right to dismiss the participant from the class with no refund.

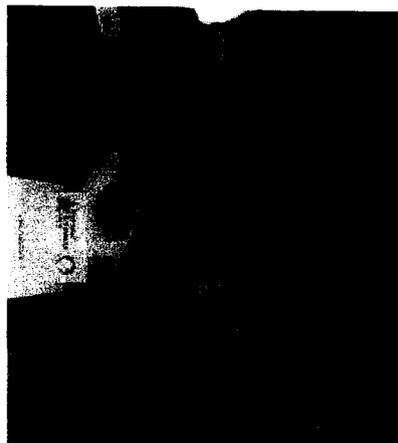
For cancellations due to weather, please call our Rainout number 727-5744 ext. 30

HOLIDAYS

The Recreation Department will be closed the following days:

- Monday, October 9 - Columbus Day
- Tuesday, November 7 - Election Day
- Friday, November 10 - Veterans Day
- Thursday, November 23 - Thanksgiving
- Monday, December 25 - Christmas
- Monday, January 1 - New Year's Day
- Monday, January 15 - Martin Luther King Day
- Monday, February 12 - Abraham Lincoln's Day
- Monday, February 19 - President's Day

Program Resignation Form is on the back cover



I am pleased to present to you the Town of Riverhead Recreation Department 2006 Fall/Winter Brochure. The Recreation Department Staff has put together an exceptional array of programs, with something of interest for young and old alike. This year's brochure features several new programs including Fencing, Jazzercise, NHL Street Hockey, Hip Hop Dance, Yoga/ates, programs for children with special needs, and a new youth night.

Additional information about our parks and recreational programs can be found on our Town website, www.riverheadll.com. All Town parks, beaches, community centers, and marinas are included with lists of their amenities and directions to each individual location. I urge you to use the website and to keep updated with all that is going on around Town.

I encourage you to enroll in our programs by contacting the Recreation Department, either in person at 55 Columbus Avenue, by phone at 727-5744 or online through the Town's website.

Phil Cardinale,
Supervisor

Town Board

- Phil Cardinale, Supervisor
- George Bartunek, Councilman
- Barbara Blass, Councilwoman
- Ed Densieski, Councilman
- John Dunleavy, Councilman



BUS TRIPS

CIRCLE LINE MANHATTAN CRUISE

Come & enjoy a relaxing 3 hour cruise aboard a famous Circle Line ship. You'll circumnavigate Manhattan Island and see it all - 3 rivers, 7 major bridges, 5 boroughs, over 25 renowned landmarks and, of course, a magnificent close-up of the Statue of Liberty. Beverages & food are available for purchase on board the ship. Cruises sail rain or shine. Under 18 yrs. must be accompanied by an adult 21 and over.) **NON-REFUNDABLE.**

Saturday October 17

The bus leaves Stotzky Parking lot at 9:30 a.m. and returns home 6:00 p.m.

Cost: Residents \$39 Non-Residents \$44
Residents Child (under 12) \$29 Non-Residents Child \$34
(\$2.00 discount if paying by cash/check)

CHRISTMAS TREE SHOP

Join us for a day of shopping at the Christmas Tree Shop in CT where everyday is a sale. We will also make a stop at Cracker Barrel before heading home. Bus leaves Stotzky Park parking lot at 7:00 a.m. and returns home approx. 8:00 p.m. Price includes transportation only, all meals will be on your own. Under 18 must be accompanied by an adult (21 and over). **NON-REFUNDABLE. Waiver Required**

Saturday, November 4th

Cost: Residents \$27 Non-Residents \$32
(\$1.00 discount if paying by cash/check)

ATLANTIC CITY

Try your luck in Atlantic City. We will be dropping off & leaving from the Tropicana. Each person will receive a \$5 cash bonus for the Tropicana & there will be raffles on the bus for other prizes. Must be 21 years old. **NON-REFUNDABLE. Waiver Required.**

Saturday, November 25

The bus leaves Stotzky Park parking lot at 8:00 a.m. and returns home approx. 9:00 p.m.

Cost: Residents \$21 Non-Residents \$26
(\$1.00 discount if paying by cash/check)

RADIO CITY

Get into the holiday spirit by joining us for the Radio City Christmas spectacular. There will be extra time for lunch on your own prior to the 5:00 p.m. show. The bus leaves Stotzky park parking lot at 10:30 a.m. and returns for home immediately after the show. Under 18 must be accompanied by an adult (21 and over). **NON-REFUNDABLE. Waiver Required. Seats in 2nd Mezzanine.**

Tuesday, December 12

Cost: Residents \$53 Non-Residents \$58
(\$3.00 discount if paying by cash/check)

NASSAU COLISEUM

The Recreation Dept. will also be offering two trips to Nassau Coliseum
In the winter:

Disney on Ice - "100 Years of Magic" on Saturday, January, 20th
and
Ringling Bros. Circus in March

If interested please contact the Recreation Dept. office
at 727-5744 ext. 25 for more info.

ADULT PROGRAMS

ACRYLIC PAINTING WITH KAREN FELLOWS

Beginners to intermediate are welcome. Learn to paint and tap into your creativity. You will be taught the fundamentals needed for artistic expression. Everyone can paint! Materials list available at registration. 6 classes

Fall: Mondays: October 16 - November 27 6:00 - 9:00 p.m.
George Young Community Center



Winter: Mondays: January 22 - March 5 6:00 - 9:00 p.m.
George Young Community Center

Cost: Residents \$74 per session Non-Residents \$84 per session
(\$4.00 discount if paying by cash/check)

ARC DEFENSIVE DRIVING WITH ANTHONY CANNONE

AGES 16 & UP

ARC Defensive Driving is offering the Point/Insurance Reduction Program to NY drivers as incentive for their involvement in a driver improvement course.

Fall: Mondays: October 16 & 23 6:30 - 9:30 pm.

Winter: Thursdays: March 1 & March 8
George Young Community Center

Cost: Residents \$47 Non-Residents \$57
(\$2.00 discount if paying by cash/check)

BALLROOM DANCING I MELVIN ECKSTEIN

ADULTS

COUPLES ONLY! Ballroom dancing is fun and easy to learn. Learn the basic steps in Fox Trot, Waltz, Swing, Rumba, Cha-Cha, Tango and Merengue. Leather soled shoes preferred. 8 classes.

Fridays: October 6 - December 1 7:00 p.m - 8:00 p.m.
at the George Young Community Center

Cost: Residents \$58.00 Non-Residents \$68.00
(\$3.00 discount if paying by cash/check)

BALLROOM DANCING II
MELVYN ECKSTEIN

ADULTS

COUPLES ONLY! Participants enrolling in this class should have taken Ballroom Dancing I with the Recreation Dept. There will be review, and then a continuation of dances learned in Ballroom Dancing I. As we progress, some new and more challenging steps and dances will be introduced. Come join us for an evening of fun and exercise. Leather soled shoes preferred. 8 classes.

Fridays: October 6 - December 1 8:15 - 9:15 p.m.

Cost: Residents \$58.00/couple Non-Residents \$68.00/couple
(\$3.00 discount if paying by cash/check)



BIRDS & BIRDWATCHING
WITH BERNADETTE VORAS

ADULTS

Topics include the history, biology, behavior and migration of birds; the use of optics, field glasses and how to find and watch birds. Bring your own lunch, a folding seat. Binoculars are available for use. Comfortable, warm clothes and shoes are recommended. 6 classes.

Tuesdays: 9:00 a.m. - 2:00 p.m.
September 26 - October 31
Henry Pfeiffer Community Center



Cost: Residents \$26 Non-Residents \$36 (Seniors \$10 discount)
(\$1.00 discount if paying by cash/check)

CANOEING/KAYAKING
WITH JOHN NICOLELLIS

AGES: 14 +

Get ready to explore the Peconic, Long Island's largest river. Learn the basics and actually take a look at the pristine wilderness in Riverhead. 1 class + trip.

Wednesday, October 11th 7:30 - 9:00 p.m. at the
George Young Community Center
Sunday, October 15th Cruise on the Peconic River 9:30 a.m. - 2:30 p.m.

Cost: Residents Canoe \$47.00 Non-Residents: \$57.00
(\$2.00 discount if paying by cash/check)
Residents Kayak \$58.00 Non-Residents: \$68.00
(\$3.00 discount if paying by cash/check)



SPECIAL NEEDS CHILDREN'S PROGRAM
WITH JIM JANECEK

AGES 5 - 18

This program is designed to give opportunities for growth in areas of gross motor skills, socialization and communication. The program will consist of sports activities, music, body movement/mechanics. Parental participation/presence is required. Nurse on staff. 6 classes.

Fridays: 6:00 - 8:00 p.m. Phillips Avenue School
Session 1 - December 1 - January 26 Session 2 - February 2 - March 16

Cost: Residents/School District \$58 Non-Residents \$68
(\$3.00 discount if paying by cash/check)

SPECIAL NEEDS SPORTS CLINIC
WITH JIM JANECEK

AGES 5 - 18

This class is designed to introduce and enhance gross motor skills through sports programs: basketball, soccer, baseball/softball to be covered. Parents to participate. ADAPTIVE.

Saturdays: September 30 - November 4 3:30 - 5:00 p.m.
Riverhead High School Gym

Cost: Resident/School District \$37 Non-Residents \$47
(\$2.00 discount if paying by cash/check)

TAP DANCE
WITH MISS GAIL

AGES 6 - 9

This beginner tap dance class will include bar work, movement across the floor and small combinations. Tap shoes required. 7 classes.

Tuesdays: 7:00 - 8:00 p.m.
July 18 - August 29

Costs: Residents \$37.00 Non-Residents \$47.00
(\$2.00 discount if paying by cash/check)

YOUTH VOLLEYBALL
WITH JEN TRIANDIFILIS

AGES 7 - 15

This program is designed to develop fundamental skills used in volleyball. Emphasis for all activities will be good sportsmanship, team work and individual skill development. 6 classes.

Fall: Thursdays: November 2 - December 14 6:00 - 8:00 p.m.
Phillips Avenue Elementary School

Winter: Thursdays January 11 - February 15 6:00 - 8:00 p.m.
Phillips Avenue Elementary School

Cost: Residents/School District \$53 Non-Residents \$63
(\$3.00 Discount if paying by cash/check)

**FAMILY BIDDY BASKETBALL
JAMES JANECEK****AGES 4 - 6**

Family Biddy Basketball is a program designed for 4 - 6 year old boys & girls with their parent/guardian to engage in 1 1/2 hours of basic skill drills in the art of dribbling, passing, shooting, defense, footwork & teamwork. 6 classes.

Saturdays: September 30-November 4 10:30 - 12:00 PM
Riverhead High School Gym

Cost: Residents \$37.00 Non-Residents \$47
(\$2.00 discount if paying by cash/check)

**3 ON 3 FAST BREAK BASKETBALL
WITH JIM JANECEK****AGES 4 - 15**

All players regardless of experience level are encouraged to participate. Principles of offense, defense and teamwork will be taught. Prior participation in a Biddy Basketball program is recommended. 5 classes.

Ages 4 - 6 1:00 - 2:30 (parent participation required)
Ages 7 - 9 3:00 - 4:30 p.m.
Ages 10 - 15 4:30 - 6:00 p.m.

Saturdays: December 2 - January 13
Pulaski Street School

Cost: Residents/School District \$37 Non-Residents \$47
(\$2.00 discount if paying by cash/check)

**5 ON 5 BASKETBALL LEAGUE
WITH JIM JANECEK****AGES 7 - 15**

This is a competitive league combining players of different levels of experience. The first session will be a tryout to determine team organization. 8 classes.

Saturdays: January 20 - March 17
Pulaski Street School Gym

Ages 7-9 Coed 1:00 - 2:30 p.m.
Ages 10-15 Boys 3:00 - 4:30 p.m.
Ages 10 -15 Girls 4:30 - 6:00 p.m.

Cost: Residents/School District \$58 Non-Residents \$68
(\$3.00 discount if paying by cash/check)

SOFTBALL CLINICS**GRADES 5 - 8**

Hitting Clinics: The emphasis will be on the fundamental mechanics of hitting.

Session I: Fridays: January 5 - January 26 6:00 - 7:20 p.m.
Session II: Fridays: February 2 - March 2 7:30 - 8:50 p.m.

Pitching Clinics: The emphasis will be on the fundamental mechanics of pitching/catching. 4 classes each session.

Session I: Fridays: January 5 - January 26 6:00 - 7:20 p.m.
Session II: Fridays: February 2 - March 2 7:30 - 8:50 p.m.

Cost: Residents/School Dist. \$32 per session Non-Residents \$42 per session
(\$2.00 discount if paying by cash/check)

**COACHING CLINIC
WITH JIM JANECEK****AGES 15 AND UP**

This clinic is open to all individuals who coach, assistant coach or wish to coach at any level, any sport. From CJO, AAU, PAL and Little League venues specifically. The clinic covers area such as liability, Section XI policies, how to obtain coaching credentials along with sports specific info. 4 classes.

 Tuesdays: 7:00 - 9:30 p.m.
January 9 - January 30
George Young Community Center

Cost: Residents \$26 Non-Residents \$ 36
(\$1.00 discount if paying by cash/check)

CO-ED VOLLEYBALL LEAGUE PRACTICE

Sign up your team and you will be matched against other teams in your division for some pre-season practice. Play is open roster to allow new players to tryout. No referees! 4 practices.

Mondays: 8:15 - 10:15 p.m. October 23 - November 13
Wednesdays: 8:15 - 10:15 p.m. October 25 - November 15

Cost: Residents \$53 Non-Residents \$68
(\$3.00 discount if paying by cash/check)

**CO-ED VOLLEYBALL LEAGUES**

Co-Ed Volleyball leagues are now forming. Teams play on either Monday or Wednesday evening. Call the Recreation Dept. office for more info.

Mondays: December 4 - April 23
Wednesdays: December 6 - April 25

Game time: 9:00 - 11:15 p.m.
Riverhead High School Gym

Cost per team: \$588 (\$28.00 discount if paying by cash/check)

**COMMUNITY FIRST AID/CPR/AED
WITH DEBBIE HENNENLOTTER****AGES 15 AND UP**

This course will cover basic first aid, as well as Adult, Child & Infant CPR and AED. Fee includes American Red Cross certification cards and booklet. CPR mask available at extra cost of \$15. 2 classes

 Wednesdays: 6:00 - 10:00 p.m.
November 8 & 15

Cost: Residents \$58 Non-Residents \$68
(\$3.00 discount if paying by cash/check)

EXERCISE

If you are interested in additional fitness/exercise classes, please contact the Recreation Dept. office at 727-5744 ext. 25.

FOLIO FENCING - INTRODUCTORY COMPETITIVE WITH LONG ISLAND TENNIS AND SPORTS FOUNDATION AGES 12 & UP

The sport for a lifetime! Increase flexibility, speed, timing, and decision making. Awaken your inner Musketeer! Taught by top fencing instructors. Fencing is a sport for all ages & can be enjoyed at all skill levels. All necessary equipment will be provided. 6 classes.

Fall: Thursdays: October 12 - November 16 7:00 - 8:30 p.m.
George Young Community Center

Winter: Thursdays: January 11 - February 15 7:00 - 8:30 p.m.
George Young Community Center

Cost: Residents \$142 Non-Residents \$152
(\$7.00 discount if paying by cash/check)

GOLF WITH CALVERTON LINKS ADULTS

Golf clinics will enhance a golfer's performance whether they are a beginner or advanced player. The course covers fundamentals of all parts of the game including: putting, chipping, pitching, and full swing. Students have a chance to improve their game and learn etiquette and rules as well. The format will start from the green and move out to the full swing. Knowledge on how to use different clubs will also be taught. Classes are not overbooked, so the student gets individual instruction as well as group format. Please bring your own clubs. Class size limited. 5 classes.

Tuesday & Thursday: September 21 - October 5 5:30 - 6:50 p.m.

Cost: Residents: \$95 Non-Residents: \$105
Senior Residents: 85.00 Senior Non-Residents \$95
(\$5.00 discount if paying by cash/check)



JAZZERCISE ADULTS

When you love your workout, results come easy. That's why Jazzercise blends aerobics, yoga, Pilates and kickboxing movements into fun dance routines set to fresh music. All fitness levels welcome. Each class includes: warm-up, 30-40 minute aerobic workout, muscle toning & strengthening using weights and full-body stretch. Please bring a towel or mat for floor work, water bottle, & weights (optional). Wear cool comfortable clothing & sneakers. 12 classes.

Tuesday & Thursdays: 10:00 - 11:00 a.m. October 10 - November 21
Henry Pfeiffer Community Center

Cost: Residents \$72 Non-Residents \$82
(4.00 discount if paying by cash/check)

Childcare available during class time, please call 451-2240

ADVANCED BASKETBALL SKILLS WITH JIM JANECEK AGES 10-15

This is designed to enhance fundamental offensive & defensive skills with emphasis on position-specific skills. 3 on 3 Fast Break and 3 on 3 halfcourt competition is also part of this program. 6 classes.

Saturdays: September 30 - November 4 1:30 - 3:00 pm
Riverhead High School Gym

Cost: Resident/School District \$37 Non-Residents \$47
(\$2.00 discount if paying by cash/check)

BASKETBALL SHOOTING CLINIC WITH JIM JANECEK AGES 7 - 15

Concentration on fundamentals of shooting (layups, jumpshots, foulshots, foot-work & form). 2 classes. Enrollment limited.

Saturdays: 1:00 - 4:00 p.m. November 11 & 18
Pulaski Street School Gym

Cost: Resident/School District \$37 Non-Residents \$47
(\$2.00 discount if paying by cash/check)

BASKETBALL SHOOTOUT WITH JIM JANECEK AGES 7 - 15

The shootout will include 30 second foul shooting, 3 point shooting and combo shooting. Boys and girls will have separate competitions into 3 age groups: 7-9; 10-12; and 13-15.

March 23, 2007
Friday: 6:00 - 9:00 p.m.
Pulaski Street School Gym

Cost: Residents/School District \$6 Non-Residents \$11
(\$1.00 discount if paying by cash/check)



BIDDY BASKETBALL WITH JIM JANECEK AGES 7-9

Designed to develop fundamental offensive and defensive skills used in basketball. Everyone will have the opportunity for equal participation in games and "game-like" situations. Emphasis for all activities will be good sportsmanship, teamwork, and individual success. 6 classes. Enrollment is limited.

Saturdays: September 30 - November 4 12:00 - 1:30pm
Riverhead High School Gym

Cost: Resident/School District \$37 Non-Residents \$47
(\$2.00 discount if paying by cash/check)

**KARATE FOR YOUTH
WITH SENSEI LETSON**

AGES 5-12

This course is an introduction to the martial arts. Students will be taught basic self-defense techniques geared towards realistic situations that can occur every day. Safety will be stressed within a fun, yet disciplined environment. 8 classes



Saturdays: January 20 - March 10
Ages 5-7 10:00 - 11:00 a.m.
Ages 8-12 11:00 - 12:00 p.m.
George Young Community Center

Cost: Residents \$37 Non-Residents \$47
(\$2.00 discount if paying by cash/check)

**NHL STREET HOCKEY LEAGUE
WITH LONG ISLAND TENNIS AND SPORTS FOUNDATION**

AGES 7-14

NHL Street Hockey is an organized team sport for grade school students. This program enables the game of hockey to reach children who have never played & want to try it for the first time. Each class consists of instruction & team matches. The following equipment will be provided by the LTSF hockey sticks & goalie equipment. All children must bring their own mouth guards & eye protection. 6 classes.

Fall: Saturdays: October 14 - November 18
Roller Rink at Stotzky Park
Ages: 7 - 10 9:00 - 10:30 a.m. Ages 11-14 10:30 - 12:00 noon

Cost: Residents \$79 Non-Residents \$89
(\$4.00 discount if paying by cash/check)

**RHYTHM RECREATION
WITH MISS GAIL**

AGES 3-8

An Introduction to dance & movement. Emphasizing rhythm, coordination, musicality, creativity, breathing & stretching all of which are relevant before studying any form of dance. Children will learn in a fun & relaxed atmosphere. Dancewear or comfortable clothing required. Comfortable shoe or barefoot. 7 classes at the George Young Community Center.

Fall: October 7 - November 18
3 Yr. Olds 10:00 - 11:00 a.m.
4 Yr. Olds 11:00 - 12:00 p.m.
5-9 Yr. Olds. 12:00 - 1:00 p.m.
Non-Residents \$47
Cost: Residents \$37
(\$2.00 discount if paying by cash/check)



Winter: January 20 - March 3
3 Yr. Olds 10:00 - 11:00 a.m.
4 Yr. Olds 11:00 - 12:00 p.m.
5-9 Yr. Olds. 12:00 - 1:00 p.m.
Non-Residents \$47
Cost: Residents \$37
(\$2.00 discount if paying by cash/check)



**LIFEGUARD TRAINING COURSE
WITH DEBBIE HENNENLOTTER**

AGES 15 AND UP

Aimed at those at least 15 years of age to develop skills and knowledge needed to prevent, recognize and effectively respond to aquatic emergencies, prevent drowning and other incidents. A pre-test for swimming skills will be held on the first day of class. Certification can be obtained in Lifeguarding, CPR, First Aid, and Water-front. Course fee includes books and CPR masks. 6 classes.



Saturdays: January 13-February 24
BNL Pool 8:45 AM-11:45 a.m.
Henry Pflieger CC 1:30 - 4:30 p.m.

Cost: Residents \$221 Non-Residents \$231
(\$11.00 discount if paying by cash/check)

**MORNING YOGA
WITH ROSEMARY MARTILOTTA**

ADULTS

Hatha Yoga aimed toward increasing flexibility, circulation, and strength. Instruction includes back therapy and stress reduction techniques. All levels welcome. 8 classes.

Fall: Wednesday: 8:00 - 9:30 a.m. October 11 - November 29
George Young Community Center

Cost: Residents \$68 Non-Residents \$78
(\$3.00 discount if paying by cash/check)

Winter: Wednesdays: 8:00 - 9:30 a.m. January 17 - March 14
George Young Community Center

Cost: Residents \$68 Non-Residents \$78
(\$3.00 discount if paying by cash/check)

**WOMEN'S SELF-DEFENSE & KARATE
SENSEI LETSON**

ADULTS

This class offers an in-depth study of basic self defense techniques to prevent a potential attack or mugging. Walk outside with confidence and assurance that you 'will have a choice!' Don't be a victim to any predator you might encounter. 6 classes

Tuesdays: 6:30 - 7:30 PM January 16 - March 6
George Young Community Center

Cost: Residents \$32 Non-Residents \$42
(\$2.00 discount if paying cash/check)



**YOGALATES - SATURDAYS
WITH ADAM BARANELLO**

ADULTS

A total body workout combining yoga and pilates. Designed to incorporate the elements of breathing & stretching from yoga, and strengthening & toning from pilates. Yoga mat required. 7 classes.

Fall: Saturdays: October 7 - November 18th
 Session 1: 10:00 - 11:00 a.m. Session 2: 11:00 a.m. - 12 noon
 George Young Community Center

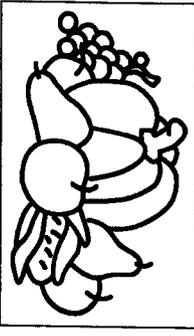
Winter: Saturdays: January 20 - March 3
 Session 1: 10:00 - 11:00 a.m. Session 2: 11:00 a.m. - 12 noon
 Cost: Residents: \$37 per session Non-Residents \$47 per session
 (\$2.00 discount if paying by cash/check)

**YOGALATES - TUESDAYS
WITH ADAM BARANELLO**

ADULTS

A total body workout combining yoga and pilates. Designed to incorporate the elements of breathing & stretching from yoga, and strengthening & toning from pilates. Yoga mat required. 6 classes.

Tuesdays: 7:30 - 8:30 p.m. January 23 - March 6
 George Young Community Center
 Cost: Residents \$37 Non-Residents \$47
 (\$2.00 discount if paying by cash/check)



SPECIAL EVENTS

**HOLIDAY OPEN HOUSE
AT THE HENRY PFEIFFER COMMUNITY CENTER**

FREE
 Come for some Holiday Fun--Games, Crafts and Santal!
 Have your picture taken with Santa from 11:00 - 11:45 a.m.
 Saturday, December 2, 2006
 10:00 a.m. - 1:00 p.m.

FREE

**FAMILY PEE WEE SOCCER
WITH PATRICK BENTSON**

AGES 4-5

A fun evening with assorted soccer activities featuring proper warm-up and break-down drills as well as individual and team sport concepts. Parent/guardian to participate. 5 classes

Fridays: 6:00 - 8:00 p.m. September 29 - October 27
 Stotzky Park - Field # 1
 Cost: Residents \$32 Non-Residents \$42
 (\$2.00 discount if paying by cash/check)

**FOIL FENCING - INTRODUCTORY COMPETITIVE
WITH LONG ISLAND TENNIS AND SPORTS FOUNDATION**

AGES 7-11

The sport for a lifetime! Increase flexibility, speed, timing, and decision making. Awaken your Inner Musketeer! Taught by top fencing instructors. Fencing is a sport for all ages & can be enjoyed at all skill levels. All necessary equipment will be provided. 6 classes.

Fall: Thursdays: October 12 - November 16 5:30 - 7:00 p.m.
 George Young Community Center
Winter: Thursdays: January 11 - February 15 5:30 - 7:00 p.m.
 George Young Community Center
 Cost: Residents \$142 per session Non-Residents \$152 per session
 (\$7.00 discount if paying by cash/check)



**GYMNASTICS
WITH RIVERSIDE GYMNASTICS ACADEMY**

AGES 6 - 10

An introduction to Gymnastics for those with little or no experience. 6 classes
 Winter: Dates & times TBA. Please contact the Rec. Office at 727-5744 ext. 25
 Riverside Gymnastics Academy

**HIP HOP DANCE
WITH ADAM BARANELLO**

AGES 8 - 12

Come and dance to the modern Hip Hop beat. These classes will emphasize rhythm, coordination, breathing, musically and the techniques of this popular modern dance form. Sneakers or comfortable shoes recommended. 7 classes

Fall Saturdays: 12 noon - 1:00 p.m. October 7 - November 18
 George Young Community Center
Winter Saturdays: 12 noon - 1:00 p.m. January 20 - March 3
 George Young Community Center
 Cost: Residents \$37 Non-Residents \$47
 (\$2.00 discount if paying by cash/check)

YOUTH PROGRAMS

A TIME FOR KIDS WITH KELLY TOCCI

AGES 2-4

A tiny tot discovery program designed for both child and parent/caregiver to participate together and play with other children. Each session will consist of interactive songs, crafts, and movement activities. 6 classes

Fall: Wednesdays: 10:00 - 11:00 a.m. October 11 - November 15
Winter: Wednesdays: 10:00 - 11:00 a.m. January 17 - February 28

Cost: Residents \$32 per session Non-Residents \$42 per session
(\$2.00 discount if paying by cash/check)

BATON TWIRLING-BEGINNER WITH EAST END TWIRLERS

AGES 5 & UP

Baton twirling is fun, easy, and exciting! Participants will learn basic twirls, dance twirl movement, and a parade marching routine. Baton twirling develops poise, grace and builds self-confidence. Twirling also improves flexibility and coordination. Batons are available for new students from instructor, cost \$20.00 **Students must wear sneakers & comfortable clothing.** 8 classes

Fall: Thursdays: 5:30 - 6:15 p.m. October 5 - November 30
Riley Avenue School

Winter: Thursdays: 5:30 - 6:15 p.m. January 11 - March 1
Riley Avenue School

Cost: Residents \$42 per session Non-Residents \$52 per session
(\$2.00 discount if paying by cash/check)

BATON TWIRLING-INTERMEDIATE WITH EAST END TWIRLERS

AGES 5 & UP

Participants need to have taken at least 2 Sessions of Beginner Baton Twirling prior to enrolling in the Intermediate class or need prior approval from the Instructor. 8 Classes.

Fall: Thursdays: October 5 - November 30
Session 1: 6:30 - 7:15 p.m. **Session 2:** 7:30 - 8:15 p.m.
Riley Avenue School

Winter: Thursdays: January 11 - March 1
Session 1: 6:30 - 7:15 p.m. **Session 2:** 7:30 - 8:15 p.m.
Riley Avenue School

Cost: Residents \$42/Session Non-Residents \$52/Session
(\$2.00 discount if paying by cash/check)



**RIVERHEAD SKATE PARK
LOCATED AT STOTZKY PARK
631-727-5744 EXT 31**

Please visit www.riverheadll.com or call 727-5744 ext. 31 for hours of operation and fees. All participants must be at least 6 years of age and must wear helmets, knee pads, and elbow pads. Participants under the age of 18 must have a parent or legal guardian sign a liability waiver.

YOUTH NIGHT

AT THE HENRY PFEIFER COMMUNITY CENTER
Open to Riverhead Students (grades 7-12)

"Hang-out" at the new Youth Night at Henry Pfeifer Community Center in Calverton. The program will feature Movies, X-Box, Ping-Pong, Air Hockey, Board Games, Music and other great activities.

Special Theme Nights will include dances, pizza party, talent show, senior/youth card night and much much more. Call 727-5744 for dates and times of special theme nights.

Thursdays beginning October 12
6PM-8:45PM

Call 727-5744 for bus transportation

Cost: Entrance is free (must have school identification)

AT THE NYS ARMORY
Middle School and High School Students

Come join your fellow classmates in pick-up basketball at the NYS Armory. Open to Riverhead Students (Middle and High School).

Mondays, Wednesdays, Fridays
6:00-8:45PM

High School ONLY 1st and 3rd Fridays
6:00-8:45PM.

Middle School only 2nd & 4th Fridays
6:00-8:45PM

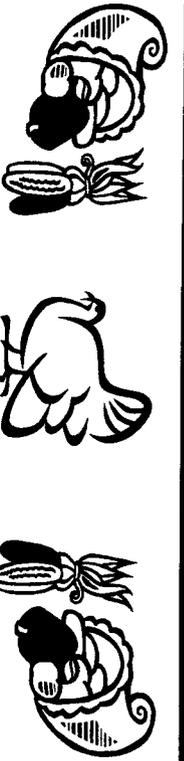
Cost: Entrance is free (must have school identification)

SAVE THE DATE

Saturday, March 31st
(Rain date April 7th)

Annual Easter Egg Hunt
at Stotzky Park





RIVERHEAD EMERGENCY MANAGEMENT

Special needs/evacuation applications are available for Riverhead residents who would require assistance in evacuation of their home in the case of a severe storm or disaster:

Applications may be obtained at anytime by contacting the office of the Chief of Police, Riverhead Police Dept. at

(631) 727-4500 ext. 315
 or by calling
(631) 727-4500 ext 767 and leaving a message

REMEMBER, BE SAFE AND PREPARE EARLY

PROGRAM INSTRUCTORS NEEDED

Are you able to teach a recreation or adult education program for the Town of Riverhead? We are looking for your skills and expertise to help us provide a wider variety of programs and activities for town residents. All ideas and suggestions are welcomed and appreciated. Please submit your idea in writing to:

Riverhead Recreation Department, 200 Howell Avenue, Riverhead, NY 11901

HELP WANTED

The Riverhead Recreation Dept. has openings for the following positions:

**Volleyball Attendants & Officials, Park Attendants,
 Teen Center Aides/Leaders
 Special Needs Aides/Counselors**

Applications are available at www.riverheadll.com and can be returned to Riverhead Recreation Dept. at Stotzky Park

SOFTBALL LEAGUES

Looking to organize 5 adult softball leagues to play at Stotzky Park this coming summer:

- Men's & Women's Slow Pitch
- Men's Modified
- Co-Ed Slow Pitch
- Over 50 Men's Slow Pitch

Please contact the Recreation Department by January 19, 2007 if you wish to enter a team for the 2007 season

REGISTRATION BEGINS MONDAY, SEPTEMBER 25, 2006

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Recreation Department, Stotzky Park (631)727-5744

Office Address: 55 Columbus Avenue, Riverhead
 Mailing Address: 200 Howell Avenue, Riverhead, NY

Website: www.riverheadll.com
 Office Hours: Mon. - Fri. 8:30 a.m. - 4:30 p.m.

Raymond Coyne, Superintendent

- Colleen Fox
- James Janecsek
- Kelly Tocci
- Diane Beatty
- Lorraine Miller
- Doris Strange

9/6/06

TOWN OF RIVERHEAD

RESOLUTION # 844

Adopted

Authorizes the Implementation, and Funding in the First Instance 100% of the Federal-Aid and State Marchiselli Program-aid Eligible Costs, of a Transportation Federal-Aid Project (Local Safe Streets and Traffic Calming-Middle Road Roundabout) and Appropriating funds Therefore

COUNCILMAN DUNLEAVY

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

WHEREAS, the Town of Riverhead submitted an application to NYS DOT under the LSSTC program in October 2004 for funding to construct a roundabout on Middle Rd. to improve safety and institute traffic calming measures in this area; and

WHEREAS, the funding was approved in 2005 in an amount not to exceed \$486,000 (88%) for the total project cost of \$551,000; and

WHEREAS, the project referred to as PIN #0758.69 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ration of 80% federal funds and 20% non-federal funds; and

WHEREAS, the Town of Riverhead desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of \$551,000, as required.

THEREFORE, BE IT RESOLVED, that the Town Board hereby approves the above-referenced project; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the Town of Riverhead to pay in the first instance 100% of the federal and non-federal share of the cost of design/professional engineering and construction work for the project or portions thereof; and

BE IT FURTHER RESOLVED, that the sum of \$551,000 has been appropriated and is available to cover the cost of participation in the project and in the event the full federal and nonfederal share costs of the project exceeds the amount appropriated above, the Town of Riverhead shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the financial administrator thereof; and

BE IT FURTHER RESOLVED, that the Supervisor of the Town of Riverhead is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Town of Riverhead with the New York State Department of Transportation in connection with the advancement or approval of the project and providing for the administration of the project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible project costs and all project costs within appropriations therefore that are not so eligible; and

BE IT FURTHER RESOLVED, that the Town Clerk shall forward a copy of this resolution to the Community Development Department, Engineering Department, Accounting Department and Town Attorney as well as a certified copy to the CD Director for the NYS Commissioner of Transportation to accompany the executed agreement.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Andrea Lohneiss 8/22/06

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



State of New York
Department of Transportation
Albany, N.Y. 12232
<http://www.dot.state.ny.us>

Thomas J. Madison, Jr.
Commissioner

George E. Pataki
Governor

August 11, 2006

Mr. Kenneth Testa, P.E.
Town of Riverhead Engineering Dept.
200 Howell Avenue
Riverhead, NY 11901-2596

RE: PIN# 0758.69 Riverhead: Middle Rd Roundabout

Dear Mr. Testa:

Enclosed please find an unsigned copy of the STANDARD Federal Aid Highway and Marchiselli Aid Project Agreement for PIN# 0758.69. Please return the following information:

- 3 copies of the Agreement with original signatures and notarized
- 3 additional original signature/notarization pages
- 3 original Certified Resolutions (sample Resolution included with this agreement)

The Resolution should specify the total amount of funding the County expects to commit to complete the project. These documents are necessary in order to assure the processing of your Agreement in a timely manner.

If you have any questions, please call me at (631) 952-6122. Thank you in advance for your cooperation.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Lanny S. Wexler'.

Lanny S. Wexler
N.Y.S. Dept. of Transportation, Program Administrator

Attachment

cc: file

**STANDARD Federal Aid Highway and Marchiselli Aid Project
Agreement**

COMPTROLLER'S CONTRACT NO _____

This Agreement, effective this _____ day of _____ 200_, is by and between:

the New York State Department of Transportation ("NYSDOT"), having its principal office at
50 Wolf Road, Albany, NY 12232, on behalf of New York State ("State");

and,

the Town of Riverhead_ (the "Municipality/Sponsor")
acting by and through the Town Supervisor
with its office at Town Hall, 200 Howell Avenue, Riverhead, NY 11901

This agreement identifies the party responsible for administration, and establishes the method or provision for funding, of applicable phases of a Federal-aid project for the improvement of a street or highway not on the State highway system, as such project and phases are more fully described by Schedule A annexed to this agreement or one or more duly executed and approved Supplemental Schedules A to this agreement. The phases that are potentially the subject of this agreement, as further enumerated below, are: Preliminary Engineering ("PE") and Right-of-Way Incidental ("ROW Incidentals") work; Right-of-Way Acquisition; Construction; and/or Construction Supervision and Inspection. The Federal-aid project shall be identified for the purposes of this agreement as Middle Road: Roundabout (as more specifically described in such Schedule A or Supplemental Schedules A, the "Project").

WITNESSETH:

WHEREAS, the United States has provided for the apportionment of Federal-aid funds to the State for the purpose of carrying out Federal-aid highway projects pursuant to the appropriate sections of Title 23 U.S. Code as administered by the Federal Highway Administration ("FHWA"); and

WHEREAS, the New York State Highway Law authorizes the Commissioner of Transportation (hereinafter referred to as "Commissioner") to use Federal aid available under the Federal-aid highway acts and provides for the consent to and approval by the Municipality/Sponsor of any project under the Federal-aid highway program which is not on the State highway system before such Project is commenced; and

WHEREAS, pursuant to Highway Law §10(34-a) and section 15 of Chapter 329 of the Laws of 1991 as amended by section 9 of Chapter 330 of the Laws of 1991 the State established the "Marchiselli" Program, that provides State aid for Federal aid highway projects not on the State highway system; and

WHEREAS, pursuant to Chapters 329, 330 and 331 of the Laws of New York of 1991, Highway Law §80-b and Public Authorities Law §380 funding of the "State share" of projects under the Marchiselli Program is provided from the proceeds of Local Highway and Bridge Service Contract Bonds issued by the New York State Thruway Authority ("Thruway Authority Bonds"); and

WHEREAS, the continuing legislative authorization for the funding of eligible costs of Federal aid Municipal/Sponsor streets and highway projects from the proceeds of Thruway Authority Bonds is pursuant to a chapter or chapters of the laws of New York State providing appropriations pursuant to Public Authorities Law §380(1); and

WHEREAS, projects eligible for Marchiselli aid are identified by the State Legislature in the "Comprehensive List" published in the annual Report of the Fiscal Committees on the Executive Budget (the "Green Book"), and the Project is duly included in the current Green Book; and

WHEREAS, pursuant to authorizations therefore, NYSDOT and the Municipality/Sponsor are desirous of progressing the Project under the Federal-aid and, if applicable, Marchiselli-aid Programs; and

WHEREAS, the Legislative Body of the Municipality/Sponsor by Resolution No. _____ adopted at meeting held on _____ approved the Project, the Municipality/Sponsor's entry into this Agreement, has appropriated necessary funds in connection with any applicable Municipal/Sponsor Deposit identified in applicable Schedules A and has further authorized the _____ of the Municipality/Sponsor to execute this Agreement and the applicable Schedule A on behalf of the Municipality/Sponsor (a copy of such Resolution is attached to and made a part of this Agreement).

NOW, THEREFORE, the parties agree as follows:

1. *Documents Forming this Agreement.* The agreement consists of the following:
 - Agreement Form - this document titled "Master Federal Aid and Marchiselli Aid Project Agreement";
 - Schedule "A" - Description of Project phase, funding and deposit requirements;
 - Schedule "B" - Phases, Subphase/Tasks, and Allocation of Responsibility
 - Appendix "A" - New York State Required Contract Provisions
 - Appendix "B" - U.S. Government Required Clauses
 - Municipal/Sponsor Resolution(s) - duly adopted Municipal/Sponsor resolution(s) authorizing the appropriate Municipal/Sponsor official to execute this Agreement on behalf of the Municipality/Sponsor and appropriating the funding required therefore.
2. *General Description of Work and Responsibility for Administration and Performance.* Subject to the allocations of responsibility for administration and performance thereof as shown in Schedule B (attached), the work of the Project may consist generally of the categories of work marked and described in Schedule B for the scope and phase in effect according to Schedule A or one or more supplemental Schedules A as may hereafter be executed by the parties hereto and approved as required for a State contract, and any additions or deletions made thereto by NYSDOT subsequent to the execution of such Schedules A for the purposes of conforming to New York State or to Federal Highway Administration requirements.

The Municipality/Sponsor understands that funding is contingent upon the Municipality/Sponsor's compliance with the applicable requirements of the "Procedures for Locally Administered Federal Aid Projects" manual (available both in hard copy and through NYSDOT's web site at: <http://www.dot.state.ny.us/pubs/localproj/local.html>), in particular the Appendices to Chapter 4 entitled Work Requirements, Record Keeping Guidelines and Consultant Selection Procedures, as such may be amended from time to time.
3. *Municipal/Sponsor Deposit.* Where the work is performed by consultant or construction contract entered by NYSDOT, or by NYSDOT forces, and unless the total non-Federal share of the Project phase is under \$5000, the Municipality/Sponsor shall deposit with the State Comptroller, prior to the award of NYSDOT's contract or NYSDOT's performance of work by its own forces, the full amount of the non-Federal share of the Project costs due in accordance with Schedule A.

4. *Payment or Reimbursement of Costs.* For work performed by NYSDOT, NYSDOT will directly apply Federal aid and the required Municipal/Sponsor Deposit for the non-Federally aided portion, and, if applicable, shall request Thruway Authority funding of Marchiselli aid to the Municipality/Sponsor as described below. For work performed by or through the Municipality/Sponsor NYSDOT will reimburse the Municipality/Sponsor with Federal aid and, if applicable, Marchiselli aid as described below.

4.1 *Federal Aid.* NYSDOT will administer Federal funds for the benefit of the Municipality/Sponsor for the Federal share and will fund the applicable percentage designated in Schedule A of Federal aid participating costs incurred in connection with the work covered by this Agreement, subject to the limitations set forth on Schedule A. For work performed by or through the Municipality/Sponsor NYSDOT will reimburse Federal aid-eligible expenditures in accordance with NYSDOT policy and procedures.

4.1.1 *Participating Items.* NYSDOT shall apply Federal funds only for that work and those items that are eligible for Federal participation under Title 23 of U.S. code, as amended, that requires Federal aid-eligible projects to be on the Federal Aid Highway System ("FAHS"), except for bridge and safety projects that can be off the FAHS. Included among the participating items are the actual cost of employee personal services, leave and fringe benefit additives are eligible for Federal participation. Other participating costs include materials and supplies, equipment use charges or other Federal Participating costs directly identifiable with the eligible project.

4.1.2 *Periodic Reimbursement.* Except where the Municipality/Sponsor proceeds or has proceeded without an agreement with NYSDOT, if the Municipality/Sponsor finds it desirable to have reimbursement made periodically, upon the request and certification therefore by the Municipality/Sponsor NYSDOT may make Federal aid progress payments based on either:

- a. billings submitted by the consultant;
- b. payment estimates prepared by NYSDOT's Engineer in Charge; or
- c. billings prepared by the Municipality/Sponsor in accordance with NYSDOT requirements, based on costs incurred as disclosed by the records thereof, as required by the Project, with adjustments to be made after audit by NYSDOT or FHWA. These payments shall be made as moneys become available therefore.

4.2 *Marchiselli Aid (if applicable).* NYSDOT will request Thruway Authority reimbursement to the Municipality of the upset amount and designated percentage in Schedule A of the non-overmatched non-federal share of federal participating cost, (the "State share"), incurred in connection with the work covered by this agreement, subject to the limitations set forth on Schedule A. Not all federal aid-eligible participating costs are eligible for Marchiselli aid. Only "Eligible Project Costs" (as defined in Marchiselli Program instructions issued by NYSDOT) incurred after April 1, 1991 are reimbursable.

4.2.1 *Marchiselli Eligible Project Costs.* To be eligible for Marchiselli Aid Project costs must: (a) be eligible for federal participation as described under §4.1; (b) be for work which, when completed, has a certifiable service life of at least 10 years; and (c) be for a work type that relates directly and exclusively to a municipally-owned highway, bridge or highway-railroad crossing off the State Highway System.

4.2.2 *Periodic Reimbursement.* Except where the Municipality proceeds or has proceeded without a Marchiselli agreement with NYSDOT, if the Municipality finds it desirable to have reimbursement made periodically, upon the request and certification therefore by the Municipality NYSDOT may submit a request to the Thruway Authority to make progress payments based on the amount of Federal Aid participating expenditures made to date by the New York State Comptroller. For work performed by or through the Municipality, NYSDOT will reimburse eligible Marchiselli expenditures in accordance with Marchiselli program policy and claims procedures, with adjustments to be made after audit by NYSDOT or FHWA. These payments shall be made as moneys become available therefor.

4.3 In no event shall this Agreement create any obligation to the Municipality/Sponsor for funding or reimbursement of any amount in excess of:

(a) the amount stated in Schedule A or duly executed Supplemental Schedules A for the Federal Share; or

(b) the amount stated in Schedule A or duly executed Supplemental Schedules A as the State (Marchiselli) share or the amount stated in the Comprehensive List, whichever is lower.

4.4 All items included by the Municipality/Sponsor in the record of costs shall be in conformity with accounting procedures acceptable to NYSDOT and the FHWA. Such items shall be subject to audit by the State and the FHWA.

4.5 If Project-related work is performed by NYSDOT, NYSDOT will be paid for the full costs thereof. To effect such payment the reimbursement to the Municipality/Sponsor provided for in sections 4.1 and 4.2 may be reduced by NYSDOT by the amounts thereof in excess of the Municipal/Sponsor Deposit available for such payment to NYSDOT.

5. *Supplemental Agreement or Supplemental Schedule A.* Supplemental Agreements or Supplemental Schedules A may be entered by the parties, and must be approved in the manner required for a State contract. In the event Project cost estimates increase over the amounts provided for in Schedule, A or Eligible Project Costs in the Comprehensive List are increased by the legislature, no additional reimbursement shall be due to the Municipality/Sponsor unless the parties enter into a Supplemental Agreement or Supplemental Schedule A for reimbursement of additional Eligible Project Costs.

6. *State Recovery of Ineligible Reimbursements.* NYSDOT shall be entitled to recover from the Municipality/Sponsor any moneys paid to the Municipality/Sponsor pursuant to this Agreement which are subsequently determined to be ineligible for Federal Aid or Marchiselli Aid hereunder.

7. *Loss of Federal Participation.* In the event the Municipality/Sponsor withdraws its approval of the project, or suspends or delays work on the Project, or takes other action that results in the loss of Federal participation for the costs incurred pursuant to this agreement, the Municipality/Sponsor shall refund to the State all reimbursements received from the State, and shall reimburse the State for 100% of all preliminary engineering and right-of-way incidental costs incurred by NYSDOT. The State may offset any other State or Federal aid due to the Municipality/Sponsor by such amount and apply such offset to affect such refund.

8. *Municipality/Sponsor Liability.*

8.1 If the Municipality/Sponsor performs work under this agreement with its own forces, it shall be responsible for all damage to person or property arising from any act or negligence performed by or on behalf of the Municipality/Sponsor, its officers, agents, servants or employees, contractors, subcontractors or others in connection therewith. The Municipality/Sponsor specifically agrees that its agents or employees shall possess the experience, knowledge and character necessary to qualify them individually for the particular duties they perform.

8.2 The Municipality/Sponsor shall indemnify and save harmless the State for all damages and costs arising out of any claims, suits, actions, or proceedings resulting from the negligent performance of work by or on behalf of the Municipality/Sponsor its officers, agents, servants, employees, contractors, subcontractors or others under this agreement. Negligent performance of service, within the meaning of this section shall include, in addition to negligence founded upon tort, negligence based upon the Municipality/Sponsor's failure to meet professional standards and resulting in obvious or patent errors in the progression of its work.

9. *Facility Maintenance.* Except as otherwise provided for a NYSDOT administered project during its construction phase only, the Municipality/Sponsor shall be responsible for the maintenance of the project at the sole cost and expense of the Municipality/Sponsor. If the Municipality/Sponsor intends to have the project maintained by another, any necessary maintenance agreement will be executed and submitted to NYSDOT before construction of the Project is begun. Upon its completion, the Municipality/Sponsor will operate and maintain the Project at no expense to NYSDOT and, during the useful life of the Project the Municipality/Sponsor shall not discontinue operation of the Project without the prior written approval of NYSDOT. The Municipality/Sponsor will not dispose of the Project during its useful life without the prior approval of NYSDOT. In the event of such approved disposition the Municipality/Sponsor shall either cause the purchaser or transferee to assume the Municipality/Sponsor's continuing obligations under this Agreement, or shall reimburse NYSDOT for the pro-rata share of the grant over the remaining useful life of the Project.

10. *Independent Contractor.* The officers and employees of the Municipality/Sponsor, in accordance with the status of the Municipality/Sponsor as an independent contractor, covenant and agree that they will conduct themselves consistent with such status, that they will neither hold themselves out as nor claim to be an officer or employee of the State by reason hereof, and that they will not by reason hereof, make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the State, including, but not limited to, Workers Compensation coverage, Unemployment Insurance benefits, Social Security or Retirement membership or credit.

11. *Contract Executory; Required Federal Authorization.* It is understood by and between the parties hereto that this Agreement shall be deemed executory only to the extent of the moneys available to the State and no liability on account thereof shall be incurred by the State beyond moneys available for the purposes hereof. No phase of work for the project shall be commenced unless and until NYSDOT receives authorization from the Federal government.

12. *Assignment or Other Disposition of Agreement.* The Municipality/Sponsor agrees not to assign, transfer, convey, sublet or otherwise dispose of this Agreement or any part thereof, or of its right, title or interest therein, or its power to execute such Agreement to any person, company or corporation without previous consent in writing of the Commissioner.

13. *Term of Agreement.* As to the Project and phase(s) described in Schedule(s) A executed herewith, this agreement takes effect as of the date of this Agreement as first above written. This agreement takes effect as to the Project and phase(s) established in any duly executed and approved supplemental Schedule(s) A as of the date of such supplemental Schedule(s) A. This agreement shall remain in effect so long as Federal aid and Marchiselli aid funding authorizations are in effect and funds are made available pursuant to the laws controlling such authorizations and availabilities. However, if such authorizations or availabilities lapse and are not renewed, continued or reenacted, as to funds encumbered or available and to the extent of such encumbrances or availabilities, this agreement shall remain in effect for the duration of such encumbrances or availabilities. Although the liquidity of encumbrances or the availability of funds may be affected by budgetary hiatuses, a Federal or State budgetary hiatus will not by itself be construed to lapse this agreement, provided any necessary Federal or State appropriations or other funding authorizations therefore are eventually enacted.

14. *NYSDOT Obligations.* NYSDOT's responsibilities and obligations are as specifically set forth in this contract, and neither NYSDOT nor any of its officers or employees shall be responsible or liable, nor shall the Municipality/Sponsor assert, make, or join in any claim or demand against NYSDOT, its officers or employees, for any damages or other relief based on any alleged failure of NYSDOT, its officers or employees, to undertake or perform any act, or for undertaking or performing any act, which is not specifically required or prohibited by this agreement.

15. *Required Clauses.* Attached hereto and made a part of this agreement as if set forth fully herein is Appendix A, standard clauses for all New York State contracts.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by their duly authorized officials as of the date first above written.

MUNICIPALITY/SPONSOR: TOWN OF RIVERHEAD

NYS DOT

BY: _____

BY: _____

Title: _____

For Commissioner of Transportation

Agency Certification: In addition to the acceptance of this contract I also certify that original copies of this signature page will be attached to all other exact copies of this contract.

APPROVED AS TO FORM:
STATE OF NEW YORK ATTORNEY GENERAL

Municipal/Sponsor Attorney

BY: _____
Assistant Attorney General

COMPTROLLER'S APPROVAL:

By: _____
For the New York State Comptroller
Pursuant to State Finance Law §112.

STATE OF NEW YORK)
)ss.:
COUNTY OF)

On this _____ day of _____, 20____ before me personally came _____ to me known, who, being by me duly sworn did depose and say that he resides at _____; that he is the _____ of the Municipal/Sponsor Corporation described in and which executed the above instrument; that it was executed by order of the _____ of said Municipal/Sponsor Corporation pursuant to a resolution which was duly adopted on _____ and which a certified copy is attached and made a part hereof; and that he signed his name thereto by like order.

Notary Public

NYS DOT/Local Agreement - Schedule A for PIN 0758.69

OSC Municipal Contract #: _____ **Contract End Date:** 3/31/2008 (mm/dd/yyyy)
 Check, if date changed from the last Schedule A

Purpose: Original Standard Agreement Supplemental Schedule A No. _____

Agreement Type: Locally Administered Municipality/Sponsor (Contract Payee): Town of Riverhead
 Other Municipality/Sponsor (if applicable): _____
 State Administered

List participating Municipality(ies) and the % of cost share for each and indicate by checkbox which Municipality this Schedule A applies.
 Municipality: _____ % of Cost share
 Municipality: _____ % of Cost share
 Municipality: _____ % of Cost share

Authorized Project Phase(s) to which this Schedule applies: PE/Design ROW Incidentals
 ROW Acquisition Construction/CI/CS

Work Type: _____ **County (if different from Municipality):** _____

Project Description (Check, if changed from last Schedule A): Construct Roundabout at Intersection of
Additional Project Description (if required): Middle Road, Osborn Avenue and Horton Avenue. Three Year Performance Monitoring Followup.

Approved Marchiselli Allocations in Legislature's Comprehensive List FOR ALL PHASES (To compute Total Costs in the last row and column, right click in each field and select "Update Field")

Check box to indicate change from last Schedule A	State Fiscal Year(s)	Project Phase			TOTAL
		PE/Design	ROW (RI & RA)	Construction/CI/CS	
<input type="checkbox"/>	Cumulative total for all prior SFYs	\$	\$	\$	\$ 0.00
<input type="checkbox"/>	Current SFY	\$	\$	\$	\$ 0.00
Authorized Allocations to Date		\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

A. Summary of allocated MARCHISELLI Program Costs FOR ALL PHASES (For each PIN Fiscal Share below, show current costs on the rows indicated as "Current." If revising costs for an existing PIN Fiscal Share, show the old costs from the previous Schedule A on the row indicated as "Old." To compute total Current Costs in the last row, right click in each field and select "Update Field.")

PIN Fiscal Share	"Current" or "Old" entry indicator	Federal Funding Program	Total Costs	FEDERAL Participating Share and Percentage	STATE MARCHISELLI Match	LOCAL Matching Share	LOCAL DEPOSIT AMOUNT (Required only if State Administered)
..	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
..	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
..	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
..	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
..	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
TOTAL CURRENT COSTS			\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

B. Summary of Other (including Non-allocated MARCHISELLI) Participating Costs FOR ALL PHASES For each PIN/Fiscal Share, show current costs on the rows indicated as "Current." If revising costs for an existing PIN/Fiscal Share, show the old costs from the previous Schedule A on the row indicated as "Old." To compute Total Current Costs in last row, rightclick in each field and select "Update Field."

Other PIN Fiscal Shares	'Current' or 'Old' entry indicator	Funding Source	TOTAL	Other FEDERAL	Other STATE	Other LOCAL
0758.69.121	Current	STP	\$103,000.00	\$82,800.00	\$	\$20,200.00
	Old		\$	\$	\$	\$
0758.69.321	Current	STP	\$448,000.00	\$403,200.00	\$	\$44,800
	Old		\$	\$	\$	\$
..	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
..	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
..	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
..	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
..	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
TOTAL CURRENT COSTS:			\$551,000.00	\$486,000.00	\$ 0.00	\$65,000.00

C. Total Local Deposit(s) Required for State Administered Projects: \$

D. Total Project Costs To compute Total Costs in the last column, rightclick in the field and select "Update Field."

Total FEDERAL Cost	Total STATE MARCHISELLI Cost	Total Other STATE Cost	Total LOCAL Cost	Total Costs (all sources)
\$486,000.00	\$	\$	\$65,000	\$551,000.00

E. Point of Contact for Questions Regarding this Schedule A (Must be completed) Name: Lanny Wexler
Phone No: 631-952-6122

See Agreement (or Supplemental Agreement Cover) for required contract signatures.

SCHEDULE B

SCHEDULE B: Phases, Subphase/Tasks, and Allocation of Responsibility

Instructions: Enter an "X" to indicate the appropriate Phase, then assign the responsibility for each applicable Subphase task by entering a "X" in either the NYSDOT column to allocate the task to State Labor Forces or a State Contract, or enter an "X" in the other appropriate column to indicate a task allocated to Non-State Labor Forces or a Locally Administered Contract.

PHASE/SUBPHASE	Allocation of Responsibility	
	NYSDOT	Municipality
A1. Preliminary Engineering ("PE") Phase		X
1. <u>Scoping:</u> Prepare and distribute all required project reports, including an Expanded Project Proposal (EPP) or Scoping Summary Memorandum (SSM), as appropriate.		X
2. Perform data collection and analysis for design, including traffic counts and forecasts, accident data, land use and development analysis and forecasts.		X
3. <u>Preliminary Design:</u> Prepare and distribute Design Report/Design Approval Document (DAD), including environmental analysis/assessments, and other reports required to demonstrate the completion of specific design subphases or tasks and/or to secure the approval/authorization to proceed.		X
4. Review and Circulate all project reports, plans, and other project data to obtain the necessary review, approval, and/or other input and actions required of other NYSDOT units and external agencies.		X
5. Obtain aerial photography and photogrammetric mapping.		X
6. Perform all surveys for mapping and design.		X
7. <u>Detailed Design:</u> Perform all project design, including preparation of plan sheets, cross-sections, profiles, detail sheets, specialty items, shop drawings, and other items required in accordance with the Highway Design Manual, including all Highway Design, including pavement evaluations, including taking and analyzing cores; design of Pavement mixes and applications procedures; preparation of bridge site data package, if necessary, and all Structural Design, including hydraulic analyses, if necessary, foundation design, and all design of highway appurtenances and systems (e.g., Signals, IVHS facilities), and maintenance protection of traffic plans. FRA criteria will apply to rail work.		X
8. Perform landscape design (including erosion control).		X

PHASE/SUBPHASE	Allocation of Responsibility	
	NYSDOT	Municipality
9. Design environmental mitigation, where appropriate, in connection with: Noise readings, projections, air quality monitoring, emissions projections, hazardous waste, asbestos, determination of need of cultural resources survey.		X
10. Prepare demolition contracts, utility relocation plans/contracts, and any other plans and/or contract documents required to advance, separate, any portions of the project which may be more appropriately progressed separately and independently.		X
11. Compile PS&E package, including all plans, proposals, specifications, estimates, notes, special contract requirements, and any other contract documents necessary to advance the project to construction.		X
12. Conduct any required soils and other geological investigations.		X
13. Obtain utility information, including identifying the locations and types of utilities within the project area, the ownership of these utilities, and prepare utility relocations plans and agreements, including completion of Form HC-140, titled Preliminary Utility Work Agreement.		X
14. Determine the need and apply for any required permits, including U.S. Coast Guard, U.S. Army Corps of Engineers, Wetlands (including identification and delineation of wetlands), SPDES, NYSDOT Highway Work Permits, and any permits or other approvals required to comply with local laws, such as zoning ordinances, historic districts, tax assessment and special districts.		X
15. Prepare and execute any required agreements, including: --Railroad force account --Maintenance agreements for sidewalks, lighting, signals, betterments --Betterment Agreements --Utility Work Agreements for any necessary Utility Relocations of Privately owned Utilities.		X
16. Provide overall supervision/oversight of design to assure conformity with Federal and State design standards or conditions, including final approval of PS&E by NYSDOT.		X

PHASE/SUBPHASE	Allocation of Responsibility	
	NYSDOT	Municipality
A2. Right-of-Way (ROW) Incidentals		
1. Prepare ARM or other mapping, showing preliminary taking lines.		
2. Right-of-Way (ROW) mapping and any necessary ROW relocation plans.		
3. Obtain abstracts of title and certify those having an interest in Right-of-Way to be acquired.		
4. Secure Appraisals.		
5. Perform Appraisal Review and establish an amount representing just compensation.		
6. Determination of exemption from public hearing that is otherwise required by the Eminent Domain Procedure Law, including "de minimis" determination, as may be applicable. If NYSDOT is responsible for acquiring the right-of-way, this determination may be performed by NYSDOT only if NYSDOT is responsible for the Preliminary Engineering Phase under Phase A1 of this Schedule B.		
7. Conduct any public hearings and/or informational meetings as may be required by the Eminent Domain Procedures Law, including the provision of stenographic services, preparation and distribution of transcripts, and response to issues raised at such meetings.		

PHASE/SUBPHASE	Allocation of Responsibility	
	NYS DOT	Municipality
B. Right-of-Way (ROW) Acquisition		
1. Perform all Right-of-Way (ROW) Acquisition work, including negotiations with property owners, acquisition of properties and accompanying legal work, payments to and/or deposits on behalf of property owners; Prepare, publish, and pay for any required legal notices; and all other actions necessary to secure title to, possession of, and entry to required properties. If NYS DOT is to acquire property on behalf of the Municipality, the Municipality agrees to accept and take title to any and all permanent property rights so acquired which form a part of the completed Project.		
2. Provide required relocation assistance, including payment of moving expenses, replacement supplements, mortgage interest differentials, closing costs, mortgage prepayment fees.		
3. Conduct condemnation proceedings, court and any other legal actions required to acquire properties.		
4. Monitor all ROW Acquisition work and activities, including review and processing of payments of property owners.		
5. Provide official certification that all right-of-way required for the construction has been acquired in compliance with applicable Federal, State or Local requirements and is available for use and/or making projections of when such property(ies) will be available if such properties are not in hand at the time of contract award.		
6. Conduct any property management activities, including establishment and collecting rents, building maintenance and repairs, and any other activities necessary to sustain properties and/or tenants until the sites are vacated, demolished, or otherwise used for the construction project.		
7. Subsequent to completion of the Project, conduct ongoing property management activities in a manner consistent with applicable Federal, State and Local requirements including, as applicable, the development of any ancillary uses, establishment and collection of rent, property maintenance and any other related activities.		

PHASE/SUBPHASE	Allocation of Responsibility	
	NYS DOT	Municipality
C. Construction, Construction Support (C/S) and Construction Inspection (C/I) Phase		X
1. Advertise contract lettings and distribute contract documents to prospective bidders.		X
2. Conduct all contract lettings, including receipt, opening, and analysis of bids, evaluation/certification of bidders, notification of rejected bids/bidders, and awarding of the construction contract(s).		X
3. Receive and process bid deposits and verify any bidder's insurance and bond coverage that may be required.		X
4. Compile and submit Contract Award Documentation Package.		X
5. Review and approve any proposed subcontractors, vendors, or suppliers.		
6. Conduct and control all construction activities in accordance with the plans and proposal for the project. Maintain accurate, up-to-date project records and files, including all diaries and logs, to provide a detailed chronology of project construction activities. Procure or provide all materials, supplies and labor for the performance of the work on the project, and insure that the proper materials, equipment, human resources, methods and procedures are used.		X
7(A). For non-NHS or non-State Highway System Projects: Test and accept materials, including review and approval for any requests for substitutions.		
7(B). For NHS or State Highway System Projects: Inspection and approval of materials such as bituminous concrete, Portland cement concrete, structural steel, concrete structural elements and/or their components to be used in a federal aid project will be performed by, and according to the requirements of NYSDOT. The Municipality shall make or require provision for such materials inspection in any contract or subcontract that includes materials that are subject to inspection and approval in accordance with the applicable NYSDOT design and construction standards associated with the federal aid project.		X
8. Design and/or re-design the project or any portion of the project that may be required because of conditions encountered during construction.		X
9. Administer construction contract, including the review and approval of all contractor requests for payment, orders-on-contract, force account work, extensions of time, exceptions to the plans and specifications, substitutions or equivalents, and special specifications.		X

PHASE/SUBPHASE	Allocation of Responsibility	
	NYS DOT	Municipality
10. Review and approve all shop drawings, fabrication details, and other details of structural work.		X
11. Administer all construction contract claims, disputes or litigation.		X
12. Perform final inspection of the complete work to determine and verify final quantities, prices, and compliance with plans specifications, and such other construction engineering supervision and inspection work necessary to conform to Municipal, State and FHWA requirements, including the final acceptance of the project by NYS DOT.		X

APPENDIX A: STANDARD CLAUSES FOR NYS CONTRACTS

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, "the contract" or "this contract") agree to be bound by the following clauses which are hereby made a part of the contract (the word "Contractor" herein refers to any party other than the State, whether a contractor, licensor, licensee, lessor, lessee or any other party):

- 1. EXECUTORY CLAUSE.** In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.
- 2. NON-ASSIGNMENT CLAUSE.** In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the previous consent, in writing, of the State and any attempts to assign the contract without the State's written consent are null and void. The Contractor may, however, assign its right to receive payment without the State's prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.
- 3. COMPTROLLER'S APPROVAL.** In accordance with Section 112 of the State Finance Law (or, if this contract is with the State University or City University of New York, Section 355 or Section 6218 of the Education Law), if this contract exceeds \$15,000 (or the minimum thresholds agreed to by the Office of the State Comptroller for certain S.U.N.Y. and C.U.N.Y. contracts), or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds \$10,000, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office. Comptroller's approval of contracts let by the Office of General Services is required when such contracts exceed \$30,000 (State Finance Law Section 163.6.a).
- 4. WORKERS' COMPENSATION BENEFITS.** In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.
- 5. NON-DISCRIMINATION REQUIREMENTS.** To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, sexual orientation, age, disability, genetic predisposition or carrier status, or marital status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.
- 6. WAGE AND HOURS PROVISIONS.** If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing

wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law.

7. NON-COLLUSIVE BIDDING CERTIFICATION. In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor affirms, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.

8. INTERNATIONAL BOYCOTT PROHIBITION. In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds \$5,000, the Contractor agrees, as a material condition of the contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2NYCRR 105.4).

9. SET-OFF RIGHTS. The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.

10. RECORDS. The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, "the Records"). The Records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter or three (3) years after final payment, whichever is later. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the "Statute") provided that: (i) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION. (a) **FEDERAL EMPLOYER IDENTIFICATION NUMBER and/or FEDERAL SOCIAL SECURITY NUMBER.** All invoices or New York State standard vouchers submitted for payment for the sale of goods or services or the lease of real or personal property to a New York State agency must include the payee's identification number, i.e., the seller's or lessor's identification number. The number is either the payee's Federal employer identification number or Federal social security number, or both such numbers when the payee has both such numbers. Failure to include this number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or New York State standard voucher, must give the reason or reasons why the payee does not have such number or numbers.

(b) **PRIVACY NOTIFICATION.** (1) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in

Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law.

(2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in New York State's Central Accounting System by the Director of Accounting Operations, Office of the State Comptroller, 110 State Street, Albany, New York 12236.

12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN. In accordance with Section 312 of the Executive Law, if this contract is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of \$25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of \$100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of \$100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then:

(a) The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;

(b) at the request of the contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the contractor's obligations herein; and

(c) the Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of "a", "b", and "c" above, in every subcontract over \$25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State; or (iii) banking services, insurance policies or the sale of securities. The State shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this section. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Empire State Development Corporation's Division of Minority and Women's Business Development (MWBD) pertaining hereto.

13. CONFLICTING TERMS. In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.

14. GOVERNING LAW. This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

15. LATE PAYMENT. Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article 11-A of the State Finance Law to the extent required by law.

16. NO ARBITRATION. Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized), but must, instead, be heard in a court of competent jurisdiction of the State of New York.

17. SERVICE OF PROCESS. In addition to the methods of service allowed by the State Civil Practice Law & Rules ("CPLR"), Contractor hereby consents to service of process upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of process or upon the State's receipt of the return thereof by the United States Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30) calendar days after service hereunder is complete in which to respond.

18. PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS. The Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of State Finance Law §165. (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification for an exemption under this law will be the responsibility of the contractor to establish to meet with the approval of the State.

In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in §165 State Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

19. MACBRIDE FAIR EMPLOYMENT PRINCIPLES (NON-FEDERAL AID NEW YORK STATE CONTRACTS). In accordance with the MacBride Fair Employment Principles (Chapter 807 of the Laws of 1992), the Contractor hereby stipulates that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

20. OMNIBUS PROCUREMENT ACT OF 1992 (NON-FEDERAL AID NEW YORK STATE CONTRACTS). It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts.

Information on the availability of New York State subcontractors and suppliers is available from:

NYS Department of Economic Development
Division for Small Business
30 South Pearl St – 7th Floor
Albany, New York 12245
Telephone: 518-292-5220

A directory of certified minority and women-owned business enterprises is available from:

NYS Department of Economic Development
Division of Minority and Women's Business Development
30 South Pearl St – 2nd Floor
Albany, New York 12245

<http://www.empire.state.ny.us>

The Omnibus Procurement Act of 1992 requires that by signing this bid proposal or contract, as applicable, Contractors certify that whenever the total bid amount is greater than \$1 million:

- (a) The Contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority and women-owned business enterprises, on this project, and has retained the documentation of these efforts to be provided upon request to the State;
- (b) The Contractor has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended;
- (c) The Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The Contractor agrees to document these efforts and to provide said documentation to the State upon request; and
- (d) The Contractor acknowledges notice that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

21. RECIPROCITY AND SANCTIONS PROVISIONS (NON-FEDERAL AID NEW YORK STATE CONTRACTS). Bidders are hereby notified that if their principal place of business is located in a country, nation, province, state or political subdivision that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 and 2000 amendments (Chapter 684 and Chapter 383, respectively) require that they be denied contracts which they would otherwise obtain. NOTE: As of May 15, 2002, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii. Contact NYS Department of Economic Development for a current list of jurisdictions subject to this provision.

22. PURCHASES OF APPAREL. In accordance with State Finance Law 162 (4-a), the State shall not purchase any apparel from any vendor unable or unwilling to certify that: (i) such apparel was manufactured in compliance with all applicable labor and occupational safety laws, including, but not limited to, child labor laws, wage and hours laws and workplace safety laws, and (ii) vendor will supply, with its bid (or, if not a bid situation, prior to or at the time of signing a contract with the State), if known, the names and addresses of each subcontractor and a list of all manufacturing plants to be utilized by the bidder.

APPENDIX B: REQUIREMENTS FOR FEDERALLY AIDED TRANSPORTATION PROJECTS

There is a substantial body of requirements that attach to the use of Federal highway or transportation aid. These requirements create or overlay processes, procedures, documentary requirements, authorizations, approvals and certifications that may be substantially greater or different from those that are not funded with federal aid and proceed under applicable State and local laws, customs and practices. Under Title 23 of the United States Code NYSDOT is responsible for the administration of transportation projects in New York State to which NYSDOT provides federal highway or transportation aid. Through this Agreement, which provides or is associated with such funding, NYSDOT delegates various elements of project and funding administration as described elsewhere in this Agreement. In undertaking a federally aided project, the Municipality, Authority, Sponsor or Project Manager designated under this Agreement with federal aid funding or project administration undertakes to proceed in compliance with all the applicable Federal aid requirements.

NYSDOT has, in cooperation with FHWA, assembled the body of federal aid requirements, together with information, NYSDOT procedures and practices in its "Procedures for Locally Administered Federal Aid Projects" manual (available both in hard copy and through NYSDOT's web site at <http://www.dot.state.ny.us/pubs/localproj/local.html>). In addition, the Municipality, Authority, Sponsor or Project Manager designated under this Agreement with federal aid funding or project administration that enters federally aided project construction contracts is required to physically incorporate into all its Federally aided construction contracts and subcontracts there under the provisions that are contained in Form FHWA-1273 (available from NYSDOT or electronically at: <http://www.fhwa.dot.gov/programadmin/contracts/1273.htm>).

In addition to the referenced requirements, the attention of Municipality or Sponsor hereunder is directed to the following requirements and information:

NON DISCRIMINATION/EEO/DBE/MBE REQUIREMENTS

The Municipality or Sponsor and its contractors agree to comply with Executive Order 11246, entitled "Equal Employment Opportunity" and Department of Transportation regulations (49CFR Parts 21, 23, 25, 26 and 27) and the following:

1. **NON DISCRIMINATION.** No person shall, on the ground of race, color, creed, national origin, sex, age or handicap, be excluded from participation in, or denied the benefits of or be subject to discrimination under the Project funded through this Agreement.
2. **EQUAL EMPLOYMENT OPPORTUNITY.** In connection with the execution of this Agreement, the Municipality's or Sponsor's contractors or subcontractors shall not discriminate against any employee or applicant for employment because of race, religion, age, color, sex or national origin. Such contractors shall take affirmative actions to ensure that applicants are employed, and that employees are treated during their employment, without regard to their race, religion, color, sex, national origin or age. Such actions shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
3. **DISADVANTAGED BUSINESS ENTERPRISES.** In connection with the performance of this Agreement, the Municipality or Sponsor shall cause its contractors to cooperate with the State in meeting its commitments and goals with regard to the maximum utilization of disadvantaged business enterprises and will use its best efforts to ensure that disadvantaged business enterprises will have the maximum practicable opportunity to compete for subcontract work under this Agreement. Also, in this connection the Municipality or Sponsor shall cause its contractors to undertake such actions as may be necessary to comply with Section 105(f) of the Surface Transportation Assistance Act of 1982, as implemented in 49CFR Part 26.

In addition, the Municipality or Sponsor (also referred to as "recipients" below) shall cause such contractors and subcontractors to agree to abide by the statements in paragraphs (1) and (2) below. These statements are, by reference, made part of this Agreement and must be included in all subsequent agreements between

the Contractor and any subcontractor and in all UMTA-assisted contracts between recipients or sub-recipients and any contractor.

- (1) **"POLICY.** It is the policy of the Department of Transportation that minority business enterprises as defined in 49CFR Part 26 shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this agreement. Consequently, the MBE requirements of 49CFR Part 26 apply to this Agreement."
- (2) **"MBE OBLIGATION.** The recipient or its contractor agrees to ensure that minority business enterprises as defined in 49CFR Part 26 have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this agreement. In this regard, all recipients or contractors shall take all necessary and reasonable steps in accordance with 49CFR Part 26 to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts. Recipients and their contractors shall not discriminate on the basis of race, color, national origin or sex in the award and performance of DOT-assisted contracts."

FEDERAL SINGLE AUDIT REQUIREMENTS

Non-Federal entities that expend \$300,000 or more in a year in Federal awards from all sources are required to comply with the Federal Single Audit Act provisions contained in U.S. Office of Management and Budget (OMB) Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations". Non-Federal entities that expend Federal awards from a single source may provide a program specific audit, as defined in the Circular. Non-Federal entities that expend less than \$300,000 in a year in Federal awards from all sources are exempt from Federal audit requirements for that year, except as noted in §3052.215(a), but records must be available for review or audit by appropriate officials of the Federal agency, the New York State Department of Transportation, the New York State Comptroller's Office and the U.S. General Accounting Office (GAO).

Non-Federal entities are required to submit a copy of all audits, as described above, within 30 days of issuance, to the New York State Department of Transportation, Contract Audit Bureau, 50 Wolf Road, Albany, NY 12232.

Catalog of Federal Domestic Assistance ("CFDA") Identification Number

OMB Circular A-133 as to Federal-aid recipients' responsibilities regarding identification and accounting for awards and expenditures by CFDA Number.

The municipal project sponsor is required to identify in its accounts all Federal awards received and expended, and the Federal programs under which they were received. Federal program and award identification shall include, as applicable, the CFDA title and number, award number and year, name of the Federal agency, and name of the pass-through entity.

The CFDA number for the Federal-aid Highway Planning and Construction program is 20.205.

PROMPT PAYMENT MECHANISMS

(a) You must establish, as part of your DBE program, a contract clause to require prime contractors to pay subcontractors for satisfactory performance of their contracts no later than 30 days from receipt of each payment you make to the prime contractor.

(b) You must ensure prompt and full payment of retainage from the prime contractor to the subcontractor within 30 days after the subcontractor's work is satisfactorily completed. You must use one of the following methods to comply with this requirement:

(1) You may decline to hold retainage from prime contractors and prohibit prime contractors from holding retainage from subcontractors.

(2) You may decline to hold retainage from prime contractors and require a contract clause obligating prime contractors to make prompt and full payment of any retainage kept by prime contractor to the subcontractor within 30 days after the subcontractor's work is satisfactorily completed.

(3) You may hold retainage from prime contractors and provide for prompt and regular incremental acceptances of portions of the prime contract, pay retainage to prime contractors based on these acceptances,

and require a contract clause obligating the prime contractor to pay all retainage owed to the subcontractor for satisfactory completion of the accepted work within 30 days after your payment to the prime contractor.

(c) For purposes of this section, a subcontractor's work is satisfactorily completed when all the tasks called for in the subcontract have been accomplished and documented as required by the recipient. When a recipient has made an incremental acceptance of a portion of a prime contract, the work of a subcontractor covered by that acceptance is deemed to be satisfactorily completed.

(d) Your DBE program must provide appropriate means to enforce the requirements of this section. These means may include appropriate penalties for failure to comply, the terms and conditions of which you set. Your program may also provide that any delay or postponement of payment among the parties may take place only for good cause, with your prior written approval.

(e) You may also establish, as part of your DBE program, any of the following additional mechanisms to ensure prompt payment:

(1) A contract clause that requires prime contractors to include in their subcontracts language providing that prime contractors and subcontractors will use appropriate alternative dispute resolution mechanisms to resolve payment disputes. You may specify the nature of such mechanisms.

(2) A contract clause providing that the prime contractor will not be reimbursed for work performed by subcontractors unless and until the prime contractor ensures that the subcontractors are promptly paid for the work they have performed.

(3) Other mechanisms, consistent with this part and applicable state and local law, to ensure that DBEs and other contractors are fully and promptly paid.

9/6/06

RESOLUTION #845

Adopted

**AWARDS BID
STONELEIGH WOODS, EXTENSION NO. 83
RIVERHEAD WATER DISTRICT**

Adopted _____

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

WHEREAS, this Town Board did authorize the advertisement for bids for the installation of water mains and appurtenances for Extension No. 83, Stoneleigh Woods, for the Riverhead Water District, and

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

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

WHEREAS, by letter dated August 22, 2006, H2M, consulting engineers to the Riverhead Water District, did recommend that the bid be awarded as follows:

**Alessio Pipe & Construction Co.
Of Huntington, New York
\$167,161.30**

NOW, THEREFORE, BE IT

RESOLVED, that the bid for the installation of water mains and appurtenances for Extension No. 83, Stoneleigh Woods, for the Riverhead Water District be and is hereby awarded to:

Alessio Pipe & Construction Co.
Of Huntington, New York
\$167,161.30

And be it further

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

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

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

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

THE VOTE
Dunleavy yes no Bartunek yes no
Blass yes no Denisieski yes no
Cardinale yes no
THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

9/6/06

Adopted

ORDER ESTABLISHING
EXTENSION No. 88
RIVERHEAD WATER DISTRICT
GENDOT HOMES SUBDIVISION, OSBORN AVENUE

Resolution # 846

Adopted
COUNCILMAN BARTUNEK

Councilperson _____ offered the following resolution which
was seconded by Councilperson **COUNCILMAN DUNLEAVY**

WHEREAS, a petition has been filed by the developers of Gendot Homes subdivision for an extension to the Riverhead Water District to serve their realty subdivision in which is located along the east side of Osborn Avenue, just south of its intersection with Mill Road in Riverhead, New York, which is located outside the boundaries of the existing water district, and

WHEREAS, a map and plan detailing the proposed extension has been prepared by H2M, consulting engineers to the Riverhead Water District which report recommends the installation of water mains to service the ten (10) new single family residences proposed to be constructed, as more particularly set forth in the map and plan of H2M, District engineers, most recently dated May, 2006, which is currently on file with the Riverhead Town Clerk, and

WHEREAS, the maximum amount to be expended for the extension is \$79,000 to be borne by the applicant and no public monies shall be expended for this extension, and

WHEREAS, key money will be assessed at the rate of \$2,500 per single family dwelling unit to cover the cost of constructing capital improvement facilities, for a total amount of \$25,000, and

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

WHEREAS, the Town Board called a public hearing for August 15, 2006, which hearing was held and all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board, upon the proceeding and record of the hearing had herein, determines that the extension to the Riverhead Water District to be known as Extension No. 88 as shown on Exhibit A attached is in the best interest of the District and will benefit the property to be served, and

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

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

BE IT FURTHER RESOLVED, that the cost of the installation of the extension is \$79,000, all being constructed subject to the following conditions:

1. The owners grant a permanent, unobstructed subsurface easement for the installation and maintenance of water mains and appurtenances within the proposed extension;
2. The developer will deposit cash, bank or certified check with the Town of Riverhead prior to the award of the bid covering the cost of construction in the amount of \$79,000, before this resolution shall become a final order. After the deposit of all costs in the aforesaid amount, the Clerk shall certify this resolution as a final order and cause the same to be recorded and filed as set forth below; and
3. Key money will be assessed by new connections, which will be owed at Certificate of Occupancy for any new construction within the District as extended;
4. That the petitioner execute an acknowledgement evidencing their acceptance of the terms and conditions of this resolution and agree to be bound by it before it shall become effective; such acknowledgement to be filed with the Town Clerk and

BE IT FURTHER RESOLVED, that when the conditions call for herein have been completed, the town Clerk shall cause of a copy of this order to be recorded in the Office of the clerk of Suffolk county and filed with the New York State Comptroller, and

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

H2M.

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

THE VOTE

Dunleavy yes no Bartunek yes no
Blass yes no Densieski yes no
Cardinale yes no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

EXHIBIT "A"

RIVERHEAD WATER DISTRICT

PROPOSED EXTENSION NO. 88

GENDOT HOMES SUBDIVISION - OSBORN AVENUE

DESCRIPTION OF EXTENSION

APRIL 2006

All this certain lot, parcel of land, said property being known as Section 81, Block 002, Lot 002, situated and lying and being at Riverhead, Town of Riverhead. County of Suffolk and State of New York, along with the right-of-way known as Osborn Avenue, bounded and described as follows:

BEGINNING at a point formed by the southerly right-of-way of Reeves Avenue and the easterly right-of-way of Osborn Avenue.

Traveling southerly along the easterly right-of-way of Osborn Avenue a distance of 1,843.04 feet to a point formed by the easterly right-of-way of Osborn Avenue and the northerly property line of Section 81, Block 2, Lot 2. Said point being POINT OF BEGINNING.

From said POINT OF BEGINNING, running easterly along the northerly property line of Section 81, Block 2, Lot 2 the following two (2) bearings and distances:

1. N 52° 29'-30" E 521.67 feet;
2. N 67° 19'-20" E 475.07 feet,

to a point formed by the northerly and the easterly property lines of Section 81, Block 2, Lot 2.

THENCE running southerly along the easterly property line of Section 81, Block 2, Lot 2 the following two (2) bearings and distances:

1. S 20° 27'-10" E 1,303.80 feet;
2. S 20° 10'-00" E 572.15 feet,

to a point formed by the easterly right-of-way line of Osborn Avenue and the easterly property line of Section 81, Block 2, Lot 2.

THENCE running northerly along the easterly right-of-way of Osborn Avenue the following three (3) bearings and distances:

1. N 45° 01'-00" W 377.42 feet;
2. N 51° 20'-50" W 1,581.83 feet;
3. N 41° 02'-50" W 4.10 feet,

to a point formed by the easterly right-of-way line of Osborn Avenue and the northerly property line of Section 81, Block 2, Lot 2 to the said POINT OF BEGINNING.

END OF DESCRIPTION

09/06/06

Adopted

TOWN OF RIVERHEAD

Resolution # 847

ADOPTS A LOCAL LAW AMENDING CHAPTER 14
(Community Preservation Fund)
OF THE RIVERHEAD TOWN CODE

COUNCILMAN DUNLEAVY

_____ offered the following resolution, was seconded
by

COUNCILMAN DENSIESKI :

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 14 entitled, "Community Preservation Fund" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the day of 6th day of September, 2006 at 2:30 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 amending Chapter 14 entitled, "Community Preservation Fund", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the News Review 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; Assemblyman Mark Alessi, Kevin McDonald, Esq., Nature Conservancy Office.

THE VOTE

Dunleavy yes no Bartunek yes no
Blass yes no Densieski yes no
Cardinale yes no

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 amending Chapter 14, "Community Preservation Fund" of the Riverhead Town Code at a regular Town Board meeting held on September 6, 2006 as follows:

Be it enacted

LOCAL LAW NO. OF 2006

LOCAL LAW NO. OF 2006

A LOCAL LAW in relation to extending the expiration date of the two percent (2%) real estate transfer tax imposed in connection with the Town Community Preservation Fund for an additional ten (10) years until December 31, 2030.

CHAPTER 14
Article VI

Section 14-41. Legislative findings.

The Town Board hereby finds that in 1998 the New York State Legislature adopted Chapter 114 of the Laws of 1998 which authorized Towns in the Peconic Bay Region to establish Community Preservation Funds for the purpose of preserving land for open space, farmland preservation, historic preservation, and park and for recreation purposes. The revenue for said fund was to be derived from a two percent (2%) real estate transfer tax. Pursuant to Chapter 114 of the Law of 1998, said real estate transfer tax was to expire on December 31, 2010. The Town Board, by a Local Law adopted in 1998, did implement the real estate transfer tax provisions of Chapter 114 of the Laws of 1998. Said Local Law was approved by the electors of the Town in a mandatory referendum on November 3, 1998. Pursuant to the provisions of said local law, the Town Community Preservation Fund and the real estate transfer tax went into effect on April 1, 1999.

By Chapter 250 of the Laws of 2002, the State Legislature authorized the Towns in the Peconic Bay Region to extend the expiration date of the real estate transfer tax until December 31, 2020, subject to mandatory referendum. The Town Board in 2002 did enact a Local Law which provided for such extension. The voters approved the local law at the general election held November 5, 2002.

The Town Community Preservation Fund has been an unparalleled success in protection land for community preservation purposes. To date, the Community Preservation Fund in the Peconic Bay Region Towns has generated more than \$375 million for community preservation. The result has been the

acquisition of thousands of acres of land for the public benefit.

Authorization for the two percent (2%) real estate transfer tax will expire on December 31, 2020. The State has enacted a chapter of the Laws of 2006, which authorizes the Towns to extend the expiration date of the tax until the end of the year 2030.

The Town Board finds that such an extension is critical to the continued success of the Town's community preservation goals. It is estimated that an additional ten (10) years of the program, at the current rates of revenue generation will provide more than \$900 million dollars in additional revenue for the Peconic Bay Towns for land preservation. Further, by utilizing the Town Community Preservation Fund program in conjunction with low interest borrowing and other conservation strategies, the Town can buy more land now before it is lost to development and before values escalate further.

The additional ten (10) years will provide the necessary revenue stream to fund such preservation strategies. This Local Law implements the ten (10) year extension.

Section 14-42 . Extension of the Expiration Date of the Real Estate Transfer Tax.

Notwithstanding any other provision of law to the contrary, the real estate transfer tax shall expire and be deemed repealed after December 31, 2030.

Section 14-43 Proposition.

Pursuant to a chapter of the laws of 2006, the Local Law is subject to mandatory referendum. Therefore, the following proposition shall be submitted to the electors of the Town at the general election to be held on November 7, 2006.

"SHALL THE TWO PERCENT (2%) REAL ESTATE TRANSFER TAX, IMPOSED IN CONNECTION WITH THE TOWN COMMUNITY PRESERVATION FUND BE EXTENDED FROM DECEMBER 31, 2020 TO UNTIL DECEMBER 31, 2030?"

Section 14-44 Severability.

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall be rendered.

Section 14-45 Effective Date

This local law shall take effect after filing with the Secretary of State and after approval at the general election to be held on November 7, 2006 by the affirmative vote of the

qualified electors of the Town upon the proposition set forth in

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

9/6/06

TOWN OF RIVERHEAD

Adopted

Resolution # 848

ADOPTS A LOCAL LAW REPEALING AND REPLACING CHAPTER 86 OF THE 86 ENTITLED, "RENTAL DWELLING UNITS " OF THE RIVERHEAD

TOWN CODE

COUNCILMAN DUNLEAVY

_____ offered the following resolution, was seconded by

COUNCILMAN DENSIESKI

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to add a new Chapter 86 entitled, "Rental Dwelling Units " to the Riverhead Town Code; and

WHEREAS, public hearings were held on the 20th day of July, 2006 at 2:15 p.m. and the 1st day of August, 2006 at 2:35 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 repealing and replacing Chapter 86 entitled, "Rental Dwelling Units ", to the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the **News Review** 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 Zoning Board of Appeals; the Building Department; the Code Revision Committee and the Town Attorney's Office.

THE VOTE

Dunleavy yes no Bartunek yes no
Blass yes no Densieski yes no
Cardinale yes no

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 adding a new Chapter 86 entitled "Rental Dwelling Units " to the Riverhead Town Code at its regular meeting held on September 6, 2006.

A copy of the entire text of this local law will be available for review at the Office of the Riverhead Town Clerk, 200 Howell Avenue, Riverhead, New York, Monday through Friday, between the hours of 8:30 a.m. and 4:30 p.m.

Dated: Riverhead, New York
September 6, 2006

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

BARBARA GRATTAN, Town Clerk

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

**Chapter 86:
~~RENTAL DWELLING UNITS~~**

~~[HISTORY: Adopted by the Town Board of the Town of Riverhead 11-19-1996 by L.L. No. 3-1996. Editor's Note: This local law repealed former Ch. 86, Rental Property, adopted 5-6-1980 as L.L. No. 1-1980. Amendments noted where applicable.]~~

GENERAL REFERENCES

Zoning — See Ch. 108.

§ 86-1. Legislative intent. [~~Amended 4-15-1997~~]

~~The Town Board of the Town of Riverhead has determined that there exists in the Town of Riverhead serious conditions arising from rental of dwelling units that are substandard or in violation of the New York State Uniform Fire Prevention and Building Code, Multiple Residence Law, Town of Riverhead Housing Code, Building Rehabilitation Code, Electrical Code, Fire Prevention Code, Plumbing Code and other codes and ordinances of the Town, are inadequate in size, overcrowded and dangerous, that such dwelling units pose hazards to life, limb and property of residents of the Town and others, tend to promote and encourage deterioration of the housing stock of the Town, create blight and excessive vehicle traffic and parking problems and to overburden municipal services. The Board finds that current Code provisions are inadequate to halt the proliferation of such conditions and that the public health, safety, welfare and good order and governance of the Town will be enhanced by enactment of the regulations set forth in this chapter, which regulations are remedial in nature and effect.~~

§ 86-2. Applicability; more restrictive provisions to prevail.

- ~~A. Scope. This chapter shall apply to all rental dwelling units located within the Town of Riverhead, whether or not the use and occupancy thereof shall be permitted under the applicable use regulations for the zoning district in which such rental dwelling unit is located, as in this chapter provided. Any dwelling unit, rooming house, rooming unit or any other premises subject to this chapter shall be presumed to be rented for a fee and a charge made if said premises are not occupied by the legal owner thereof.~~
- ~~B. Applicability. The provisions of this chapter shall be deemed to supplement applicable state and local laws, ordinances, codes and regulations. Nothing in this chapter shall be deemed to abolish, impair, supersede or replace existing remedies of the Town, county or state or existing requirements of any other provision of local laws or ordinances of the Town or county or state laws and regulations. In case of conflict between any provision of this chapter and any applicable state or local law, ordinance, code or regulation, the more restrictive or stringent provision or requirement shall prevail. The issuance of any permit or the filing of any form under this chapter does not make legal any action or state of facts that is otherwise illegal under any other applicable legislation.~~

§ 86-3. Definitions.

~~As used in this chapter, the following terms shall have the meanings indicated:~~

- ~~CODE ENFORCEMENT OFFICER — Senior Building Inspector, Building Inspector, Building Permits Coordinator, Electrical Inspector, police officer or Ordinance Inspector of the Town of Riverhead. [~~Amended 4-15-1997~~]~~
- ~~DWELLING UNIT — A structure or building, or part thereof, or an area, room or rooms therein, occupied or to be occupied by one or more persons as a home or residence.~~
- ~~OWNER — Owner or any other person having the right to possession of a dwelling unit.~~

~~RENT~~ — A return, in money, property or other valuable consideration (including payment in kind or for services or other thing of value) for use and occupancy or the right to use and occupancy of a dwelling unit, whether or not a legal relationship of landlord and tenant exists between the owner and the occupant or occupants thereof.

~~RENTAL DWELLING~~ — A dwelling unit established, occupied, used or maintained for rental occupancy.

~~RENTAL OCCUPANCY~~ — The occupancy or use of a dwelling unit by one or more persons as a home or residence under an arrangement whereby the occupant or occupants thereof pay rent for such occupancy and use.

~~IMMEDIATE FAMILY~~ — The "immediate family" of the owner of a housing unit consists of the owner's spouse, children, parents, grandparents or grandchildren.

§ 86-4. Rental occupancy permit required.

- A. ~~It shall be unlawful and a violation of this chapter and an offense within the meaning of the Penal Law of the State of New York for any person or entity who owns a dwelling unit in the Town to use, establish, maintain, operate, let, lease, rent or suffer or permit the occupancy and use thereof as a rental occupancy by someone other than the owner or his immediate family without first having obtained a valid rental occupancy permit therefor. Failure or refusal to procure a rental occupancy permit hereunder shall be deemed a violation.~~
- B. ~~Application for a rental occupancy permit for a rental dwelling unit shall be made in writing to the Building Department on a form provided therefor. Such application shall be filed and shall contain:~~
- ~~(1) The name, address and telephone number, if any, of the owner of the dwelling unit intended for rental occupancy; the street address and tax map designation (section, block and lot or lots) of the premises intended for rental occupancy or the premises in which the rental dwelling units intended for occupancy are located; a description of the structure, including the number of rental dwelling units in the structure; the number of persons intended to be accommodated by, and to reside in, each such rental dwelling unit; and the number of rooms, and the dimensions and use of each room, in the structure but outside of the rental dwelling units.~~
 - ~~(2) The names of each person presently residing in or occupying such premises intended for rental occupancy. [Amended 4-15-1997]~~
- C. ~~For each rental dwelling unit, a description of the unit, including the number of rooms in the rental dwelling unit; and the dimensions and use of each such room shall be included. The name, address and telephone number, if any, of the managing agent or operator of each such intended rental dwelling unit shall be included. Such application shall be accompanied by the following:~~
- ~~(1) A property survey of the premises drawn to scale not greater than 40 feet to one inch, or, if not shown on the survey, a site plan, drawn to scale, showing all buildings, structures, walks, drives and other physical features of the premises and the number, location and access of existing and proposed on-site vehicle parking facilities. A building permit application, properly prepared, for all proposed buildings, improvements and alterations to existing buildings on the premises, if any. A copy of the certificate of occupancy or certificate of existing use, if any.~~
- D. ~~In the case of a condominium unit, the application shall be accompanied by a scale drawing or floor plan of the condominium unit in lieu of a survey or site plan.~~
- E. ~~Each application shall be accompanied by an affidavit, signed by each owner and tenant named in the application, confirming that they have received copies of all Town laws and ordinances affecting rentals, noise, vehicle parking restrictions on residential lots and refuse disposal and agree to abide by the same. [Added 10-19-2004 by L.L. No. 39-2004 Editor's Note: This local law also redesignated former Subsections E through G as F through H, respectively.]~~
- F. ~~Each application shall be executed by and sworn to by the owner of the premises or such person who operates such premises if other than the owner.~~

- G. Notwithstanding the above, no rental occupancy permit shall be required for "agricultural worker housing" as defined in § 108-3 of the Riverhead Town Code.
- H. Notwithstanding the above, no rental occupancy permit shall be required for a residential care facility established under New York State guidelines.

§ 86-5. Fees.

- A. A nonrefundable permit application fee shall be paid, upon filing an application for a rental occupancy permit, in accordance with the following schedule of rental dwelling units per structure: **[Amended 4-15-1997]**

Type of Dwelling	Fee
One unit	\$75.00
Two unit	\$150.00
Three unit	\$225.00
Four unit	\$300.00
More than four unit	\$300.00, plus \$50.00 for each unit in excess of four

- B. The fee required by this section shall be waived for any applicant which demonstrates that it is a not-for-profit housing development corporation organized under the laws of the State of New York, and that it is providing housing for senior citizens or other designated special populations subject to income guidelines established by either federal or state regulation.
- C. Any commercial hotel/motel business operating exclusively and catering to transient clientele, that is, customers who customarily reside at these establishments for short durations for the purpose of vacationing, travel, business, recreational activities, conventions, emergencies and other activities that are customary to a commercial hotel/motel operation, shall pay on biannual fee of \$200 per application. For the purposes of this chapter, a "short duration" shall be defined as not more than 21 consecutive days. This section shall not apply to any commercial motel/hotel whose primary purpose is to provide permanent residences to their customers. For the purposes of this chapter, "permanent residence" shall be defined as more than 21 consecutive days.
- D. Any rental unit that operates during a one hundred fifty day period in the months of May, June, July, August and September, only, shall pay a bi-annual fee of \$10 per unit. **[Added 4-15-1997]**

§ 86-6. Review of application.

The Code Enforcement Officer shall review each application for completeness and accuracy and shall make an on-site inspection of the proposed rental dwelling unit or units. If satisfied that the proposed rental dwelling unit or units, as well as the premises in which the same are located, comply fully with all applicable state and local laws, ordinances, rules and regulations of the county and Town, and that such rental dwelling unit or units would not create an unsafe or dangerous condition or create an unsafe and substandard structure as defined in Town Code or create a nuisance to adjoining nearby property, the Code Enforcement Officer shall issue the permit or permits.

§ 86-7. Term and renewal. [Amended 10-19-2004 by L.L. No. 39-2004]

All permits issued pursuant to this chapter shall be valid for a period of one year from date of issuance. Application for renewal shall be made in accordance with initial application requirements. In lieu of an inspection by the Code Enforcement Officer, an owner may provide an affidavit with the completed application signed by the owner attesting that there has been no subsequent change in the conditions of the property from the date of the last inspection, and that the property is not in violation of any applicable law.

§ 86-8. Register of permits. [Amended 4-15-1997]

It shall be the duty of the Code Enforcement Officer to maintain a register of permits issued pursuant to this chapter. Such register shall be kept by tax map number, license number, receipt number, street

~~address showing the name and address of the permittee, the number of rental dwelling units at such street address, the number of rooms in each such rental dwelling unit and the date of expiration of permit for such unit.~~

~~§ 86-9. Smoke detectors.~~

~~No permit shall be issued until the Code Enforcement Officer shall inspect the rental dwelling unit to determine that it is equipped with a functioning smoke detector device, in compliance with New York State Uniform Fire Prevention and Building Code.~~

~~§ 86-10. Inspections.~~

~~The Code Enforcement Officer is authorized to make, or cause to be made, inspections to determine the condition of rental dwelling units to safeguard the health, safety and welfare of the public. The Code Enforcement Officer is authorized to enter, upon consent of the owner if the unit is unoccupied, or upon consent of the occupant if the unit is occupied, any rental dwelling unit and the premises in which the same is located, at any reasonable time during daylight hours, or at such other time as may be necessary in an emergency, without consent of the owner, agent and/or tenant for the purpose of performing his duties under this chapter.~~

~~§ 86-11. Application for search warrant.~~

~~The Code Enforcement Officer of the Town of Riverhead is authorized to make application to any court of competent jurisdiction for the issuance of a search warrant in order to conduct an inspection of any premises covered by this chapter where the owner refuses or fails, after due notice by certified mail, to allow an inspection of its rental premises and where there is reasonable cause to believe that a violation of this chapter law occurred. The application for a search warrant shall in all respects comply with the applicable laws of the State of New York.~~

~~§ 86-12. Revocation of permit.~~

- ~~A. The Code Enforcement Officer shall revoke a rental occupancy permit where he or she finds that the permit holder has caused, permitted, suffered or allowed to exist and remain upon the premises for which such permit has been issued for a period of 14 business days or more after written notice has been given to the permit holder or the managing agent of such rental dwelling unit a violation of the Multiple Residence Law, New York State Uniform Fire Prevention and Building Code or a violation of this chapter or other chapter of the Town Code. Revocation of a permit under this subsection cannot be done by a devisee or assistant of the Code Enforcement Officer.~~
- ~~B. An appeal from such revocation may be taken by the permit holder to the Town Board, by written request, made within 30 days from the date of such revocation. The Town Board shall hold a public hearing on such appeal within 30 days after receipt of written notice of such appeal, and after such hearing shall make written findings, a conclusion and a decision either sustaining such permit revocation or reinstating such permit within 30 days after close of such public hearing. Unless the Town Board directs otherwise in circumstances constituting serious threats to health and safety, the filing of an appeal shall stay the effectiveness of a permit revocation until the Town Board has considered and ruled upon the issue.~~

~~§ 86-13. Rental registration required.~~

~~It shall be unlawful and a violation of this chapter and an offense within the meaning of the Penal Law of the State of New York for any owner to permit any tenant or other person, excluding immediate family, to take up residence by a rental occupancy in any dwelling unit without the owner's first having completed and filed with the Code Enforcement Officer a rental registration form approved by the Code Enforcement Officer. A new form must be filed whenever a dwelling unit or portion thereof has become vacant and the owner intends to permit a new tenant or other person to take up residence. No additional fee will be required if registering a change in tenancy only, under an existing valid permit.~~

~~§ 86-14. Confidentiality of rental registration.~~

Under Public Officers Law § 872(b), rental registration forms, and that portion of the rental occupancy permit application required, shall be exempt from disclosure under the Freedom of Information Law on the grounds that such disclosure would constitute an unwarranted invasion of personal privacy. The Code Enforcement Officer will institute strict policies to ensure that such information is available only to Town personnel who are engaged in the enforcement of the provisions of this chapter.

§ 86-15. Broker's responsibility prior to listing.

It shall be unlawful and a violation of this chapter and an offense within the meaning of the Penal Law of the State of New York for any broker or agent to list, show or otherwise offer for lease, rent or sale on behalf of the owner any dwelling unit for which a current rental occupancy permit has not been issued by the Code Enforcement Officer. It shall be the broker or agent's duty to verify the existence of a valid permit before acting on behalf of the owner. Notwithstanding the above, first time rentals shall be granted a fourteen-business-day grace period for submission of required application paperwork and tenant registration.

§ 86-16. Broker's responsibility after renting.

Any broker or agent who has earned a commission or other compensation for renting or leasing a dwelling unit must, within five business days of earning said commission or other compensation, file with the Code Enforcement Officer a rental registration form, unless the owner has already filed such a form in the meantime. Failure to file shall be unlawful and a violation of this chapter and an offense within the meaning of the Penal Law of the State of New York.

§ 86-17. Penalties for offenses.

- A. Any person, association, firm or corporation which violates any provision of this chapter or assists in the violation of any provision of this chapter shall be guilty of a violation, punishable:
- (1) By a fine of not less than \$250 and not exceeding \$1,000 or by imprisonment for a period not to exceed 15 days, or both, for conviction of a first offense.
 - (2) By a fine of not less than \$1,000 nor more than \$3,000 or by imprisonment for a period not to exceed 15 days, or both, for conviction of the second of two offenses, both of which were committed within a period of five years.
 - (3) By a fine of not less than \$2,000 nor more than \$5,000 or by imprisonment for a period not to exceed 15 days, or both, for conviction of the third or subsequent offenses of a series of offenses, all of which were committed within a period of five years.

B. Each week's continued violation shall constitute a separate additional violation.

§ 86-18. Administration. [Added 4-15-1997 Editor's Note: This amendment also provided for the renumbering of former §§ 86-18 and 86-19 as §§ 86-19 and 86-20, respectively.]

This chapter shall be enforced by the Code Enforcement Officer as defined by this chapter.

§ 86-19. Severability.

If any clause, sentence, paragraph, section or part of this chapter shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in said judgment.

§ 86-20. Implementation.

This chapter shall be effective on January 1, 1997, or upon filing with the Secretary of State, whichever is later. No violation of this chapter will be charged prior to March 31, 1997, and no violation of this chapter, regarding failure to obtain a permit, will be charged against a person or entity which:

- A. Has filed the necessary application in proper form and in good faith, with all required information and attachments, on or before March 31, 1997.

- ~~B. Has consented to an inspection of the premises in question; and~~
- ~~C. Has not received a final determination on the application, for reasons over which the applicant has no control.~~

Chapter 86, RENTAL DWELLING UNITS

§ 86-1. Legislative intent.

The Town Board of the Town of Riverhead has determined that there exists in the Town of Riverhead serious conditions arising from the rental of dwelling units that are substandard or in violation of the New York State Uniform Fire Prevention and Building Code, Multiple Residence Law, Town of Riverhead Housing Code, Building Rehabilitation Code, Electrical Code, Fire Prevention Code, Plumbing Code and other codes and ordinances of the Town, are inadequate in size, overcrowded and dangerous, that such dwelling units pose hazards to life, limb and property of residents of the Town and others, tend to promote and encourage deterioration of the housing stock of the Town, create blight and excessive vehicle traffic and parking problems and overburden municipal services. The Board finds that current Code provisions are inadequate to halt the proliferation of such conditions and that the public health, safety, welfare and good order and governance of the Town will be enhanced by the enactment of the regulations set forth in this chapter, which regulations are remedial in nature and effect.

§ 86-2. Applicability: more restrictive provisions shall prevail.

A. Scope. This chapter shall apply to all rental dwelling units located within the Town of Riverhead, whether or not the use and occupancy thereof shall be permitted under the applicable use regulations for the zoning district in which such rental dwelling unit is located, as provided in this chapter. Any dwelling unit or any other premises subject to this chapter shall be presumed to be rented for a fee and a charge made if said premises are not occupied by the legal owner thereof.

B. Applicability. The provisions of this chapter shall be deemed to supplement applicable state and local laws, ordinances, codes and regulations. Nothing in this chapter shall be deemed to abolish, impair, supersede or replace existing remedies of the Town, county or state or existing requirements of any other provision of local laws or ordinances of the Town or county or state laws and regulations. In case of conflict between any provision of this chapter and any applicable state or local law, ordinance, code or regulation, the more restrictive or stringent provision or requirement shall prevail. The issuance of any permit or the filing of any form under this chapter does not make legal any action or state of facts that is otherwise illegal under any other applicable legislation.

§ 86-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ABANDONED HOUSEHOLD CONTENTS - Furniture, furnishings, house wares, appliances and other personal property customarily found in and used in residential dwellings, which are deposited at or along said dwelling's street frontage, in part or in whole, pursuant to a duly executed warrant of eviction by legally authorized law enforcement officers and/or personnel.

APARTMENT HOUSE - A dwelling for three or more families living independently of each other.

APARTMENTS, GARDEN - A group of buildings not more than 2 1/2 stories in height, each building containing not more than eight dwelling units. If buildings are attached, they shall not contain in the aggregate more than sixteen dwelling units. No portion of any such building below the first story or above the second story shall be used for dwelling purposes.

AUTHORIZED AGENT - Any person, organization, partnership, association, corporation or other legally recognized entity given express written authorization by an owner to act on his behalf regarding this chapter and all state, local rules, regulations and ordinances referenced herein.

CODE ENFORCEMENT OFFICIAL - The official who is charged with the administration and enforcement of this chapter, or any duly authorized representative of such person including but not limited to the Building Inspector, Chief Building Inspector, Principal Building Inspector, Senior Building Inspector, Building Permits Coordinator, Zoning Inspector, Electrical Inspector, Plumbing Inspector, Fire Marshall, Fire Marshall I, Fire Marshall II, Chief Fire Marshal, Town Investigator, Senior Town Investigator, Ordinance Enforcement Officer or Ordinance Inspector of the Town of Riverhead, and such person(s) shall be certified as a New York State Code Enforcement Official.

CONDOMINIUM - A dwelling unit in a housing complex of one-, two- or multiple-family dwelling units with an arrangement whereby the occupants or an occupant of each unit has full title to that particular unit and a joint ownership with all other title holders in the housing complex of certain common property.

DWELLING - A building designed exclusively for residential purposes and arranged or intended to be occupied by one individual or one family only.

DWELLING, MULTIPLE-FAMILY - A building, other than a garden apartment or apartment house, designed for and occupied as a residence by three or more families living independently of each other.

DWELLING, ONE-FAMILY - A detached building designed for and occupied exclusively as a

home or residence by not more than one family.

DWELLING, TOWNHOUSE - A one-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit and each unit is separated from any other unit by one or more common fire-resistant walls.

DWELLING, TWO-FAMILY - A building arranged, designed for or occupied exclusively as a home or residence for not more than two families living independently of each other.

DWELLING UNIT - A structure or building, one, two, or three family dwelling, apartments, multi-unit apartments, apartment houses, condominiums, cooperatives, garden apartments or townhouses, occupied or to be occupied by one or more persons as a home or residence.

FAMILY - One or more persons, whether or not related to each other by blood, marriage or adoption, all occupying a single, whole, legal single or one-family dwelling unit as a traditional family or the functional equivalent of a traditional family, shall be considered a "family" and further provided that persons occupying group quarters, such as a dormitory, fraternity or sorority house or a seminary, shall not be considered a "family", having access to and utilizing the whole of such dwelling unit, including but not limited to all rooms and housekeeping facilities, in common.

A. In determining whether individuals are living together as the functional equivalent of a traditional family, the following criteria must be present:

- (1). The group is one which in structure and function resembles a traditional family unit; and
- (2). The occupants must share the entire single or one-family dwelling unit and live and cook together as a single housekeeping unit. A unit in which the various occupants act as separate roomers may not be deemed to be occupied by the functional equivalent of a traditional family; and
- (3). The adult occupants share expenses for food, rent, ownership costs, utilities and other household expenses; and
- (4). The occupancy is permanent and stable. Evidence of such permanence and stability includes, but is not limited to:

(a). The presence of minor children regularly residing in the household who are enrolled in local schools;

(b). Members of the household have the same address for purposes of voter registration, drivers' licenses, motor vehicle registration, filing of taxes and delivery of mail;

(c). Members of the household are employed in the area;

(d). The household has been living together as a unit for a year or more whether in the current dwelling unit or in other dwelling units; and

(e). Common ownership of furniture and appliances among the members of the household.

(f). Any other factor reasonably related to whether or not the occupants are the functional equivalent of a family.

IMMEDIATE FAMILY - The "immediate family" of the owner of a dwelling unit consists of the owner's spouse, children, parents, grandparents or grandchildren.

MANAGING AGENT - Any individual, business, partnership, firm, corporation, enterprise, trust, company, industry, association, public utility or other legal entity responsible for the maintenance or operation of any rental property as defined within this chapter.

NEW PERMIT - A permit which is to be issued to the owner of an intended rental premises where such premises has not been the subject of a rental occupancy permit continuously prior to the date of application for the permit.

OCCUPANT - A natural person who leases, uses or occupies a dwelling unit.

OWNER - Any person or entity in whose name the real property upon which the dwelling unit is situated upon is recorded in the office of the Suffolk County Clerk. The person or entity in whose name the real property is recorded in the Office of the Suffolk County Clerk shall be presumed to be the owner thereof.

RENEWAL RENTAL OCCUPANCY PERMIT - A permit which is to be issued to the owner of a rental dwelling unit where such premises has been the subject of a rental occupancy permit continuously prior to the date of application for the permit.

RENT - A return, in money, property or other valuable consideration (including payment in kind or for services or other thing of value) for the use and occupancy or the right to the use and occupancy of a dwelling unit, whether or not a legal relationship of landlord and tenant exists between the owner and the occupant or occupants thereof.

RENTAL DWELLING - A dwelling unit established, occupied, used or maintained for rental occupancy.

RENTAL OCCUPANCY - The occupancy or use of a dwelling unit by one or more persons as a home or residence under an arrangement whereby the occupant or occupants thereof pay rent for

such occupancy and use.

RENTAL OCCUPANCY PERMIT - A permit which is issued upon application to the Code Enforcement Official and shall be valid for two years from the date of issuance.

RENTAL OCCUPANCY REGISTRATION - The registration of a rental dwelling on a form that is approved by the Code Enforcement Official.

§ 86-4. Rental occupancy permit required.

A. It shall be unlawful and a violation of this chapter for any person or entity who owns a dwelling unit in the Town to use, establish, maintain, operate, let, lease, rent or suffer or permit the occupancy and use thereof as a rental occupancy by someone other than the owner without first having obtained a valid rental occupancy permit therefore. Failure or refusal to procure a rental occupancy permit hereunder shall be deemed a violation.

B. A rental occupancy permit issued under this chapter shall only be issued to the owner(s) of the real property at issue.

C. In the event that the ownership of a rental dwelling is transferred the new owner shall register the property within thirty days of the closing of title pursuant to the requirements set forth in this chapter as a rental occupancy permit issued under this chapter is not transferable. If the rental dwelling is not registered as required by this chapter there will be a presumption that said property is being utilized as rental property by the new owner(s) in violation of this chapter.

§ 86-5. Application for rental occupancy permit.

A. An application for a rental occupancy permit for a rental dwelling unit shall be made in writing to the Code Enforcement Official on a form provided therefore. Such application shall be filed and shall include the following:

(1). The name, address and telephone number of the owner of the dwelling unit intended for rental occupancy. In the event that said dwelling unit is owned by more than one individual or entity each owners name, address and telephone number shall be provided. In the event that the owner of the dwelling unit intended for rental occupancy is a corporation, partnership, limited liability company or other business entity, the name, address and telephone number of each owner, officer, principal, shareholder, partner and/or member of such business entity shall be provided. In the event that the owner has an authorized agent acting on his behalf, that person's name, address and telephone

number shall also be provided.

(2). Proof of residency of each owner.

(3). The street address and tax map designation (section, block and lot or lots) of the premises intended for rental occupancy or the premises in which the rental dwelling units intended for occupancy are located.

(4). A description of the structure, including the number of rental dwelling units in the structure.

(5). A floor plan depicting the location, use and dimension of each room situated within the dwelling unit.

(6). The number of persons intended to be accommodated by, and to reside in, each such rental dwelling unit.

(7). The names of each person that is and/or will be occupying the premises intended for rental occupancy. The names of each person that is and/or will be occupying the premises intended for rental occupancy shall not be required if:

(i) the rental dwelling unit only operates during a one-hundred-fifty-day period in the months of May, June, July, August and September and the person that is or will be occupying said rental dwelling unit, shall not be occupying such rental dwelling unit for more than thirty consecutive days;
or

(ii) if said rental dwelling unit is a commercial hotel/motel business operating exclusively and catering to transient clientele, that is, customers who customarily reside at these establishments for short durations for the purpose of vacationing, travel, business, recreational activities, conventions, emergencies and other activities that are customary to a commercial hotel/motel operation. For the purposes of this chapter, a "short duration" shall be defined as not more than twenty-one consecutive days.

(8). A copy of the most recent deed and real property tax bill, confirming the ownership of record of the dwelling unit.

(9). A copy of the certificate of occupancy or certificate of existing use for the dwelling unit.

(10). A property survey of the premises drawn to scale not greater than forty feet to one inch, or, if not shown on the survey, a site plan, drawn to scale, showing all buildings, structures, walks, driveways and other physical features of the premises and the number, location and access of existing and proposed on-site vehicle parking facilities.

(11). A building permit application, properly prepared, for all proposed buildings, improvements and alterations to existing buildings on the premises, if any.

(12). Each application shall be executed by and sworn to under oath by the owner of the dwelling unit.

(13). If the owner or authorized agent of a dwelling unit resides or has his principal place of business located outside the County of Suffolk he is required to designate an agent who resides in the County of Suffolk for the service of process of any notices set forth in this chapter or for the service of process of a violation of this chapter. The failure to provide the name and address of an agent for service of process shall be deemed a violation of this chapter.

B. (i) A new application for a rental occupancy permit shall be filed whenever a dwelling unit or portion thereof, other than a rental dwelling unit that only operates during a one-hundred-fifty-day period in the months of May, June, July, August and September, has become vacant and the owner intends to permit a new tenant or other person to take up residence. No additional fee will be required if the owner is registering a change in tenancy only under an existing valid rental occupancy permit.

(ii) A rental dwelling unit that only operates during a one-hundred-fifty-day period in the months of May, June, July, August and September, shall be required to file a new application for a rental occupancy permit if any tenant occupies said rental dwelling unit for a period of thirty consecutive days or more. No additional fee will be required if the owner is registering a change in tenancy only under an existing valid rental occupancy permit.

C. In the case of a condominium unit, the application for a rental occupancy permit shall be accompanied by a scale drawing or floor plan of the condominium unit in lieu of a survey or site plan.

D. Each application for a rental occupancy permit shall be accompanied by an affidavit, signed by each owner and tenant named in the application, confirming that they have received copies of all Town laws and ordinances affecting rentals, noise, vehicle parking restrictions on residential lots and refuse disposal and agree to abide by the same.

E. Notwithstanding the above, no rental occupancy permit shall be required for "agricultural worker housing" as defined in § 108-3 of the Riverhead Town Code.

F. Notwithstanding the above, no rental occupancy registration or permit shall be required for a residential care facility established under federal, New York State or Suffolk County guidelines or for units where occupants are in an established care program.

§ 86-6. Fees.

A. A nonrefundable bi-annual permit application fee shall be paid, upon filing an application for a rental occupancy permit or for a renewal rental occupancy permit, in accordance with the following schedule of rental dwelling units per structure:

<u>Type of Dwelling</u>	<u>Fee</u>
<u>One unit</u>	<u>\$150.00</u>
<u>Two unit</u>	<u>\$200.00</u>
<u>Three unit</u>	<u>\$250.00</u>
<u>Four unit</u>	<u>\$325.00</u>
<u>More than four units</u>	<u>\$500.00, plus \$5.00 for each unit</u> <u>in excess of four</u>

B. The fee required by this section shall be waived for any applicant which demonstrates that the dwelling unit is occupied by the immediate family of the owner of the dwelling unit as defined in this chapter.

C. Any commercial hotel/motel business operating exclusively and catering to transient clientele, that is, customers who customarily reside at these establishments for short durations for the purpose of vacationing, travel, business, recreational activities, conventions, emergencies and other activities that are customary to a commercial hotel/motel operation, shall pay a bi-annual fee of \$500.00 per application, plus \$5.00 for each unit. For the purposes of this chapter, a "short duration" shall be defined as not more than twenty-one consecutive days. This section shall not apply to any commercial hotel/motel whose primary purpose is to provide permanent residences to their customers. For the purposes of this chapter, "permanent residence" shall be defined as more than twenty-one consecutive days.

D. Any rental dwelling unit that only operates during a one-hundred-fifty-day period in the months of May, June, July, August and September, only, shall pay a bi-annual fee of \$25.00 per unit.

§ 86-7. Compliance required.

A. No rental occupancy permit or renewal thereof shall be issued under any application unless the property shall be in compliance with all the provisions of the Code of the Town of Riverhead, the laws and sanitary and housing regulations of the County of Suffolk and the laws of the State of New York.

B. Prior to the issuance of any rental occupancy permit or renewal thereof, the property owner shall provide a certification from a licensed architect, a licensed professional engineer or a Code Enforcement Official that the property which is the subject of the application is in compliance with all of the provisions of the Code of the Town of Riverhead, the laws and sanitary and housing regulations of the County of Suffolk and the laws of the State of New York.

§ 86-8. Review of application.

The Code Enforcement Official shall review each rental permit application for completeness and accuracy and shall make an on-site inspection of the proposed rental dwelling unit or units unless the property owner has chosen to provide a certification from a licensed architect or a licensed professional engineer that the property which is the subject of the application is in compliance with all of the provisions of the Code of the Town of Riverhead, the laws and sanitary and housing regulations of the County of Suffolk and the laws of the State of New York. If satisfied that the proposed rental dwelling unit or units, as well as the premises in which the same are located, comply fully with all applicable state and local laws, ordinances, rules and regulations of the county and Town, and that such rental dwelling unit or units would not create an unsafe or dangerous condition or create an unsafe and substandard structure as defined in the Riverhead Town Code or create a nuisance to adjoining nearby property, the Code Enforcement Official shall issue the rental occupancy permit or permits.

§ 86-9. Term and renewal.

A. All rental occupancy permits issued pursuant to this chapter shall be valid for a period of two years from the date of issuance.

B. A renewal rental occupancy permit application signed by the owner on a form provided by the Code Enforcement Official shall be completed and filed with the Code Enforcement Official no later than sixty days before the expiration of any prior valid rental occupancy permit. A renewal rental occupancy permit application shall contain a copy of the prior valid rental occupancy permit issued by the Code Enforcement Official.

(1). A renewal rental occupancy permit application shall contain a signed sworn statement setting forth the following:

(a). That there are no existing or outstanding violations of any federal, state or county laws, rules or regulations or of any Town of Riverhead local laws or ordinances pertaining to the property; and

(b). That there are no changes to any information as provided on the prior valid rental Occupancy permit registration and application.

§ 86-10. Register of permits.

It shall be the duty of the Code Enforcement Official to maintain a register of the rental Occupancy permits issued pursuant to this chapter. Such register shall be kept by tax map number, license number, receipt number and street address showing the name and address of the permittee, the number of rental dwelling units at such street address, the number of rooms in each such rental dwelling unit and the date that said rental occupancy permit expires for such unit.

§ 86-11. Authorization for inspections.

The Code Enforcement Official is authorized to make, or cause to be made, inspections to determine the condition of rental dwelling units to safeguard the health, safety and welfare of the public. The Code Enforcement Official is authorized to enter, upon consent of the owner if the unit is unoccupied, or upon consent of the occupant if the unit is occupied, any rental dwelling unit and the premises in which the same is located, at any reasonable time during daylight hours, or at such other time as may be necessary in an emergency, without consent of the owner, authorized agent and/or tenant for the purpose of performing his duties under this chapter.

§ 86-12. Application for search warrant.

The Code Enforcement Official is authorized to make application to any court of competent jurisdiction for the issuance of a search warrant in order to conduct an inspection of any premises covered by this chapter where the owner refuses or fails, to allow an inspection of its rental premises and where there is reasonable cause to believe that a violation of this chapter has occurred. The application for a search warrant shall in all respects comply with the applicable laws of the State of New York.

§ 86-13. Search without warrant restricted.

Nothing in this chapter, except for provisions concerning emergency inspections, shall be deemed to authorize the Code Enforcement Official to conduct an inspection of any premises subject to this chapter without the consent of the owner of the premises and without a warrant duly issued by an appropriate court.

§ 86-14. Abandoned household contents.

A. Duty to keep frontage of dwelling unit property free and clear of abandoned household contents and Town's authority to remove. The owner, authorized agent, managing agent and/or occupant of a dwelling unit which is or was being used as a rental dwelling shall maintain such property frontage, including but not limited to the front yard and/or the contiguous right-of-way, free of abandoned household contents as defined in this chapter. In the event that abandoned household contents as defined in this chapter are located upon or contiguous with the frontage and/or abutting right-of-way of a lot or parcel of land, for a period in excess of 48 hours, the Town is hereby authorized as provided for herein to enter upon such property, if necessary, to remove said abandoned household contents so located, to assess the cost and expense of such undertaking against the property and to establish a lien as herein provided.

(1). Inspection and report. Upon notification that abandoned household contents are located on or along the property frontage of a rental dwelling unit and/or the right-of-way contiguous thereto, the Code Enforcement Official may make an inspection thereof and report his findings concerning the same to the Town Board.

(2). Notice. If the Code Enforcement Official shall find that abandoned household contents are located on or contiguous to the frontage of rental dwelling unit property, he may make an order, directing notice to be served upon the owner of said property as appears in the records of the Receiver of Taxes of the Town.

(3). Contents of notice. The notice shall contain a general description of the property, a statement of the particulars with regard to the violative condition(s) existing at the rental dwelling unit property and an order requiring that the abandoned household contents existing on or contiguous with the property, and/or its frontage, be removed. The notice shall specify a time, not less than 48 hours after the service thereof, within which the owner served with such notice shall complete the removal of the abandoned household contents from the property or along the frontage or the contiguous right-of-way as specified in the notice. The notice shall further state that, in the event that the cited condition is not eliminated within the time specified in the notice, the Town shall undertake to enter upon the property, if necessary, to remove the abandoned household contents, and assess the cost of such removal against said property.

(4). Service of notice. The notice may be served either personally or by certified mail, addressed to the last known address, if any, of the owner as the same may appear on the records of the Receiver of

Taxes of the Town; provided, however, that if such service is made by certified mail, a copy thereof shall also be posted on the property where the abandoned household contents are located. Service of the notice by mail and posting shall be deemed completed on the day on which both the mailing and the posting will have been accomplished.

(5). Failure to comply. Upon failure of the owner of the rental dwelling unit to comply with the notice within the time provided therein, the Town shall provide such labor and materials as are necessary for removing the abandoned household contents from said property or its frontage or contiguous right-of-way and shall cause such work to be performed as will remove the abandoned household contents from the property.

(6). Assessment of costs and expenses. All costs and expenses incurred by the Town in connection with the removal of the abandoned household contents, from said property or its frontage or contiguous right-of-way, shall be assessed against the subject land or lot. An itemization of such costs shall be provided to the Town Board by the Code Enforcement Official. The total costs and expenses shall then be determined by the Town Board and shall be reported to the Assessor of the Town as the amount to be liened and assessed against the property, and the expense so assessed shall constitute a lien and charge on the property on which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other Town charges.

§86-15 Revocation of permit.

A. The Code Enforcement Official shall revoke a rental occupancy permit where he finds that the permit holder has caused, permitted, suffered or allowed to exist and remain upon the premises for which such permit has been issued for a period of fourteen business days or more after written notice has been given to the permit holder or the managing agent of such rental dwelling unit a violation of the Multiple Residence Law, New York State Uniform Fire Prevention and Building Code or a violation of this chapter or other chapter of the Riverhead Town Code. Revocation of a permit under this subsection cannot be done by a devisee or assistant of the Code Enforcement Official.

B. An appeal from such revocation may be taken by the permit holder to the Town Board, by written request, made within thirty days from the date of such revocation. The Town Board shall hold a public hearing on such appeal within thirty days after receipt of written notice of such appeal, and after such hearing shall make written findings, a conclusion and a decision either sustaining such permit revocation or reinstating such permit within thirty days after the close of such public hearing.

Unless the Town Board directs otherwise in circumstances constituting serious threats to health and safety, the filing of an appeal shall stay the effectiveness of a permit revocation until the Town Board has considered and ruled upon the issue.

§ 86-16. Confidentiality of rental registration.

Under New York State Public Officers Law § 872(b), rental registration forms, and that portion of the rental occupancy permit application required, shall be exempt from disclosure under the Freedom of Information Law on the grounds that such disclosure would constitute an unwarranted invasion of personal privacy. The Code Enforcement Official will institute strict policies to ensure that such information is available only to Town personnel who are engaged in the enforcement of the provisions of this chapter.

§ 86-17. Broker's responsibility prior to listing.

It shall be unlawful and a violation of this chapter for any broker or agent to list, show or otherwise offer for lease, rent or sale on behalf of the owner or authorized agent any dwelling unit for which a current rental occupancy permit has not been issued by the Code Enforcement Official. It shall be the broker or agent's duty to verify the existence of a valid rental occupancy permit before acting on behalf of the owner or authorized agent. Notwithstanding the above, first-time rentals shall be granted a fourteen business day grace period for submission of the required rental permit application paperwork and tenant registration.

§ 86-18. Presumptive evidence of violations of this chapter.

A. It shall be presumed that a single or one-family dwelling unit is occupied by more than one family if any two or more of the following features are found to exist on the premises by the Code Enforcement Official authorized to enforce or investigate violations of Chapter 86 of the Code of the Town of Riverhead or any laws, codes, rules and regulations of the State of New York:

- (1). More than one mailbox, mail slot or post office address;
- (2). More than one doorbell or doorway on the same side of the dwelling unit;
- (3). More than one gas meter;
- (4). More than one electric meter;
- (5). More than one connecting line for cable television service;
- (6). More than one antenna, dish antenna or related receiving equipment;
- (7). Separate entrances for segregated parts of the dwelling unit including but not limited to

bedrooms;

(8). Partitions or internal doors with locks which may serve to bar access between segregated portions of the dwelling unit, including but not limited to bedrooms;

(9). Separate written or oral leases or rental arrangements, payments or agreements for portions of the dwelling unit among its owner(s) and occupants;

(10). The inability of any occupant to have lawful access to all parts of the dwelling unit; or

(11). Two or more kitchens each containing one or more of the following: a range, oven, hotplate, microwave or other similar device customarily used for cooking or the preparation of food, refrigerator and/or a sink.

B. If any two or more of the features set forth in paragraph (A)(1) through (11) above are found to exist on the premises by the Code Enforcement Official a verified statement will be requested from the owner of the building or dwelling unit by the Code Enforcement Official that the building or dwelling unit is in compliance with all of the provisions of the Code of the Town of Riverhead, the laws and sanitary and housing regulations of the County of Suffolk and the laws of the State of New York. If the owner fails to submit such verified statement in writing to the Code Enforcement Official within ten days of such request such shall be deemed a violation of this chapter.

C. All of the foregoing may be rebutted by evidence presented to the Code Enforcement Official or any court of competent jurisdiction.

§ 86-19. Presumptive evidence dwelling unit is rented.

A. The presence or existence of any of the following shall create a presumption that a dwelling unit is rented:

(1). The dwelling unit is occupied by someone other than the owner and the owner of the dwelling unit represents in writing or otherwise, to any person, establishment, business, institution or government agency that he resides at an address other than the dwelling unit in question.

(2). Persons residing in the dwelling unit represent that they pay rent to the owner of the premises.

(3). Utilities, cable, telephone or other services are in place or are requested to be installed or used at the dwelling unit in the name of someone other than the owner.

(4). Testimony by a witness that it is common knowledge in the community that a person other than the owner resides in the dwelling unit.

B. All of the foregoing may be rebutted by evidence presented to the Code Enforcement Official or any court of competent jurisdiction.

§ 86-20. Presumptive evidence of owner's residence.

A. It shall be presumed that an owner of a dwelling unit does not reside within said dwelling unit if one or more of the following sets forth an address which is different than that of the dwelling unit:

- (1). Voter registration;
- (2). Motor vehicle registration;
- (3). Driver's license; or
- (4). any other document filed with a public agency.

B. All of the foregoing may be rebutted by evidence presented to the Code Enforcement Official or any court of competent jurisdiction.

§ 86-21. Penalties for offenses.

A. Any person, association, firm or corporation which violates any provision of this chapter or assists in the violation of any provision of this chapter shall be guilty of a violation, punishable:

(1). By a fine of not less than \$250.00 and not exceeding \$1,000.00 or by imprisonment for a period not to exceed fifteen (15) days, or both, for conviction of a first offense.

(2). By a fine of not less than \$1,000.00 nor more than \$3,000.00 or by imprisonment for a period not to exceed fifteen (15) days, or both, for conviction of the second of two offenses, both of which were committed within a period of five years.

(3). By a fine of not less than \$2,000.00 nor more than \$5,000.00 or by imprisonment for a period not to exceed fifteen (15) days, or both, for conviction of the third or subsequent offenses of a series of offenses, all of which were committed within a period of five years.

B. Each week's continued violation shall constitute a separate additional violation.

§ 86-22. Administration.

This chapter shall be enforced by the Code Enforcement Official as defined by this chapter.

§ 86-23. Severability.

If any clause, sentence, paragraph, section or part of this chapter shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the

remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in said judgment.

§ 86-24. Implementation.

This chapter shall be effective immediately or upon filing with the Secretary of State, which ever is later.

9/6/06

TOWN OF RIVERHEAD

Adopted

Resolution # 849

ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (COMMERCIAL DISTRICTS SCHEDULE OF DIMENSIONAL REGULATIONS)

COUNCILMAN DUNLEAVY _____ offered the following resolution, was seconded by **COUNCILMAN BARTUNEK** _____:

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

WHEREAS, a public hearing was held on the 15th day of August, 2006 at 7:05 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 amending Chapter 108 "Zoning", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

Dunleavy yes no Bartunek yes no
 Blass yes no Densieski yes no
 Cardinale yes no

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 amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on September 6, 2006. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

ZONING
108 Attachment -
Town of Riverfield
Commercial Districts Schedule of Dimensional Regulations
Amended 10-5-2004, 10-12-2004, 10-21-2004, 11-3-2004, 11-16-2004 by L.L. Nos. - 2004

Zoning Use District	Building lot coverage (footprint)				Floor area ratio (FAR)				Side yards, interior lots				Side yards, corner lots			
	Min. lot width at front street (feet)	Maximum without sewer (%)	Maximum with sewer (%)	Transfer of Rights (%)	Maximum height of buildings (feet)	Maximum without sewer	Maximum with sewer	Transfer of Rights	Minimum Front yard depth (feet)	Min. depth for each side (feet)	Min. combined depth for 2 sides (feet)	Min. depth facing side street (feet)	Min. combined depth for 2 sides (feet)	Min. rear yard depth (feet)		
Downtown Center 1: Main Street (DC-1)	5,000	50	NA	80 (N12)	100	100	60 (N10)	NA	4.00 (N13)	5.00	0	0	0	0		
Downtown Center 2: Waterfront (DC-2)	5,000	50	NA	35	NA	50	35	NA	1.25	NA	15	15	30	15		
Downtown Center 3: Office (DC-3)	5,000	50	NA	50 (N12)	NA	80	35	NA	1.5 (N13)	NA	15 (N9)	10	20	10		
Downtown Center 4: Office / Residential Transition (DC-4)	5,000	50	NA	35	NA	60	35	NA	1.00	NA	15 (N9)	10	20	10		
Downtown Center 5: Residential (DC-5)	5,000	50	NA	35	NA	60	35	NA	0.70	NA	15 (N9)	10	20	10		
Hamlet Center (HC)	5,000	50	35	35	NA	60	35	0.50	0.50	NA	25	15	30	25		
Village Center (VC)	5,000	50	80	80	NA	100	35	1.00	1.00	NA	10	0	10	20		
Business Center (BC)	20,000	100	15	20	30	75	35 (N6)	0.15	0.20	0.60	50 (N9)	15	30	25		
Shopping Center (SC)	40,000	200	15	20	30	75	35	0.15	0.20	0.30	50 (N9)	25	50	25		
Destination Retail Center (DRC)	40,000	200	10	15	30	75	35 (N6)	0.10	0.20	0.60	50 (N9)	25	50	25		
Commercial/Residential Campus (CRC) (N7) (N8) (N11)	40,000	200	20	25	NA	60	35	0.20	0.50	NA	30	15	30	25		
Riverfront Corridor (RFC)	80,000	200	8	NA	NA	25	35 (N10)	0.15	NA	NA	100	30	60	100		
Rural Corridor (RLC)	40,000	200	10	10	NA	25	35	0.10 (N9)	0.10 (N9)	NA	50	25	50	100		
Business PB	40,000	50	NA	30	NA	80	35	NA	1.50	NA	50	15	30	50		
Business CR	40,000	200	15	15	NA	75	35	0.20	0.20	NA	30	25	50	30		
Tourism/Resort Campus (TRC)	80,000	200	8	NA	NA	25	35 (N10)	0.15	NA	NA	100	30	60	100		
Industrial A (IA)	80,000	300	40	40	NA	70	30	0.40	0.40	NA	100	50	100	50		
Industrial C (IC)	80,000	300	40	40	NA	60	30	0.40	0.40	NA	30	30	60	50		
Manufacturers Outlet Center	120,000	200	10	20	30	75	35 (N6)	0.10	0.20	0.60	50 (N9)	25	50	50		

- NOTES:**
- N1: Maximum height for townhouse uses shall be thirty-five (35) feet.
 - N2: Not to exceed five (5) stories.
 - N3: Front porches may extend up to five (5) feet into the front yard, provided that they are at least five (5) feet back from the property line.
 - N4: Thirty-five (35) feet of the front yard in the BC and SC Zoning, The District shall remain unoccupied as landscaped area with the exception of free-standing signs and access driveways.
 - N5: Fifty (50) feet of the front yard in the DRC Zoning, The District and Manufacturing/Outlet Center shall remain unoccupied as landscaped area with the exception of free-standing signs and access driveways.
 - N6: Preservation credits may be used to increase the height to fifty (50) feet.
 - N7: The minimum floor area of a townhouse shall be 900 square feet.
 - N8: Two-family residences shall require a lot of 40,000 square feet and shall employ the use of one (1) Preservation Credit for the second dwelling unit.
 - N9: The Open Area Ratio (OAR) for retail stores or shops shall be calculated utilizing the frontage along the major arterial highway to a depth of no more than 500 linear feet.
 - N10: Not to exceed two (2) stories.

N11: Residential yields shall be calculated at one (1) dwelling unit per 40,000 sq. ft. of lot area with the capacity to meet the relevant floor area ratio predicated upon the rededication of one (1) parcel for development right per additional dwelling unit.

N12: Building lot coverage for townhouse use shall not exceed 7.5%
N13: Floor area ratio for townhouse use shall not exceed .15

Dated: Riverhead, New York
September 6, 2006

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

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)

9/6/06

Adopted

TOWN OF RIVERHEAD

Resolution # 850

ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE

COUNCILMAN DENSIESKI (Greenhouses)

_____ offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

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

WHEREAS, a public hearing was held on the 15th day of August, 2006 at 7:15 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 amending Chapter 108 "Zoning", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

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

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on September 6, 2006 as follows:

**Chapter 108
Zoning**

ARTICLE V
Residence B-80 Zoning Use District

§ 108-16. Uses.

In the RB-80 Zoning Use District, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

A. Permitted uses.

- (5) Greenhouse, provided that the subject parcel is a minimum of five acres ~~and further subject to site plan review.~~ A permanent greenhouse to be used for retail sales shall be subject to site plan review and approval.

ARTICLE VA
Residence A-80 Zoning Use District

§ 108-20.2. Uses.

In the RA-80 Zoning Use District, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

A. Permitted uses.

- (5) Greenhouse, provided that the subject parcel is a minimum of five acres ~~and further subject to site plan review.~~ A permanent greenhouse to be used for retail sales shall be subject to site plan review and approval.

ARTICLE VI
Agricultural Protection Zoning Use District

§ 108-22. Uses.

In the APZ, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise

provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

A. Permitted uses.

- (5) Greenhouse, provided that the subject parcel is minimum of five acres ~~and further subject to site plan review.~~ A permanent greenhouse to be used for retail sales shall be subject to site plan review and approval.

ARTICLE XXVI
Site Plan Review

§ 108-130. Review and approval required.

The following shall be subject to site plan review and require site plan approval by the Town Board:

B. All other districts.

- (4) Except as otherwise provided, site plan review and approval shall specifically not be required for:
- (b) Agriculture and uses accessory thereto; however, ~~temporary and permanent greenhouses~~ to be used for retail sales will require site plan review and approval;

Dated: Riverhead, New York
September 6, 2006

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

BARBARA GRATTAN, Town Clerk

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

9/6/06

Adopted

TOWN OF RIVERHEAD

Resolution # 851

ADOPTS A LOCAL LAW TO AMEND CHAPTER 101 ENTITLED "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE (101-10 - Parking Prohibited)

COUNCILMAN DENSIESKI

_____ offered the following resolution, was seconded by

COUNCILMAN BARTUNEK :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 15th day of August, 2006 at 7:25 o'clock p.m. at the George C. Young Community Center, South Jamesport Avenue, Jamesport, 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 local law amending Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk is hereby authorized to publish the attached notice of adoption once in the News Review 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 Highway Department; the Police Department; Code Enforcement and the Office of the Town Attorney.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code at its regular meeting held on September 6, 2006. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

Chapter 101
Vehicles and Traffic
ARTICLE VII

§ 101-10. Parking prohibited.

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

Name of Street	Side	Location
<u>Hulse Landing Road</u>	<u>Both</u>	<u>From its intersection with North Wading River Road southerly to Park Street</u>

Dated: Riverhead, New York
September 6, 2006

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

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)

TOWN OF RIVERHEAD
Resolution # 852

APPROVES PUBLIC INFORMATIONAL SIGN OF PECONIC BAY MEDICAL CENTER

COUNCILMAN DUNLEAVY

_____ offered the following resolution, which was seconded by

COUNCILMAN BARTUNEK

WHEREAS, a public information sign application and sketch were submitted by Peconic Bay Medical Center for property located at 1300 Roanoke Avenue, Riverhead, New York also known as SCTM# 108.00-03-022.01 ; and

WHEREAS, pursuant to Section 108-56 F (10) of the Code of the Town of Riverhead, the application does not require the recommendation of the Architectural Review Board; and

WHEREAS, an appeal by the applicant was made and has been approved the three (3) Town Board members; and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the sign application for Peconic Bay Medical Center, 1300 Roanoke Avenue, Riverhead, New York and be it

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peconic Bay Medical Center, Att: Nancy Uzo, 1300 Roanoke Avenue, Riverhead, New York 11901, the Planning Department, Code Enforcement Division and the Building Department.

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No
Absent

Densieski Yes No

Cardinale Yes No

The Resolution Is Is Not
Declared Duly Adopted



APPLICATION FOR SIGN PERMIT

TEMPORARY SIGN

Town of Riverhead
Suffolk County, New York

Ver. 1.02
10-24-05

Fee \$ _____ Receipt No. _____ Application No. _____ Date Granted 1/1

Date Denied 1/2006 AUG 24 AM 9 07 ZB No. _____ Date Permit Issued 1/1

Board of Appeals No. _____ Date Approved or Denied 1/1

SCTM # 108-3-22.1 Inspector's Approval _____

All information BELOW to be filled out by APPLICANT: A PERMIT MUST BE OBTAINED BEFORE BEGINNING WORK. This Application is to be submitted ACCOMPANIED by BUILDING PLANS DRAWN TO SCALE IN DUPLICATE.

THE OWNER OF THE PROPERTY IS: (PLEASE PRINT CLEARLY)

First Name _____ Last Name _____ or Business Name Peconic Bay Medical Ctr.

Phone Number (631) 548-6081 Fax Number (631) 548-6048 Cellular Number _____

Street No. 1300 Street Name Roanoke Ave Town Riverhead State NY Zip 11901

Mailing Address (If different from property location): _____

The person responsible for the supervision of the work insofar as the Building Code and the Zoning Ordinance apply is: CONTACT PERSON (if different from owner)

First Name John Last Name Ingenito or Business Name PBMC

Street No. 1300 Street Name Roanoke Ave Town Riverhead State NY Zip 11792

Phone Number (631) 548-6055 Fax Number _____ Cellular Number _____

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

Location of Sign: FRONT OF HOSPITAL BY BRICK SIGN If offsite, check box

If offsite, has permission been obtained from property owner, if other than the applicant, upon which the sign is to be erected? _____

Use District: _____ Sign Area (Sq. Ft.): 2.04 Height of Sign: 1.7' feet

Below, please choose all that apply:

<input checked="" type="checkbox"/> New	<input type="checkbox"/> Altered	<input type="checkbox"/> Permanent	<input checked="" type="checkbox"/> Temporary
<input type="checkbox"/> Lighted	<input checked="" type="checkbox"/> Single Face	<input type="checkbox"/> Double Faced	<input type="checkbox"/> Attached To Building
<input type="checkbox"/> Facial (Painted or Affixed)	<input checked="" type="checkbox"/> Independent Construction	<input type="checkbox"/> Advertising	<input type="checkbox"/> Business

Materials to be used: Wood, MDO

Name of Applicant Nancy Uzo / PBMC has submitted papers for a sign permit, dated 08.23.2006 Date of Submission

NO SIGN CAN BE ERECTED UNTIL THE TOWN BOARD APPROVAL IS OBTAINED AND A SIGN PERMIT IS ISSUED. IT IS ADVISABLE NOT TO ORDER YOUR SIGN UNTIL ALL APPROVALS ARE OBTAINED.

Sworn to me before this 23rd day

of August 2006

Notary Public

Sign _____
Signature of Owner or Applicant

ANA NUNEZ
Notary Public, State Of New York
No. 01NU5036094
Qualified In Nassau County

7582212322

2006 AUG 24 AM 9 07

We're breaking new ground for healthcare on the East End...



Major Facility Expansion & Renovation

Phase I: Summer 2006-2007

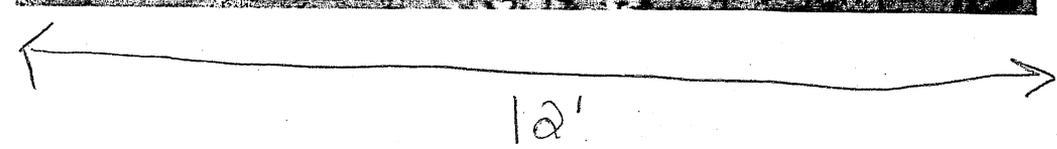
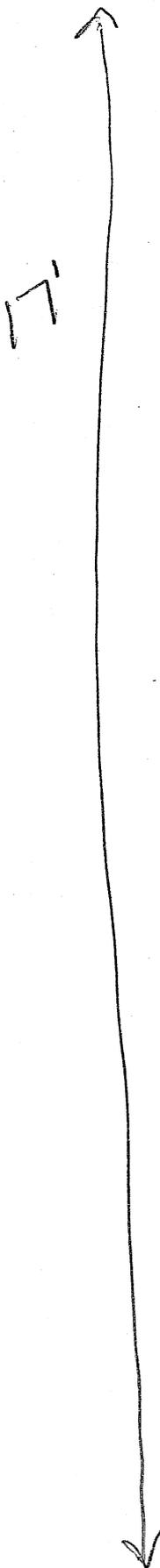
- State-of-the-Art Emergency Center
- Modernized patient care units

Phase II: Fall 2006-2008

- The Center for Advanced Surgical Services
- Advanced Ambulatory Surgery Center
- New Life Center
- Two-story Lobby

**PECONIC BAY
MEDICAL CENTER**

www.pbmedicalcenter.org



September 6, 2006

Adopted

TOWN OF RIVERHEAD
Resolution # 853

APPROVES TEMPORARY SIGN PERMIT OF DAY BY DAY CALENDAR

COUNCILMAN BARTUNEK

_____ offered the following resolution, which was seconded by

COUNCILMAN DENSIESKI

WHEREAS, a temporary sign permit and sketch were submitted Walden Books (Day by Day Calendar) for property located at Suite 1309, Tanger Outlet, 1947 Old Country Road, Riverhead, New York also known as SCTM# 119.00-01-038.01 and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the temporary sign permit application for Day by Day Calendar submitted by Walden Books for and be it

RESOLVED, that said temporary sign permit shall expire on December 6, 2006 and the applicant shall removed the affected sign, in its entirety, on or before said date; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Borders, Inc., Att: Matthew Altruda, 100 Phoenix Drive, Ann Arbor, MI 48108-2202, the Planning Department, Code Enforcement Division and the Building Department.

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No *absent*

Densieski Yes No

Cardinale Yes No

The Resolution Is Is Not
Declared Duly Adopted



APPLICATION FOR SIGN PERMIT

Town of Riverhead
Suffolk County, New York

Ver. 1.02
10-24-05

Fee \$ 100 Receipt No. 33819 Application No. 35520 Date Granted 1/1/
 Date Denied 1/1/ ZB No. 31127 Date Permit Issued 1/1/
 Board of Appeals No. _____ Date Approved or Denied 1/1/
 SCTM # 119-1-38.1 Inspector's Approval _____

All information BELOW to be filled out by APPLICANT; A PERMIT MUST BE OBTAINED BEFORE BEGINNING WORK. This Application is to be submitted ACCOMPANIED by BUILDING PLANS DRAWN TO SCALE IN DUPLICATE.

THE OWNER OF THE PROPERTY IS: (PLEASE PRINT CLEARLY)

Tanager Outlet Center or Business Name
 First Name Last Name
(631) 369-2732 Phone Number (631) 369-2736 Fax Number () Cellular Number
200 Tanager Mall Dr Street No. Street Name Riverhead Town NY 11901 State Zip
 Mailing Address (if different from property location):

The person responsible for the supervision of the work insofar as the Building Code and the Zoning Ordinance apply is: CONTACT PERSON (if different from owner)

Matthew Altruda or Business Name on behalf of Waldenbank Co.
 First Name Last Name
100 Phoenix Dr Street No. Street Name Ann Arbor Town MI 48108 State Zip
(734) 477-1786 Phone Number (734) 477-2509 Fax Number () Cellular Number

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

Location of Sign: 1309 If offsite, check box

If offsite, has permission been obtained from property owner, if other than the applicant, upon which the sign is to be erected?

Use District: _____ Sign Area (Sq. Ft.): _____ Height of Sign: _____

Below, please choose all that apply:

<input type="checkbox"/> New	<input type="checkbox"/> Altered	<input type="checkbox"/> Permanent	<input checked="" type="checkbox"/> Temporary
<input type="checkbox"/> Lighted	<input type="checkbox"/> Single Face	<input type="checkbox"/> Double Faced	<input type="checkbox"/> Attached To Building
<input type="checkbox"/> Facial (Painted or Affixed)	<input type="checkbox"/> Independent Construction	<input type="checkbox"/> Advertising	<input type="checkbox"/> Business

Materials to be used: skyn foam

Matthew Altruda has submitted papers for a sign permit, dated 1/1/ Date of Submission
Name of Applicant

NO SIGN CAN BE ERECTED UNTIL THE TOWN BOARD APPROVAL IS OBTAINED AND A SIGN PERMIT IS ISSUED. IT IS ADVISABLE NOT TO ORDER YOUR SIGN UNTIL ALL APPROVALS ARE OBTAINED.

Sworn to me before this 27th day of July, 2006
of Betty J. Hall Sign [Signature]
Notary Public, State of Michigan Signature of Owner or Applicant

Betty J. Hall
Notary Public
My Commission Expires Apr. 12, 2008
Acting in the County of WASHTENAW

7582212322

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

DISCLOSURE AFFIDAVIT

Check here if not applicable
(i.e., you have no relative working for the Town of Riverhead.)
and please sign below before a notary public.

STATE OF NEW YORK)

SS:

COUNTY OF SUFFOLK)

I, Matt Altuda on behalf of Waldenbrook Co. Inc. an applicant for
the following relief: Temporary Use permit Day by Day Calendar Co. and being duly
(Type of Permit) in space 1309
sworn, deposes and says:

That I make and complete this affidavit under the penalty of perjury and swear to the truth thereof; that I understand
that this affidavit is required by Section 809 of the GENERAL MUNICIPAL LAW and that a knowing failure to
provide true information is punishable as a misdemeanor. Being so warned, I state; that

N/A is a State Officer, is an officer or employee of Riverhead
(Name of relative)

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

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

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

Matthew Altuda
(Signature)

Sworn to before me this 27th day
of July, 2006

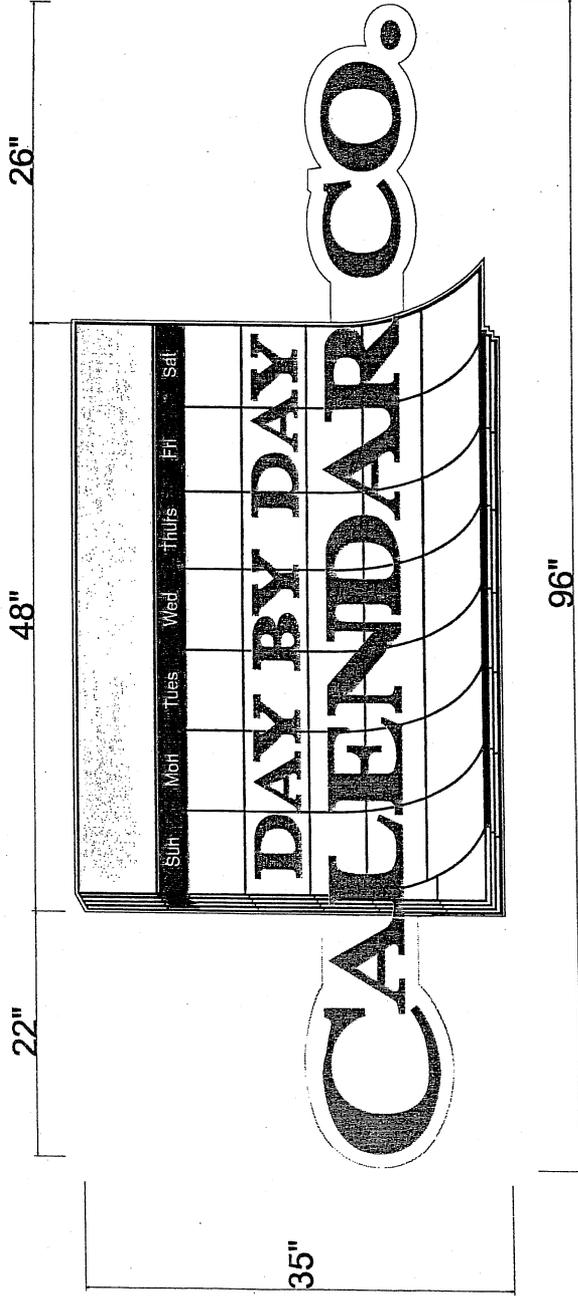
28 JUN 25 PM 3 28

Betty J. Hall
Notary Public

BETTY J. HALL
Notary Public, State of Michigan
County of Wayne
My Commission Expires Apr. 12, 2008
Acting in the County of WASHTENAW

HIGHTECH SIGNS

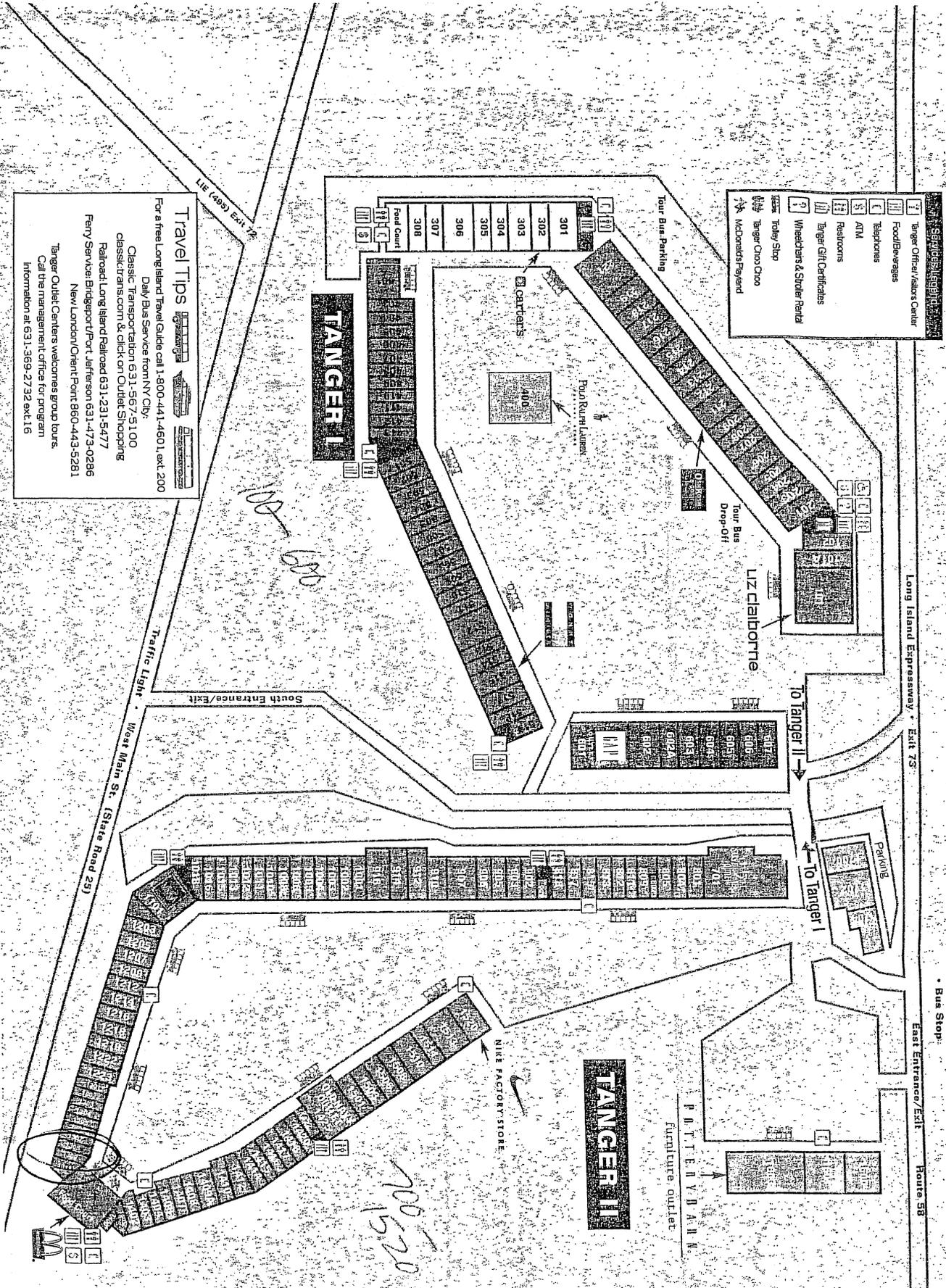
JOB SPECIFICATIONS



Sets Size Letter Size Background Colors	1 Sign 36" x 96" 4" Day... 6" Calendar... Beige, Burgundy and Black on White	Background Letters Extensions Illumination Mounting	3/4" Sintra - White 1/4" Sintra - Hunter Green White Backer with Letter None Flush to wall w/ Cleat System
Date:	10.08.04	Project:	Day By Day Calendar Co.
Location:	TBD	Designer:	MPA

Buy direct from over 165 brand name outlet stores

1013	369-4520
1403	208-8404
1407	369-9157
310	369-6207
313	369-6910
1216	369-9474
1508	369-4391
1418	369-7638
817	727-8799
1203	369-9212
309	369-6295
1003	727-6484
1704	369-3301
905	369-6955
1301	727-6454
1404	369-5705
1212	369-6005
1406	727-6434
1101	369-7245
1214	208-4444
804	369-6684
1520	369-0708
1311	208-9300
701	369-5893
1533	208-2952
1425	369-5831
1414	208-1537
1016	369-5655
1219	369-1694
1415	727-6410
1510	208-9894
1833	369-7699
1533	369-7699
1218	905-0360
1004	369-0801
1903	727-9495
1015	369-0400
1302	369-2732
1006	369-5039
1316	208-1178
1200	369-5525
1902	369-9895
1012	369-6955
1412	208-9774
1402	369-1295
301	369-6614
914	369-2732
1420	727-8276
1400	905-9469



Travel Tips

For a free Long Island Travel Guide call 1-800-441-4601, ext. 200

Dialy Bus Service from NYC: Classic Transportation 631-567-5100 classictrans.com & click on Outlet Shopping

Railroad: Long Island Railroad 631-231-5477 Ferry Service: Bridgeport/Port Jefferson 631-473-0286 New London/Orient Point 860-443-5281

Tanger Outlet Centers welcomes group tours. Call the management office for program information at 631-369-2732 ext. 16

food

Auntie Anne's 1316 309-5908
 Chamonix/Taco Bell 1314 369-5391
 The Fuddruser 1422 722-2185

center hours:

Monday-Saturday 9-9, Sunday 10-8

Customer Information Line: 800.407.4894

Motor Coach Service to and from Manhattan Grand Central Station. Visit ClassicTrans.com for information

