

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

October 17, 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

**William J. Rothaar
Leroy E. Barnes, Jr.
Andrea Lohneiss
Ken Testa
Richard Hanley
Chief David Hegermiller
Ray Coyne
Judy Doll
John Reeve
Michael Reichel
Gary Pendzick**

**(Interim) 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:
COMMUNITY DEVELOPMENT AGENCY:

#15 A Resolution Designating Riverhead Renaissance, LLC as a Qualified and Eligible Sponsor for a Downtown Redevelopment Project Within the East Main Street Urban Renewal Area

#16 Community Development Agency Budget Adoption

REGULAR TOWN BOARD MEETING:

#924 In the Matter of the Proposed Joint Increase and Improvement of the Facilities of Riverhead Sewer District and Riverhead Scavenger Waste District in the Town of Riverhead

#925 A Resolution Authorizing the Issuance of \$750,000 Serial Bonds of the Town of Riverhead, Suffolk County, New York, to pay the cost of the Joint Increase and Improvement of the Facilities of the Riverhead Sewer District and Riverhead Scavenger Waste District in the Town of Riverhead, Suffolk County, New York

#926 Sewer District Budget Adoption

#927 Sewer District Budget Adoption

#928 Council for Unity Project Budget Adoption

#929 Accepts Cash Security of Baiting Hollow Club

#930 Accepts Performance Irrevocable Letter of Credit of Shoreline Development Corporation (Finns Landing)

#931 Ratifies Setting Salaries for In-Call Bus Drivers for 2006 for the Riverhead Recreation Department

#932 Accepts an Intern in the Police Department (A. Schnell)

- #933 Recommends Riverhead Town Representatives to Suffolk County Farmland Committee
- #934 Approves the Attendance at Empire State Development Zone Conference
- #935 Appoints a Recreation Specialist in the Recreation Department (K. Ragone)
- #936 Ratifies Appointment of a P/T Recreation Aide (Teen Center) to the Recreation Department (M. Stokley)
- #937 Ratifies Appointment for a Call-in Bus Driver Level IV to the Recreation Department (R. Fox)
- #938 Appoints a P/T Recreation Aide- Volleyball Leader to the Recreation Department (E. Monohan)
- #939 Appoints a P/T Recreation Aide- Volleyball Official to the Recreation Department (G. Scanlon)
- #940 Terminating the Consulting Services of Young & Young with Respect to the Youngs Avenue Landfill Reclamation Project
- #941 Authorizing the Settlement of “Town Board of the Town of Riverhead as Governing Body of the Riverhead Sewer District vs. W.H.M. Plumbing & Heating Contractors, Inc. et al.”, Suffolk County Supreme Court Index No. 03-25956
- #942 Authorizes Town Clerk to Publish and Post a Notice of Public Hearing to Consider the Adoption of the 2007 Preliminary Annual Budget for the Town of Riverhead
- #943 Authorizes the Town Supervisor to Execute Change Order No. 1 for Peconic Riverfront Bicycle and Pedestrian Improvement Project

- #944 Authorizes Town of Riverhead to Remove Rubbish, Debris, Refuse and other Objects from Property Pursuant to Chapter 96 of the Riverhead Town Code Entitled, "Trash, Rubbish and Refuse Removal" (1483 North Country Road, Wading River, NY 11792)
- #945 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 (108-133 Site Plan Review)
- #946 Authorizes Town Clerk to Publish and Post Notice to Bidders for Sealed Bids for Junk/Abandoned Vehicles
- #947 Authorizes Town Clerk to Publish and Post Notice to Bidders for Sealed Bids for Junk/Abandoned Motorcycles/Mopeds
- #948 Authorizes the Town Clerk to Publish and Post Notice of Auction of Abandoned and Surplus Vehicles and All other Unclaimed Property Being Held by the Police Department
- #949 Authorizes Town Clerk to Publish and Post Notice of Abandoned Vehicles and all other unclaimed Property being held by the Riverhead Police Department
- #950 Authorizes Town Clerk to Publish and Post the Attached Notice to Bidders for on Site Grinding of Concrete Debris at Riverhead Highway Facility
- #951 Authorizes Town Clerk to Publish and Post the Attached Notice to Bidders for on Site Grinding of Yard Waste at Riverhead Landfill Facility
- #952 Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Local Law to Amend Chapter 3, "Appearance Tickets" §3-1 Entitled, "Authorized Issuing Officers" of the Riverhead Town Code

- #953 Authorizes Town of Riverhead to Remove Rubbish, Debris and the Cutting of Grass and Weeds from Property Pursuant to Chapter 96 Entitled, “Trash Rubbish and Refuse Disposal” of the Riverhead Town Code
- #954 Authorizes Town Clerk to Publish and Post Notice for Public Hearing Regarding Community Development Block Grant (CDBG) Funds
- #955 Ratifies the Publication of Public Notice for the Availability of Workforce Housing Applications
- #956 Reinstates a Police Officer to Active Duty (McAllister)
- #957 Authorizes Publishing and Posting of Notice to Bidders for Town of Riverhead Calverton Enterprise Park Phase I Park and Recreation Improvements”
- #958 Authorizes the Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, “Zoning” of the Riverhead Town Code (Definitions-Arcade)
- #959 Authorizing Town Clerk to Publish and Post Notice of Public Hearing- Special Use Permit Petition of Kar-McVeigh
- #960 Authorizes the Submission of Grant Application to NYS Department on Environmental Conservation for Wading River Nonagricultural Nonpoint Source Abatement and Control Project
- #961 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 (108-131 Site Plan Review)

- #962 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 (Shopping Center (SC), Business Center (BC), Commercial/Residential Campus (CRC) (Indoor Sports and Recreation Facilities)
- #963 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 64 Entitled, “Fire Prevention” of the Riverhead Town Code (§64-9 Fire Prevention Permits)
- #964 Adopts a Local Law to Amend Chapter 108 Entitled, “Zoning” of the Riverhead Town Code (Reassign Site Plan Review to the Planning Board)
- #965 Adopts a Local Law to Amend Chapter 30 Entitled, “Planning Board” of the Riverhead Town Code
- #966 Declares Surplus Vehicles for Auction
- #967 Authorizes the Release of a Bond for Hristina Mantzopoulos (Hellas East Management LLC)
- #968 Ratifies the Approval of the Chapter 90 Application of Melissa Gibbons (Wedding to be held at Hallockville Museum Farm and Folklife Center)
- #969 Approves Chapter 90 Application of East End Rowing
- #970 Approves Chapter 90 Application of Riverhead Foundation for Marine Research and Preservation (5K Run for the Ridley)
- #971 Approves Site Plan of DJ Realty
- #972 Pays Bills

Adopted

TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY

At a meeting of the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, held at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, in said Town, on October 17 at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Chairman Cardinale, and upon roll being called, the following were

PRESENT:

Chairman Philip J. Cardinale
Member Barbara Blass
Member Edward Densieski
Member George Bartunek
Member John Dunleavy

ABSENT:

COUNCILWOMAN BLASS

The following resolution was offered by Member _____ who moved its adoption, seconded by Member **COUNCILMAN BARTUNEK** to wit:

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY

Resolution Dated: October 17, 2006

TOWN OF RIVERHEAD

COMMUNITY DEVELOPMENT AGENCY

Resolution # 15

A RESOLUTION DESIGNATING RIVERHEAD RENAISSANCE, LLC AS A QUALIFIED
AND ELIGIBLE SPONSOR FOR A DOWNTOWN REDEVELOPMENT PROJECT WITHIN
THE EAST MAIN STREET URBAN RENEWAL AREA

Member ~~COUNCILWOMAN BLASS~~ offered the following resolution,

which was seconded by Member ~~COUNCILMAN BARTUNEK~~

WHEREAS, the Town of Riverhead (the "Town") and the Town of Riverhead Parking District No. 1 (the "Parking District"), (collectively known as the "Municipal Entities") are the owners of land currently designated as parking facilities along the Peconic Riverfront south of Main Street and the Parking District is the owner of land on north side of Main Street currently designated as parking facilities (the parcels of land collectively referred to as the "Project Parcels"); and

WHEREAS, Riverhead Renaissance LLC has submitted to the Town of Riverhead Community Development Agency (the "Agency") a proposal for the redevelopment of the Project Parcels, and the Agency is considering designating Riverhead Renaissance LLC the "qualified and eligible sponsor" (the "Sponsor") for said redevelopment, pursuant to the established rules and procedures adopted by the Agency and in accordance with the requirements of General Municipal Law Sections 507(2)(d), which redevelopment is as depicted in the Downtown Riverfront Redevelopment Project Phase I Status Update on file in the Riverhead Town Clerk's Office; and

WHEREAS, the Agency believes the redevelopment is consistent with the purposes and objectives of the East Main Street Urban Renewal Plan for the East Main Street Area adopted by the governing board of the Agency on October 19, 1993 in that it will encourage the development and rehabilitation of buildings and structures that will enhance the physical appearance of the Town, stimulate economic development and promote tourist related activities within the East Main Street Improvement Area; and

WHEREAS, Section 507(2)(d) of the General Municipal Law requires that a person, firm or corporation which proposes to develop municipally-owned property within an Urban Renewal Area be designated as a qualified and eligible sponsor pursuant to the rules and

procedures of the Agency prior to the transfer of property to said person, firm or corporation pursuant to Section 507(2)(d) of the General Municipal Law; and

WHEREAS, pursuant to Section 507(2)(d) of the General Municipal Law, on October 3, 2006, the Agency duly held said public hearing on the designation of Riverhead Renaissance, LLC as Sponsor for the redevelopment of the Project Parcels after the requisite public notice; and

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

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

Section 1. Based upon the public hearing held by the Agency at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York in said Town on October 3, 2006 at 7:35 P.M., Prevailing Time, upon all supplemental documentation and information received by the Agency and upon the opinion of independent counsel on the question of designating Riverhead Renaissance, LLC the Sponsor for the redevelopment of the Project Parcels as depicted in the Downtown Riverfront Redevelopment Project Phase I Status Update on file in the Riverhead Town Clerk's Office, and consistent with the goals and objectives of the East Main Street Urban Renewal Plan for the East Main Street Improvement Area, such as encouraging the development and rehabilitation of buildings and structures that will enhance the physical appearance of the Town, stimulating economic development and promoting tourist related activities within the East Main Street Improvement Area, the Agency hereby designates Riverhead Renaissance LLC the Qualified and Eligible Sponsor pursuant to the rules and procedures of the Agency and Section 507(2)(d) of the General Municipal Law for the redevelopment of the Project Parcels and subject to the conditions and approvals as set forth hereunder.

Section 2. The Chairman of the Agency is hereby authorized, on behalf of the Agency, to direct special counsel to negotiate the terms and conditions of the Land Disposition Agreement to properly effectuate the sale of certain properties by the Agency to Riverhead Renaissance LLC in accordance with this Resolution.

Section 3. Prior to the execution of the Land Disposition Agreement, the final form of the Land Disposition Agreement for the sale of said properties shall be agreed upon by the Governing Body of the Agency and a subsequent determination shall be made by the Governing Body after a public hearing to determine whether to proceed with the disposition of the Project Parcels for the specific projects contemplated by the Land Disposition Agreement.

Section 4. In addition to the negotiation of a Land Disposition Agreement upon terms and conditions which are acceptable to the Agency and the determination of the Sponsor as qualified and eligible as set forth above, the disposition of the Project Parcels to the Sponsor shall be subject to and is conditioned upon the completion of a Generic Environmental Impact Statement which the agency is undertaking in conjunction with its decision to update the Urban Renewal Plan for the East Main Street Urban Renewal Area; as well as such further proceedings,

including a public hearing, as may be required by Section 507(2)(d) of the General Municipal Law.

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

Section 6. This Resolution shall take effect immediately.

The Vote:

Member Dunleavy	_____
Member Bartunek	_____
Member Blass	_____
Member Densieski	_____
Chairman Cardinale	_____

10/17/06

Town of Riverhead

Adopted

Resolution # 16

COMMUNITY DEVELOPMENT AGENCY BUDGET ADOPTION

COUNCILMAN DENSIESKI

_____ offered the following resolution,

COUNCILMAN DUNLEAVY

which was seconded by _____

BE IT RESOLVED, that the Supervisor is authorized to establish the following budget adoption for the purpose of deposit of developer fees paid by Apollo Real Estate Investors, LP d/b/a Riverhead Renaissance LLC and payment of consulting and legal fees for professional services authorized by CDA Resolution 6 of July 18, 2006:

		<u>FROM</u>	<u>TO</u>
405.06450.421050.70058	Developer Fees	\$550,000	
405.064500.543500.70058	Planning Consultants		\$300,000
405.064500.543505.70058	Legal fees, surveys, appraisal fees		\$250,000

DUNLEAVY YES ___ NO BARTUNEK YES ___ NO
 BLASS YES ___ NO DENSIESKI YES ___ NO
 CARDINALE YES ___ NO
 THIS RESOLUTION IS ___ IS NOT
 DECLARED DULY ADOPTED

Adopted

42667-2-4

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York in said Town, on October 17, 2006, at 7:00 o'clock P.M., Prevailing Time.

PRESENT:

Philip Cardinale

Supervisor

George Bartunek

Councilman

Edward Densieski

Councilman

John Dunleavy

Councilman

Barbara Blass

Councilwoman

COUNCILMAN DUNLEAVY offered the following resolution, which was seconded by

COUNCILMAN DENSIESKI

<p style="text-align: center;">In the Matter of</p> <p>the Proposed Joint Increase and Improvement of the Facilities of Riverhead Sewer District and Riverhead Scavenger Waste District in the Town of Riverhead, Suffolk County, New York.</p>	<p style="text-align: center;">PUBLIC INTEREST ORDER</p>
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WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has duly caused to be prepared a map, plan and report including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the proposed joint increase and improvement of the facilities of Riverhead Sewer District (the "Sewer District") and Riverhead Scavenger Waste District (the "Waste District"; together with the Sewer District, the "Districts"), in the Town of

Riverhead, Suffolk County, New York, consisting of the replacement of the belt filter press of said Districts, including original equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, and

WHEREAS, at a meeting of said Town Board duly called and held on June 6, 2006, an Order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the proposed improvement of the facilities of the Sewer District (50% - \$375,000 maximum estimated cost) and the Waste District (50% - \$375,000 maximum estimated cost), in said Town, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Riverhead, New York, in said Town, on July 5, 2006 at 7:05 o'clock P.M., Prevailing Time; and

WHEREAS, said Order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; and

WHEREAS, said capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, and which, based on said regulations, the implementation of such capital project, as proposed, will not result in any significant environmental effects; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the joint increase and improvement of the

facilities of the Riverhead Sewer District and the Riverhead Scavenger Waste District each in the Town of Riverhead, Suffolk County, New York, consisting of the replacement of the belt filter press for said districts, including original equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at an aggregate maximum estimated cost of \$750,000, allocated amongst said Districts as described at said public hearing and as hereinabove provided.

Section 2. This Order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll, which resulted as follows:

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The order was thereupon declared duly adopted.

* * * * *

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

BOND RESOLUTION

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, in said Town, on October 17, 2006, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Cardinale, and upon roll being called, the following were

PRESENT: **Supervisor Philip Cardinale**
 Councilman John Dunleavy
 Councilman George Bartunek
 Councilwoman Barbara Blass
 Councilman Edward Densieski

ABSENT:

Also Present: **Town Clerk Barbara Grattan**
 Town Attorney Dawn Thomas

The following resolution was offered by Councilman COUNCILMAN DENSIESKI who moved its adoption, seconded by Councilman COUNCILWOMAN BLASS to-wit:

BOND RESOLUTION DATED October 17, 2006.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$750,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE JOINT INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE RIVERHEAD SEWER DISTRICT AND THE RIVERHEAD SCAVENGER WASTE DISTRICT, IN THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which will not have a significant effect on the environment; and

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order of even date herewith, said Town Board has determined it to be in the public interest to jointly improve the facilities of the Riverhead Sewer District and the Riverhead Scavenger Waste District, in the Town of Riverhead, Suffolk County, New York, at a maximum estimated cost of \$750,000; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the joint increase and improvement of the Riverhead Sewer District and the Riverhead Scavenger Waste District, in the Town of Riverhead, Suffolk County, New York, (together, the "Districts") consisting of the replacement of the belt filter press of said districts, including original equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at an aggregate maximum estimated cost of \$750,000, there are hereby authorized to be issued \$750,000

serial bonds of said Town pursuant to the provisions of the Local Finance Law, to be allocated amongst said Districts as described in the Public Interest Order of even date herewith.

Section 2. It is hereby determined that the plan for the financing of such specific object or purpose is by the issuance of \$750,000 serial bonds authorized to be issued therefor pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law, calculated from the date of the first bond anticipation note issued therefor. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. Such cost shall be annually apportioned among such Districts by said Town Board, and the amounts so apportioned shall be annually apportioned and assessed upon the several lots and parcels of land within each said District in the manner provided by law, in an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such

source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due; and

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Riverhead, Suffolk County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Town shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town),

the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor.

Section 9. The Supervisor is hereby further authorized, at the Supervisor's sole discretion, to execute a project financing or loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a serial bond issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 11. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 12. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 13. This resolution, which takes effect immediately, shall be published in full or summary form in the *Riverhead News Review*, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

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

10/17/06

Adopted

TOWN OF RIVERHEAD

SEWER DISTRICT

BUDGET ADOPTION

RESOLUTION # 926

COUNCILWOMAN BLASS 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>
406.092705.421050.20027	Developer Fees	\$25,000.00	
406.081300.543504.20027	Engineering Expenses		\$25,000.00

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

OCTOBER 17, 2006

Adopted

TOWN OF RIVERHEAD

SEWER DISTRICT

BUDGET ADOPTION

RESOLUTION # 927

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>
406.095710.421050.70063	Serial Bond Proceeds	\$750,000.00	
406.081300.523011.70063	Construction Costs		\$655,000
406.081300.543504.70063	Engineering Expenses		\$85,000
406.081300.543320.70063	Legal fees, bonding & printing		\$10,000

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

OCTOBER 17, 2006

Adopted

TOWN OF RIVERHEAD

COUNCIL FOR UNITY GRANT PROJECT

BUDGET ADOPTION

RESOLUTION # 928

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

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

		<u>FROM</u>	<u>TO</u>
406.072350.492215.40138	State Aid	11,000	
406.072350.543900.40138	Miscellaneous Consultant		10,000
406.072350.542100.40138	Supplies		1,000

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

TOWN OF RIVERHEAD

Adopted

Resolution # 929

ACCEPTS CASH SECURITY OF BAITING HOLLOW CLUB

COUNCILMAN BARTUNEK offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

WHEREAS, Baiting Hollow Club has posted a cash security in the sum of One Hundred Fifty Three Dollars (\$153.00) representing the 5% site plan security as noted in the approved site plan dated September 6, 2006 Resolution # 814 for temporary observation platform located at Sound Avenue, Baiting Hollow, New York, Suffolk County Tax Map # 600- 040.00-02-006.3 and 0600-04.00-02-p/o 10.00, pursuant to Section 108-133 (I) of the Riverhead Town Code;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% cash security in the sum of One Hundred Fifty Three Dollars (\$153.00); 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 Baiting Hollow Club, C/O Barry Biel, 100 Fox Hill Drive, Baiting Hollow, New York 11933, the Building Department; the Planning Department 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
Thereupon Duly Declared Adopted

10/17/06

Adopted

TOWN OF RIVERHEAD

Resolution # 930

**ACCEPTS IRREVOCABLE LETTER OF CREDIT OF SHORELINE
DEVELOPMENT CORPORATION
(Finns Landing)**

COUNCILWOMAN BLASS

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

WHEREAS, by Resolution #70 adopted on July 10, 2006, the Riverhead Planning Board conditionally approved the final plat of the subdivision entitled, "Finns Landing", having one of the conditions of final approval being the submission and filing of security in the amount of \$470,000.00 in connection with improvements to be completed within said subdivision; and

WHEREAS, Shoreline Development Corporation has submitted a North Fork Bank Irrevocable Standby Letter of Credit #3330001455 in the amount of Four Hundred Seventy and 00/100 (\$470,000.00) Dollars; and

WHEREAS, said irrevocable standby letter of credit submitted is found to be acceptable in connection with improvements to be completed within the subdivision entitled, "Finns Landing".

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts North Fork Bank Irrevocable Standby Letter of Credit #3330001455 in the amount of Four Hundred Seventy and 00/100 (\$470,000.00) Dollars for improvements to be completed within the subdivision entitled, "Finns Landing".

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Charles R. Cuddy, Esq., P.O. Box 1547, Riverhead, New York, 11901; the Planning Department; the Building Department 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**

10/17/06

Adopted

TOWN OF RIVERHEAD

Resolution # 931

RATIFIES SETTING SALARIES FOR ON-CALL BUS DRIVERS FOR 2006
FOR THE RIVERHAD RECREATION DEPARTMENT

COUNCILMAN DUNLEAVY

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

RESOLVED, that Town Board sets salaries for On-Call Bus Drivers for 2006 for the Recreation Department effective October 12, 2006.

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

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

**Riverhead Recreation Department
200 Howell Ave.
Riverhead, NY 11901
(631) 727-5744**

PROPOSED ON-CALL BUS DRIVERS SALARIES- 2006

Level I	\$13.50
Level II	\$13.75
Level III	\$14.00
Level IV	\$14.25
Level V	\$14.50
Level VI	\$14.75
Level VII	\$15.00

***NOTE: The above salaries are listed on a per hour basis. Experience may influence starting level. Level raise depends upon job performance.**

October 17, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 932

APPOINTS AN INTERN TO THE POLICE DEPARTMENT

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

WHEREAS, Suffolk County Community College has requested the Riverhead Police Department to partner with them in an internship program; and,

WHEREAS, the Riverhead Police Department agrees to expose the students to the police profession as part of their education through a 90 hour training program.

NOW, THEREFORE, BE IT RESOLVED, effective October 18, 2006, the Town Board hereby approves the appointment of Adam Schnell, a student at Suffolk County Community College, as an Intern for the Riverhead Police Department through completion of the program; and,

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

DUNLEAVY YES ___ NO BARTUNEK YES ___ NO

BLASS YES ___ NO DENSIESKI YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

October 17, 2006

Adopted

TOWN OF RIVERHEAD

Resolution No. 933

RECOMMENDS RIVERHEAD TOWN REPRESENTATIVES TO SUFFOLK COUNTY FARMLAND COMMITTEE

Councilwoman Blass offered the following resolution which was seconded by
COUNCILMAN DUNLEAVY

WHEREAS, a vacancy exists on the Suffolk County Farmland Committee for the Town of Riverhead designee,

NOW THEREFORE, BE IT

RESOLVED that due to his experience and wealth of knowledge of the industry and its related land use issues, the Town of Riverhead hereby recommends Jeffrey Rottkamp to serve as the Town's designee; and

BE IT FURTHER RESOLVED that the Town of Riverhead respectfully recommends that Ray Kujawski serve as an at-large member of the Suffolk County Farmland Committee if a vacancy exists, and

BE IT FURTHER RESOLVED, that Suffolk County Executive Steve Levy and the Suffolk County Legislature receive this recommendation from the great Town of Riverhead and approve the appointment of Jeffrey Rottkamp as the Town of Riverhead representative and Ray Kujawski as the Town of Riverhead member at-large to the Suffolk County Farmland Committee, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Jeffrey Rottkamp, Ray Kujawski, Suffolk County Executive Steve Levy, Suffolk County Legislator Edward Romaine, and Thomas A. Isles, Suffolk County Dept. of Planning Director.

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 <input checked="" type="checkbox"/> IS <input type="checkbox"/> IS NOT									

10/17/06

TOWN OF RIVERHEAD
Resolution # 934

Adopted

**APPROVES THE ATTENDANCE AT
EMPIRE STATE DEVELOPMENT ZONE CONFERENCE**

COUNCILMAN DUNLEAVY

Offered the following resolution,

Which was seconded by

COUNCILMAN DENSIESKI

WHEREAS, the State of New York of Economic Development routinely hosts mandatory information workshops for municipal coordinators of the Empire Development Zones Program throughout the State; and

WHEREAS, it is necessary and appropriate for the zone coordinator, Tracy Stark, to attend this informational training session; and

WHEREAS, a two day conference is scheduled in Rochester for October 26th & 27th 2006, thereby requiring her to stay at the Hyatt Regency Rochester on Wednesday, October 25th & 26th at \$129 per night, plus the cost of meals, transportation and registration to be reimbursed upon submission of receipts not to exceed \$1000.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board approves expenditures for lodging at the Hyatt Regency Rochester and reimbursement of meals, registration and transportation for Riverhead/Suffolk County Empire Zone Coordinator Tracy Stark to attend a required Empire Zone Session in Rochester from October 25th – 27th, 2006.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Tracy Stark, Jim Morgo (Suffolk County Economic Development), Randy Coburn (New York State Empire Zone Office), and the Riverhead Office of Accounting.

THE VOTE

Dunleavy	Yes	No	Blass	Yes	No
Densieski	Yes	No	Bartunek	Yes	No
		Cardinale	Yes	No	

The Resolution ~~Was~~ Was Not
Thereupon Duly Declared Adopted

10/17/06

Adopted

TOWN OF RIVERHEAD

Resolution # 935

APPOINTS A RECREATION SPECIALIST TO THE RIVERHEAD RECREATION DEPARTMENT

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

RESOLVED, that Kim Ragone is hereby appointed to serve as a Recreation Specialist with the working title of a Fitness Instructor, effective October 18, 2006, to serve as needed on an at will basis and to be paid at the rate of \$30.00 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

1

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

¹ Resolution Rec Specialist Kim Ragone

10/17/06

TOWN OF RIVERHEAD

Adopted

Resolution # 936

**RATTIFIES APPOINTMENT OF A P/T RECREATION AIDE (TEEN CENTER)
TO THE RIVERHEAD RECREATION DEPARTMENT**

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

RESOLVED, that Maxine Stokley is hereby appointed to serve as a P/T Recreation Aide for the Teen Center, effective, October 12th, 2006 to serve as needed on an at will basis and to be paid at the rate of \$10.00 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

1

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

¹ Rec. Doris /Res. TC rec aid, Maxine Stokley

10/17/06

Adopted

TOWN OF RIVERHEAD

Resolution # 937

RATTIFIES APPOINTMENT FOR A CALL-IN BUS DRIVER LEVEL IV TO THE RIVERHEAD RECREATION DEPARTMENT

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

RESOLVED, that Robert A. Fox is hereby appointed as a Call-in Bus Driver Level 3, effective, October 12, 2006 to serve as needed on an at will basis to be paid at the rate of \$14.00 per hour, and to serve at the pleasure of the Town Board; and

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

1. All applications and appropriate forms are to be completed (in the Office of Accounting) PRIOR to start date; and
2. Subject to the approval of Suffolk County Department of Civil Service and possession of a clean valid CDL license

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

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

¹ Rec. Kelly/ Resolution.call-in bus R. Fox

10/17/06

TOWN OF RIVERHEAD

Adopted

Resolution # 938

APPOINTS A P/T RECREATION AIDE- VOLLEYBALL LEADER TO THE RIVERHEAD RECREATION DEPARTMENT

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

RESOLVED, that Elizabeth Monohan is hereby appointed to serve as a P/T Rec. Aide- Volleyball Leader, effective, October 23, 2006 to and including May 15, 2007 to serve as needed on an at will basis to be paid at the rate of \$10.00 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

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

¹ Rec. Colleen /Res. Liz Monohan V-ball

10/17/06

TOWN OF RIVERHEAD

Adopted

Resolution # 939

**APPOINTS A P/T RECREATION AIDE- VOLLEYBALL OFFICIAL
TO THE RIVERHEAD RECREATION DEPARTMENT**

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

RESOLVED, that Greg Scanlon is hereby appointed as a P/T Recreation Aide-Volleyball Official effective, December 4, 2006 to and including May 21, 2006, to be paid at the rate of \$9.00 per game, and to serve at the pleasure of the Town Board; and

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

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

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

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

¹ Rec. Colleen/ Resolution. Greg Scanlon

Adopted

10/17/06

**TERMINATING THE CONSULTING SERVICES OF YOUNG & YOUNG
WITH RESPECT TO THE YOUNGS AVENUE
LANDFILL RECLAMATION PROJECT**

RESOLUTION # 06- 940

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

IT IS HEREBY RESOLVED, that the services of Young & Young, as the consulting engineers for the Town of Riverhead in connection with the Landfill Reclamation Project at the Youngs Avenue Landfill is hereby terminated; and it is further

RESOLVED, that the Town Engineer is hereby directed to make the necessary arrangements to obtain all of the records pertaining to this project from the firm of Young & Young; and it is further

RESOLVED, that the Town Attorney is directed to refer this matter to appropriate counsel for review to determine whether any errors, omissions or other basis for liability exists; and it is further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this Resolution to the Town Attorney, the Town Engineer, Kenneth Testa, P.E., Tom Wolpert, P.E. and Frank A. Isler, Esq.

THIS RESOLUTION WAS PREPARED BY FRANK A. ISLER SPECIAL COUNSEL TO THE TOWN BOARD.

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

10/17/06

TOWN OF RIVERHEAD

Resolution # 941

AUTHORIZING THE SETTLEMENT OF "TOWN BOARD OF THE TOWN OF RIVERHEAD AS GOVERNING BODY OF THE RIVERHEAD SEWER DISTRICT v. W.H.M. PLUMBING & HEATING CONTRACTORS, INC. et. al.", SUFFOLK COUNTY SUPREME COURT INDEX NO. 03-25956

COUNCILMAN BARTUNEK

offered the following resolution, was seconded

by COUNCILWOMAN BLASS:

WHEREAS, the Town Board, as the governing body of the Riverhead Sewer District, by resolution # 1057 adopted September 16, 2003 authorized the commencement of litigation against the W.H.M. Plumbing & Heating Contractors, Inc. to recover the cost of emergency repairs to the District's gravity pipe in the vicinity of the construction of Riverhead Bay Motors caused by a breakage in the pipe; and

WHEREAS, litigation was commenced in accordance with that resolution; and

WHEREAS, W.H.M. Plumbing & Heating Contractors, Inc. has agreed to settle the District's claim as set forth in the Stipulation of Settlement attached hereto; and

WHEREAS, the settlement is determined to be fair and reasonable under the circumstances; and

WHEREAS, in light of the costs attendant to proceeding to trial with the attendant uncertainties of litigation it is in the best interests of the Town of Riverhead Sewer District to accept the settlement proposal;

NOW BE IT RESOLVED, that the Town Board of the Town of Riverhead as the governing body of the Riverhead Sewer District hereby accepts the terms of the Stipulation of Settlement and authorizes that Supervisor to sign the Stipulation of Settlement on behalf of the Town as well as any other documents necessary to effectuate the settlement of the litigation; and it is further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP.; the Town Attorney; the Accounting Department; and Michael Reichel, Superintendent.

THE VOTE

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

THE RESOLUTION WAS WAS NOT

THREESIXTY

SUPREME COURT, STATE OF NEW YORK
COUNTY OF SUFFOLK

-----X
TOWN BOARD OF THE TOWN OF RIVERHEAD
as the governing body of the RIVERHEAD
SEWER DISTRICT

Index No. 03-25956

Plaintiff,

-against-

W.H.M. PLUMBING & HEATING CONTRACTORS, INC.
RIVERHEAD POOH, LLC, and YODA, LLC.

Defendants.

-----X

STIPULATION OF SETTLEMENT

IT IS HEREBY STIPULATED among the parties hereto as follows:

1. The parties agree to resolve all the issues and claims asserted by the plaintiff in this action against the defendant W.H.M. Plumbing & Heating Contractors, Inc. by paying the plaintiff the sum of thirty five thousand (\$ 35,000.00) dollars in full satisfaction of the plaintiff's claim against the defendant, W.H.M. Plumbing & Heating Contractors, Inc. Payment shall be made within the time period set forth in CPLR 5003a.

2. Simultaneously with the execution of this Stipulation, counsel for the plaintiff and the defendant W.H.M. Plumbing & Heating Contractors, Inc. shall execute a Stipulation of Discontinuance of the action which plaintiff will cause to be filed with the Court.

3. By signing this Stipulation, each party agrees to release the other from any claims each may have with respect to the claims asserted in this litigation. The parties will exchange general releases to this effect simultaneously with the signing of this Stipulation.

4. The plaintiff further agrees that upon receipt of the payment set forth in paragraph 1 above, it shall indemnify and hold harmless W.H.M. Plumbing & Heating Contractors, Inc. and XL Insurance Group, from any claims that may be asserted against the settlement proceeds in this matter.

Date: October __, 2006

Plaintiff

Town Board of the Town
of Riverhead as the governing
body of the Riverhead Sewer
District

By : _____
Philip Cardinale, Supervisor

Defendant

W.H.M. Plumbing & Heating
Contractors, Inc.

By: _____
President

OCTOBER 17, 2006

Tabled

TOWN OF RIVERHEAD

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE 2007 PRELIMINARY ANNUAL BUDGET FOR THE TOWN OF RIVERHEAD

RESOLUTION # 942

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

BE IT RESOLVED, that the Town Clerk be, and is hereby, directed to publish the attached Public Notice in the October 26, 2006 issue of The News Review;

BE IT RESOLVED, that the Town Board hereby authorizes the publication of the attached Public Notice in the October 26, 2006 issue of The News Review by the Town Clerk.

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		

Tabled

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that a Public Hearing will be held on the 8th day of November, 2006 at 2:00 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider the adoption of the 2007 Annual Budget for the Town of Riverhead, which shall include the following specific items:

ELECTED OFFICIALS' SALARIES

<u>Position</u>	<u>Proposed Salary</u>
Town Supervisor	\$89,258
Town Board Councilpersons (4)	\$36,896
Town Receiver of Taxes	\$65,799
Town Assessors (3)	\$68,435
Town Clerk	\$74,383
Town Justices (2)	\$69,027
Highway Superintendent	\$77,372

PLEASE TAKE FURTHER NOTICE, that a copy of the Preliminary Budget is available in the Office of the Town Clerk for inspection during normal business hours, Monday through Friday, 8:30 a.m. – 4:30 p.m.

DATED: Riverhead, New York
 October 17, 2006

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

October 17, 2006

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 943

AUTHORIZES TOWN ~~SUPERVISOR~~ TO EXECUTE CHANGE ORDER NO. 1
FOR PECONIC RIVERFRONT BICYCLE AND PEDESTRIAN
IMPROVEMENT PROJECT

COUNCILMAN DUNLEAVY offered the following resolution which
was seconded by COUNCILMAN DENSIESKI.

WHEREAS, on June 21, 2005, the Riverhead Town Board adopted Resolution No. 572 entitled, "Awards Bid for Peconic Riverfront Bicycle Pedestrian Improvement Project"; and

WHEREAS, the bid was awarded to Terry Contracting & Materials, Inc. in the amount of Two Million Three Hundred Eighty Four Thousand Eight Hundred Eleven Dollars & 00/100 (\$2,384,811.00); and

WHEREAS, the Engineering Department has recommended that additional work is required in the amount of \$138,501.85 and a number of item quantities have been reduced in the amount of \$59,596.49- for a net increase of Seventy Eight Thousand Nine Hundred Five Thousand and 36/100 (\$78,905.36) as follows:

Add / Delete	Description	Quantity	Unit of Measure	Unit Price	Extended Total
Add	4" Schedule 40-relocation of fiber optics	1,102	LF	\$6.78	\$7,471.56
Add	2" Schedule 40 - spare conduits	1,800	LF	\$3.96	\$7,128.00
Add	1-1/2" Schedule 40 - spare conduits	900	LF	\$3.80	\$3,420.00
Add	Bridge widening	1	LS	\$8,175.00	\$8,175.00
Add	2"x12" Cap-reduce washout along bulkhead	1	LS	\$6,638.00	\$6,638.00
Add	2"X12" Cap - Finish cap on wale (locations of no boardwalk)	1	LS	\$1,527.00	\$1,527.00
Add	Excavation & backfill trench- installation of temp fiber optics	1	LS	\$4,200.00	\$4,200.00
Add	Electrical upgrades - per K. Testa	1	LS	\$25,771.20	\$25,771.20
Add	Concrete curb removal	1	LS	\$2,100.00	\$2,100.00
Add	Paving preparation fee	1	LS	\$8,755.00	\$8,755.00
Add	Irrigation system - incl ped water service	1	LS	\$45,126.09	\$45,126.09
Add	Item 37A - Utility conduit-2" dia. PVC	1,700	LF	\$10.70	\$18,190.00
	Total Additions				\$138,501.85

Deduct	Item 22 - Asphalt concrete binder base course	-71	Tons	\$75.00	-\$5,325.00
Deduct	Item 23 -Asphalt wearing course	-170	Tons	\$75.00	-\$12,750.00
Deduct	Item 34 -Trash receptacle	-1	Ea.	\$482.63	-\$482.63
Deduct	Item 36 - Pull box	-22	Ea.	\$385.00	-\$8,470.00
Deduct	Item 4A -Precast concrete catch basin	-1	Ea.	\$1,652.00	-\$1,652.00
Deduct	Item 7B - Belgian block pavement	-1099.7	SF	\$13.80	-\$15,175.86
Deduct	Item 37B - Utility conduit - 1-1/4" dia. PVC	-1590	LF	\$9.90	-\$15,741.00
	Total Deductions				-\$59,596.49

Net Change \$78,905.36

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute a Change Order No. 1 in the amount of \$78,905.36; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Terry Contracting & Materials, Inc., Christine Fetten, Andrea Lohneiss and the Office of Accounting.

THE VOTE

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

abstain

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

10/7/06

TOWN OF RIVERHEAD

Adopted

Resolution # 944

AUTHORIZES TOWN OF RIVERHEAD TO REMOVE RUBBISH, DEBRIS, REFUSE AND OTHER OBJECTS FROM PROPERTY PURSUANT TO CHAPTER 96 ENTITLED, "TRASH, RUBBISH AND REFUSE DISPOSAL" OF THE RIVERHEAD TOWN CODE (1483 NORTH COUNTRY ROAD, WADING RIVER, NEW YORK 11792)

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

WHEREAS, Section 96-2(B) of the Riverhead Town Code provides that the Town Board may require the removal of rubbish, debris, refuse and other objects; and

WHEREAS, the property located at 1483 North Country Road, Wading River, New York 11792, also known as Suffolk County Tax Map #0600-54-1-5 is not in compliance with the requirements of Chapter 96 of the Riverhead Town Code; and

WHEREAS, the Town Board of the Town of Riverhead desires to require the removal of the rubbish, debris, refuse and other objects at the property above mentioned.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Clerk to serve notice upon Foster Romano, 1483 North Country Road, Wading River, New York 11792 and Joanne Romano, 1483 North Country Road, Wading River, New York 11792, by certified mail, return receipt requested and by regular mail in a plain unmarked wrapper. Such notice is to consist of a certified copy of this resolution and the attached Notice to said property owners; and be it further

RESOLVED, that pursuant to Chapter 96, Section 96-2(E), all actual expenses incurred by the Town of Riverhead to remove the rubbish, debris, refuse and other objects shall be assessed against the above property; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Foster Romano, 1483 North Country Road, Wading River, New York 11792 and Joanne Romano, 1483 North Country Road, Wading River, New York 11792; the Building Department; Kenneth Testa, P.E. 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 pursuant to Riverhead Town Code, Chapter 96 of the Town of Riverhead, hereby requires that you cause the property located at 1483 North Country Road, Wading River, New York 11792, also known as Suffolk County Tax Map #0600-54-1-5, to be cleaned of all rubbish, debris, refuse and other objects within ten (10) days from the date of this notice.

Dated: Riverhead, New York
October , 2006

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

BARBARA GRATTAN, Town Clerk

Tabled

10/17/06

TOWN OF RIVERHEAD

Resolution # 945

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 (108-133 Site Plan Review)

COUNCILMAN BARTUNEK

offered the following resolution, was seconded by

COUNCILWOMAN BLASS

RESOLVED, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the New Review, the official newspaper of the Town of Riverhead 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 Building Department and the Office of the Town Attorney.

THE VOTE

Dunleavy yes ___ no ___ Bartunek yes ___ no ___
Blass yes ___ no ___ Densieski yes ___ no ___
Cardinaie ___ yes ___ no ___

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

Tabled

**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 21st day of November, 2006 at 7:05 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

**ARTICLE XXVI
Site Plan Review**

§ 108-133. Conditions for approval.

In reviewing a site plan submitted to it under this article, the Town Board may call upon expert advice in varied disciplines to assist it in making the determination required of it. It shall seek to further the overall purposes and goals of this chapter, and of other applicable provisions of the Town Code and state law. Moreover, it shall make certain that any development plan it approves hereunder conforms to the following:

- I. Performance bond or other equivalent security. Upon approval of a final site plan by the Town Board and prior to the issuance of a building permit, the applicant shall post a ~~performance bond or other equivalent security~~ letter of credit in a form approved by the Town Attorney and adopted by resolution of the Town Board, in an amount equal to ~~5%~~ 100% of the cost of construction of site improvements as estimated by the ~~Building Department or Town Engineer~~ Planning Department. The Town Board may, at its discretion, reduce or waive a ~~performance bond~~ letter of credit upon a showing of significant hardship. No certificate of occupancy shall be issued until all site improvements have been inspected and approved by the Planning Department and ~~Architectural Review Board~~ and said ~~performance bond or equivalent security~~ letter of credit has been released by resolution of the Town Board. In the event that the applicant fails to comply with the provisions of this article, the ~~performance bond or other security~~ letter of credit shall be forfeited to the Town, and the Town of Riverhead shall complete the site plan improvements. Where the cost of the improvements exceeds the forfeited security, the additional cost, including but not limited to any legal fees incurred, shall be and constitute a lien upon the land upon which the improvements are to be made and shall be included in the levy against such property and shall be collected and enforced in the same manner, by the same proceedings, at the same time and under the same penalties as are provided by law for the collection and enforcement of real property taxes in the Town of Riverhead.

Dated: Riverhead, New York
October 17, 2006

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

BARBARA GRATTAN, Town Clerk

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

10/17/06

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 946

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS FOR SEALED BIDS FOR JUNK/ABANDONED VEHICLES

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

RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to advertise for sealed bids for junk/abandoned vehicles.

BE IT FURTHER RESOLVED, sealed bids are to be opened and read aloud publicly on November 6, 2006, at 11:00 a.m. A report of said bid opening will be made to the Town Board, by the Town Clerk, the morning following the opening of the bids.

BY ORDER OF THE RIVERHEAD TOWN BOARD,

Barbara Grattan, Town Clerk

Dated: October 17, 2006
Riverhead, New York

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

NOTICE TO BIDDERS

TAKE NOTICE, that sealed bids will be received from licensed junk dealers only, by the Town Clerk, Town of Riverhead, 200 Howell Avenue, Riverhead, New York, until 11:00 a.m. on November 6, 2006, for a per vehicle bid on junk/abandoned vehicles, in possession of the Town of Riverhead, pursuant to Section 1224 of the Vehicle and Traffic Law of the State of New York, at which time and place they will be publicly opened and read aloud.

A Certificate of Non-collusion must accompany each bid. The Town of Riverhead reserves the right to reject any and all bids.

Bidders are required to enclose a valid, current Dismantelers License with sealed bid.

Conditions and Specifications may be obtained from the Town Clerk's Office, Town of Riverhead, 200 Howell Avenue, Riverhead, New York.

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD,

BARBARA GRATTAN
TOWN CLERK

RIVERHEAD TOWN POLICE DEPARTMENT

JUNK/ABANDONED VEHICLE BID

GENERAL CONDITIONS & SPECIFICATIONS:

1. Such sealed bid will be to enter into a contract between the Town of Riverhead and the successful bidder to purchase vehicles identified by the Town of Riverhead as junk/abandoned vehicles, pursuant to Section 1224 of the N.Y.S. Vehicle and Traffic Law.
 - a. The Town of Riverhead estimates one hundred fifty (150) to two hundred fifty (250) vehicles during the term of the contract.
2. The bid will be a bid per vehicle, individually, for each of the junked or abandoned vehicles which the Police Department has deemed junk/abandoned, pursuant to the N.Y.S. Vehicle and Traffic Law, Section 1224. Each bidder must be a licensed N.Y.S. Vehicular Dismanteler or Scrap Processor registered and certified pursuant to applicable provisions of Article 16, N.Y.S. Vehicle & Traffic Law. Each bidder will enclose a copy of the current license with the sealed bid and be able to produce a current valid license, during the contract period, upon demand.
3. The contract period will be from January 1, 2007 to December 31, 2008. However, the bid award may be extended upon mutual agreement of both parties provided there is no change to the original bid award.
4. All vehicles bid upon will be valued at or under \$1,250.00, as determined by the Riverhead Town Police Department, pursuant to Section 1224 of the N.Y.S. Vehicle and Traffic Law.
5. The successful bidder for the period 2007 – 2008 will meet the following conditions:
 - a. Upon notification, the successful bidder will pick up, tow away, or cause to be removed and take possession of vehicles designated and identified as junk/abandoned by the Police Department.
 1. Such notification and notice will be for lots of no less than three vehicles.

GENERAL CONDITIONS & SPECIFICATIONS:

Page 2

- b. At the time of such removal, the successful bidder will be required to present a certified check in full payment for those vehicles purchased, made payable to the Town of Riverhead.
- c. The successful bidder must agree to take the vehicles in an "as is" condition, as set by the Police Department.
- d. The successful bidder must agree to remove said vehicles within 72 hours of notification by the Police Department of the Town of Riverhead.
- e. The successful bidder must agree to the removal of said vehicles during normal business hours; i.e., Monday through Friday, 8:00 a.m. to 3:30 p.m.
- f. All necessary paperwork must be completed prior to removal of any vehicle or vehicles.

TOWN OF RIVERHEAD
200 HOWELL AVENUE
RIVERHEAD, NEW YORK 11901

The bid on individual Junk/Abandoned Vehicles as set forth on a list provided by the Town of Riverhead is:

\$ _____ each

_____ Dollars each

I/We fully understand that this bid is subject to the provisions of Section 103-A and 103-B of the General Municipal Law.

Date

Dealer/Agent

Address

City State Zip

The bid must be sealed and marked "Bid on Junk/Abandoned Vehicles" and delivered to the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, no later than 11:00 a.m. on November 6, 2006.

**TOWN OF RIVERHEAD
TOWN HALL
200 HOWELL AVENUE
RIVERHEAD, NEW YORK 11901**

CERTIFICATE OF NON-COLLUSION

STATE OF NEW YORK)
COUNTY OF SUFFOLK) ss:
TOWN OF RIVERHEAD)

_____ being duly sworn, deposes and says:

1. This bid or proposal has been independently arrived at without collusion with any other bidder or with any competitor or potential competitor;
2. This bid or proposal has not been knowingly disclosed, prior to the opening of bids or proposals for this project, to any other bidder, competitor, or potential competitor;
3. No attempt has been or will be made to induce any other person, partnership, or corporation to submit or not to submit a bid or proposal;
4. The person signing this bid or proposal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties of perjury, affirms the truth thereof, such penalties being applicable to the bidder as well as to the person signing in its behalf; and
5. That attached hereto (if a corporate bidder) is a certified copy of a resolution authorizing the execution of this certificate by the signatory of this bid or proposal on behalf of the corporate bidder.

BY: _____

Sworn to before me this _____

day of _____, 200_____

10/17/06

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 947

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS FOR SEALED BIDS FOR JUNK/ABANDONED MOTORCYCLES/MOPEDS

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

RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to advertise for sealed bids for junk/abandoned motorcycles/mopeds.

BE IT FURTHER RESOLVED, said bids are to be opened and read aloud publicly on November 6, 2006 at 11:05 a.m. A report of said bid opening will be made to the Town Board, by the Town Clerk, the morning following the opening of the bids.

BY ORDER OF THE RIVERHEAD TOWN BOARD,

Barbara Grattan, Town Clerk

Dated: October 17, 2006
Riverhead, New York

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

NOTICE TO BIDDERS

TAKE NOTICE, that sealed bids will be received from licensed junk dealers only, by the Town Clerk, Town of Riverhead, 200 Howell Avenue, Riverhead, New York, until 11:05 a.m. on November 6, 2006, for a per motorcycle/moped bid on junk/abandoned motorcycles/mopeds, in possession of the Town of Riverhead, pursuant to Section 1224 of the Vehicle and Traffic Law of the State of New York, at which time and place they will be publicly opened and read aloud.

A Certificate of Non-collusion must accompany each bid. The Town of Riverhead reserves the right to reject any and all bids.

Bidders are required to enclose a valid, current Dismantelers License with sealed bid.

Conditions and Specifications may be obtained from the Town Clerk's Office, Town of Riverhead, 200 Howell Avenue, Riverhead, New York.

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD,

BARBARA GRATTAN
TOWN CLERK

RIVERHEAD TOWN POLICE DEPARTMENT

JUNK/ABANDONED MOTORCYCLE/MOPED BID

GENERAL CONDITIONS & SPECIFICATIONS:

1. Such sealed bid will be to enter into a contract between the Town of Riverhead and the successful bidder to purchase any motorcycles/mopeds identified by the Town of Riverhead as junk/abandoned motorcycles/mopeds, pursuant to Section 1224 of the N.Y.S. Vehicle and Traffic Law.
 - a. The Town of Riverhead will receive one-time bids for the purchase of junk/abandoned motorcycles/mopeds in its possession for the calendar year 2007 and 2008.
2. The bid will be a bid per item, individually, for each of the junk or abandoned motorcycles/mopeds which the Police Department has deemed junk/abandoned, pursuant to the N.Y.S. Vehicle and Traffic Law, Section 1224. Each bidder must be a licensed N.Y.S. Vehicular Dismanteler or Scrap Processor registered and certified pursuant to applicable provisions of Article 16, N.Y.S. Vehicle & Traffic Law. Each bidder will enclose a copy of the current license with the sealed bid.
3. This contract, when awarded will be for the purchase of junk/abandoned motorcycles/mopeds as designated by the Town of Riverhead.
4. All Motorcycles/mopeds bid upon will be valued at or under \$1,250.00, as determined by the Riverhead Town Police Department, pursuant to Section 1224 of the N.Y.S. Vehicle and Traffic Law.
5. The successful bidder for this sale will meet the following conditions:
 - a. Upon notification, the successful bidder will pick up, tow away, or cause to be removed and take possession of motorcycles/mopeds designated and identified as junk/abandoned by the Police Department.
 1. Such notification and notice will be for the amount of motorcycles/mopeds specified.

GENERAL CONDITIONS & SPECIFICATIONS:

Page 2

- b. At the time of such removal, the successful bidder will be required to present a certified check in full payment for those motorcycles/mopeds purchased, made payable to the Town of Riverhead.
- c. The successful bidder must agree to take the motorcycles/mopeds in an "as is" condition, as set by the Police Department.
- d. The successful bidder must agree to remove said motorcycles/mopeds within 72 hours of notification by the Police Department of the Town of Riverhead.
- e. The successful bidder must agree to the removal of said motorcycles/mopeds during normal business hours; i.e., Monday through Friday, 8:00 a.m. to 3:30 p.m.
- f. All necessary paperwork must be completed prior to removal of any motorcycles/mopeds.

TOWN OF RIVERHEAD
200 HOWELL AVENUE
RIVERHEAD, NEW YORK 11901

The bid on individual Junk/Abandoned motorcycles/mopeds as set forth on a list provided by the Town of Riverhead is:

\$ _____ each

_____ Dollars each

I/We fully understand that this bid is subject to the provisions of Section 103-A and 103-B of the General Municipal Law.

Date

Dealer/Agent

Address

City State Zip

The bid must be sealed and marked "Bid on Junk/Abandoned Motorcycles/Mopeds" and delivered to the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, no later than 11:05 a.m. on November 6, 2006.

TOWN OF RIVERHEAD
TOWN HALL
200 HOWELL AVENUE
RIVERHEAD, NEW YORK 11901

CERTIFICATE OF NON-COLLUSION

STATE OF NEW YORK)
COUNTY OF SUFFOLK) ss:
TOWN OF RIVERHEAD)

_____ being duly sworn, deposes and says:

1. This bid or proposal has been independently arrived at without collusion with any other bidder or with any competitor or potential competitor.
2. This bid or proposal has not been knowingly disclosed, prior to the opening of bids or proposals for this project, to any other bidder, competitor, or potential competitor;
3. No attempt has been or will be made to induce any other person, partnership, or corporation to submit or not to submit a bid or proposal;
4. The person signing this bid or proposal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties of perjury, affirms the truth thereof, such penalties being applicable to the bidder as well as to the person signing in its behalf; and
5. That attached hereto (if a corporate bidder) is a certified copy of a resolution authorizing the execution of this certificate by the signatory of this bid or proposal on behalf of the corporate bidder.

BY: _____

Sworn to before me this _____

day of _____, 200 _____

Adopted

October 17, 2006

STATUS _____

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

RESOLUTION # 948

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Public Notice of Abandoned Vehicles to be sold at Public Auction, pursuant to Section 1224 of the Vehicle and Traffic Law of the State of New York, once in the October 26, 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 notice to be posted on the sign board of the Town; and be it further

RESOLVED, that any and all other unclaimed property being held by the Police Department will also be available for public auction on November 18, 2006; and be it further

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

PLEASE TAKE NOTICE, that a public auction will be held on November 18, 2006 at 9:00 a.m. to be held at the Riverhead Town Impound Area, located on Route 58 in the Town of Riverhead as follows:

ABANDONED

AV-01	03-10236	1994	Pontiac	Grand Prix SE	1G2WJ52M3RF347907	Red
AV-02	5008982	1986	Suzuki	Quad	JSAAJ11A2G2111379	White
AV-03	5013823	2002	Suzuki	Motorcycle	JS1GT74A522106169	Red
AV-04	5015442	2001	Yamaha	Motorcycle	JYA3RV0361A018150	Blue
AV-05	5020398	1994	Jaguar	XJ6	SAJHX1740RC690519	Steel Blue
AV-06	5021027	1973	Winner	Boat/Trailer	3417337	White
AV-07	6003311	2000	Chevrolet	Malibu	1G1ND52J116215519	Gray
AV-08	6006070	1989	Kawasaki	Dirtbike	JKADXNE15KA001969	Blue/Green
AV-09	6007476	1993	Honda	Wheeler Trike	JH3TB0512DC321036	Red
AV-10	6011685	2000	Turbo	Scooter R3CCEX	03035097	Yellow/Black
AV-11	6012707	1998	Wells Cargo	Trailer	1WC200D12G1035880	White

SURPLUS

TV-01	1997	Ford	Crown Victoria	2FALP71W8VX153194	White
TV-02	1962	Caterpillar	12E	99E5079	Yellow

TV-03	1995	Ford	Ranger	1FTDR15X6SPA16068	Maroon
TV-04	1986	GMC	K3500	1GDJK34M9GS516915	Red
TV-05	1993	Ford	F-350	2FTJW35H2PCB19271	Orange
TV-06	1985	International	1954	IHTLDUXP3FHA47650	Orange
TV-07	1984	International	2554	IHTCF2558EHA17946	Orange
TV-08	1986	Ford	F-700/Auto	1FDXK74N0GVA36965	Orange
TV-09	1966	FWD	WB6CHD	17964M	Yellow

Vehicles may be inspected, prior to the auction, on November 17, 2006 between the hours of 9:00 a.m. to 2:00 p.m.

THE VOTE

Dunleavy yes ___ no ___ Bartunek yes ___ no ___
 Blass yes ___ no ___ Derisieski yes ___ no ___
 Cardinale yes ___ no ___

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

Adopted

STATUS _____

October 17, 2006

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

RESOLUTION # 949

COUNCILMAN BARTUNEK

offered the following resolution which was seconded by

COUNCILWOMAN BLASS

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Public Notice of Abandoned Vehicles to be sold at Public Auction, pursuant to Section 1224 of the Vehicle and Traffic Law of the State of New York, once in the October 26, 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 notice to be posted on the sign board of the Town; and be it further

RESOLVED, that any and all other unclaimed property being held by the Police Department will also be available for public auction on November 18, 2006; and be it further

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

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

DATED: Riverhead, New York
October 17, 2006

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

October 17, 2006

Resolution #950

Adopted

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST THE ATTACHED NOTICE
TO BIDDERS FOR ON SITE GRINDING OF CONCRETE DEBRIS
AT RIVERHEAD HIGHWAY FACILITY**

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

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached Notice to Bidders for On Site Grinding of Concrete Debris at the Riverhead Highway Facility, Osborn Avenue, Riverhead, New York in the October 26, 2006 issue of the official Town newspaper or by visiting the Town of Riverhead website: www.Riverheadli.com and click on Bid Requests; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Kenneth Testa, P.E., Mark Kwasna and the Office of Accounting.

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 TO BIDDERS**

Sealed proposals for the On Site Grinding of Concrete Debris at the Riverhead Highway Facility on Osborn Avenue, Riverhead will be received by the Town of Riverhead at the Office of the Town Clerk Riverhead Town Hall, 200 Howell Avenue, Riverhead, new York, until 11:00 am on November 6, 2006 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and obtained on or about October 26, 2006 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays or by visiting the Town of Riverhead website: www.Riverheadli.com and click on Bid Requests.

Each proposal must be submitted on the form provided in a sealed envelope clearly marked, "On Site Grinding of Concrete Debris".

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

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

Dated: October 17, 2006

October 17, 2006

Resolution #951

Adopted

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST THE ATTACHED NOTICE
TO BIDDERS FOR ON SITE GRINDING OF YARD WASTE
AT RIVERHEAD LANDFILL FACILITY**

COUNCILMAN DUNLEAVY offered the following resolution which was
seconded by COUNCILMAN DENSIESKI.

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached Notice to Bidders for On Site Grinding of Yard Waste at the Riverhead Landfill Facility, Youngs Avenue, Riverhead, New York in the October 26, 2006 issue of the official Town newspaper or by visiting the Town of Riverhead website: www.Riverheadli.com and click on Bid Requests; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Kenneth Testa, P.E., John Reeve and the Office of Accounting.

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 TO BIDDERS**

Sealed proposals for the On Site Grinding of Yard Waste at the Riverhead Landfill Facility on Youngs Avenue, Riverhead will be received by the Town of Riverhead at the Office of the Town Clerk Riverhead Town Hall, 200 Howell Avenue, Riverhead, new York, until 11:15 am on November 6, 2006 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and obtained on or about October 26, 2006 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays or by visiting the Town of Riverhead website: www.Riverheadli.com and click on Bid Requests.

Each proposal must be submitted on the form provided in a sealed envelope clearly marked, "On Site Grinding of Yard Waste Debris".

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

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

Dated: October 17, 2006

10/17/06

Adopted

TOWN OF RIVERHEAD

Resolution # 952

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW TO AMEND CHAPTER 3, APPEARANCE TICKETS, § 3-1 ENTITLED "AUTHORIZED ISSUING OFFICERS" OF THE RIVERHEAD TOWN CODE

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

NOW THEREFORE BE IT RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a proposed local law to amend Chapter 3, Appearance Tickets, § 3-1 entitled "Authorized Issuing Officers" of the Riverhead Town Code, once in the October 19, 2006 issue of the News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and

BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Building Department, Planning Department, Division of Code Enforcement and the Office of the Town Attorney.

THE VOTE
Dunneavy yes no Bartunek yes no
Bliss yes no Donatelli 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 on the 8th day of November at 2:30 p.m. at Riverhead Town Hall, Riverhead, New York, to consider a proposed local law to amend Chapter 3, Appearance Tickets, § 3-1 entitled "Authorized Issuing Officers" of the Riverhead Town Code, as follows:

§ 3-1. Authorized issuing officers. [Amended 8-2-1988 by L.L. No. 3-1988; 5-16-1989 by L.L. No. 3-1989; 4-20-1999 by L.L. No. 5-1999]

Pursuant to the provisions of the Municipal Home Rule Law, the Building Inspector, the Zoning and Building Administrator, the Sanitation Supervisor, the Fire Marshal, the Building Permits Coordinator, the Site Plan Reviewer, the Electrical Inspector, the Housing Inspector, the Ordinance Inspector, traffic control officers, animal control officers, the Bay Constable, Town Investigator, Senior Town Investigator and persons who are certified as Code Enforcement Officials, as provided by Title 19 NYCRR Part 434, are hereby authorized to issue appearance tickets, as defined by § 150.10 of the Criminal Procedure Law, for violations of those sections of the Town Code of the Town of Riverhead over which they have jurisdiction.

Dated: Riverhead, New York
October 17, 2006

BY ORDER OF THE BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

THE VOTE

DUNLEAVY ___ YES ___ NO BARTUNEK ___ YES ___ NO

BLASS ___ YES ___ NO DENSIESKI ___ YES ___ NO

CARDINALE ___ YES ___ NO

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

TOWN OF RIVERHEAD

Adopted

Resolution # 953

AUTHORIZES TOWN OF RIVERHEAD TO REMOVE RUBBISH, DEBRIS AND THE CUTTING OF GRASS AND WEEDS FROM PROPERTY PURSUANT TO CHAPTER 96 ENTITLED, "TRASH, RUBBISH AND REFUSE DISPOSAL" OF THE RIVERHEAD TOWN CODE

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

WHEREAS, Section 96-2. B. of the Riverhead Town Code provides that the Town Board may require the removal of rubbish/debris, the cutting of grass and weeds and trimming of hedges; and

WHEREAS, the property located at 307 Griffing Avenue, Riverhead, New York 11901, also known as Suffolk County Tax Map Number 0600/128.00-03-019.00, is not in compliance with the requirements of Chapter 96 of the Riverhead Town Code; and

WHEREAS, the Town Board of the Town of Riverhead desires to require the removal of the rubbish /debris, the cutting of grass and weeds and trimming of hedges on the subject property;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Engineering Department and Building and Grounds Department to perform any work required to remove the rubbish/debris, the cutting of grass and weeds and trimming of hedges; and be it further

RESOLVED, that pursuant to Chapter 96-2E., the administration fees of \$740.00 and all costs and expenses incurred by the Town of Riverhead to remove the rubbish/debris, the cutting of grass and weeds and trimming of hedges in connection with the aforesaid property shall be assessed against the owner; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to; Ebb Tide Bay LTD, Attn: Lyle Pike, 134 Mariner Drive, Southampton, New York 11968, Engineering Department, Tax Receiver's Office, Town Attorney's Office and Fire Protection and Code Enforcement Division.

THE VOTE

Dunleavy Yes No Bartunek Yes No

Blass Yes No Densieski Yes No

Cardinale Yes No
The Resolution Was Was Not
Thereupon Duly Declared Adopted

10/17/06

Town of Riverhead

Adopted

Resolution # 954

Authorizes Town Clerk to Publish and Post Notice for Public Hearing Regarding Community Development Block Grant (CDBG) Funds.

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

WHEREAS, the Town of Riverhead has an ongoing CDBG Program and plans to prepare an application for CDBG Funds for Fiscal Year 2007; and

WHEREAS, the Town wishes to solicit comments from the public with regard to the development of said application; and

WHEREAS, the public hearing has been scheduled for comment on November 8, 2006; and

THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby authorizes publishing and posting of the attached public notice of public hearing as a legal advertisement in the Thursday, October 26, 2006, issue of the News Review and to post same on the signboard in Town Hall.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Suffolk County Community Development Director Joseph T. Sanseverino and Community Development Director Andrea Lohneiss.

DUNLEAVY YES ___ NO BARTUNEK YES ___ NO

BLASS YES ___ NO DENSIESKI YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

Please take notice that a public hearing will be held on the 8th day of November, 2006, at 2:20 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the development of the Town of Riverhead's Community Development Block Grant Application for Fiscal Year 2007.

Eligible categories for Community Development funding include:

1. Acquisition and demolition of Real Property;
2. Public Facilities and Improvements;
3. Housing Rehabilitation;
4. Historical Preservation;
5. Public Water or Sewer Projects;
6. Removal of Architectural Barriers;
7. Administration Activities

The hearing will provide citizens of the Town of Riverhead the opportunity to comment upon the development of the proposed application as well as the performance of any active Community Development Block Grant. Further information concerning the Community Development Program can be obtained at Riverhead Town Hall, Community Development Office, 200 Howell Avenue, Riverhead, NY 11901, (631) 727-3200 ext. 287.

A County-wide public hearing will be scheduled at a later date for final review and comments on the overall Community Development Department Program prior to submission to the United State Department of Housing and Urban and Development.

Dated: November 8, 2006

**BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD, NEW YORK**

BARBARA GRATTAN, TOWN CLERK

10/17/06

Adopted

Town of Riverhead

Resolution # 955

Ratifies Publication of Public Notice for the Availability of Workforce Housing Applications

COUNCILMAN DUNLEAVY offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI:

WHEREAS, by Resolution #915 of October 3, 2006, the Town Board authorized the negotiation of contracts for the construction of workforce housing with the Long Island Partnership / Daytree Custom Builders and New Age Builders, Inc. for the construction of houses on the following parcels for prices between \$145,000 and \$165,805; and

	SCTM #	ADDRESS	PARCEL SIZE
A	0600-81-2-14	207 Horton Avenue	.18 acres
B	0600-65-1-11	54 Oak Drive	.25 acres
C	0600-65-1-17	26 Oak Drive	.11 acres
D	0600-105-2-75	74 Lewis Street	.21 acres
E	0600-105-2-74	88 Lewis Street	.21 acres
F	0600-105-2-14	18 Melene Street	.21 acres
G	0600-105-2-6	23 Melene Street	.22 acres
H	0600-105-2-26	59 Sigal Avenue	.21 acres
I	0600-105-2-36	23 Lewis Street	.25 acres

WHEREAS, houses must sell at prices affordable for households with incomes at or below 80% of the Suffolk County median income adjusted by family size, as follows:

Income % Median	Household Size							
	1	2	3	4	5	6	7	8
80%	\$50,950	\$58,250	\$65,500	\$72,800	\$78,600	\$84,450	\$90,250	\$96,100

THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby ratifies the publication of the attached notice in the October 12 issue of the News-Review to advertise the availability of applications to enter the housing lottery.

AND BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Director Andrea Lohneiss, the Long Island Housing Partnership (180 Oser Avenue, Suite 800, Hauppauge, NY 11788) and New Age Builders (186D-11 West Montauk Highway, Hampton Bays, NY 11946)

The Vote:

DUNLEAVY YES ___ NO BARTUNEK YES ___ NO

BLASS YES ___ NO DENSIESKI YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

Please take notice that applications are now available for the 2006 Town of Riverhead Workforce Housing Initiative. This project will provide nine homes on sites scattered throughout the hamlet of Riverhead to first-time homebuyers with incomes less than or equal to the HUD / Suffolk County Income Limits:

Income % Median	Household Size							
	1	2	3	4	5	6	7	8
80%	\$50,950	\$58,250	\$65,500	\$72,800	\$78,600	\$84,450	\$90,250	\$96,100

Applications can be obtained at the Community Development Department in Riverhead Town Hall, 200 Howell Avenue, Riverhead or by calling (631) 727-3200 ext. 236.

Applicants should be aware that the Riverhead Town Board has established a policy that will give priority to those applicants presently living or working in the Town of Riverhead.

Applications must be returned by November 10, 2006. Incomplete applications will not be entered into the lottery.

The Town of Riverhead adheres to the Fair Housing Act. The Fair Housing Act prohibits discrimination in housing because of color, national origin, religion, familial status or handicap.

Dated: October 12, 2006

**BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD, NEW YORK**

BARBARA GRATTAN, TOWN CLERK

October 17, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 956

REINSTATES A POLICE OFFICER TO ACTIVE DUTY

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

WHEREAS, Police Officer Timothy McAllister is a member of the Department of the Air Force, 106th Rescue Wing; and

WHEREAS, Police Officer McAllister has military orders, issued by the Department of the Air Force, assigning him to active service effective April 14, 2006 through April 13, 2007; and,

WHEREAS, Police Officer McAllister has informed the Chief of Police that he will be completing his current military assignment and that he requests to be reinstated as a Police Officer with the Riverhead Police Department effective November 1, 2006.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Riverhead approves Police Officer McAllister's request to be reinstated to active duty with the Riverhead Police Department effective November 1, 2006.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Police Officer Timothy McAllister, the Chief of Police and the Office of Accounting.

DUNLEAVY YES ___ NO BARTUNEK YES ___ NO
 BLASS YES ___ NO DENSIESKI YES ___ NO
 CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

10/17/06

Town of Riverhead

Adopted

Resolution # 957

**AUTHORIZES PUBLISHING AND POSTING OF NOTICE TO BIDDERS FOR
"TOWN OF RIVERHEAD CALVERTON ENTERPRISE PARK PHASE I PARK AND
RECREATION IMPROVEMENTS"**

COUNCILMAN BARTUNEK offered the following resolution,

which was seconded by COUNCILWOMAN BLASS.

WHEREAS, the Town of Riverhead Community Development Agency received approximately 2023 acres of property then known as the Naval Weapons Industrial Reserve Plant and now known as the Enterprise Park at Calverton from the US Navy in 1998; and

WHEREAS, the CDA has procured grant funds totaling \$600,000 for the development of town recreational facilities at the site for the benefit of residents; and

WHEREAS, the Town Board has authorized a project to be developed and funded by the issuance of bonds pursuant to Resolution #839 of 9/7/05 and #340 of 4/18/06 to be supported by recreation development fees.

THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the publishing and posting of the attached public notice for the construction of Phase I of the recreation improvements in the News Review on Thursday, October 26, 2006; and

BE IT FURTHER RESOLVED, that the Town Clerk shall forward a copy of this resolution to Andrea Lohneiss, CDA Director, the Engineering Department, the Recreation Department and the Recreation Advisory Committee.

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
NOTICE TO BIDDERS

Sealed proposals for the Town of Riverhead Calverton Enterprise Park Phase I Construction Contract, Riverhead, New York will be received by the Town of Riverhead at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:00 AM on November 20, 2006 at which time they will be publicly opened and read aloud.

This project is in part funded by a grant from the New York State (NYS) Office of Parks, Recreation and Historic Preservation through Title 9 of the Environmental Protection Act of 1993." It is the policy of the NYS to encourage the greatest possible participation of minority and woman-owned business enterprises in State-funded projects. The General Contractor, by bidding on the contract, acknowledges his/her understanding and support of this policy and pledges to fully cooperate with the Town of Riverhead in meeting NYS requirements as set forth in the Bidding and Contract Documents. The Town of Riverhead has been and will continue to be an equal opportunity organization. All qualified Minority and Women-Owned Business Enterprise (MWBE) suppliers, contractors and/or businesses will be afforded equal opportunity without discrimination because of race, religion, national origin, sex, age, disability, sexual preference or Vietnam Era Veterans status. The Contract is subject to the provisions of Article 15-A of the Executive Law. Therefore, the winning bidder may be required to submit and Equal Employment Opportunity Program and a Utilization Program within seven days of being notified of award, and make good faith efforts to achieve goals established by the Town and the NYS Office of Parks, Recreation and Historic Preservation for the participation of minority and women-owned business enterprises. Reports showing the participation of various business enterprises as Subcontractors and Suppliers on the Contract will be required. Goals for this project shall be:

Minority-owned enterprises	5%	of Total Dollar Value
Women-owned enterprises	5%	of Total Dollar Value

Plans and specifications may be examined and/or obtained on or about October 26, 2006 at the Office of the Town Clerk between the hours of 8:30 am to 4:30 pm weekdays, except holidays or by visiting the Town of Riverhead website: www.riverheadli.com and click on "Bid Requests". There is a non-refundable fee of \$50.00 for printed Contract Documents.

Each proposal must be submitted on the form provided in a sealed envelope clearly marked "Town of Riverhead Calverton Enterprise Park Phase I Park and Recreation Improvements Construction Contract" and must be accompanied by a bid surety as stated in the Instructions to Bidders.

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

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

Dated October 17, 2006

10/17/06

TOWN OF RIVERHEAD

Adopted

Resolution # 958

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (Definitions - Arcade)

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

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" of the Riverhead Town Code once in the October 26, 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 Board of Appeals; the Riverhead Building Department; the Riverhead Code Enforcement Office 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 21st day of November, 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 I, General Provisions

§ 108-3. Definitions; word usage.

ARCADE -- a building or portion of a building housing amusement devices of machines operated by the insertion of either cash or tokens intended for the amusement of a patron including but not limited to sport related games, computer games, video games and other similar games. An Arcade is not considered to be indoor recreation facility.

Dated: Riverhead, New York
October 17, 2006

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

BARBARA GRATTAN, Town Clerk

* Underscore represents addition(s)

October 17, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 959

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING – SPECIAL USE PERMIT PETITION OF KAR-MCVEIGH, LLC

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

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit petition from KAR-MCVEIGH, LLC pursuant to Section 108-51A and Article XXVIA of the Riverhead Town Code to construct a restaurant and catering facility on a 3.8 acre parcel zoned Agricultural Protection Zone located at Manor Lane, Jamesport, New York; such property more particularly described a Suffolk County Tax Map Number 0600-47-2-3, and

WHEREAS, the Riverhead Town Board by resolution #163 of 2006 declared themselves Lead Agency, and

WHEREAS, a public hearing was held upon this matter on the 1st day of July 2006, and

WHEREAS, by letter dated October 3, 2006 the applicant has transmitted a revised conceptual site plan for the special permit use, and

WHEREAS, the Town Board desires to hold a second public hearing, now

THEREFORE BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the attached notice of public hearing in the October 26, 2006 edition of the official newspaper of the Town of Riverhead.

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**