

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

November 8, 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:
REGULAR TOWN BOARD MEETING:

- #991 Authorizes Legal Action against the Owners, Tenants, Occupants and Mortgagee of the Property Located at 314 Northville Turnpike, Riverhead, New York
- #992 General Fund Budget Adjustment
- #993 Carrera Property Budget Adoption
- #994 Highway Department Budget Adjustment
- #995 Publication of Help Wanted Advertisement for Financial Administrator and Assistant Financial Administrator
- #996 Authorizes Supervisor to Release Petty Cash Monies to Receiver of Taxes
- #997 Authorizes the Release of a Bond for George Regini (d/b/a Giorgio's Restaurant)
- #998 Authorizes the Release of a Bond for Calverton Enterprises, Inc. (Hess Serviced Station)
- #999 Rescinds Resolution #629 of 2006 (Authorizes the Supervisor to Execute Runway Use Agreement with South Bay Apparel)
- #1000 Authorizes the Supervisor to Execute Runway Use Agreement with South Bay Apparel
- #1001 Amends Resolution #987 of October 26, 2006 Appointing Town Personnel Officer
- #1002 Appoints a P/T Recreation Aide Level II to the Riverhead Recreation Department (M. Fioto)
- #1003 Ratifies the Appointment of a P.T Recreation Aide-Volleyball Leader to the Riverhead Recreation Department
- #1004 Transfer of an Account Clerk Typist (L. Miller)
- #1005 Appoints a P/T Recreation Aide-Volleyball Official to the Riverhead Recreation Department (G. Scanlon)
- #1006 Ratifies the Appointment of Two (2) Provisional Account Clerk Typists to the Police Department (P. Zaweski and J. Ritter)

- #1007 Authorizes Town Clerk to Publish and Post Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 101 “Vehicles and Traffic” of the Riverhead Town Code (§101-13 Parking time limited)
- #1008 Adopts a Local Law to Amend Chapter 58 Entitled, “Dogs” of the Riverhead Town Code (§58-4. Redemption of impounded dog)
- #1009 Accepts Cash Security of Jon Mazur III
- #1010 Accepts Irrevocable Letter of Credit for Crystal Harbor Development Inc.
- #1011 Authorizes the Release of a Bond for Jaral East End Hotel Corp.
- #1012 Authorizes the Release of a Performance Bond from Malvese Equipment Co., Inc. (Storage Building)
- #1013 Adopts a Local Law to Amend Chapter 107 Entitled, “Tidal and Freshwater Wetlands” of the Riverhead Town Code
- #1014 Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider the Addition of Freshwater Wetlands to the Town of Riverhead Freshwater Inventory
- #1015 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 (Residence B-80 Zoning Use District, Residence A-80 Zoning Use District (Cluster Development) (Agriculture Protection Zoning Use District)
- #1016 Authorizes Town Clerk to Publish and Post Notice of Public Hearing to Consider a Local Law to Amend Chapter 108 Entitled, “Zoning” of the Riverhead Town Code (Article XX- Subdivision Regulations)
- #1017 Authorizes Sewer District Superintendent to Attend Show
- #1018 Adopts a Local Law to Amend Chapter 101 Entitled, “Vehicles and Traffic” of the Riverhead Town Code (101-10 Parking Prohibited)
- #1019 Adopts a Local Law to Amend Chapter 108 Entitled, “Zoning” of the Riverhead Town Code (§108-64 Prefabricated Dwellings)
- #1020 Awards Bid for Water Service Materials for Use in the Water District
- #1021 Authorization to Publish Advertisement for Heating Fuel

- #1022 Authorization to Publish Bid for Propane
- #1023 Authorization to Publish Bid for Food Products
- #1024 Authorization to Publish Advertisement for Diesel Fuel
- #1025 Authorizes Town Clerk to Publish and Post a Public Notice for Public Hearing Regarding a Local Law to Amend Chapter 108 Entitled, “Zoning” of the Riverhead Town Code (Condominium Fees)
- #1026 Supports Application to NYS DEC for Street Tree Grant Funding
- #1027 Classifies Action and Declares Lead Agency on Change of Zone for 25 Cranberry Street and Refers Petition to the Planning Board
- #1028 Approves Chapter 90 Application of St. John the Evangelist R.C. Church
- #1029 Authorizes Extension of Time to Remit Real Property Taxes for Senior Citizens Receiving Enhanced STAR Pursuant to Section 425 of RPTL
- #1030 Approves Extension of Performance Bond of Riverhead Sound Associates, LLC A/KA “Aquebogue Golf Resorts” (Road and Drainage Improvements)
- #1031 Ratifies New Date of Public Hearing Extension No.71 – Country Trails-RWD
- #1032 Order Establishing Lateral Water Main-RWD-Fedun Estates, Gordon Boulevard
- #1033 Order Establishing Extension No. 87-RWD-Demchuk Estates
- #1034 Grants Excavation Permit as Provided by Chapter 62 to Browning Hotel, LLC Phase One
- #1035 Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 101 (Vehicles and Traffic) of the Riverhead Town Code (101.9 Installation maintenance)
- #1036 Authorizes Supervisor to Execute Consent to Contract Assignment North Star Waste LLC with Residuals Management Services, Inc.- RSD
- #1037 Approves Temporary Sign Permit of Pottery Barn Annex

- #1038 Approves Special Use Permit Petition of James Blakeney
- #1039 Authorizes America Site Restoration, Inc. to Perform Emergency Work
Town Yard Waste Facility
- #1040 Authorizes Shift of Operation into an Empire Zone
- #1041 Authorizes Shift of Operation into an Empire Zone
- #1042 Pays Bills

11/08/06

Adopted

TOWN OF RIVERHEAD

Resolution # 991

AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS AND MORTGAGEE OF THE PROPERTY LOCATED AT 314 NORTHVILLE TURNPIKE, RIVERHEAD, NEW YORK

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

WHEREAS, the Town Board has determined that the property situated at 314 Northville Turnpike, Riverhead, New York is being used and occupied in violation of various sections of the Code of the Town of Riverhead and the New York State Uniform Fire Prevention and Building Code; and

WHEREAS, the Town Board has determined that based upon a search that was made at such location by members of the Riverhead Town Police Department, Code Enforcement Officer(s), Ordinance Inspector(s), Senior Town Investigator, and the Senior Fire Marshal of the Town of Riverhead that said property is being used and occupied in violation of the Riverhead Town Code and the New York State Uniform Fire Prevention and Building Code,

NOW, THEREFORE

BE IT HEREBY RESOLVED, that Dawn C. Thomas, Town Attorney for the Town of Riverhead is authorized to institute legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the dwelling situated at 314 Northville Turnpike, Riverhead, New York in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property and the dwelling situated upon such; and be it further

RESOLVED, that it is left to the discretion of Dawn C. Thomas, Town Attorney for the Town of Riverhead as whether said cause of action should seek monetary and/or punitive damages against the owners, tenants, occupants and/or mortgagee of said property for their illegal use, occupancy and maintenance of said property.

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**

NOVEMBER 8, 2006

Adopted

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 992

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

BE IT RESOLVED, that the Supervisor be, and is hereby, authorized to establish budget adjustments for the General Fund as per the attached list:

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

Fund	C.C.	Account	Account Name	From	(To)
001	90600	584100	POLICE DENTAL, HOSPITAL	45,000.00	
001	90600	584500	NON-UNIFORMED DENTAL, HOSPI	40,000.00	
001	16200	542113	POSTAGE	40,000.00	
001	16200	546100	TELEPHONE	30,000.00	
001	19500	547100	TAXES ON TOWN PROPERTY	25,000.00	
001	81600	547504	REFUSE & GARBAGE TIPPING FE	15,000.00	
001	13100	549000	MISCELLANEOUS EXPENSES	10,000.00	
001	31200	524201	COMPUTERS	10,000.00	
001	16250	541204	RECREATION REPAIRS AND MAIN	8,000.00	
001	31200	541401	RADIO MAINTENANCE	8,000.00	
001	67720	542000	SUPPLIES	6,000.00	
001	35100	546301	PROPANE GAS	5,000.00	
001	35100	543220	VET CARE	4,000.00	
001	35100	546301	PROPANE GAS	3,000.00	
001	14400	543500	CONSULTANTS	3,000.00	
001	31200	543940	INTERPRETER FEES & EXPENSES	3,000.00	
001	31200	545260	RENTS & LEASES - CELLULAR P	3,000.00	
001	50100	547504	SPECIAL ITEMS - SANITATION	3,000.00	
001	80200	543905	ADMINISTRATION CONSULTANT	3,000.00	
001	16250	541201	BEACH PREPARATIONS	2,500.00	
001	31200	542600	PRINTING	2,500.00	
001	31200	542100	OFFICE SUPPLIES	2,000.00	
001	67720	546100	TELEPHONE EXPENSE	2,000.00	
001	35100	542251	DOG FOOD	1,500.00	
001	31200	542307	FLARES	1,000.00	
001	86860	540000	CONTRACTUAL EXPENSES	1,000.00	
001	35100	545260	RENTS & LEASES - CELLULAR P	800.00	
001	36200	541500	CAR EXPENSES	400.00	
001	31200	542314	PHOTOGRAPHIC SUPPLIES	500.00	
001	31250	543405	TRAVEL		200.00
001	14400	542100	MISC. OFFICE EXPENSES		300.00
001	67720	541500	BUS OPERATIONS		300.00
001	36400	540000	CONTRACTUAL EXPENSES		350.00
001	31200	545210	COPY MACHINE RENTAL		450.00
001	81600	549000	MISCELLANEOUS		550.00
001	81600	512500	OVERTIME		1,000.00
001	10100	543405	TOWN BOARD TRAVEL EXPENSES		1,100.00
001	36200	513500	LONGEVITY (3)		1,100.00
001	80200	543927	SERVICE BUREAU EXPENSE		1,100.00
001	31200	514100	POLICE SICK TIME BUY BACK		1,300.00
001	35100	512500	OVERTIME NON-UNIFORM		1,700.00
001	64100	542611	SHOW MOBILE EXPENSE		1,800.00
001	80200	543310	LEGAL CONSULTANT		1,800.00
001	10100	542609	ADVERTISING		2,000.00
001	10100	542100	MISC. OFFICE SUPPLIES		2,500.00
001	14200	542802	SUPPLEMENTAL LAW BOOKS & SU		2,500.00
001	75500	544120	WINTER CELEBRATIONS		2,500.00
001	14400	512500	OVERTIME NON-UNIFORM		2,900.00
001	67720	541530	BUS OPERATION EXPENSES		3,000.00
001	10100	543301	LITIGATION, APPRAISALS AND		4,300.00
001	81600	545300	RENTS & LEASES - LAND		5,500.00
001	71800	518607	BEACH ATTENDANT		5,800.00
001	16240	542500	SUPPLIES & SERVICE EXPENSE		6,000.00
001	35100	541150	BUILDING REPAIRS		7,000.00
001	36250	512500	OVERTIME NON-UNIFORM		7,600.00
001	36250	541500	MOTOR VEHICLE MAINTENANCE		15,150.00
001	36200	543927	SERVICE BUREAU EXPENSE		9,300.00
001	36200	512500	OVERTIME		14,300.00
001	80200	512500	OVERTIME NON-UNIFORM		14,300.00
001	14200	512500	OVERTIME NON-UNIFORM		15,700.00
001	16250	541202	TOWN DREDGING		21,500.00
001	13100	511500	PERSONAL SERVICES (11F,2S)		34,500.00
001	81600	547500	WASTE DISPOSAL EXPENSES		36,000.00
001	13100	524000	EQUIPMENT		52,800.00
				278,200.00	278,200.00

Adopted

TOWN OF RIVERHEAD

CARRERA PROPERTY

BUDGET ADOPTION

RESOLUTION # 993

COUNCILMAN BARTUNEK 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 adoption:

		<u>FROM</u>	<u>TO</u>
406.092705.421050.60087	Developer Fees	\$50,000	
406.083200.543501.60087	Engineering Expenses		\$8,100
406.083200.524451.60087	Purchase of Water Meters		\$1,400
406.083200.549001.60087	Administration Fees		\$2,500
406.083200.523002.60087	Construction		\$36,000
406.083200.547900.60087	Contingency		\$2,000

THE VOTE

Bartunek Yes No

Dunleavy Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

NOVEMBER 8, 2006

Adopted

TOWN OF RIVERHEAD

HIGHWAY DEPARTMENT

BUDGET ADJUSTMENT

RESOLUTION # 994

COUNCILWOMAN BLASS

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

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

		<u>FROM</u>	<u>TO</u>
111.051100.541301	Blacktop, Road Oil & Patch	10,000	
111.051420.540000	Snow Removal		10,000

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

November 8, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 995

**PUBLICATION OF HELP WANTED ADVERTISEMENT
FOR FINANCIAL ADMINISTRATOR and
ASSISTANT FINANCIAL ADMINISTRATOR**

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

BE IT RESOLVED, that the Town Board authorizes the Town Clerk to publish the attached Help Wanted Advertisement in various periodicals for the positions of Financial Administrator and Assistant Financial Administrator.

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

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

HELP WANTED

ASSISTANT TOWN FINANCIAL ADMINISTRATOR

BA/BS Required w/min 24 credits in Acctg.
4yr experience as Accountant or Auditor in Fund
Accounting. Apply to Town of Riverhead Acct Dept.
200 Howell Ave. Riverhead, NY 11901 EEOC

TOWN FINANCIAL ADMINISTRATOR

BA/BS Required w/min 6yrs experience as Accountant or Auditor
in Fund Accounting. Apply to Town of Riverhead Acct Dept.
200 Howell Ave. Riverhead, NY 11901 EEOC

11/8/06

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 996

AUTHORIZES SUPERVISOR TO RELEASE PETTY CASH MONIES TO RECEIVER OF TAXES

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

RESOLVED, that the Supervisor be and is hereby authorized to release \$200.00 to the Receiver of Taxes from the Petty Cash Fund Account established for Petty Cash Fund purposes for the office of Receiver of Taxes, pursuant to Section 64-1 of Town Law.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Maryann Wowak Heilbrunn, Receiver of Taxes, 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

Tax Receiver

11/08/06

Adopted

TOWN OF RIVERHEAD

Resolution #997

AUTHORIZES THE RELEASE OF A BOND FOR GEORGE REGINI (D/B/A GIORGIO'S RESTAURANT)

Councilwoman Blass offered the following resolution, which was seconded by Councilman Dunleavy,

WHEREAS, George Regini posted a security the form of a personal check #137 dated March 16, 2005 in the amount of Eight Hundred Eighteen Dollars (\$818) as per site plan approval dated January 18, 2005 Resolution #1176 for work at 100 Fox Hill Drive, Baiting Hollow, New York designated and know as Suffolk County Tax Map Number 0600 / 40.-2-6.3 pursuant to Section 108-133(I) of the Riverhead Town Code; and

WHEREAS, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department's satisfaction, the Planning Department is satisfied with site requirements and a Certificate of Occupancy has been issued,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the personal check in the sum of Eight Hundred Eighteen Dollars (\$818) and

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to George Regini, 111 Cliff Road, Port Jefferson, New York 11777, the Building Department; the Accounting Department, the Town Clerk 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 Is Is Not
Declared Duly Adopted

Adopted

11/08/06

TOWN OF RIVERHEAD

Resolution #998

AUTHORIZES THE RELEASE OF A BOND FOR CALVERTON ENTERPRISES, INC. (HESS SERVICE STATION)

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

WHEREAS, Calverton Enterprises, Inc.(Hess Service Station) posted a performance bond (#69787784) in the amount of Thirteen Thousand Six Hundred Dollars (\$13,600) as per Resolution #504 dated May 6, 2003 for work at 4470 Middle Country Road, Calverton, New York, Suffolk County Tax Map Number 0600 / 97.-1-82 pursuant to Section 108-133(I) of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the performance bond (#69787784) in the sum of Thirteen Thousand Six Hundred Dollars (\$13,600) and

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Calverton Enterprises Inc., 2866 Locust Avenue, Ronkonkoma, New York 11717, the Building Department; the Accounting Department, the Town Clerk 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

11/8/06

Adopted

TOWN OF RIVERHEAD

Resolution # 999

RESCINDS RESOLUTION #629 OF 2006
(AUTHORIZES THE SUPERVISOR TO EXECUTE RUNWAY USE AGREEMENT
WITH SOUTH BAY APPAREL)

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

WHEREAS, Resolution #629 adopted by the Town Board on June 20, 2006, authorized the Supervisor to execute a Runway Use Agreement with South Bay Apparel; and

WHEREAS, the Runway Use Agreement was never executed by the Supervisor due to South Bay Apparel's failure to provide the adequate insurance pursuant to said Runway Use Agreement.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead hereby rescinds Resolution #629 of 2006; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to South Bay Apparel, 4062-653 Grumman Boulevard, Calverton, New York, 11933; the Office of the Community Development Agency; the Office of Accounting 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

11/8/06

Adopted

TOWN OF RIVERHEAD

Resolution # 1000

AUTHORIZES THE SUPERVISOR TO EXECUTE RUNWAY USE AGREEMENT WITH SOUTH BAY APPAREL

Councilwoman Blass offered the following resolution, was seconded by Councilman Dunleavy:

WHEREAS, the Town owns the existing runways and related facilities located at the Calverton Executive Airfield, as designated by the Federal Aviation Administration ("FAA") as 3C8 ("Airfield"), New York;

WHEREAS, the CDA is the municipal corporation responsible for development and oversight of the Airfield; and

WHEREAS, the CDA wishes to allow certain businesses to utilize the 10,000 foot runway located at the Airfield, said runway being identified as 14-32 ("Runway") by the FAA; and

WHEREAS, South Bay Apparel (Operator) wishes to utilize said Runway in connection with its apparel manufacturing and distribution business, all in accordance with applicable zoning laws and as such use has been previously reviewed and approved by the Town Board; and

WHEREAS, such Runway use by Operator will be in conformity with applicable zoning laws and be of substantial economic benefit to the Town of Riverhead and its residents; and

WHEREAS, the CDA wishes to grant Operator the right to use the Runway subject to the terms and conditions stated in this Agreement.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute the attached Runway Use Agreement with South Bay Apparel upon the occurrence of the following:

- receipt of a certificate of insurance in the amount of \$5,000,000 in a form acceptable to the Town Attorney
- submission of a check in the amount of up to \$4,000 (\$1,000 per month pursuant to said Runway Use Agreement)
- receipt of up to \$4,000 for past use of runway

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to South Bay Apparel, 4062-653 Grumman Boulevard, Calverton, New York, 11933; the Office of the Community Development Agency; the Office of Accounting 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

**Runway Use Agreement
FOR PURPOSES AS LIMITED BY ZONING AND AS
SPECIFIED HEREIN**

This Agreement made on the 9th day of November, 2006, between the Town of Riverhead ("Town"), by and through its Community Development Agency ("CDA") and South Bay Apparel ("Operator"), a Corporation with offices at 4062-653 Grumman Boulevard, Calverton, New York.

WITNESSETH

WHEREAS, the Town owns the existing runways and related facilities located at the Calverton Executive Airfield, as designated by the Federal Aviation Administration ("FAA") as 3C8 ("Airfield"), New York; and

WHEREAS, the CDA wishes to allow certain businesses to utilize the 10,000 foot runway located at the Airfield, said runway being identified as 14-32 ("Runway") by the FAA as set forth on Exhibit A; and

WHEREAS, South Bay Apparel (Operator) wishes to utilize said Runway in connection with its apparel manufacturing and distribution business, all in accordance with applicable zoning laws and as such use has been previously reviewed and approved by the Town Board; and

WHEREAS, such Runway use by Operator will be in conformity with applicable zoning laws and be of substantial economic benefit to the Town of Riverhead and its residents; and

WHEREAS, the CDA wishes to grant Operator the right to use the Runway subject to the terms and conditions stated in this Agreement.

NOW THEREFORE, in consideration of the mutual covenants and agreement herein contained, CDA does hereby demise and provide Operator the right to utilize the subject Runway in all respects as follows:

1. Term: The term of this Agreement shall be for a period of six (6) months commencing November 9, 2006 and ending May 8, 2007 ("Term"), subject to such modifications as

the Town and the CDA at their sole discretion may require. Except as otherwise provided herein, this Agreement will remain in full force and effect for the stated Term, provided Operator is not in default of any of the material terms, covenants, or conditions of this Agreement.

2. Payment: Operator shall pay to the CDA the sum of \$ 1,000.00 monthly for its use of the Runway, based on the indicated anticipated level of use and type of aircraft and operations listed on Schedule A. In the event of a material change in the foregoing, the CDA and the Town reserve the right to adjust the monthly fee to reflect such changed condition(s).

3. Use of Runway: CDA hereby grants Operator the non-exclusive, non-transferable right to utilize the Runway, adjoining taxiways, ramp and apron areas as is provided by the CDA for public and common use by aircraft operators for taxiing, take-offs, and landings, of aircraft owned or operated by Operator as such aircraft are more fully listed in Schedule A attached hereto and made a part hereof. The right of use granted hereunder is subject to permitted uses at the Airfield and such other rules and regulations pertaining to the use of the Airfield as may be in effect from time to time during the Term of this Agreement.

On a monthly (or such other periodic basis as the parties may agree), Operator shall provide the CDA with a list of all aircraft using the Runway pursuant to this Agreement; such information shall include aircraft type, date(s) of operation, FAA registration (tail number), owner or operator name and FAR operation type.

Operator shall obtain the approval of the Town and the CDA in the event of any change in the type of aircraft listed on Schedule A. Finally, the CDA reserves the right, in its sole discretion, to grant other persons or entities, certain rights and privileges upon the air field which are identical in whole or in part to those granted to Operator herein.

4. Limitations: In addition to any applicable rule or regulation in effect at the field, it is understood that the air field is not open for public use and therefore Operator agrees to abide by the following terms and conditions:

- a) The Runway may be used by Operator only for aircraft types operated under the corresponding Federal Aviation Regulations and subject to the FAA aircraft registration number(s) listed on Schedule A ("Aircraft").
- b) Operator shall use the Runway solely in connection with its stated business, consistent with zoning and shall not use the Runway to board, de-board, or transport paying passengers or cargo in regularly scheduled or unscheduled charter air transportation service. Operator shall not use the Runway in connection with any regularly scheduled or unscheduled charter air transportation service whether operated by itself or indirectly through its customers or clients.

c) It is intended that the Runway will solely be used for the benefit of the owners and tenants of at the Airfield and for other aviation purposes at the Airfield, as may be allowed by the CDA from time to time therewith and that no use of the Runway may be made in contravention of zoning or other applicable laws, rules or regulations.

d) Operator acknowledges that the rights granted to use the Runway pursuant to this Agreement are not exclusive to Operator and that there are other users of the Runway.

5. Signs and advertising: No signs shall be placed on the Runway or at the Airfield, without first obtaining written permission from the CDA and the necessary permits from the Town. Operator acknowledges that this Agreement confers no rights with respect to the use of any trade name, trademark or service mark, copyrighted material or any other information proprietary to the Town or the CDA with respect to the ownership, management or operation of the Airfield.

6. Conditions of the Facilities: Operator has examined the subject Runway, taxi ways and tie down area shown in Exhibit A hereto and Operator is fully familiar with the condition of the runway and its related facilities and agrees to accept the Runway and its related facilities, including, but not limited to, Runway lighting and painting, in "as is" condition. Operator agrees to remain fully responsible for its operations and the operations of its customers on the Runway and shall keep the Runway clear of debris and other foreign objects.

7. Wildlife: Operator is fully aware of the existence of the large numbers of wildlife, including but not limited to the geese and the deer, that freely transverse the Runway, taxiways and adjacent areas at the Airfield. Operator acknowledges that the existence of the wildlife poses a potential hazard to aircraft utilizing the Runway. Notwithstanding the foregoing, Operator agrees that it is responsible for ensuring that any wildlife is cleared from the Runway, taxiways and adjacent areas as is necessary to enable it to use the Runway as set forth herein.

Operator further agrees that it shall indemnify and hold the CDA and the Town, their respective officers, officials, directors, employees, servants, and agents, including the Town Board and its individual members harmless from any liability arising from the existence of the wildlife on or in the vicinity of the Runway and other facilities at the Airfield. Operator hereby acknowledges that the Airfield is currently unattended and that neither the Town nor the CDA carries out any maintenance or operational functions at the Airfield. Operator acknowledges that neither the Town nor the CDA has assumed any responsibility for the existing conditions of the Runway and other Airfield facilities and further agrees that neither the Town, nor the CDA shall be required to maintain or operate any facility at the Airfield, including the Runway.

8. Assignment: Operator may not assign, transfer or sublease the whole, or any part of this Agreement, or the rights granted hereunder.

9. Successors and Assigns: All the covenants, stipulations and agreements herein shall extend to and bind the legal representatives, successors and assigns of the respective parties hereto.

10. Indemnity and Insurance: Operator shall keep and hold the CDA and the Town, its commissions, agencies, departments and officials, including the Town Board and its individual members and the respective officers, officials directors, agents, servants and employees of the CDA and the Town harmless from any and all liabilities, losses, suits, claims, judgments, fines, penalties, demands or expenses, including all reasonable costs for investigation and defense thereof (including but not limited to attorney's fees, court costs and expert fees) claimed by anyone by reason of death, injury or damage to persons or property sustained in or about the Airfield arising out of or in connection with the use of the Runway by Operator, its invitees or customers or otherwise arising out of the acts or omissions of Operator, its directors, officers, employees, agents, invitees, customers, and Operators upon and about the Airfield, provided, however, that upon the filing of any claim with the CDA or the Town for damages arising out of incidents for which Operator is obligated herein to hold the CDA and the Town harmless, then and in that event the CDA or the Town, as the case shall be, shall notify Operator of such claim and Operator shall have the right to settle, compromise or defend same. Operator shall further use legal counsel reasonable acceptable to the CDA and the Town in carrying out its obligations hereunder. Any final judgment rendered against the CDA or the Town for any cause for which Operator is liable hereunder shall be conclusive against Operator as to liability and amount where the time to appeal therefrom has expired. The provision of this section shall survive the expiration or early termination of this Agreement.

Operator shall maintain general comprehensive liability insurance, endorsed to cover Airfield operations in an amount equal to that customary for such kind and level of use but in no event less than \$5,000,000.00, combined single limit covering bodily injury and property damage per occurrence through a company acceptable to the CDA and the Town of Riverhead, in which policy the CDA and the Town of Riverhead shall be named as additional insureds. Before any use of the Runway may be made pursuant to this Agreement, Operator shall furnish satisfactory evidence that such insurance is in effect and will not be canceled during the term of this Agreement without thirty-(30) days prior written notice to the Town of such cancellation.

Operator shall also maintain aircraft liability insurance in an amount not less than that customary for the type of air operation conducted by Operator but in no event less than \$5,000,000.00, combined single limit covering death, bodily injury and property damage per occurrence through a company acceptable to the CDA and the Town of Riverhead, in which policy the CDA and the Town of Riverhead shall be named as additional insureds. Operator shall furnish satisfactory evidence that such insurance

is in effect and will not be canceled during the term of this Agreement without thirty (30) days prior written notice to the Town of such cancellation.

11. Hazardous Substances: Operator shall not generate, store, manufacture, refine, transport, or treat, or otherwise permit to be present on or about the Airfield any Hazardous Substances (other than Hazardous Substances as may be duly authorized for use in connection with Operator's business at the Airfield). In no event will Operator dispose of, discharge or release any Hazardous Substances into the environment. As used herein, the term "Hazardous Substances" shall mean any flammables, explosives, radioactive materials, hazardous waste, hazardous and toxic substances or related materials, asbestos or any materials containing asbestos, or any other hazardous or toxic substance material as defined by any Federal, State or Local environmental law, rule or regulation, including, without limitation, the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976, and the Hazardous and Solid Waste Amendments of 1984, as amended from time to time, the Comprehensive Environmental Response, Compensation and Liability Act 1980, as amended from time to time, the Toxic Substances Control Act as amended from time to time, the Hazardous Material Transportation Act, as amended from time to time and the regulations adopted and the publications promulgated pursuant to each of the foregoing.

With respect to the unauthorized release of any Hazardous Substance by Operator pursuant to this Agreement, Operator agrees to timely file any spill reports as required by any federal, state or local agency having jurisdiction over the same and to promptly provide the Town with a copy of such report. Further, Operator agrees to remediate and clean up any soil, water or air contaminant resulting from any unauthorized release, spill or discharge of Hazardous Substances, whether or not such release, spill or discharge is reportable under applicable law or regulation.

12. Aircraft Security: Operator shall ensure that the Aircraft which are the subject of this Agreement are operated in accordance with applicable security guidelines of the United States Transportation Security Administration as pertain to the identification of passengers, cargo and baggage carried aboard the Aircraft and the securing of the Aircraft with both interior and exterior locks and any hangar facility for the Aircraft, while the Aircraft is on the ground at the Airfield.

13. Ingress and Egress: This Agreement does not extend, expand, change or alter any existing right of ingress and egress that Operator currently is afforded by virtue of its lease, license or ownership of property at the Airfield site and no right of ingress and egress to the Airfield is hereby granted for pedestrians or ground vehicles other than the express Runway use rights which are the subject of this Agreement.

14. Other:

(a) Compliance with Law. All use of the Runway shall be subject to all applicable federal, state, and local laws, rules and regulations, as may be in effect during the Term of this Agreement including any rules and regulations that the CDA or the Town may impose in connection with the use of the Airfield.

In addition to the foregoing, Operator hereby agrees to comply at all times with and to cause its customers to use the Runway and to conduct its business at the Airfield in compliance at all times with all applicable federal, state and local laws, rules, and regulations, including regulations of the Suffolk County Department of Health regulations, including regulations of the Suffolk County Department of Health regulations pertaining to the use of the Runway and related Airfield facilities. In addition and as required by applicable law, rule or regulation, Operator agrees to file for a fire protection and hazardous materials permit with all government agencies having jurisdiction thereof, including any permits required by the Town of Riverhead in connection with such use.

(b) Termination and Default. Either party to this Agreement may terminate this Agreement, with or without cause on fifteen (15) days prior written notice to the other. In the event Operator fails to perform any material obligation under this Agreement and such failures continues for a period of three (3) days after receipt of written notice of the same from the CDA or the Town, then the CDA may terminate this agreement forthwith, except where the CDA and the Town, in their sole discretion find that any such failure is incapable of cure within the stated time and Operator has diligently commenced to cure such failure. Notwithstanding any to the contrary in this Agreement, in the event Operator fails, at any time during the Term of this Agreement, to maintain and provide the CDA with evidence of the insurance coverage required herein below, the CDA may immediately terminate this Agreement.

If bankruptcy proceedings are commenced with respect to Operator and if this Agreement has not otherwise terminated, then the CDA or the Town may suspend all further performance of this Agreement until Operator assumes or rejects this Agreement pursuant to Section 365 of the Bankruptcy Code or any similar or successor provision. Within thirty (30) days of the commencement of such bankruptcy proceeding, Operator agrees to move the Court in which such bankruptcy proceeding is pending to assume or reject this Agreement. Any such suspension of further performance by the CDA or the Town pending Operator's assumption or rejection will not be a breach of this Agreement and will not affect the CDA's or the Town's right to pursue or enforce any of its rights under this Agreement or otherwise.

(c) Subordination. This Agreement shall be subordinate to the provisions of any existing or future agreement between the CDA, the Town and the United States, relative to the ownership, operation or maintenance of the Airfield.

(d) **Reservation of Rights.** The CDA and the Town, their respective successors and assigns, hereby reserve the right, in their sole discretion, to direct and control all activities at the Airfield and to take any action they deem necessary to preserve for the use and benefit of the public, a right of flight for the passage of aircraft in the airspace above the surface of the Airfield, together with the right to cause and regulate in said airspace such noise as may be inherent in the operation of aircraft, now know or hereafter used for navigation of flight, using said airspace for landing at, taking off from, or operating at the Airfield. In furtherance thereof, the CDA and the Town reserve the right to take any action it considers necessary to protect the aerial approaches of the Airfield against obstruction, which would limit the usefulness of the Airfield or constitute a hazard to aircraft. Any such action shall not be deemed a breach of this Agreement and shall not act to reduce payment due hereunder or otherwise extend the term of this Agreement.

(e) **Entire Agreement.** This writing contains the entire agreement between the parties and supercedes and replaces all prior understandings and agreements between the parties hereto whether oral or written with respect to the subject matter hereof.

IN WITNESS HEREOF, the parties have executed this Agreement as of the date first written above.

Town of Riverhead
By: Philip J. Cardinale

Operator: South Bay Apparel
By: Douglas Dey

Attachments:

Exhibit A "Map of Runway, Taxiways, Ramp and Tie Down Area" [To be provided by the Town]

Schedule A "List of Aircraft Types, FAA Registration Numbers, and FAR Operation" [To be provided by Aircraft Owner or Operator]

U.S. Department of Transportation Federal Aviation Administration		AIRPORT MASTER RECORD		FORM APPROVED. OMB NO. 2120-0016	
> 1 ASSOC CITY: Calverton > 2 AIRPORT NAME: Calverton Peconic Airport 3 CBO TO AIRPORT (NM): 03 W		4 STATE: New York 6 REG/ADD: AEA/ADO		FAA SITE NR: 14971 5 COUNTY: Suffolk, NY 7 SECT AERO CHT: New York	
GENERAL			SERVICES		BASED AIRCRAFT
10 OWNERSHIP: Public 11 OWNER: Town of Riverhead 12 ADDRESS: 200 Howell Ave., Riverhead 13 PHONE NR: 631 727-3200 14 MANAGER: Robert F. Kozakiewicz 15 ADDRESS: Swan Pond Road 16 PHONE NR: 631 727-3200 17 ATTENDANCE SCHEDULE MONTHS DAYS HOURS			> 70 FUEL: None		90 SINGLE ENG: 5 91 MULTIENG: 10 92 JET: 30 TOTAL 45 93 HELICOPTERS: 94 GLIDERS: 95 MILITARY: 96 ULTRA-LIGHTS:
18 AIRPORT USE: Private 19 ARPT LAT: 40-55-00 20 ARPT LONG: 072-48-00 21 ARPT ELEV: 75ft. 22 ACREAGE: 2921 > 23 RIGHT TRAFFIC: No 24 NON-COMM LANDING FEE: No 25 NASP/FEDERAL AGREEMENT:			FACILITIES V 20 ARPT BCN: No V 21 BCN SCHEDULE: V 22 UNICOM: 23 WIND INDICATOR: Yes 24 SEGMENTED CIRCLE: NO 25 CONTROL TWR: No 26 FSS: New York 27 FSS ON ARPT: No 28 FSS PHONE NR: 1-800-292-7433 29 TOLL FREE NR: 1-800-WX-BRIEF		
RUNWAY DATA					
> 30 RUNWAY IDENT: 14/32 > 31 LENGTH 10,001 > 32 WIDTH 200 33 SURF TYPE-COND Concrete Runway 05/23 CLOSED					
LIGHTING/APCH AIDS					
> 40 EDGE INTENSITY 41 EDGE SCHEDULE 42 RWY MARK TYPE-COND					
OBSTRUCTION DATA					
50 FAR 77 CATEGORY 51 DISPLACED THR 52 CTLG OBSTN 53 OBSTN MARKED/LGTD 54 HGT ABOVE RWY END 55 DIST FROM RWY END					
(>) ARPT MGR PLEASE ADVISE FSS IN ITEM 26 WHEN CHANGES OCCUR TO ITEMS PRECEDED BY >					
110 REMARKS: Owner proposes to mark parachute landing zone.					
111 OWNER/MANAGER SIGNATURE:				112 DATE:	

November 8, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 1001

AMENDS RESOLUTION #987 OF OCTOBER 26, 2006
APPOINTING TOWN PERSONNEL OFFICER

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

WHEREAS, Resolution #987, adopted October 26, 2006 provisionally appointed Margaret Ferris as Town Personnel Officer effective November 13, 2006; and

WHEREAS, departmental organization necessitates a delay in the start date.

NOW THEREFORE BE IT RESOLVED, that Margaret Ferris is hereby provisionally appointed to the position of Town Personnel Officer effective December 4, 2006.

BE IT FURTHER RESOLVED, that the Town Clerk and is hereby authorized to forward a certified copy of this resolution to Margaret Ferris, the Office of Accounting and the Office of the Town Attorney.

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

Townboard.ferris

11/8/06

Adopted

TOWN OF RIVERHEAD

Resolution # 1002

**APPOINTS A P/T RECREATION AIDE LEVEL II
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILMAN BARTUNEK

_____ offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

RESOLVED, that Mary Fioto is hereby appointed to serve as a P/T Recreation Aide Level II effective November 11, 2006, to be paid at the rate of \$10.00 per hour, and to serve as needed on an at will basis and to serve at the pleasure of the Town Board

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 Mary Fioto, the Recreation Department and the Office of Accounting.¹

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

¹ Rec.Doris /Res.Rec Aide Mary Fioto

11/8/06

Adopted

TOWN OF RIVERHEAD

Resolution # 1003

**RATIFIES THE APPOINTMENT OF A P/T RECREATION AIDE-
VOLLEYBALL LEADER
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILMAN DENSIESKI

_____ offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

RESOLVED, that Rich Terry is hereby appointed to serve as a P/T Recreation Aide- Volleyball Leader, effective, October 30, 2006 to and including December 31, 2006 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 Rich Terry, 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. Rich Terry V-ball

November 8, 2006

TOWN OF RIVERHEAD

Resolution # 1004

Tabled

TRANSFER OF AN ACCOUNT CLERK TYPIST
TO THE PLANNING DEPARTMENT

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

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

WHEREAS, the Town Board wishes to transfer Lorraine Miller; and

NOW, THEREFORE, BE IT RESOLVED, that effective November 27, 2006, the Town Board hereby transfers Lorraine Miller to the position of Account Clerk Typist in the Planning Department at no change in pay, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Lorraine Miller, the Planning Department and the Accounting Department.

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

Tabled

11/8/06

TOWN OF RIVERHEAD

Adopted

Resolution # 1005

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

COUNCILMAN DUNLEAVY

_____ offered the following resolution,

which was seconded by _____

COUNCILMAN BARTUNEK

RESOLVED, that Greg Scanlon is hereby appointed as a P/T Recreation Aide-Volleyball Official effective, November 13, 2006 to and including December 31, 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):

1. 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	<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

¹ Rec. Colleen/ Resolution. Greg Scanlon-revised

November 8, 2006

TOWN OF RIVERHEAD

Adopted

Resolution # 1006

**RATIFIES THE APPOINTMENT OF TWO PROVISIONAL ACCOUNT CLERK
TYPISTS TO THE POLICE DEPARTMENT**

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

WHEREAS, two vacancies exist in the Riverhead Police Department for the position of Account Clerk Typist; and

WHEREAS, the position of Account Clerk Typist was duly posted and the request for a Suffolk County Civil Service list was made; and

WHEREAS, there were no eligible candidates on the Civil Service list and all candidates resulting from the posting were interviewed; and

WHEREAS, the Suffolk County Department of Civil Service has authorized two provisional appointments; and

WHEREAS, pursuant to interviews, a recommendation has been made by the Chief of Police and the Personnel Committee to hire Pamela M. Zaweski and Jaime D. Ritter to these positions.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead does hereby ratify the appointment of Pamela M. Zaweski provisionally to the position of Account Clerk Typist, Group 9, Step P of the Clerical and Supervisory Salary Schedule, effective October 30, 2006; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Riverhead does hereby ratify the appointment of Jaime D. Ritter provisionally to the position of Account Clerk Typist, Group 9, Step P of the Clerical and Supervisory Salary Schedule, effective November 1, 2006; and be it

RESOLVED, THAT THE Town Clerk be and is hereby authorized to send a copy of this to Chief Hegermiller.

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

abstein

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

11/8/06

Adopted

TOWN OF RIVERHEAD

Resolution # 1007

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT OF CHAPTER 101 "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE (\$101-13 Parking time limited.)

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILWOMAN BLASS:

RESOLVED, that the Town Clerk is hereby authorized to post and publish the attached public notice to consider a proposed local law to consider the amendment of Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code, once in the November 16, 2006 issue of the News Review, 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 Chief Hegermiller, Riverhead Police Department; Code Enforcement; Mark Kwasna, Highway Superintendent; Traffic Safety Committee 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 ~~X~~ WAS ___ WAS NOT
 THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 21st day of November, 2006 at 7:40 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

Chapter 101
Vehicles and Traffic
ARTICLE VII

§ 101-13. Parking time limited.

Parking is hereby prohibited for longer than the time limit designated upon any of the following described streets, or portions thereof, and parking fields:

- A. Thirty minutes. The parking of vehicles for a period longer than 30 minutes between the hours of 9:00 a.m. and 5:00 p.m., except Sundays and holidays, is prohibited in the following locations:

Street	Side Location
Second Street	Both Between Roanoke Avenue and Griffing Avenue except where two-hour parking is permitted as provided in Subsection E herein

- E. Two hours. The parking of vehicles for a period of longer than two hours is prohibited in the following locations between the hours of 9:00 a.m. and 5:30 p.m., except Sundays and holidays:

Street	Side Location
<u>Second Street</u>	<u>Both Between Roanoke Avenue and Griffing Avenue</u>

Dated: Riverhead, New York
November 8, 2006

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

BARBARA GRATTAN, Town Clerk

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

11/8/06

Adopted

TOWN OF RIVERHEAD

Resolution # 1008

ADOPTS A LOCAL LAW TO AMEND CHAPTER 58 ENTITLED "DOGS" OF THE RIVERHEAD TOWN CODE
(§58-4. Redemption of impounded dogs.)

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 58, entitled "Dogs" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 19th day of September, 2006 at 7:25 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that the local law amending Chapter 58 entitled, "Dogs" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Assessor's Office and the Town Attorney's Office.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 58 entitled "Dogs" of the Riverhead Town Code at its regular meeting held on November 8, 2006. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**Chapter 58
DOGS
ARTICLE I**

§ 58-4. Redemption of impounded dogs.

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

Dated: Riverhead, New York
November 8, 2006

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

BARBARA GRATTAN, Town Clerk

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

TOWN OF RIVERHEAD

Resolution #1009

ACCEPTS CASH SECURITY OF JOHN MAZUR III

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

WHEREAS, John Mazur III has posted a cash security in the sum of Two Thousand Five Hundred Dollars (\$2,500) (check #146 dated October 24, 2006) representing the 5% site plan security as noted in the approved site plan dated November 1, 2005 Resolution #1047 for renovations to an existing residence, addition to the existing structure to connect to the garage, renovations to existing garage and residence for sale of antiques and a craft store and addition of a retail display barn and gazebo located at 1291 Main Road, Jamesport, New York, Suffolk County Tax Map # 600-68.-3-10, pursuant to Section 108-133 (I) of the Riverhead Town Code;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% cash security in the sum of Two Thousand Five Hundred Dollars (\$2,500); 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 John Mazura III, 94 K Jefryn Blvd., Deer Park, New York 11729, the Building Department; the Planning Department and the Town Attorney's Office.

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
Thereupon Duly Declared Adopted

Adopted

TOWN OF RIVERHEAD

Resolution # 1010

ACCEPTS IRREVOCABLE LETTER OF CREDIT FOR CRYSTAL HARBOR DEVELOPMENT INC.

COUNCILMAN BARTUNEK

offered the following resolution,

which was seconded by

COUNCILMAN DENSIESKI

WHEREAS, Crystal Harbor Development Inc. has posted an Irrevocable Letter of Credit (Bank of Smithtown #100346) in the sum of Fifty Five Thousand Dollars (\$55,000) representing the 5% site plan bond as noted in the approved site plan resolution #635 dated July 5, 2006 for the work at East Main Street, Riverhead, New York known and designated as Suffolk County Tax Map # 600-105.-1-35 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% letter of credit in the sum of Fifty Five Thousand Dollars (\$55,000) issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Crystal Harbor Development Inc., Mr. Ed Belanger, 4992 Express Drive South, Ronkonkoma, New York 11779, Peter S. Danowski, Jr., Esq., 616 Roanoke Avenue, PO Box 779, Riverhead, New York 11901, PRG Corp., 425 County Road 39, Southampton, New York 11968, 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 Is Is Not
Declared Duly Adopted

11/08/06

Adopted

TOWN OF RIVERHEAD

Resolution # 1011

AUTHORIZES THE RELEASE OF A BOND FOR JARAL EAST END HOTEL CORP.

COUNCILMAN DENSIESKI

offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

WHEREAS, Jaral East End Hotel Corp. posted a security bond in the amount of Twenty Five Thousand Dollars (\$25,000.00) for an exterior façade improvement as per Resolution #248 dated March 21, 2006 for work at 1830 Route 25, Riverhead, New York Suffolk County Tax Map Number 0600 /118.00-03-002.03 pursuant to Section 108-133(I) of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the security bond in the sum of Twenty Five Thousand Dollars (\$25,000.00) and

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Jaral East End Hotel Corp., 1830 Route 25, Riverhead, New York 11901, the Building Department; the Accounting Department, the Town Clerk 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 Is Is Not
Declared Duly Adopted

11/08/06

Adopted

TOWN OF RIVERHEAD

Resolution # 1012

**AUTHORIZES THE RELEASE OF A PERFORMANCE BOND FROM
MALVESE EQUIPMENT CO., INC. (STORAGE BUILDING)**

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by

COUNCILMAN DUNLEAVY

WHEREAS, Malvese Equipment Co., Inc. posted a Performance Bond (LPM7577758 Fidelity & Deposit Company of Maryland) in the amount of Four Thousand Seven Hundred Fifty Two Dollars (\$4,752) as per Resolution #1079 dated November 15, 2005 for a freestanding storage building located at 232 Old Country Road, Riverhead, New York, Suffolk County Tax Map # 0600/ 84.-4-31.2, pursuant to Section 108-133(I) of the Riverhead Town Code; and

WHEREAS, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department's satisfaction and the Planning Department has determined that site work conforms to the approved Site Plan and a Certificate of Occupancy has been issued for said construction.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the Performance Bond in the sum of Four Thousand Seven Hundred Fifty Two Dollars (\$4,752) and;

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Brian Nyeland (for Malvese Equipment), L.I. Systems, 300 Motor Parkway, Hauppauge, New York 11788, Building Department; the Accounting Department, the Town Clerk 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 Is Is Not
Declared Duly Adopted

November 8, 2006

TOWN OF RIVERHEAD

Adopted

Resolution # 1013

ADOPTS A LOCAL LAW TO AMEND CHAPTER 107 ENTITLED, "TIDAL AND FRESHWATER WETLANDS" OF THE RIVERHEAD TOWN CODE

Councilman Bartunek offered the following resolution, was seconded by COUNCILMAN DENSIESKI

WHEREAS, the Town Clerk was authorized to post and publish public notice to all interested persons to consider a local law amending Chapter 107 entitled, "Tidal and Freshwater Wetlands" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 6th of September, 2006, at 2:20 p.m. and the 17th of October, 2006, at 7:10 p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard, were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 107 "Tidal and Freshwater Wetlands" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

DUNLEAVY	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	BARTUNEK	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
BLASS	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	DENSIESKI	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
CARDINALE	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO					

THIS RESOLUTION IS IS NOT DECLARED DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that The Town Board of the Town of Riverhead adopted a local law amending Chapter 107 entitled, "Tidal and Freshwater Wetlands" of the Riverhead Town Code at a regular meeting held on November 8, 2006. Be it enacted by the Town Board of the Town of Riverhead as follows:

§ 107-3. Definitions.

WETLANDS DELINEATOR- A wetlands delineator shall have the following qualifications: either a bachelor degree in wildlife management, fisheries management, fisheries management, forestry, ecology, hydrology or a closely related field; an associate degree in one of the above fields and two years' full time experience in work closely associate with wetlands protection; and any other training and experience which assures a technical knowledge of wetlands and their functions and benefits.

§ 107-6. Application for permit.

A.

All applicants for a permit to do any of the acts regulated or permitted by §§ 107-4 and 107-5 shall present an original and three copies of the permit application, together with other required information, to the office of the Town Conservation Advisory Council. An application fee of ~~\$50~~ **100** is to be paid to the Town Clerk. All applications and copies thereof must be accompanied by or included the following information:

§ 107-7. Procedure for issuance of permit; display of permit; inspections.

F. ~~The permit applicant or his agent proceeding with operations approved shall carry on his person or have readily available the approved permit and shall show same to any agency or agent of the Town of Riverhead whenever requested. The permit holder or his agent shall keep posted, in a conspicuous place on the work site, the permit card and shall keep the same posted until the completion of the work.~~

§ 107-9. Notice of violation; penalties for offenses.

A. The provisions of this chapter shall be enforced by ~~Ordinance Inspectors and~~ **any Code Enforcement Official or** Police Officers of the Town of Riverhead, who shall be authorized to issue appearance tickets to violators at the site of the violation.

B. A violation of this chapter is hereby declared to be an offense punishable by a fine not exceeding ~~\$1,000~~ **5,000** or imprisonment for a period not to exceed six months, or both. Each day's continued violation of this chapter will constitute a separate additional violation.

E. In addition to any penalties, fines, forfeitures or injunctions that may be imposed pursuant to

this § 107-9, an applicant who files an application for a permit pursuant to § 107-7, after a violation of this chapter has occurred, shall pay an application fee of ~~\$100~~ **300** ~~in lieu of addition to~~ the ~~fifty-one-hundred~~ dollar application fee provided for in § 107-6.

107-12. Wetland Map Amendments

The Town of Riverhead Fresh Water Wetlands Inventory may be amended from time to time either by Town Board initiative or at the request of the property owner or his/her authorized agent. The procedures and criteria for amending the Town of Riverhead Fresh Water Wetlands Inventory are set forth below.

A. Amendment through Town Board Initiative

The Town may undertake amendments to its Freshwater Wetlands Inventory (1979) on its own initiative when the Town Board receives verifiable information and adopts a resolution indicating that:

1. New wetlands exist within the Town which were inadvertently excluded from the Town's Fresh Water Wetlands Inventory, or
2. technical adjustments to the boundaries of existing mapped wetlands are required due to significant changes in the nature of the wetland; or
3. it is appropriate to delete wetland areas shown on the Fresh Water Wetlands Inventory that no longer meet the statutory definition of a wetland.

B. Amendment requested by property owner.

Amendment to the Town's Freshwater Wetlands Inventory may be requested by a property owner or by an authorized agent requester thereof by submitting a formal request in writing to the Riverhead Town Clerk. The Riverhead Town Clerk shall supply a form for such requests. Said form request shall include the following information:

1. name, address and telephone number of property owner and agent (if any);
2. A photocopied tax map identifying the area to be investigated;
3. A copy of the deed to property
4. A copy of the current tax bill for the subject property;
5. A list of the names and addresses of all adjoining property owners.
6. An indication as to whether the requester wishes to be present for the field visit or for a field review of flagged boundary;
7. An authorization and hold harmless agreement authorizing the Town of Riverhead to enter upon the subject property
8. A completed Short Environmental Assessment Form.

C. The procedure for amending the Freshwater Wetlands Inventory by Local Law is as follows:

1. Upon receipt of a request pursuant to paragraphs A, the Town shall notify the owner of the property upon which the reputed wetland exists (or no longer exists) of the request. The notification to the property owner shall include a copy of the Town

Board's request for permission to enter upon the property to examine the reputed wetland area.

2. Upon receipt of a permission as set forth in paragraph C(1) above or a request pursuant to paragraph B above, the Town Board shall engage a qualified wetlands delineator who shall examine the wetland(s) proposed to be included on the Town's Fresh Water Wetlands Inventory who shall prepare a report indicating his or her findings with respect to the reputed wetland and a determination as to whether the area examined meets the definition of a Fresh Water Wetland as set forth in this Article.

3. Should the report and findings of the wetlands delineator reveal that an amendment to the Fresh Water Wetlands Inventory is appropriate; the Town Board shall cause a survey to be prepared showing the wetland(s) proposed to be included in or deleted from the Fresh Water Wetlands Inventory. The survey shall contain all required survey data and indicate topography with two (2) foot contour intervals as well as the location of other mapped wetlands existing on the subject property and any structures (including drainage or other infrastructure) existing on the property.

4. Upon completion of the wetland survey the Town Board shall cause a public hearing to be held to consider the proposed Fresh Water Wetland Inventory Map amendment.

a. Written notice of the public hearing together with a brief description of the action proposed to be taken and a copy of the survey shall be published in the official newspaper of the town and mailed by certified mail to all adjoining property owners and the Department of Environmental Conservation Division of Fresh Water Wetlands at least 10 days prior to the scheduled hearing date.

D. Adoption of amendments to Fresh Water Wetlands Inventory.

1. Following the public hearing and review of the information supplied in the request, the investigation, report and findings of the wetlands delineator, the survey, the testimony given at the public hearing, and any other relevant information, the Town Board may adopt a local law amending the Fresh Water Wetlands Inventory Map of the Town.

2. Notice of the adoption of the local law amending the Fresh Water Wetlands Inventory shall be published as required by law and shall be delivered to the owner of the property on which the subject wetland is located on and the Department of Environmental Conservation by certified mail. The local law shall also be filed with the Secretary of State of the State of New York as required by law.

Dated: Riverhead, New York
November 8, 2006

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

November 8, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 1014

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC
NOTICE OF PUBLIC HEARING TO CONSIDER THE ADDITION OF
FRESHWATER WETLANDS TO THE TOWN OF RIVERHEAD
FRESHWATER WETLAND INVENTORY**

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

WHEREAS, it is the intent of the Town Board to protect the citizens of the Town of Riverhead by providing for the protection, preservation, proper maintenance and use of its watercourses, tidal wetlands, and freshwater wetlands, and

WHEREAS, Chapter 107 of the Riverhead Town Code entitled "Tidal and Freshwater Wetlands" defines freshwater wetlands as lands and waters as indicated on, but not limited to, the Freshwater Wetlands Map for Suffolk County promulgated by the Department of Environmental Conservation pursuant to the Freshwater Wetlands Act and the Riverhead Freshwater Wetlands Inventory (1979); and

WHEREAS, freshwater wetlands were located and mapped on Suffolk County Tax Map number(s) District 0600, Section 007.00, Block 03, Lot 041 by a qualified wetland delineator as part of the preparation of a Draft Environmental Impact Study for a proposed residential subdivision, and the accuracy of the boundaries of said freshwater wetlands were verified by New York State Department of Environmental Conservation staff, and

WHEREAS, the Town of Riverhead adopted procedures for revising and updating the freshwater wetland inventory of 1979 so as to ensure compliance of regulations as indicated in Chapter 107 of the Riverhead Town Code.

NOW THEREFORE BE IT RESOLVED that the Town Clerk be and is hereby authorized to post and publish the attached public notice to accept comment from the public to add the freshwater wetlands located on the parcel known as the North Fork Preserve, (Suffolk County Tax Map number(s) District 0600, Section 007.00, Block 03, Lot 041) to the Town of Riverhead Freshwater Wetland inventory once in the November 16, 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 Conservation Advisory Council, the Planning Department, and the Building Department.

Ate Danowski

TOWN OF RIVERHEAD

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 5th day of December at 7:10 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to accept comment from the public on the addition of the freshwater wetlands located on the parcel known as the North Fork Preserve (Suffolk County Tax Map number(s) District 0600, Section 007.00, Block 03, Lot 041) to the Town of Riverhead freshwater wetland inventory in accordance with Chapter 107 entitled "Tidal and Freshwater Wetlands" of the Riverhead Town Code.

Dated: Riverhead, New York
November 8, 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

11/8/06

Adopted

TOWN OF RIVERHEAD

Resolution #1015

**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**

(Residence B-80 Zoning Use District)

Residence A-80 Zoning Use District

(Cluster Development)

(Agriculture Protection Zoning Use District)

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 November 16, 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 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 5th** day of December, 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:

**Chapter 108
Zoning**

**ARTICLE V
Residence B-80 Zoning Use District**

§ 108-19.2. Guidelines.

The following guidelines are to be applied in addition to subdivision regulations (Article XX) and cluster development (Article XIX) and shall apply to all cluster subdivisions within the RB-80 Zoning Use District:

- A.
- B.
- C.
- D.
- E.
- F. The Planning Board shall not cluster lots in order to create new golf courses, or maintain the operation of existing golf courses, playgrounds, tennis courts, swimming pools or any other amenity as required open space. The purpose of the cluster plan is to preserve agricultural land for agricultural use and other natural features to the greatest extent practicable.

**ARTICLE VA
Residence A-80 (RA-80) Zoning Use District**

§ 108-20.7. Guidelines.

The following guidelines are to be applied in addition to subdivision regulations (Article XX) and cluster development (Article XIX) and shall apply to all cluster subdivisions within the RA-80 Zoning Use District:

- A.
- B.
- C.
- D. The Planning Board shall not cluster lots in order to create new golf courses, or maintain the operation of existing golf courses, playgrounds, tennis courts, swimming pools or any other amenity as required open space. The sole purpose of the cluster plan is to preserve agricultural land for agricultural use and other natural features and open space to the greatest

extent practicable.

ARTICLE VI
Agriculture Protection Zoning Use District

§ 108-26.1. Guidelines.

The following guidelines are to be applied in addition to subdivision regulations (Article XX) and cluster development (Article XIX) and shall apply to all cluster subdivisions within the APZ:

- G. The Planning Board shall not cluster lots in order to create new golf courses or maintain the operation of existing golf courses, playgrounds, tennis courts, swimming pools or any other amenity as required open space. The purpose of the cluster plan is to preserve agricultural land for agricultural use and other natural features to the greatest extent practicable.

§ 108-87. Yield plan and cluster plan; requirements and procedure for approval by Planning Board.

- G. The Planning Board shall not cluster lots in order to create new golf courses, or maintain the operation of existing golf courses, playgrounds, tennis courts, swimming pools or any other amenity as required open space. The purpose of the cluster plan is to preserve agricultural land for agricultural use and other natural features to the greatest extent practicable.

Dated: Riverhead, New York
November 8, 2006

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

BARBARA GRATTAN, Town Clerk

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

11/8/06

Adopted

TOWN OF RIVERHEAD

Resolution # 1016

**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
(\$108-97. MAJOR SUBDIVISION)**

COUNCILMAN DUNLEAVY

offered the following resolution, was seconded by

COUNCILMAN BARTUNEK

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 November 16, 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 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 5th day of December, 2006 at 7:20 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

**ZONING
ARTICLE XX
Subdivision Regulations**

§108-97. Major subdivision.

F. Application and fee.

- (2) Preliminary plat. A letter of application, together with the requisite number of copies of the preliminary plat, shall be submitted to the Planning Board. All applications for the consideration of a preliminary plat shall be accompanied by a fee of five percent (5%) of the anticipated cost of public improvements (performance bond estimate) and \$500 per acre or part thereof or \$2,500, whichever is greater, if a sketch plan has been submitted.
- (5) Engineering fee. Prior to the adoption of a final conditional approval resolution by the Planning Board, the applicant must post a fee in an amount equal to ~~10%~~ 5% of the estimated improvements, as estimated by the engineering consultant to the Planning Board, which shall be paid to the Town of Riverhead. ~~Such fee shall be diminished in an amount equal to all engineering fees previously paid, subdivision being granted, the applicant must post engineering fees in the amount of \$100 per lot to cover any potential expense to the Town for engineering services, as follows: \$50 at the time of the submission of the preliminary plat.~~ The Planning Board may waive all or part of said fee where the Planning Board determines that no additional engineering services are required. No applicant shall have any claim for the return of such fee or portion thereof.

Dated: Riverhead, New York
November 8, 2006

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

BARBARA GRATTAN, Town Clerk

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

11/8/06

Adopted

TOWN OF RIVERHEAD

Resolution # 1017

AUTHORIZES SEWER DISTRICT SUPERINTENDENT TO ATTEND SHOW

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

WHEREAS, the New York Greengrass Association is sponsoring a show entitled, "2006 Empire State Green Industry Show" to be held in Rochester, New York on November 14, 2006 through November 16, 2006, 2006; and

WHEREAS, it is the desire of Michael Reichel, Sewer District Superintendent to attend such course.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes Michael Reichel, Sewer District Superintendent to attend the aforementioned show to be held in Rochester, New York on November 14, 2006 through November 16, 2006; and be it further

RESOLVED, that all related expenses incurred by the Sewer District Employee will be fully receipted upon his return, not to exceed a total cost of \$650.00, and thereafter reimbursed by the Accounting Department; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Michael Reichel, Sewer District Superintendent 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

NEW YORK
GREENGRASS ASSOCIATION
PO Box 612
Latham, New York 12110

(800) 873-8873 Toll Free
(518) 783-1229 Phone
(518) 783-1258 Fax
www.nysta.org

EMPIRE STATE
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November 14-16, 2006
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For more information, visit www.nysta.org. State recertification credits, New York Golf Course Owners Association, New York State Association of Certified Sports and Managers of New York National Golf Links, National Golf Association, Council on Professional Education and the New York State Association for Superintendents of Schools, Buildings and Grounds.

2006 ESGIS SCHEDULE

Monday, November 13

8:00 am - 4:00 pm NYSA Board of Director's Meeting, *Crowne Plaza Hotel*

Tuesday, November 14

7:00 am - 4:30 pm Registration Desk Open
 8:00 - 9:30 am EDUCATION SESSIONS
 8:30 - 11:30 am Certified Nursery/Landscape Professional (CNLP) Exam, *Cascades*
 9:00 am - 5:00 pm NYSN/LA Board of Directors Meeting, *Clarion Riverside Hotel*
 9:45 - 11:30 am EDUCATION SESSIONS
 1:00 - 2:30 pm EDUCATION SESSIONS
 2:45 - 4:15 pm EDUCATION SESSIONS
 2:45 - 4:15 pm NYSA Annual Meeting, *Highland DEFG*
 4:30 pm NYSTA New Member Orientation, *Lilac Ballroom North*
 4:30 - 5:30 pm Cornell Town Halls
 6:00 - 8:00 pm SUNY Cobleskill Alumni Reception, *Riverside Court*
 7:00 - 10:00 pm NYSA Annual Awards Banquet, *Crowne Plaza Hotel*
 7:00 - 9:30 pm NYSN/LA Annual Dinner and Auction, *Riverview Lounge - Clarion Riverside Hotel*

Wednesday, November 15

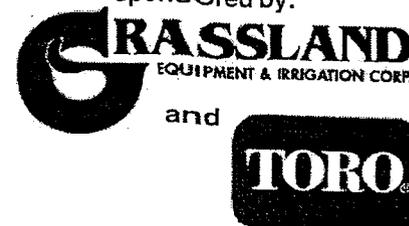
6:00 am - 4:30 pm Registration Desk Open
 6:30 - 8:00 am EARLY BIRD EDUCATION SESSIONS
 8:00 am - 6:00 pm **TRADE SHOW HOURS**
 8:15 - 9:15 am EDUCATION SESSIONS
 9:00 - 11:00 am Coffee compliments of the Greater Rochester Visitors Association, *Trade Show*
 9:30 am Institutional & University Grounds Managers Meeting, *Highland CH*
 9:45 - 10:15 am Paving Stone Installation Demonstration - Unilock booth, *Trade Show*
 10:00 am - 12:00 noon Green Industry Careers, *Hyatt Regency Hotel*
 10:00 am - 4:00 pm Turf Bowl, *Empire Lobby*
 11:00 am - 12:00 noon EDUCATION SESSIONS
 11:30 am - 1:00 pm **TRADE SHOW LUNCH**
 11:30 am - 1:00 pm NYSTA's Past President's Luncheon
 1:00 - 2:30 pm EDUCATION SESSIONS
 2:45 - 3:15 pm NYSTA Annual Meeting, *Highland ABJK*
 3:00 - 3:30 pm Water Garden Installation Demonstration - *Trade Show*
 3:30 - 4:30 pm EDUCATION SESSIONS
 4:30 - 6:00 pm **TRADE SHOW RECEPTION, Trade Show**
 5:30 pm NYSTA Live Tree Fund Auction with Cash Bar, *Empire Lobby*
 6:00 - 8:00 pm NYSFI Annual Meeting & Panel Discussion, *Highland ABJK*
 6:00 - 8:00 pm Sports Turf Managers of New York Meeting, *Highland DEFG*
 6:30 - 8:00 pm NYSTA President's Reception (by invitation), *Crowne Plaza Hotel*

Thursday, November 16

6:30 am - 1:00 pm Registration Desk Open
 7:00 - 8:30 am EARLY BIRD EDUCATION SESSIONS
 8:00 am - 2:00 pm **TRADE SHOW HOURS**
 8:30 - 10:30 am Coffee compliments of the Greater Rochester Visitors Association, *Trade Show*
 9:00 - 9:30 am Sprayer Technology Demonstration - *Gregson-Clark Sprayer Equipment booth, Trade Show*
 9:30 - 11:00 am EDUCATION SESSIONS
 9:45 am - 1:30 pm Garden Center Bus Tour (pre-registration required)
 11:30 am - 12:30 pm Cornell Turfgrass Management Short Course Information and Graduate Reunion, *Highland CH*
 1:00 - 2:30 pm EDUCATION SESSIONS
 2:45 - 4:15 pm EDUCATION SESSIONS

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11/8/06

TOWN OF RIVERHEAD

Withdrawn

Resolution # 1018

ADOPTS A LOCAL LAW TO AMEND CHAPTER 101 ENTITLED "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE
(101-10 - Parking Prohibited)

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 19th day of September, 2006 at 7:05 o'clock p.m. at the Wading River Congregational Church, North Country Road, Wading River, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that the local law amending Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code is hereby adopted as specified in the attached notice of adoption; and be it further

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Highway Department; the Police Department; Code Enforcement and the Office of the Town Attorney.

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

Withdrawn

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code at its regular meeting held on November 8, 2006. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

Chapter 101
Vehicles and Traffic
ARTICLE VII

§ 101-10. Parking prohibited.

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

Name of Street	Side	Location
Long View Drive	Both <u>South</u>	From its northerly intersection with Park Road extending 200 feet easterly
<u>Long View Drive</u>	<u>Both</u>	<u>Extending north and south parallel to Town park property</u>

Dated: Riverhead, New York
November 8, 2006

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

BARBARA GRATTAN, Town Clerk

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

11/08/06

Adopted

TOWN OF RIVERHEAD

Resolution # 1018

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 (Zoning) (Empire Zone)
OF THE RIVERHEAD TOWN CODE

COUNCILMAN BARTUNEK

_____ offered the following resolution,

COUNCILWOMAN BLASS

which was seconded by _____:

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

WHEREAS, a public hearing was held on the day of 8th day of November, 2006 at 2: p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

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

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Planning Department; the Planning Board; the Zoning Board of Appeals; the Building Department; the Code Revision Committee and the Town Attorney's Office.

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at a regular Town Board meeting held on November 8, 2006 as follows:

LOCAL LAW NO. OF 2006

§ 108-207 Allowance for inclusion of Regionally Significant Projects

a.) In 2005 New York State has amended the Empire Zone Program to include specific projects deemed as Regionally Significant Projects. Regionally Significant Projects are defined as company and site specific projects located outside the existing zone boundaries of 1280 acres/credits and must meet the criteria of Section 957(d) of the New York General Municipal Law.

b.) The following projects have been determined as eligible Regionally Significant Project designated areas:

I. Telephonics Corporation located at 789 Park Avenue, Huntington, New York more particularly described as Suffolk County Tax Map NO. 0400-104.04-01.00-110.000; and

II. US WEB. Inc. located at 780 Park Avenue, Huntington, New York more particularly described as Suffolk County Tax Map No. 0400-104.00-01.00-050.000

Dated: Riverhead, New York
November 8, 2006

11/8/06

TOWN OF RIVERHEAD

Adopted

Resolution # 1019

ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (\$108-64 Prefabricated dwellings.)

Councilwoman Blass offered the following resolution, was seconded by Councilman Dunleavy :

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

WHEREAS, a public hearing was held on the 3rd day of October, 2006 at 7:25 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

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

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

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

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on November 8, 2006. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

Chapter 108
Zoning
Article XIII
Supplementary Use Regulations

§ 108-64. Prefabricated dwellings.

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

Dated: Riverhead, New York
November 8, 2006

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

BARBARA GRATTAN, Town Clerk

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

November 8, 2006

Adopted

TOWN OF RIVERHEAD

**AWARDS BID FOR WATER SERVICE MATERIALS
FOR USE IN THE RIVERHEAD WATER DISTRICT**

RESOLUTION # 1020

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

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for water service materials; and

WHEREAS, bids were received, opened and read aloud on the 24th day of October, 2006, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York 11901, the date, time and place given in the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for be and is hereby awarded as follows:

VENDOR

ITEM #'S

Blackman Plumbing Supply Co., Inc.

23,24,81,82,83,84,85,86,87,89,90,109,110,111,112,113,114,115,116,117,118,156,167,190,191,194,198,199

Joseph G. Pollard Co., Inc.

22,61,62,63,64,65,66,67,68,69,70,71,72,77,78,79,80,119,120,121,122,123,124,125,126,127,128,129,130,131,132,133,134,135,137,142,143,146,147,148,157,160,161,162,163,164,165,166,168,169,170,171,172,173,174,175,176,177,178,179,180,186,187,188,189,192,193,200,202,203,204,205

T. Mina Supply, Inc.

1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21,25,26,27,28,29,30,31,32,33,34,35,36,37,38,39,40,41,42,43,44,45,46,47,48,49,50,51,52,53,54,55,56,57,58,59,60,73,74,75,76,91,92,93,94,95,96,97,98,99,100,101,102,103,104,105,106,107,108,136,138,139,140,141,149,150,151,155,158,159,181,182,183,184,185,195,196,197

and be it further

RESOLVE, that the Town Board hereby authorizes the Town Clerk to return any and all bid bonds, if said bid bonds have been received in connection with the above; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Blackman Plumbing Supply, Inc., 2700 Route 112, Medford, New York, 11763; Joseph G. Pollard Co., Inc., 200 Atlantis Avenue, New Hyde Park, New York, 11040; T. Mina Supply, Inc., 168 Long Island Avenue, Holtsville, New York, 11742; the Riverhead Water, District and the Purchasing Department.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

NOVEMBER 8, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 1021

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR HEATING FUEL

COUNCILMAN BARTUNEK offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for proposals for HEATING FUEL and;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the NOVEMBER 16, 2006 issue of the News Review and;

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

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

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **#2 HEATING FUEL** for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:05 a.m. on NOVEMBER 27, 2006.**

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m. or on our website @ www.riverheadli.com.

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

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BIDS FOR FUEL OIL FOR HEATING.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

NOVEMBER 8, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 1022

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR PROPANE

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for proposals for PROPANE and;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the NOVEMBER 16, 2006 issue of the News Review and;

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

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

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **PROPANE** for use by the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:10 a.m. on NOVEMBER 27, 2006.**

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

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

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BIDS FOR PROPANE 2006/2007.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

NOVEMBER 8, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 1023

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR FOOD PRODUCTS

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN DUNLEAVY

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for proposals for FOOD PRODUCTS and;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the NOVEMBER 16, 2006 issue of the News Review and;

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

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

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **FOOD PRODUCTS** for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 A.M. ON NOVEMBER 27, 2006.**

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

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

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation BIDS FOR FOOD PRODUCTS.

NOVEMBER 8, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 1024

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR DIESEL FUEL

COUNCILMAN DUNLEAVY offered the following resolution,

which was seconded by COUNCILMAN BARTUNEK

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for proposals for DIESEL FUEL and;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the NOVEMBER 16, 2006 issue of the News Review and;

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

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 Ad ed

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of DIESEL FUEL for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:00 a.m. on DECEMBER 7, 2006.

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

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

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation BIDS FOR DIESEL FUEL.

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

Barbara Grattan, Town Clerk

11/08/06

TOWN OF RIVERHEAD

Adopted

Resolution# 1025

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE FOR PUBLIC HEARING REGARDING A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED "ZONING" OF THE RIVERHEAD TOWN CODE (Condominium Recreation Fees)

Councilman Bartunek _____ offered the following resolution, was seconded by
Councilman Densieski.

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a local law to amend Chapter 108 entitled "Zoning" of the Riverhead Town Code once in the November , 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 Town Board, Town Attorney, Building Department, Planning Department, and Planning Board.

THE VOTE

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

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held on the 5th day of December, 2006 at 7:15 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider a local law to amend Chapter 108 entitled "Zoning" of the Riverhead Town Code as follows:

Chapter 108
ZONING
ARTICLE XXIX
Condominium Maps

§108-146. Condominium Map Approval.

- A. The Planning Board is hereby empowered to approve condominium maps for filing with the Clerk of the County of Suffolk, subject to all applicable rules and regulation and payment of a recreation fee of an amount equal to \$3000 \$5000 per dwelling unit to the Town of Riverhead. In Lieu of a cash payment, the developer may post a bond or letter of credit equal to the total fee, as required herein. The term of such bond or letter of credit shall extend for a period of two years and six months. After two years from the date of the issuance of the bond or letter of credit, the balance of the fee covering all the lots shall be due. The Town Board may extend the due date upon proof that the bond or letter of credit remains in full force and effect. The Clerk of the Planning Board shall maintain a log of the expiration dates of all such bonds. Where such cash or letter of credit is deposited, the fee of ~~\$3000~~ \$5000 shall be paid to the Town of Riverhead prior to the issuance of each certificate of occupancy by the Building Inspector.
- B. An Applicant seeking to file a condominium map with the Clerk of Suffolk County shall first submit such condominium map to the Riverhead Planning Board with a preliminary engineering review fee of \$100 for each condominium unit shown of said map. Upon receipt of the condominium map, the Clerk of the Planning Board shall transmit said map to the Suffolk County Planning Commission for its review and recommendation. Upon receipt of the recommendations of the Suffolk County Planning Commission, the Planning Board shall determine to approve said map, approve said map with modifications or disapprove said map with reasons.
- Underline represents additions(s)
 - Overstrike represents deletion(s)

Dated: Riverhead, New York
November 8, 2006

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

11/8/06

Town of Riverhead

Adopted

Resolution # 1026

Supports Application to NYS DEC for Street Tree Grant Funding

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

WHEREAS, Riverhead Townscape, Inc. is a 501(c) (3) not for profit community beautification organization that has operated in the Town of Riverhead for 30 years; and

WHEREAS, Riverhead Townscape, Inc. has proposed a street tree planting program to be implemented in 2007 that provides for the purchase, professional planting and maintenance of principally wire and sidewalk-friendly trees at curbside locations within the public right-of-way of various streets within the town including areas of downtown Riverhead, Jamesport and South Jamesport as well as a segment of the Sound Avenue corridor; and

WHEREAS, pursuant to the attached 2006 Cost Sharing Grant Application dated October 10, 2006, Riverhead Townscape, Inc. has applied for funding from the New York State Dept. of Environmental Conservation.

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby indicates its support for the referenced grant application and commitment of matching funds in the amount of \$6,000 cash and \$4,000 in in-kind services.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Community Development Director Andrea Lohneiss, Town Engineer Ken Testa and Riverhead Townscape Street Tree Coordinator Vincent Taldone.

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

**New York State Department of Environmental Conservation
Urban and Community Forestry Program**

2006 Cost-Sharing Grant Application

Riverhead Townscape, Inc.
200 Howell Avenue
Riverhead, N.Y. 11901
vtaldone@optonline.net
631-369-3535 Tel.

1. Proposed Project Description

The proposed project provides for the planting, scheduled watering and maintenance of at least 120 curbside, primarily wire-friendly trees that will be planted in the public right-of-way in historic hamlet areas of downtown Riverhead (including planting locations within the Town of Riverhead East Main Street Urban Renewal Area pursuant to Article 15 of the NYS General Municipal Law and an area that is undergoing revitalization as an urban renewal district, a federally designated Urban Renewal Area), Baiting Hollow, Jamesport and South Jamesport as well as the scenic corridor of Sound Avenue (see attached photos of typical planting sites).

The proposed project cost is \$35,000 which includes a \$5,000 cash contribution from Riverhead Townscape, Inc., the town's not-for-profit (501-3-c) community beautification organization, \$6,000 cash and a \$4,000 in-kind contribution by the Town of Riverhead, \$3,000 cash from the Long Island Power Authority, a \$9,500 in-kind contribution from Warner's Nursery and \$7,500 in NYS grant funds.

The proposed project will begin in the spring of 2007 and is scheduled for completion in the fall of 2007. The proposed tree plantings will be primarily of wire and sidewalk-friendly species including many of the locally available options listed on the attached Long Island Power Authority list. As areas are planted, the Riverhead Town Engineering Department, Division of Buildings and Grounds will provide routine, seasonally scheduled watering services.

Watering will be accomplished primarily by use of the town's existing watering truck which will be staffed by municipal crews of two persons, twice weekly for approximately 2.5 hours per day (labor cost estimated at \$20 for each labor hour for a period of 20 weeks). In addition, funds are proposed for contract watering services. Contract watering service funds may be used to augment municipal services particularly during summer heat waves when town personnel resources are needed to provide other seasonal, recreation related services and to otherwise reduce overall costs associated with the watering task. Town contract watering funds will be used to procure watering services from commercial landscape providers. However, the town allocation for these services

may be used to purchase trees if such resources are not required for watering purposes (possible only in a very wet planting season)

Inspections, tree pit maintenance and any necessary pruning will be conducted primarily by Riverhead Townscape volunteers for a minimum of three years..

2. Proposed Project Budget

Total Budget \$35,000

Total Project 120 Curbside Trees

NYS Grant	\$ 7,500	Cash Tree Purchases
Keyspan/LIPA	3,000	Cash Tree Purchases
Townscape	5,000	Cash Tree Purchases
Riverhead Town	3,000	Cash Tree Purchases
Riverhead Town	4,000	In-Kind Scheduled Municipal Watering Services
Riverhead Town	3,000	Cash Contract Watering Services or Additional Trees
Warner's Nursery	9,500	In-Kind Professional Tree Planting Services

Project budget includes the purchase and planting of at least 120 primarily wire and sidewalk-friendly trees, The estimated budget includes the purchase and planting of 2 inch minimum caliper trees (\$150 per tree), watering services and maintenance for one year.

3. Community Involvement

Riverhead Townscape proposes to engage the community in this tree planting project and to educate residents about the benefits of such efforts. In the 2003-2005 planting seasons, Townscape completed the installation and continues to maintain over 300 trees that shade the sidewalks of historic downtown Riverhead. Outreach to the community during that project resulted in cash contributions which equaled nearly ten percent of project costs. Riverhead Townscape intends to conduct similar outreach to the identified hamlet and Sound Avenue communities for the benefit of the proposed project and fully intends to meet or exceed the cost sharing targets achieved in the past. In this regard, all donations from the outreach effort will be used to purchase additional trees (above the 120 tree total proposed in this application) for planting in the target communities. Additionally, many of the trees will be labeled so that pedestrians can identify them by name and as both wire and sidewalk-friendly.

November 8, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 1027

**Classifies Action and Declares Lead Agency on Change of Zone
for 25 Cranberry St. and Refers Petition to the Planning Board**

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

WHEREAS, the Riverhead Town Board is in receipt of a change of zone petition pursuant to Article XVIII of the Town Code from Miguel and Michelle Blanco to impose the provisions of the Professional Business zoning use district to the exclusion of the existing Residence A-40 zoning for the purpose of constructing a 3,000sq.ft. medical office building on a 0.4ac. parcel; such property more particularly described as SCTM 0600-107-2-24.3, and

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

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

WHEREAS, the Riverhead Planning Department has sufficient understanding of the construction to result from the altered zoning to have prepared a staff SEQR report recommending that a negative declaration of significance be rendered on the instant petition, and

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

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declares itself to be the lead agency for the change of zone application of 25 Cranberry St. (Miguel and Michelle Blanco) which it classifies as an Unlisted action, and

BE IT FURTHER

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

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

11/8/06

Adopted

TOWN OF RIVERHEAD

Resolution # 1028

**APPROVES CHAPTER 90 APPLICATION OF
ST. JOHN THE EVANGELIST R.C. CHURCH**

COUNCILMAN DUNLEAVY

offered the following resolution, was seconded by

COUNCILMAN BARTUNEK

WHEREAS, on September 13, 2006, St. John the Evangelist R.C. Church had submitted a Chapter 90 Application for the purpose of conducting a Craft Fair to be held on their property located at 546 St. John's Place, Riverhead, New York on Saturday, December 9, 2006 between the hours of 10:00 a.m. and 4:00 p.m.(set up at 7:30 a.m.); and

WHEREAS, St. John the Evangelist R.C. Church has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

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

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

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

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

RESOLVED that the Chapter 90 Application of St. John the Evangelist R.C. Church for the purpose of conducting a Craft Fair to be held on their property located at 546 St. John's Place, Riverhead, New York on Saturday, December 9, 2006 between the hours of 10:00 a.m. and 4:00 p.m. (set up at 7:30 a.m.) is hereby approved; and be it further

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

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

RESOLVED, that this approval is subject to a fire safety inspection by the Town Fire Marshal prior to the opening of this event to the public. The Riverhead Fire Marshal shall be contacted at least three days in advance at (631) 727-3200 extension 209 for the purpose of scheduling the required inspection appointment; and be it further

RESOLVED, that the Town Board hereby waives the Chapter 90 application fee in connection with this event; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to St. John the Evangelist R.C. Church, 546 St. John's Place, Riverhead, New York, 11901; Bruce Johnson, Fire Marshal; Chief Hegermiller, Riverhead Police Department and the Office of the Town Attorney.

THE VOTE

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

11/8/06

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1029

AUTHORIZES EXTENSION OF TIME TO REMIT REAL PROPERTY TAXES FOR SENIOR CITIZENS RECEIVING ENHANCED STAR PURSUANT TO SECTION 425 OF RPTL

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

WHEREAS, Section 925-b of the Real Property Tax Laws of the State of New York allows an extension of time to pay real property taxes for all residents receiving the Enhanced STAR exemption pursuant to §425; and

WHEREAS, due to a lapse of time between receipt of Social Security checks and the deadline for payment of taxes on May 31; and

WHEREAS, the law allows for an extension of time of up to five business days without penalty or interest; and

WHEREAS, Receiver of Taxes Maryann Wowak Heilbrunn recognizes the need to assist our seniors in the payment of their real property taxes without penalization due to the time lapse between Social Security checks and the May 31 deadline;

THEREFORE, the payment of real property taxes for Enhanced STAR recipients receiving an exemption pursuant to §425 of the New York State Real Property Tax Law is hereby extended to June 7, 2007.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead authorizes the Town Clerk to forward a certified copy of this resolution to Maryann Wowak Heilbrunn, Receiver of Taxes.

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

Tax Receiver-Senior

01/04/06 committed to rules
 01/30/06 reported
 01/30/06 rules report cal.159
 01/30/06 ordered to third reading rules cal.159
 01/30/06 passed assembly
 01/30/06 delivered to senate
 01/30/06 REFERRED TO AGING
 06/15/06 SUBSTITUTED FOR S62
 06/15/06 3RD READING CAL.1366
 06/15/06 PASSED SENATE
 06/15/06 RETURNED TO ASSEMBLY
 07/14/06 delivered to governor
 07/26/06 signed chap.161

SUMMARY:

LARKIN
 Amd S925-b, RPT L
 Authorizes a five day extension to pay real property taxes for senior citizens granted a STAR exemption if the locality so provides by resolution, duly adopted.

BILL TEXT:

STATE OF NEW YORK

62.

2005-2006 Regular Sessions

IN SENATE

(Prefiled)

January 5, 2005

Introduced by Sen. LARKIN -- read twice and ordered printed, and when printed to be committed to the Committee on Aging

AN ACT to amend the real property tax law, in relation to extensions available to persons sixty-five years of age or over

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. Section 925-b of the real property tax law, as amended by
- 2 section 10 of part B of chapter 389 of the laws of 1997, is amended to
- 3 read as follows:
- 4 § 925-B. Extension; certain persons sixty-five years of age or over.
- 5 Notwithstanding any contrary provision of this chapter, or any general,
- 6 special or local law, code or charter, the governing body of a municipal
- 7 corporation other than a county may, by resolution adopted prior to the
- 8 levy of any taxes on real property located within such municipal corpo-
- 9 ration, authorize an extension of no more than five business days for
- 10 the payment of taxes without interest or penalty to any resident of such
- 11 municipal corporation who has received an exemption pursuant to subdivi-

12 sion four of section four hundred twenty-five or four hundred sixty-sev-
 13 en of this chapter related to a principal residence located within such
 14 municipal corporation. If such an extension is granted, and any taxes
 15 are not paid by the final date so provided, those taxes shall be subject
 16 to the same interest and penalties that would have applied if no exten-
 17 sion had been granted.
 18 § 2. This act shall take effect immediately.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets
 [-] is old law to be omitted.

LBD00604-01-5

SPONSORS MEMO:

**NEW YORK STATE SENATE
 INTRODUCER'S MEMORANDUM IN SUPPORT
 submitted in accordance with Senate Rule VI. Sec 1**

BILL NUMBER: S62**SPONSOR:** LARKIN

TITLE OF BILL: An act to amend the real property tax law, in relation
 to extensions available to persons sixty-five years of age or over

PURPOSE OR GENERAL IDEA OF BILL: Authorizes a five day extension to
 pay real property taxes for senior citizens granted a senior enhanced
 STAR exemption if the locality so provides.

SUMMARY OF SPECIFIC PROVISIONS: Section 925-b of the real property
 tax law is amended to grant senior citizens eligible to receive the
 enhanced senior STAR exemption the ability to receive a five day exten-
 sion on the payment of real property taxes with a local option.

JUSTIFICATION: This legislation will extend the present provisions
 for payment of taxes within five days of their due date without penalty
 to seniors receiving the senior enhanced STAR exemption if a locality so
 provides. Many seniors who rely upon Social Security benefits as their
 sole means of income find it difficult to make their property tax
 payments on the first of the month because of the delay in receiving
 their retirement checks. This legislation will allow for localities to
 extend the time period within which these individuals may pay their real
 property taxes by up to five days in order to allow sufficient time for
 them to have received their Social Security.

LEGISLATIVE HISTORY:

999-2000 S.2888 Advanced to third reading
 999-2000 A.5202 Died in Ways and Means
 997-1998 A.9380 Died in Ways and Means
 .3405 of 2001
 .1814 of 2003/2004

[tp://public.leginfo.state.ny.us/bstfrmf.cgi](http://public.leginfo.state.ny.us/bstfrmf.cgi)

9/21/2006

§ 425

EXEMPTIONS

Art. 4

in the manner provided for the purposes of owned by a cooperat- stockholder of such his or her share or ed by its or their stock of the corpo- shall be deemed to

al property owned ed by the relation- stockholder to such such cooperative older resides shall o this section and appropriate taxing d property. Upon on thereafter as is erative apartment on attributable to in real property r shall be credited e amount of such nant-stockholder.

ue of a trailer or t of the land on division twelve of rovisions of this

so owns the land, is section in the

does not own the this section only. he portion of the or mobile home; t to this section. l assessed value, exemption shall be, ast the assessed; final assessment; or shall forward

PRIVATE PROPERTY

Title 2

to the landowner a statement setting forth the exemption attributable to each eligible trailer or mobile home. The reduction in real property taxes attributable to each eligible trailer or mobile home shall be credited by the landowner against the rent payable on account of such trailer or mobile home, subject to the provisions of subdivision w of section two hundred thirty-three of the real property law.

3. Eligibility requirements. (a) Property use. To qualify for exemption pursuant to this section, the property must be a one, two or three family residence, a farm dwelling or residential property held in condominium or cooperative form of ownership. The exemption may be granted to property that is used for such purposes even if it is partially used for other purposes as well, provided that the eligibility requirements are otherwise satisfied.

(b) Primary residence. The property must serve as the primary residence of one or more of the owners thereof.

(c) Trusts. If legal title to the property is held by one or more trustees, the beneficial owner or owners shall be deemed to own the property for purposes of this subdivision.

4. Senior citizens. The enhanced exemption for property owned by senior citizens shall be provided where all of the following requirements are satisfied:

(a) Age. (i) All of the owners must be at least sixty-five years of age or older as of the date specified herein, or in the case of property owned by husband and wife or by siblings, one of the owners must be at least sixty-five years of age as of that date. For the two thousand—two thousand one school year, eligibility for the exemption shall be based upon age as of December thirty-first, two thousand. For each subsequent school year, the applicable date shall be advanced by one year.

(ii) The term "siblings" as used herein shall have the same meaning as set forth in section four hundred sixty-seven of this article.

(iii) In the case of property owned by husband and wife, one of whom is sixty-five years of age or over, the exemption, once granted, shall not be rescinded solely because of the death of the older spouse so long as the surviving spouse is at least sixty-two years of age as of the date specified in this paragraph.

(b) Income. (i) The combined income of all of the owners, and of any owners' spouses residing on the premises, for the income tax year immediately preceding the date of making application for the exemption may not exceed sixty thousand dollars.

11/8/06

Adopted

TOWN OF RIVERHEAD

Resolution # 1030

**APPROVES EXTENSION OF PERFORMANCE BOND OF RIVERHEAD
SOUND ASSOCIATES, LLC A/K/A "AQUEBOGUE GOLF RESORTS"
(ROAD AND DRAINAGE IMPROVEMENTS)**

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

WHEREAS, the Riverhead Town Board, by Resolution #30 adopted on January 6, 2004, did accept a performance bond in the amount of \$1,910,000.00 representing road and drainage improvements to be completed in the subdivision entitled, "Aquebogue Golf Resorts"; and

WHEREAS, by letter from Peter S. Danowski, Jr., Esq., attorney for Riverhead Sound Associates, LLC, it has been requested that an extension be granted for the performance bond representing the road and drainage improvements to be completed within the subdivision; and

WHEREAS, Water Key Money in the amount of \$135,000.00, Park and Recreation Fees in the amount of \$243,000.00 and Engineer Fees in the amount of \$82,600.00 have been paid.

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

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

RESOLVED, that this extension shall extend the performance bond representing the road and drainage improvements to be completed within the subdivision to June 4, 2007; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., 616 Roanoke Avenue, P.O. Box 779, Riverhead, New York, 11901; International Fidelity Insurance Company,

One Newark Center, 20th Floor, Newark, New Jersey, 07102; the Planning Board; the Planning Department; the Building Department; the Office of Accounting and the Town Attorney's Office.

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

11/8/06

Adopted

**RATIFIES NEW DATE OF PUBLIC HEARING
EXTENSION NO. 71, COUNTRY TRAILS
RIVERHEAD WATER DISTRICT**

Resolution #1031

Adopted _____

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

WHEREAS, this Town Board by resolution adopted October 3, 2006, did authorize the Town Clerk to publish and post a Notice of Public Hearing for Extension No. 71 of the Riverhead Water District, Country Trails, and

WHEREAS, the notice of public hearing was not published in the newspaper, and

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes the Town Clerk to publish and post the Notice of Public Hearing as adopted on October 3, 2006, calling for a public hearing on November 21, 2006, at 7:25 p.m., and all other terms and conditions of said resolution as adopted on October 3, 2006, are hereby ratified as though fully set forth at length herein, and be it further

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

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

THE VOTE

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

11/8/06

Adopted

**ORDER ESTABLISHING LATERAL WATER MAIN
RIVERHEAD WATER DISTRICT
FEDUN ESTATES, GORDON BOULEVARD**

Resolution # 1032

Adopted _____

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

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

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

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

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

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

WHEREAS, the Town Board held a public hearing on the 3rd day of October, 2006, wherein all persons wishing to be heard were heard,

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead as governing body of the Riverhead Water District, hereby approves the lateral water main of Fedun Estates, subject to the following conditions:

1. The applicant has posted a bond or secured a letter of credit issued by a commercial banking institution, doing business in the Town of Riverhead, in the form satisfactory to counsel to the Water District, in the amount of \$70,000 which is equal to \$2,500 key money for each dwelling unit within the proposed subdivision. Said \$2,500 to be paid upon the earlier of the happening of two events: (a) an application for a certificate of occupancy; (b) two years from the date hereof;

2. The applicant has posted a bond or secured a letter of credit issued by a commercial banking institution, doing business in the Town of Riverhead, in the form satisfactory to counsel to the Water District, in the amount of \$192,000;

3. A grant of a sub-surface easement to the Riverhead Water District covering all locations of the proposed water main installation; and be it further

RESOLVED, that the bid contemplated herein shall not be awarded unless approved by the petitioner or his successors in title, and be it further

RESOLVED, that the terms and conditions of this order shall be accepted and agreed to by the petitioner owner whose consent shall be duly acknowledged and shall be binding on the heirs and assigns of the petitioner and shall run with the land and be it further

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

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

Dated: November 8, 2006
Riverhead, NY

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

11/8/06

Adopted

ORDER ESTABLISHING
EXTENSION No. 87
RIVERHEAD WATER DISTRICT
DEMCHUK ESTATES

Resolution # 1033

Adopted _____

COUNCILMAN DENSIESKI
Councilperson _____ offered the following resolution which
was seconded by Councilperson **COUNCILWOMAN BLASS** _____.

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

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

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

WHEREAS, key money will be assessed at the rate of \$2,500 per single family dwelling unit to cover the cost of constructing capital improvement facilities, for a total amount of \$25,000, and

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

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**

WHEREAS, the Town Board called a public hearing for October 3, 2006, which hearing was held and all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board, upon the proceeding and record of the hearing had herein, determines that the extension to the Riverhead Water District to be known as Extension No. 87 as shown on Exhibit A attached is in the best interest of the District and will benefit the property to be served, and

BE IT FURTHER RESOLVED, that the Town Board determines that the installation of the water mains and appurtenances is a Type II action pursuant to the State Environmental Quality Review Act which will not have a significant impact upon the environment, and

BE IT FURTHER RESOLVED, that this extension is conditioned and shall not become effective until the conditions contained herein are complied with, and

BE IT FURTHER RESOLVED, that the cost of the installation of the extension is \$86,000, all being constructed subject to the following conditions:

1. The owners grant a permanent, unobstructed subsurface easement for the installation and maintenance of water mains and appurtenances within the proposed extension;

2. The developer will deposit cash, bank or certified check with the Town of Riverhead prior to the award of the bid covering the cost of construction in the amount of \$86,000, before this resolution shall become a final order. After the deposit of all costs in the aforesaid amount, the Clerk shall certify this resolution as a final order and cause the same to be recorded and filed as set forth below; and

3. Key money will be assessed by new connections, which will be owed at Certificate of Occupancy for any new construction within the District as extended;

4. That the petitioner execute an acknowledgement evidencing their acceptance of the terms and conditions of this resolution and agree to be bound by it before it shall become effective; such acknowledgement to be filed with the Town Clerk and

BE IT FURTHER RESOLVED, that when the conditions call for herein have been completed, the town Clerk shall cause of a copy of this order to be recorded in the Office of the clerk of Suffolk county and filed with the New York State Comptroller, and

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

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

EXHIBIT "A"

RIVERHEAD WATER DISTRICT

PROPOSED EXTENSION NO. 87

DEMCHUK ESTATES

DESCRIPTION OF EXTENSION

JUNE 2006

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

to the said POINT OF BEGINNING.

END OF DESCRIPTION

x:\rdwd (riverhead water district) - 108100651 - demchuk estates_water mains\report\exhibit a.doc

11/08/06

Adopted

TOWN OF RIVERHEAD

Resolution # 1034

**GRANTS EXCAVATION PERMIT AS PROVIDED BY CHAPTER 62 TO
BROWNING HOTEL, LLC. PHASE ONE**

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

WHEREAS, Lee Browning Sr., Browning Hotel Properties, LLC, owners of the of the subject property located at Old Country Road, Route 58, Riverhead, NY, Suffolk County tax map number, 600-118-2-2 & 3, and

WHEREAS, the owners have petitioned the Town Board for site plan approval to allow the exportation of 52,375 Cubic yards of soils for the construction of a hotel as depicted on a site plan prepared by Eshwar Kosuri, dated August 15, 2005, depicted as Phase one, and

WHEREAS, the owner has applied to the Building Inspector and the Town Board for an Excavation permit pursuant to Chapter 62 of the Town Code of the Town of Riverhead; to commence site work at the subject property in accordance with their approved site plan as provided by Resolution 855 dated September 19, 2006 and

WHEREAS, the applicant's engineer, Eshwar Kosuri, P.E., has submitted an excavation/grading plan indicating a total of 52,375 cubic yards of soil to be exported, and such removal of material will be supported by a manifest from the owners and approved by the Town of Riverhead Engineer and Building Department, and

WHEREAS, the Town Board has reviewed the application for excavation permit and has determined same is in compliance with the requirements of Chapter 62 in all respects, and

NOW, THEREFORE, BE IT

RESOLVED, that based upon the foregoing, the Town Board hereby grants the excavation permit requested by the applicant, such excavation permit authorizing the exportation of not more than 52,375 total cubic yards of soils in accordance with the permit application and calculations of Eshwar Kosuri, P.E., pursuant to a notation on the site plan prepared by Kosuri Engineering, P.C. and dated August 17, 2006, and be it further,

RESOLVED, the Building Department is hereby authorized to accept fees in the amount of \$ 104,750.00 dollars representing \$2.00 per cubic yard for the soils to be exported, be it further,

RESOLVED, that the excavation permit is conditioned upon specified hours of operation, between the hours of 7:00 a.m. and 5:00 p.m. Monday through Saturday only, be it further,

RESOLVED, the applicant grants permission to the Town of Riverhead to randomly oversee the exportation of said soils and to enter the site to perform soil boring tests, if necessary, during the construction of the said project, be it further,

RESOLVED, the owner is responsible for all expenses incurred by the Town of Riverhead to enforce all of the provisions of this permit and the Riverhead Town Code, and be it further,

RESOLVED, that upon conclusion of the excavation operations that the applicant's engineer will provide certification to the building department confirming the total amount of soils removed from the property, and be it further

RESOLVED, that all other provisions of Chapter 62 being hereby waived pursuant to Chapter 62.5, and be it further,

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Lee Browning Sr., Browning Hotel Properties, LLC, 5000 Express Dr. South, Ronkonkoma, NY 11779, the Riverhead Planning Department, The Riverhead Accounting Department, The Riverhead Town Engineer, and the Riverhead Building Department.

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

11/8/06

Adopted

TOWN OF RIVERHEAD

Resolution # 1035

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT OF CHAPTER 101 (VEHICLES & TRAFFIC) OF THE RIVERHEAD TOWN CODE (101-9. Installation and maintenance.)

COUNCILMAN DUNLEAVY offered the following resolution,

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

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 consider the amendment of Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code, once in the November 16, 2006 issue of the News Review, 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 Kenneth Testa, P.E., Town Engineer; Riverhead Police Department; the Riverhead Highway Department and the Office of the Town Attorney.

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 21st day of November, 2006 at 7:30 o'clock p.m. to consider a local law amending Chapter 101 "Vehicles and Traffic" of the Riverhead Town Code as follows:

**ARTICLE IV
Traffic Control Signals**

§101-9. Installation and maintenance.

Pursuant to authority granted by §1660 of the Vehicle and Traffic Law, traffic control signals shall be installed, maintained and operated at the following intersections and other locations:

Intersections

Riley Avenue and Donna Drive (extension)

Dated: Riverhead, New York
November 8, 2006

BY ORDER OF THE BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)

11/8/06

Adopted

**AUTHORIZES SUPERVISOR TO EXECUTE
CONSENT TO CONTRACT ASSIGNMENT
NORTH STAR WASTE LLC WITH RESIDUALS MANAGEMENT
SERVICES, INC.
RIVERHEAD SEWER DISTRICT**

Resoluiton #1036

Adopted _____

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

RESOLVED, that the Supervisor be and is hereby authorized to execute the attached Consent to Contract Assignment whereby North Star Waste LLC and Residuals Management Services, Inc. have entered into an Asset Purchase Agreement whereby North Star agrees to sells its RGM Earthcare Division to Residual Management Services, and be it further

RESOLVED, that the Town Clerk shall forward certified copies of this resolution to the Riverhead Sewer District, H2M, Accounting Department, and Frank Isler, Esq.

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

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

**EarthCare**

North Star Waste Company

Dear Town of Riverhead,

We consider it a privilege to count you among the number of our valued customers. It has been and continues to be our goal to provide you with excellent service, on time response and the most experienced team of technicians in the business.

I am writing today to inform you of a pending change in our corporate structure. Our current owner, North Star Waste, LLC has entered into an agreement to sell its RGM Earthcare Division in Deer Park to Residual Management Services, a liquid waste company serving the tri-state and lower New England markets.

We are excited to be joining Residual's team and look forward to the opportunities this provides us to expand and improve service to our customers. We want you to know that this change in ownership will have absolutely no negative effect on our ability to continue to provide you with best in class service. On the contrary, we trust that you will be pleased with the improvements we are able to make.

Our current contract with Town of Riverhead requires notification and written approval before the contract can be assigned. Please accept this letter as formal notification of a pending change in ownership of RGM / Earthcare and a request for assignment of the contract from North Star Waste, LLC to our new owner Residual Management Services. A form affirming your approval of that assignment is included with this letter.

Even as I submit this request for assignment, let me reemphasize that this is a change in ownership. The team that has been providing your service will continue to do so with the backing of a strong corporate partner in Residual Management Services.

Thank you again for the opportunity to serve the Town of Riverhead.

Best Regards,

A handwritten signature in black ink, appearing to read "Robert T. McInerney".

Bob McInerney
Division Manager
North Star Waste LLC

NORTH STAR WASTE, LLC

To Whom It May Concern:

This letter is to confirm that North Star Waste, LLC has entered into an agreement to sell its RGM Earthcare Division to Residual Management Services pending completion of all required filings and approvals.

If you have questions regarding this transaction, feel free to contact me.



Kevin L. Cash
President, North Star Waste, LLC



EarthCare
North Star Waste Company

10-11-06

Kevin Cash
Chief Executive Officer
North Star Waste, LLC
4717 South Cobb Drive, Suite 100
Smyrna, Georgia 30080

Ross M. Patten
President
Residuals Management Services, Inc.
c/o Centre Environmental Partners, Inc.
30 Rockefeller Plaza, Suite 5050
New York, NY 10020

Re: Consent to Contract Assignment

Gentlemen:

The undersigned understands that North Star Waste, LLC ("North Star") and Residuals Management Services, Inc. ("RMS") have entered into an Asset Purchase Agreement which provides for North Star's sale of certain of its assets to RMS, including the assignment to RMS of North Star's contract with the undersigned (_____ between North Star and _____ dated _____) (the "Contract"). The undersigned consents to the assignment and transfer of the Contract by North Star to RMS in connection with the closing of such sale.

By: _____
Name: _____
Title: _____
Date: _____

November 8, 2006

Adopted

TOWN OF RIVERHEAD
Resolution # 1037

APPROVES TEMPORARY SIGN PERMIT OF POTTERY BARN ANNEX

COUNCILMAN DENSIESKI

offered the following resolution, which was seconded by

COUNCILWOMAN BLASS

WHEREAS, a temporary sign permit and sketch were submitted by Williams Sonoma, Inc. for Pottery Barn Annex located at Suite 1101, Tanger Outlet, 1947 Old Country Road, Riverhead, New York also known as SCTM# 119.00-01-038.01 and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the temporary sign permit application for Pottery Barn Annex submitted by Williams Sonoma Inc. for and be it

RESOLVED, that said temporary sign permit shall expire on February 8, 2007 and the applicant shall removed the affected sign, in its entirety, on or before said date; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Williams Sonoma, Inc. Att: Elias Shanab, 151 Union Street, San Francisco, CA 94117, the Planning Department, Code Enforcement Division and the Building Department.

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

The Resolution Is Is Not
Declared Duly Adopted



APPLICATION FOR SIGN PERMIT

Town of Riverhead
Suffolk County, New York

Ver. 1.02
10-24-05

Fee \$ 100- Receipt No. 34120 Application No. 36122 Date Granted 1/1
 Date Denied 1/1 ZB No. 31348 Date Permit Issued 1/1
 Board of Appeals No. _____ Date Approved or Denied 1/1
 SCTM # 119-1-381 Inspector's Approval _____

All information BELOW to be filled out by APPLICANT: A PERMIT MUST BE OBTAINED BEFORE BEGINNING WORK. This Application is to be submitted ACCOMPANIED by BUILDING PLANS DRAWN TO SCALE IN DUPLICATE.

THE OWNER OF THE PROPERTY IS: (PLEASE PRINT CLEARLY) **TANGER PROPERTIES LIMITED PARTNERSHIP**

First Name _____ Last Name _____ or Business Name _____
 Phone Number (631) 369-2736 Fax Number (631) 369-2732 Cellular Number _____
 Street No. _____ Street Name TANGER DRIVE #1101 RIVERHEAD Town _____ State NY Zip 11901
 Mailing Address (If different from property location): _____

The person responsible for the supervision of the work insofar as the Building Code and the Zoning Ordinance apply is: CONTACT PERSON (if different from owner) **WILLIAMS SONDMA, INC**

First Name ELIAS ABU SHANAB Last Name _____ or Business Name _____
 Street No. 151 Street Name UNION ST Town SAN FRANCISCO State CA Zip 94117
 Phone Number (415) 402-5056 Fax Number (415) 402-5033 Cellular Number _____

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

Location of Sign: TANGER 2 SUITE #1101 (FORMER MIKASA) If offsite, check box

If offsite, has permission been obtained from property owner, if other than the applicant, upon which the sign is to be erected? _____

Use District: MFO Sign Area (Sq. Ft.): _____ Height of Sign: _____

Below, please choose all that apply:

<input type="checkbox"/> New	<input type="checkbox"/> Altered	<input type="checkbox"/> Permanent	<input checked="" type="checkbox"/> Temporary
<input type="checkbox"/> Lighted	<input checked="" type="checkbox"/> Single Face	<input type="checkbox"/> Double Faced	<input type="checkbox"/> Attached To Building
<input type="checkbox"/> Facial (Painted or Affixed)	<input type="checkbox"/> Independent Construction	<input checked="" type="checkbox"/> Advertising	<input type="checkbox"/> Business

Materials to be used: FOAM LIGHTWEIGHT LETTERS ON FOAM BACKGROUND

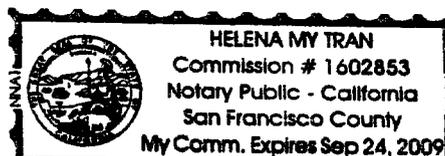
Name of Applicant Michele Skelton has submitted papers for a sign permit, dated 10/23/2006
Date of Submission

NO SIGN CAN BE ERECTED UNTIL THE TOWN BOARD APPROVAL IS OBTAINED AND A SIGN PERMIT IS ISSUED. IT IS ADVISABLE NOT TO ORDER YOUR SIGN UNTIL ALL APPROVALS ARE OBTAINED.

Sworn to me before this 26th day
of October, 2006

Sign [Signature]
Signature of Owner or Applicant

[Signature]
Notary Public



7582212322



550 KEARNY STREET SUITE 710 / SAN FRANCISCO CALIFORNIA 94108
TEL 415.288.8150 / FAX 415.288.8181 / WWW.MCCALDESIGN.COM

To: Ms. Sharon Klos FROM: Homer Perez
COMPANY: Riverhead Building Dept. VIA: Fedex Overnight
SUBJECT: Sign Permit Materials for Suite #1101 DATE: October 20, 2006
Pottery Barn Outlet Annex
PROJECT NUMBER: 206473

ENCLOSED:

List of colors and materials for temp sign at Suite #1101

TRANSMITTAL

REMARKS:

Color number for sign: PMS Black

List of materials for sign: foam
lexan
adhesive

DISTRIBUTION:

Melissa Jones, WSI
Tom Thuman, WSI
Elias Abu Shanab, WSI
File

2006 NOV 1 AM 8 43

STATE OF NEW YORK
COUNTY OF SUFFOLK

LICENSE AGREEMENT
RIVERHEAD, NEW YORK

This License Agreement (the "Agreement") is made ^{effective} this 2nd day of October, 2006 by and between **Tanger Properties Limited Partnership**, a North Carolina limited partnership ("Licensor") having a mailing address of 3200 Northline Avenue, Suite 360, Greensboro, North Carolina 27408 and **WILLIAMS-SONOMA STORES, INC.**, ("Licensee") a California corporation having an address of 3250 Van Ness Avenue, San Francisco, California, 94109, doing business as under the permitted tradename as set forth in the Data Summary.

1. **LICENSE.** Licensor hereby grants to Licensee a temporary license (the "License") to use and occupy the Unit Number set forth in the Data Summary consisting of approximately 13,000 square feet of retail space (the "Premises") in the Tanger Outlet Center located in the city and state identified in the Data Summary (the "Shopping Center"), in accordance with the terms and conditions of this Agreement.

2. **TERM.** The term of this Agreement will commence on the earlier to occur of (i) the date fifteen (15) days after the date the Premises is delivered to Licensee or (ii) the date Licensee opens the Premises for business to the public, and shall continue for a period of time as stated in the Data Summary, unless earlier terminated in accordance with the terms hereof. Licensee shall pay all costs in connection with opening the Premises for business to the public. During the term of this License Agreement, and subject to all reasonable rules and regulations of Licensor, Licensee, its employees and agents shall be entitled to the non-exclusive use of the parking areas, driveways and walkways within the Site as such exist from time to time.

2006 NOV 1 AM 8 43



STATE OF NEW YORK
COUNTY OF SUFFOLK

LICENSE AGREEMENT
RIVERHEAD, NEW YORK

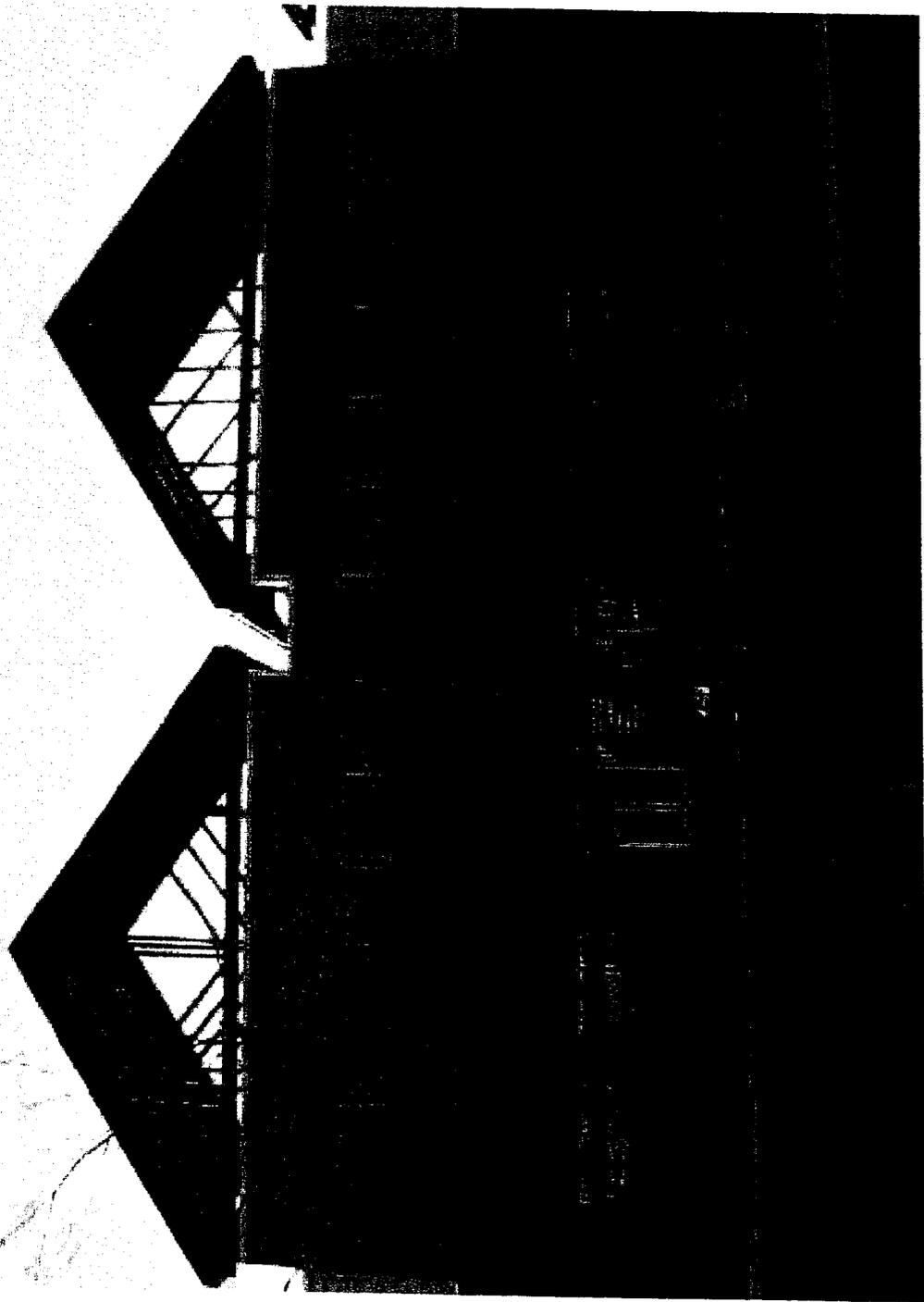
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2006 NOV 1 AM 8 43



2006 NOV 1 AM 8 43



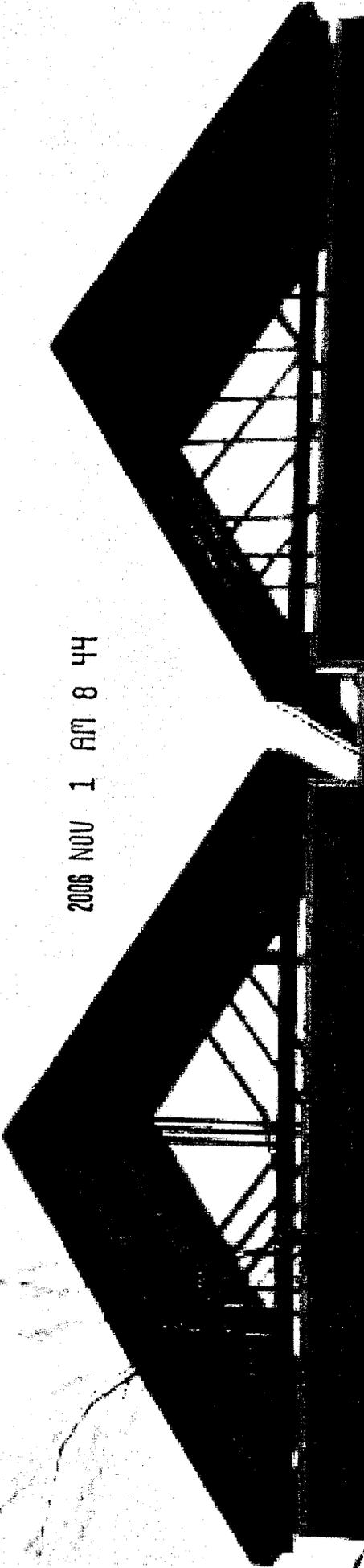
PBOT Riverhead Annex
Tanger Factory Outlets - Riverhead, NY
10.24.06

POTTERY BARN
OUTLET

Macall Design Group
550 BROAD ST. SUITE 110
SAN FRANCISCO, CA 94108
P: 415.268.8181



2006 NOV 1 AM 8 44



Adopted

TOWN OF RIVERHEAD

Resolution # 1038

APPROVES SPECIAL USE PERMIT PETITION OF JAMES BLAKENEY

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

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit petition from James Blakeney to allow a two family dwelling on real property located at Middle Country Road, Calverton, New York; such property more particularly described as Suffolk County Tax Map Number 0600-97.00-02.00-27.000, and

WHEREAS, by resolution number 788, adopted on August 15, 2006, the Riverhead Town board did determine the action to be Type II pursuant to 6NYCRR Part 617 without requiring a report and recommendation on the petition from the Riverhead Planning Board for, and

WHEREAS, the petition was referred to the Suffolk County Planning Commission pursuant to Section A 14-14 to 23 of the Suffolk County Administrative Code; such Planning Commission determining the matter to be one of local determination, and

WHEREAS, a public hearing was duly posted and held on Wednesday, October 17, 2006,

WHEREAS, the Riverhead Town Board has carefully considered the merits of the Special Use Permit, the SEQRA record created to date, the commentary made at the relevant public hearing as well as the pertinent planning, zoning and environmental information, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby approves the Special Use Permit of James Blakeney to allow a two-family residence subject to the condition that no Building or Use Permit shall be issued prior to the recording of a covenant to the satisfaction of the Town Attorney requiring that the owner of the premises occupy one of the dwelling units.

THE VOTE
Dunleavy yes ___ no Bartunek yes ___ no
Blass yes ___ no Denisieski yes ___ no
Cardinale yes ___ no
THE RESOLUTION ~~WAS~~ WAS NOT
THEREFORE DULY ADOPTED

November 8, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 1039

AUTHORIZES AMERICAN SITE RESTORATION, INC. TO PERFORM
EMERGENCY WORK TOWN YARD WASTE FACILITY

COUNCILMAN DENSIESKI

_____ offered the following resolution was

seconded by COUNCILWOMAN BLASS _____ :

WHEREAS, the Town of Riverhead had Grimes Contracting handling the Town's Yard Waste facility, and

WHEREAS, the Town has terminated its contract with Grimes Contracting, and

WHEREAS, the DEC has determined that an emergency has arisen due to the accumulation of yard waste at the facility and has directed that the Town remove the accumulated waste or face DEC violations, and

WHEREAS, General Municipal Law §103(4) when a public emergency arising out of an accident or other unforeseen occurrence which requires immediate action which cannot await competitive bidding contracts for work may be let by the appropriate board

NOW, THEREFORE

BE IT HEREBY RESOLVED, that the Town of Riverhead has retained American Site Restoration to complete the removal of accumulated yard waste as directed by the DEC, and be it further

RESOLVED, that the yard waste removed will total 2000 cubic yards with the cost of removal being \$7.00 per cubic yard for a total cost not to exceed \$14,000.00, and be it further

RESOLVED, that the Riverhead Town Board hereby authorizes the Supervisor to execute the voucher for payment of work to be done by American Site Restoration; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the American Site Restoration, the

Town Engineer, Sanitation, the Office of the Town Attorney and the Office of Accounting

THE VOTE
Dunleavy yes ___ no Bartunek yes ___ no
Blass yes ___ no Dehsieski yes ___ no
Cardinale yes ___ no
THE RESOLUTION ~~X~~ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

Town of Riverhead

Adopted

Resolution # 1040

AUTHORIZES SHIFT OF OPERATION INTO AN EMPIRE ZONE

Councilwoman Blass offered the following resolution, which was seconded by Councilman Densieski.

WHEREAS: North Shore Components, Inc. is a distributor of electronic components, created in a 300 square foot basement office in the Town of Brookhaven, hamlet of Rocky Point in 2001 and most recently in the Town of Riverhead from 2003 to the present; and

WHEREAS: North Shore Components, Inc. is currently leasing a 2,500 square foot facility at 100 Kroemer Avenue and employs approximately 6 people, some of which are residents of the Town of Riverhead; and

WHEREAS: It is the company's intent to expand its business activity, purchase and operate its own facility; and

WHEREAS: The company attempted to build its own facility in the Town of Riverhead, but could not find a suitable building site that met its physical needs and stayed within its construction budget; and

WHEREAS: North Shore Components, Inc. considered relocating to another state, prior to finding a location within the Town of Brookhaven Empire Zone (EZ) that would allow it to construct a facility within its construction budget and foster the growth of the company in the State of New York; and

WHEREAS: The proposal from within the Town of Brookhaven EZ allows North Shore Components, Inc. to remain in New York State in close proximity to the Town of Riverhead residents; and

WHEREAS: The Town of Riverhead Town Board has heard public comments that extraordinary circumstances existed to warrant the relocation of North Shore Components to Sawgrass Avenue, Bellport within the Town of Brookhaven EZ; and

WHEREAS: State law requires the current municipality, that being the Town of Riverhead, to consent to the intended relocation into an Empire Zone in order for North Shore Components, Inc. to enjoy benefits of the Empire Zone program allowing for its projected business expansion; and

NOW, THEREFORE BE IT HEREBY RESOLVED, that the Town of Riverhead consents to the relocation of North Shore Components, Inc. into the Town of Brookhaven Empire Zone,

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

THEREFORE BE IT FURTHER RESOLVED, that the Town Clerk provide a certified copy of this resolution to Randy Coburn, Director of the Empire Zone Program, Tracy Stark, Empire Zone Coordinator, Anthony Figliola, Town of Brookhaven Empire Zone Coordinator, and Joseph Ruggiero, VP North Shore Components.

Adopted

AUTHORIZES SHIFT OF OPERATION INTO AN EMPIRE ZONE

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

WHEREAS, the Town of Riverhead, as an eligible municipality in conjunction with the County of Suffolk, received designation of an Economic Development Zone now known as the Empire Zone; and

WHEREAS, said zone currently is comprised of sub zones including a portion of Town of Riverhead, of which 1137 credits/acres are located in Calverton; and

WHEREAS, Riverhead Building Supply Corp. and its related entity Riveredge, LLC are currently located at 1295 Pulaski Street, Riverhead NY, outside of the empire zone boundaries; and

WHEREAS, Riverhead Building Supply Corp. and its related entities currently employ approximately 200 full time people at their Riverhead facilities, including residents of the Town of Riverhead in Suffolk County, and

WHEREAS, Riverhead Building Supply Corp. has demonstrated their capabilities to become a dominant player in their industry by steadily growing revenues to over \$200,000,000. since 1971; and

WHEREAS, it is the company's' intent to further expand its business activity within Riverhead; and

WHEREAS, Riverhead Building Supply's relocation to 1407 Grumman Boulevard within the Suffolk County/Town of Riverhead Empire Zone in Calverton will provide Empire Zone benefits that will foster the growth of the company and allow for its projected expansion; and

WHEREAS, the new location of the company will allow for both the continued employment of the residents of the Town of Riverhead and create additional jobs that would be open to Riverhead residents, and

WHEREAS, Riverhead Building Supply Corp. will be making a significant capital investment within the Town of Riverhead, and

WHEREAS, New York State law requires that the Town of Riverhead consent to a shift of operations into the zone in order for a company to enjoy the benefits of the Suffolk County/Town of Riverhead Empire Zone,

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town of Riverhead consents to the relocation of Riverhead Building Supply Corp. and its related entities into the Suffolk County/Town of Riverhead Empire Zone,

THEREFORE BE IT FURTHER RESOLVED, that the Town Clerk provide a certified copy of this resolution to Randy Coburn, Director of Empire State Development, Tracy Stark, Empire Zone Coordinator, and Bobby Goodale of Riverhead Building Supply.

	THE VOTE			THE VOTE	
THE VOTE	Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Bartunek	<input checked="" type="checkbox"/> yes
	Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Densieski	<input checked="" type="checkbox"/> yes
				Cardinale	<input checked="" type="checkbox"/> yes
					<input type="checkbox"/> no
	THE RESOLUTION <input checked="" type="checkbox"/> WAS <input type="checkbox"/> WAS NOT				
	THEREFORE DULY ADOPTED				

Adopted

RESOLUTION # 1042		ABSTRACT #06-41 October 19, 2006 (TBM 11/8/06)			
COUNCILMAN BARTUNEK		offered the following Resolution which was seconded by			
COUNCILMAN DENSIESKI					
FUND NAME		CD - None	CHECKRUN TOTALS	GRAND TOTALS	
GENERAL FUND	1	\$ 7,000,000.00	\$ 376,225.33	\$ 7,376,225.33	
POLICE ATHLETIC LEAGUE	4	\$ 21,000.00	\$ 4,432.70	\$ 25,432.70	
TEEN CENTER	5	\$ 15,000.00		\$ 15,000.00	
RECREATION PROGRAM FUND	6	\$ 220,000.00	\$ 762.50	\$ 220,762.50	
SITE COUNCIL	7	\$ 6,000.00		\$ 6,000.00	
DARE	8	\$ 3,000.00		\$ 3,000.00	
CHILD CARE CENTER BUILDING FUN	9	\$ 140,000.00	\$ 48.69	\$ 140,048.69	
TN BOARD SPECIAL PROGRAM	24	\$ 100,000.00		\$ 100,000.00	
YOUTH COURT SCHOLARSHIP FUND	25		\$ 200.00	\$ 200.00	
SENIOR DAYCARE BUILDING FUND	27	\$ 20,000.00		\$ 20,000.00	
ANIMAL SPAY & NEUTERING PROGRA	29		\$ 40.00	\$ 40.00	
ECONOMIC DEVELOPMENT ZONE FUND	30	\$ 60,000.00	\$ 50.32	\$ 60,050.32	
HIGHWAY FUND	111	\$ 2,100,000.00	\$ 10,871.82	\$ 2,110,871.82	
WATER DISTRICT	112	\$ 1,100,000.00	\$ 7,180.21	\$ 1,107,180.21	
REPAIR & MAINTENANCE	113	\$ 1,015,000.00		\$ 1,015,000.00	
RIVERHEAD SEWER DISTRICT	114	\$ 2,250,000.00	\$ 530.53	\$ 2,250,530.53	
REFUSE & GARBAGE COLLECTION DI	115	\$ 1,235,000.00	\$ 309,065.94	\$ 1,544,065.94	
STREET LIGHTING DISTRICT	116	\$ 580,000.00	\$ 80.87	\$ 580,080.87	
PUBLIC PARKING	117	\$ 88,000.00		\$ 88,000.00	
BUSINESS IMPROVEMENT DISTRICT	118	\$ 10,000.00	\$ 116.67	\$ 10,116.67	
AMBULANCE DISTRICT	120	\$ 200,000.00	\$ 109.49	\$ 200,109.49	
EAST CREEK DOCKING	122	\$ 84,000.00		\$ 84,000.00	
CALVERTON SEWER DISTRICT	124	\$ 195,000.00	\$ 25.05	\$ 195,025.05	
RIVERHEAD SCAVANGER WASTE DIST	128	\$ 1,250,000.00	\$ 106.71	\$ 1,250,106.71	
SEWER DISTRICT FUND	130	\$ 385,000.00		\$ 385,000.00	
WORKERS' COMPENSATION FUND	173	\$ 1,025,000.00	\$ 27,986.44	\$ 1,052,986.44	
RISK RETENTION FUND	175	\$ 40,000.00	\$ 5,308.51	\$ 45,308.51	
UNEMPLOYMENT INSURANCE RESERVE	176	\$ 50,000.00	\$ 1,709.60	\$ 51,709.60	
PUBLIC PARKING DEBT	381	\$ 15,000.00		\$ 15,000.00	
SEWER DEBT	382	\$ 70,000.00		\$ 70,000.00	
WATER DEBT	383	\$ 350,000.00		\$ 350,000.00	
GENERAL FUND DEBT	384	\$ 6,000,000.00		\$ 6,000,000.00	
SCAVENGER WASTE DEBT	385	\$ 10,000.00		\$ 10,000.00	
SUFFOLK THEATER DEBT	386	\$ 545,000.00		\$ 545,000.00	
TOWN HALL CAPITAL PROJECTS	406		\$ 21,569.25	\$ 21,569.25	
YOUTH SERVICES CAP PROJECT	452		\$ 6.60	\$ 6.60	
SENIORS HELP SENIORS CAP PROJE	453		\$ 60.55	\$ 60.55	
EISEP CAP PROJECT	454		\$ 146.85	\$ 146.85	
MUNICIPAL FUEL FUND	625		\$ 5,921.26	\$ 5,921.26	
MUNICIPAL GARAGE FUND	626		\$ 11,463.99	\$ 11,463.99	
TRUST & AGENCY	735		\$ 397.28	\$ 397.28	
	736	\$ 325,000.00		\$ 325,000.00	
COMMUNITY PRESERVATION FUND ***	737	\$ 450,000.00	\$ 1,000,000.00	\$ 1,450,000.00	
CALVERTON PARK - C.D.A.	914	\$ 260,000.00	\$ 24.35	\$ 260,024.35	
				\$ -	
TOTAL ALL FUNDS		\$ 27,217,000.00	\$ 1,784,441.51	\$ 29,001,441.51	

THE VOTE

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

**THE RESOLUTION WAS NOT
THEREFORE DULY ADOPTED**

RESOLUTION # 1042		ABSTRACT #06-42 October 26, 2006 (TBM 11/8/06)	
COUNCILMAN BARTUNEK		offered the following Resolution which was seconded by	
COUNCILMAN DENSIESKI			
FUND NAME	CD - None	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1	881,676.19	881,676.19
RECREATION PROGRAM FUND	6	7,738.96	7,738.96
SENIOR CITIZEN DAY CARE CENTER	27	800.67	800.67
ANIMAL SPAY & NEUTERING PROGRA	29	110.00	110.00
ECONOMIC DEVELOPMENT ZONE FUND	30	3,170.77	3,170.77
HIGHWAY FUND	111	130,678.37	130,678.37
WATER DISTRICT	112	64,828.41	64,828.41
RIVERHEAD SEWER DISTRICT	114	33,215.24	33,215.24
REFUSE & GARBAGE COLLECTION DI	115	7,491.25	7,491.25
STREET LIGHTING DISTRICT	116	10,401.75	10,401.75
PUBLIC PARKING DISTRICT	117	1,686.31	1,686.31
CALVERTON SEWER DISTRICT	124	1,153.13	1,153.13
RIVERHEAD SCAVANGER WASTE DIST	128	16,924.79	16,924.79
WORKERS' COMPENSATION FUND	173	2,649.90	2,649.90
RISK RETENTION FUND	175	25,363.98	25,363.98
CDBG CONSORTIUM ACOUNT	181	4,636.92	4,636.92
GENERAL FUND DEBT SERVICE	384	10,687.50	10,687.50
TOWN HALL CAPITAL PROJECTS	406	465.00	465.00
YOUTH SERVICES CAP PROJECT	452	3,616.87	3,616.87
SENIORS HELP SENIORS CAP PROJE	453	3,031.74	3,031.74
MUNICIPAL FUEL FUND	625	14,776.33	14,776.33
MUNICIPAL GARAGE FUND	626	18,465.49	18,465.49
TRUST & AGENCY	735	889,034.22	889,034.22
COMMUNITY PRESERVATION FUND	737	3,381.13	3,381.13
TOTAL ALL FUNDS		2,135,984.92	2,135,984.92

RESOLUTION # 1042 ABSTRACT #06-43 November 2, 2006 (TBM 11/8/06)				
COUNCILMAN BARTUNEK offered the following Resolution which was seconded by				
COUNCILMAN DENSIESKI				
FUND NAME		CD - None	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1	400,000.00	42,986.69	442,986.69
POLICE ATHLETIC LEAGUE	4	15,500.00	270.00	15,770.00
TEEN CENTER	5	7,500.00		7,500.00
RECREATION PROGRAM FUND	6		1,449.93	1,449.93
TOWN BOARD SPECIAL PROGRAM	24	15,000.00		15,000.00
EDZ FUND	30	9,500.00		9,500.00
HIGHWAY FUND	111	295,000.00	31,523.92	326,523.92
WATER DISTRICT	112	93,000.00	2,156.24	95,156.24
REPAIR & MAINTENANCE	113	565,000.00		565,000.00
RIVERHEAD SEWER DISTRICT	114	2,340,000.00	27,149.61	2,367,149.61
REFUSE & GARBAGE	115	20,000.00		20,000.00
STREET LIGHTING	116	100,000.00		100,000.00
PUBLIC PARKING DISTRICT	117	118,000.00		118,000.00
BUSINESS IMPROVEMENT DIST	118	45,000.00		45,000.00
AMBULANCE DISTRICT	120	167,000.00	2,044.37	169,044.37
EAST CREEK DOCKING	122	115,000.00		115,000.00
CALVERTON SEWER DISTRICT	124	160,000.00	2,500.00	162,500.00
RIVERHEAD SCAVANGER WASTE	128	170,000.00	18,274.37	188,274.37
SEWER DISTRICT	130	195,000.00		195,000.00
WORKERS' COMPENSATION FUND	173	2,100,000.00	3,011.77	2,103,011.77
RISK RETENTION FUND	175	375,000.00	350.00	375,350.00
UNEMPLOYMENT INSURANCE	176	16,300.00		16,300.00
REVOLVING LOAN PROGRAM	178	57,000.00		57,000.00
RESIDENTAL REHAB	179	14,500.00		14,500.00
CDBG CONSORTIUM ACOUNT	181	57,000.00	236.15	57,236.15
UDC WORKING	182	11,500.00		11,500.00
R.E.S.T.O.R.E.	184	7,350.00		7,350.00
SEWER DEBT SERVICE	382	373,500.00		373,500.00
WATER DEBT SERVICE	383	130,000.00		130,000.00
GENERAL FUND DEBT SERVICE	384		375,000.00	375,000.00
SCAVANGER DEBT SERVICE	385	95,000.00		95,000.00
SUFFOLK THEATER DEBT	386	85,000.00		85,000.00
COMMUNITY DEVELOPMENT AGENCY	405		68,878.00	68,878.00
TOWN HALL CAPITAL PROJECTS	406		373,811.16	373,811.16
800 SERIES	408	20,000.00		20,000.00
TWO BEARS CAPITAL PROJECT	440	32,500.00		32,500.00
CHIPS	451	44,500.00		44,500.00
YOUTH SERVICES	452	17,500.00		17,500.00
EISEP CAP PROJECT	454	107,500.00	156.74	107,656.74
MUNICIPAL FUEL FUND	625		3,715.34	3,715.34
MUNICIPAL GARAGE FUND	626		11,757.85	11,757.85
TRUST & AGENCY	735		19,176.51	19,176.51
SPECIAL TRUST	736	979,500.00		979,500.00
COMMUNITY PRESERVATION FUND	737	2,350,000.00		2,350,000.00
CDA-CALVERTON	914	984,000.00		984,000.00
CDA	915	75,000.00		75,000.00
TOTAL ALL FUNDS		12,763,150.00	984,448.65	13,747,598.65