



**TOWN BOARD MEETING  
AGENDA**

**December 19, 2006**

**PHILIP CARDINALE, Supervisor**

**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 Department  
Receiver of Taxes  
Town Justice  
Town Justice**

**DEPARTMENT HEADS**

**William Rothaar (Interim Financial Administrator)  
Leroy E. Barnes, Jr.  
Andrea Lohneiss  
Ken Testa  
Richard Hanley  
Chief David Hegermiller  
James Janecek  
Judy Doll  
John Reeve  
Michael Reichel  
Gary Pendzick**

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

**PUBLIC COMMENT ON ANY RESOLUTIONS LISTED BELOW:**  
**REGULAR TOWN BOARD MEETING:**

- #1123 Refuse and Garbage Budget Adjustment
- #1124 General Fund Budget Adjustment
- #1125 General Fund Budget Adjustment
- #1126 General Fund Budget Adjustment
- #1127 General Fund Budget Adjustment
- #1128 Rescinds Town Board Resolution #1084- Reauthorizes Budget Adoption of Land Acquisition for James P. Sharkey and Monique Molfetta
- #1129 Accepts 5% Certificate of Deposit of Traditional Links, LLC
- #1130 Accepts Security of 941 Northville Turnpike (Leonard Rosenbaum)
- #1131 Accepts 5% Security Bond of Peconic Plaza, LLC (Teachers Federal Credit Union)
- #1132 Declares Lead Agency and Determines Environmental Significance of Acquisition of Property Located at Peconic Avenue, Riverhead (SCTM #0600-128-6-85.3)
- #1133 Authorizes the Chief of Police to Execute Agreement of Administrative Study by the NYS Division of Criminal Justice Services
- #1134 Authorizes the Supervisor to Sub-License Agreement for Suffolk County Areis and Tax Map Product
- #1135 Authorizes Town Clerk to Publish and Post a Notice of Public Meetings Schedule for the Farmland Preservation Committee

- #1136 Accepts Resignation of Traffic Signal Maintenance Supervisor
- #1137 Accepts Resignation of a Crossing Guard (R. Heinen)
- #1138 Accepts Resignation of a Laborer (R. Tribuzio)
- #1139 Appoints Two (2) on-Call Traffic Control Specialists to the Police Department (J. McKenna and W. Merker)
- #1140 Authorizes the Publication of a Help Wanted Ad for Maintenance Mechanic II
- #1141 Approves Stipulation of Agreement
- #1142 Appoints Sign Inspector to the Building Department (A. Schoberl)
- #1143 Appoints Member to the Riverhead Conservation Advisory Council (G. Woodhull)
- #1144 Authorizes Town Clerk to Publish and Post a Notice of Public Meetings Schedule for the Open Space Committee
- #1145 Appoints Acting Deputy Financial Administrator (L. Pipczynski)
- #1146 Awards Bid for 2007 Tractor (Bunker & Field Rake) for Recreation Department
- #1147 Awards Bid for Abandoned/Junk Vehicles
- #1148 Awards Bid for Abandoned/Junk Motorcycles/Mopeds
- #1149 Authorizes Town Clerk to Publish and Post Public Hearing to Consider the Proposed Local Law to Amend Chapter 106-10 Entitled, "Waterways" of the Riverhead Town Code

- #1150 Authorizes the Execution of a Contract for New York State Assistance from the Household Hazardous Waste (HHW) State Assistance Program
- #1151 Authorized Service Agreement re: Calverton Sewer District
- #1152 Approves the Application for Fireworks Permit of Vail-Leavitt Music Hall, Inc. (December 31, 2006)
- #1153 Establishes Times and Dates of Regular Meetings of the Town Board for 2007
- #1154 Approves the Creation of a South Jamesport Historic District
- #1155 Approves the Creation of a Jamesport Historic District
- #1156 Scheduling a Public Hearing Pursuant to Article 2 of the New York State Eminent Domain Procedure Law in Connection with the Condemnation of 48-52 Peconic Avenue, Riverhead, reputed owner, Antonio Militello, SCTM #0600-128-6-85.3, Riverhead, New York
- #1157 Authorizes the Purchase of a Town of Riverhead Credit Card
- #1158 Pays Bills

DECEMBER 19, 2006

# Adopted

TOWN OF RIVERHEAD

REFUSE AND GARBAGE

BUDGET ADJUSTMENT

RESOLUTION # 1123

COUNCILMAN DENSIESKI

offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

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

		<u>FROM</u>	<u>TO</u>
115.081600.546100	Utilities	3,000	
115.081600.543400	Professional Scvs - Educ	2,000	
115.081600.541530	Miscellaneous	2,000	
115.081600.549000	Repairs and Labor		7,000

**THE VOTE**

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

DECEMBER 19, 2006

# Adopted

**TOWN OF RIVERHEAD**

**GENERAL FUND**

**BUDGET ADJUSTMENT**

**RESOLUTION # 1124**

\_\_\_\_\_ Councilwoman Blass \_\_\_\_\_ offered the following resolution,  
which was seconded by \_\_\_\_\_ Councilman Bartunek \_\_\_\_\_.

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

		<b><u>FROM</u></b>	<b><u>TO</u></b>
001.031200.542313	Extradition Expense	\$500.00	
001.31200.524101	Vehicles		\$ 500.00

**THE VOTE**

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

DECEMBER 19, 2006

Adopted

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 1125

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

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

		<u>FROM</u>	<u>TO</u>
001.031200.541401	Radio Maintenance	\$13,095.47	
001.31200.524101	Vehicles		\$ 13,095.47

**THE VOTE**

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

DECEMBER 19, 2006

# Adopted

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 1126

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

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

		<u>FROM</u>	<u>TO</u>
001.012200.511500	Personal Services – Supervisor	\$4,615.38	
001.014300.5115000	Personal Services – Personnel Officer		\$4,615.38

**THE VOTE**

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

DECEMBER 19, 2006

# Adopted

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 1127

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

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

		<u>FROM</u>	<u>TO</u>
001.092705.471000	Donations	9,000	
001.031200.524900	Miscellaneous Equip		9,000

**THE VOTE**

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

TOWN OF RIVERHEAD

Adopted

RESCINDS TOWN BOARD RESOLUTION #1084  
REAUTHORIZES BUDGET ADOPTION OF LAND ACQUISITION FOR  
JAMES P. SHARKEY AND MONIQUE MOLFETTA

RESOLUTION #1128

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

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

	<u>FROM</u>	<u>TO</u>
406.019400.494200.42055    Serial Bond Proceeds	\$768,200	
406.019400.521000.42055    Land Acquisition		\$748,200
406.019400.543000.42055    Professional Services		20,000

**THE VOTE**

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

12/19/06

Adopted

TOWN OF RIVERHEAD

Resolution # 1129

ACCEPTS 5% CERTIFICATE OF DEPOSIT OF TRADITIONAL LINKS LLC

COUNCILMAN BARTUNEK offered the following resolution,

which was seconded by COUNCILMAN DUNLEAVY

WHEREAS, Traditional Links LLC, has posted a Certificate of Deposit #3730136367 from North Fork Bank in the sum of Seventy Five Thousand Dollars (\$75,000.00) representing the 5% site plan security bond as noted in the approved site plan dated September 6, 2006 Resolution #813 for work located at Sound Avenue, Baiting Hollow, New York, Suffolk County Tax Map # 600-041.00-01-010.06 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said certificate of deposit 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% certificate of deposit in the sum of Seventy Five Thousand Dollars (\$75,000.00) 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 Traditional Links LLC, C/O Bill Talmage, 3000 Sound Avenue, Riverhead, New York 11901, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

The Resolution Is  Is Not   
Declared Duly Adopted

TOWN OF RIVERHEAD

Adopted

Resolution #1130

ACCEPTS SECURITY OF 941 NORTHVILLE TURNPIKE

(LEONARD ROSENBAUM)

COUNCILMAN DUNLEAVY

offered the following resolution,

which was seconded by

COUNCILMAN DENSIESKI

WHEREAS, 941 Northville Turnpike (Leonard Rosenbaum) has posted a Washington Mutual Bank Official Check (number 031504750) in the sum of Five Thousand Dollars (\$5,000.00) representing the 5% site plan security as noted in the approved site plan dated July 18, 2006 Resolution # 666 for property located at 941 Northville Turnpike, Riverhead, Suffolk County, New York, Tax Map # 600-084.00-04-026.00, pursuant to Section 108-133 (I) of the Riverhead Town Code;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% site plan security in the sum of Five Thousand Dollars (\$5,000.00); and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Leonard Rosenbaum, C/O Gull Pond Realty LLC, 124 Front Street, Greenport, New York, 11944, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

12/19/06

# Adopted

## TOWN OF RIVERHEAD

Resolution # 1131

**ACCEPTS 5% SECURITY BOND OF PECONIC PLAZA, LLC**  
**(Teachers Federal Credit Union)**

COUNCILMAN DENSIESKI

offered the following resolution,

which was seconded by

COUNCILWOMAN BLASS

WHEREAS, Peconic Plaza, LLC has posted a security bond (Number 127248) in the sum of Six Thousand Two Hundred Fifty Dollars (\$6,250.00) representing the 5% site plan security bond as noted in the approved site plan dated March 21, 2006, Resolution #245 for work located at Old Country Road, Riverhead, New York, Suffolk County Tax Map # 600-084.00-04-036.05 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said security bond (Number 127248) 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% performance bond (Number 127248) in the sum of Six Thousand Two Hundred Fifty Dollars (\$6,250.00) 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 Peconic Plaza LLC, P.O. Box 1769, Quogue, New York 11959, 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

December 19, 2006

RESOLUTION #1132

# Adopted

**DECLARES LEAD AGENCY AND DETERMINES ENVIRONMENTAL SIGNIFICANCE OF ACQUISITION OF PROPERTY LOCATED AT PECONIC AVENUE, RIVERHEAD. (SCTM NUMBER 0600-128-6-85.3)**

COUNCILWOMAN BLASS

\_\_\_\_\_ offered the following resolution which

COUNCILMAN BARTUNEK

was seconded by \_\_\_\_\_

**WHEREAS**, the Town Board of the Town of Riverhead desires to acquire premises located a Peconic Avenue, Riverhead in order to improve pedestrian and vehicular access to town owned land and parkland; such real property more particularly described as Suffolk County Tax Map Number 0600-128-6-85.3, and

**WHEREAS**, the Town Board is in receipt of an appraisal prepared by Rogers and Taylor Appraisers, Inc. valuing the property at \$115,000.00, and

**WHEREAS**, the Town of Riverhead Planning Department has prepared a State Environmental Quality Review (SEQR) report and assessment upon the subject acquisition, and

**WHEREAS**, the Town Board has carefully considered the merits of the acquisition, the SEQRA record created to date, the aforementioned appraisal, as well as all other pertinent planning zoning and environmental information, now

**THEREFORE BE IT**

**RESOLVED**, in the matter of the acquisition of premises located at Peconic Avenue (SCTM Number 0600-128-6-85.3), the Riverhead Town Board hereby declares itself to be the lead agency pursuant to 6NYCRR Part 617 and further determines the action to be unlisted without significant adverse impacts upon the natural or social environment and that an environmental impact statement need not be prepared, and

**BE IT FURTHER**

**RESOLVED**, that the Planning Department be directed to file these notices of non-significance as required pursuant to 6NYCRR Part 617, and

**BE IT FURTHER**

**RESOLVED**, that certified copies of this resolution be forwarded to the office of the Town Attorney, The Riverhead Planning Department and Frank Isler, Esq

**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 NOT THEREFORE DULY ADOPTED**

12/19/06

# Adopted

TOWN OF RIVERHEAD

Resolution # 1133

**AUTHORIZES THE CHIEF OF POLICE TO EXECUTE AGREEMENT OF ADMINISTRATIVE STUDY BY THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES**

COUNCILMAN BARTONEK offered the following resolution, was seconded by  
COUNCILMAN DUNLEAVY :

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Supervisor is hereby authorized to execute the attached Agreement for Execution of Administrative Study by the NYS Division of Criminal Justice Services for the Riverhead Town Police Department; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Police Department of the Town of Riverhead; John R. Digman, State of New York DCJS, 4 Tower Place, Albany, New York 12203-3764; the Office of the Supervisor and the Office of the Town Attorney.

DUNLEAVY  YES \_\_\_ NO    BARTONEK  YES \_\_\_ NO  
BLASS  YES \_\_\_ NO    DENSIESKI  YES \_\_\_ NO  
CARDINALE \_\_\_ YES \_\_\_ NO

THIS RESOLUTION  IS \_\_\_ IS NOT  
DECLARED DULY ADOPTED

Dave



STATE OF NEW YORK  
DIVISION OF CRIMINAL JUSTICE SERVICES

Four Tower Place  
Albany, New York 12203-3764  
<http://criminaljustice.state.ny.us>

2/1/0

Supervisor,  
I will be  
sending this  
in w/ your  
approval.

Dave

January 19, 2006

Chief David J. Hegermiller  
Riverhead Town Police Department  
210 Howell Avenue  
Riverhead, NY 11901

Dear Chief Hegermiller:

I am responding to your recent letter, in which you indicated that you would like us to arrange for an administrative study of the Riverhead Town Police Department.

In order to proceed, we must first have on file a formal Agreement for Execution which outlines the conditions under which the study will be conducted. I have enclosed a copy of the agreement for your review. Please sign and notarize the document where indicated and return it to me within 30 days. I will then sign it on behalf of the Office of Public Safety and send you a copy for your files.

Following our receipt of the Agreement for Execution, we will contact you with additional details.

Please feel free to call me at 518-485-1411 if you have any questions. We look forward to working with you on this project.

Sincerely,

*John R. Dignan*  
John R. Dignan  
Assistant Director  
Office of Public Safety

Enclosure

# I. Preface

## A. The Nature of Administrative Studies

The need to respond to the day to day demands of providing law enforcement services frequently prevents police administrators from giving adequate attention to the areas of planning and research. This is especially true for medium to smaller size departments. Accelerating changes in today's world create unusual pressures on law enforcement agencies and increase the need for flexibility in their management and organization.

The New York State Division of Criminal Justice Services (DCJS) sponsors several programs to help public officials meet the many challenges that they now confront. One service in particular, the Administrative Studies Program, offers administrative assistance and in-depth studies to local law enforcement agencies and to municipalities exploring several issues: the possibility of establishing a police department, staffing an existing police department, and evaluating specific police department functions and operations.

The purpose of the studies is to provide the assistance necessary to aid administrators in combining new ideas, concepts and methods with a professional and objective analysis of local realities. The studies focus on immediate needs and incorporate both historical data and emerging trends. The studies give decision-makers an impartial look at their police department from the perspective of an outside agency. The Office of Public Safety does not charge localities for the preparation of these studies.

Two types of services are offered: staff consultations and formal studies.

### 1. Staff Consultations

Staff consultations are conducted through informal discussions between department officials and Office of Public Safety (OPS) staff regarding a narrowly defined issue. Consultations are typically conducted

over the phone or through correspondence that documents the research requested. Staff consultations seldom involve the preparation of a detailed report.

## 2. Formal Studies

Formal studies focus more intensively on issues of special interest to a particular agency. Program and consultant staff conduct field visits and gather relevant information. A written report is prepared with documented findings and specific recommendations for consideration by the department's chief, executive officer or the public official.

A formal study might address one or more of the following functions: Patrol; investigation; training; records system; personnel systems; rules of conduct; consolidation and/or joint services feasibility; community relations; staffing; mission, goals, and objectives; evidence procedures; booking procedures; equipment; and patrol sector design. Other areas may also be explored in accordance with the wishes of the agency head or public official.

To perform an administrative study DCJS contracts with law enforcement professionals and/or assigns experienced staff to conduct the necessary research and propose appropriate recommendations. Draft reports are then reviewed by the Deputy Commissioner and/or other senior staff of the Office of Public Safety.

Finally, it is important to note that an administrative study is not an end in itself; the report merely documents a professional assessment of the need for change where such a need exists. Consequently, the value of the study is directly proportional to the attention given to its recommendations in terms of evaluation, implementation and periodic review. The Office of Public Safety will provide technical assistance upon request to facilitate the successful implementation of its recommendations. Because an administrative study represents the application of professional judgement, it is possible another source may reasonably come to somewhat different recommendations.

**B. Enabling Authority**

The New York State Division of Criminal Justice Services (DCJS) was created by law on September 1, 1972.

DCJS conducts Administrative Studies Program pursuant to the authority granted by the New York State Executive Law, Article 35, section 837, subdivision 5, states that the Division shall:

*"Conduct studies and analyses of the administration or operations of any criminal justice agency when requested by the head of such agency and make the results thereof available for the benefit of such agency."*

Responsibility for conducting these studies has been assigned to the Office of Public Safety (OPS).

**C. Disclaimer**

Most of the information, recommendations and suggestions contained in this report are based upon an analysis of data compiled and supplied by the respective law enforcement agencies identified in this report. The analysis is thus directly related to the reliability and validity of the information provided. While the Office of Public Safety has confidence in the respective agencies record keeping, the Office of Public Safety cannot guarantee the accuracy of all of the submitted data.

Additionally, the analysis and recommendations in this report are based upon the data and information available at the time of the study. If prior to the finalization of the report updated information is received that would have a significant impact on its findings, a realistic effort will be made to incorporate it.



STATE OF NEW YORK  
DIVISION OF CRIMINAL JUSTICE SERVICES  
Four Tower Place  
Albany, New York 12203-3702  
www.criminaljustice.state.ny.us

**AGREEMENT FOR EXECUTION  
OF ADMINISTRATIVE STUDY BY THE  
NYS DIVISION OF CRIMINAL JUSTICE SERVICES**

Section 837(5) of the New York State Executive Law authorizes the Division of Criminal Justice Services to conduct studies and analyses of the administration or operations of any criminal justice agency when requested by the head of such agency. The Administrative Studies Program has been designated as the unit of the Division to conduct such studies and analyses.

The Administrative Studies Program is prepared to conduct an administrative study of your Department, subject to the following agreements and conditions:

1. Administrative Studies Program members engaged in this study shall be afforded the right to examine and review all documents and articles related to this study;
2. Administrative Studies Program staff members engaged in this study shall have complete cooperation and assistance from personnel of the unit of government involved;
3. Administrative Studies Program staff members engaged in this study shall be afforded the opportunity to meet with the members of the Department's negotiating or bargaining unit if it is germane to the study;
4. Administrative Studies Program staff members engaged in this study shall not be considered as employees or agents of the unit of government being studied;
5. The chief executive officer must notify the Administrative Studies Program in writing if he/she wishes to modify or withdraw the agency's request for a study.
6. Administrative Studies Program staff will provide you with a preliminary report that is not for external release and which is subject to change. You will have 30 days in which to submit written comments. Comments relating to factual errors in the preliminary report will be used to edit the final report. All comments will be appended to the final report unless requested otherwise in your correspondence.

7. Administrative Studies Program staff will generate a written report at the conclusion of the study. The foundation of this document will include statistical data provided by the Department, identified problems and the rationale for the report. The body of the report will include advice, suggestions and recommendations concerning the administration of the requesting agency, and will be totally objective regardless of the impact on the requesting agency.
8. This report will be provided at no cost to the governmental unit involved;
9. The Administrative Studies Program will submit the report directly to the chief executive officer of the law enforcement agency which requested it and to elected officials of the county, city, town or village in which such law enforcement agency is located who may request such report. You should be aware that DCJS may be required to release the report to other parties as well under the provisions of the Freedom of Information Law.
10. You will complete and return the attached affidavit to the Administrative Studies Program within 30 days affirming that you are the head of your Department in accordance with Executive Law §837(5).

If the above conditions are agreeable to you, please sign and return the agreement, along with the completed affidavit, to the Administrative Studies Program, Office of Public Safety, at the address listed on the letterhead. The Deputy Commissioner of the Office of Public Safety will then sign the agreement on behalf of DCJS and a copy will be forwarded to you for your files. You will be notified of the date set for commencing the study.

**I understand and accept the agreements and conditions listed above and therefore request this study to be conducted.**

John R. Digman  
Signature

1/31/06  
Date

CHIEF OF POLICE  
Title

Riverhead Police Department  
Department

John R. Digman  
Assistant Director  
Office of Public Safety

\_\_\_\_\_  
Date

State of New York )  
 ) ss: AFFIDAVIT

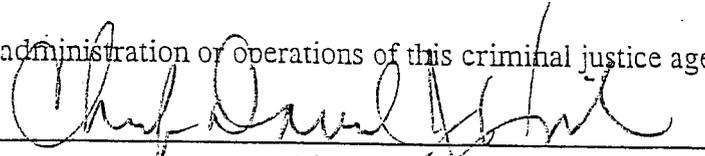
County of Suffolk )

I, David J. Hegermiller, am the Chief of Police  
(name) (title)

of the Riverhead Police Department, being duly sworn, depose and  
(name of criminal justice agency)

state that as of 01/31/06 I am the head of the aforementioned criminal justice agency  
(date)

in accordance with Executive Law §837(5). As the head of such agency, I hereby request that the  
New York State Division of Criminal Justice Services conduct a study and analysis of the  
administration or operations of this criminal justice agency as set forth in the attached document.

  
(signature)

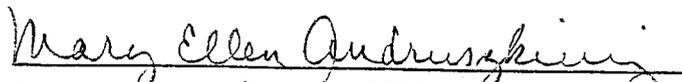
Chief of Police  
(title)

On the 31st day of January in the year 2006 before me personally came

David J. Hegermiller to me known, who, being by me duly sworn, deposed and  
Chief

said that ~~z~~he was the of Police of the Riverhead Police Dept., the entity

which executed the above instrument; that ~~z~~he was authorized by and did execute the same at the  
direction of said entity and that ~~z~~he signed his/~~her~~ name thereto.

  
(notary public)

**MARY ELLEN ANDRUSZKIEWICZ**  
Notary Public, State of New York  
No. 4783924  
Qualified in Suffolk County  
Commission Expires Aug. 31, 2009

12/19/06

# Adopted

TOWN OF RIVERHEAD

Resolution # 1134

**AUTHORIZES THE SUPERVISOR TO EXECUTE SUB-LICENSE AGREEMENT FOR SUFFOLK COUNTY AREIS AND TAX MAP PRODUCT**

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

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Supervisor is hereby authorized to execute the attached Sub-License Agreement for Suffolk County AREIS and Tax Map Product between the County of Suffolk and the Town of Riverhead; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Supervisor's Office, Dawn C. Thomas, Town Attorney and the Office of Accounting.

DUNLEAVY  YES \_\_\_ NO    BARTUNEK  YES \_\_\_ NO  
BLASS  YES \_\_\_ NO    DENSIESKI  YES \_\_\_ NO  
CARDINALE  YES \_\_\_ NO

THIS RESOLUTION  IS \_\_\_ IS NOT  
DECLARED DULY ADOPTED

*SOMAF*

**Sub-License Agreement for Suffolk County AREIS and Tax Map Product**

This Sub-License Agreement ("Sub-License Agreement") is between the County of Suffolk ("County" and/or "Licensor"), a municipal corporation of the State of New York, acting through its duly constituted Suffolk County Real Property Tax Service Agency ("Agency"), located at the 300 Center Drive, Riverhead, New York 11901; and Town of Riverhead ("Licensee"), a municipal corporation, having its principal office at 200 Howell Avenue, Riverhead, NY 11901 and AKRF ("Sub-Licensee"), a corporation, having its principal office at 3900 Veterans Memorial Highway, Suite 300, Bohemia, NY 11716.

The three parties hereto desire that Suffolk County Real Property Tax Maps ("Tax Maps") and/or certain digital data sets (the "Product," as defined in paragraph 4 of Exhibit A of the License Agreement) from the Agency's computer data base, known as the "Suffolk County AREIS (Advanced Real Estate Information System)" and Tax Map be sub-licensed (the "Sub-License") to the Sub-Licensee.

**Terms and Conditions:** Shall be as set forth in Exhibit A, Exhibit B and the License Agreement between the County and Licensee, attached hereto and incorporated herein.

**Term of Sub-License Agreement:** Shall commence upon execution and continue through 12/31/11 or such shorter period of time as set forth in Exhibit B, attached.

**Total Cost of License Agreement:** No Cost to County/Licensor, the Licensee or the Sub-Licensee, except for standard media reproduction costs.

**In Witness Whereof,** the parties hereto have executed this Sub-License Agreement as of the latest date written below.

**AKRF**

By: \_\_\_\_\_  
Name: James McAllister  
Title: Vice President  
Fed. Taxpayer ID \_\_\_\_\_

Date: \_\_\_\_\_

**Town of Riverhead**

By: \_\_\_\_\_  
Name: Philip Cardinale  
Title: Supervisor  
Fed. Taxpayer ID \_\_\_\_\_  
Date: \_\_\_\_\_

**County of Suffolk**

**Approved:**  
**Suffolk County Real**  
**Property Tax Service Agency**

By: \_\_\_\_\_  
Penny Wells LaValle, Director

Date: \_\_\_\_\_

**List of Exhibits**

**Exhibit A      General Terms and Conditions**

1.      Grant of Sub-License
2.      Term and Termination

**Exhibit B      Variable Terms and Conditions**

**Copy of Executed License Agreement between the County of Suffolk and the Licensee**

**Exhibit A  
General Terms and Conditions**

**Whereas**, the County ("Licensor") and the Licensee have executed a License Agreement, which is attached hereto and incorporated herein; and

**Whereas**, the Licensee, in order to complete the projects set forth in such License Agreement, desires to utilize the services of the Sub-Licensee;

**Now therefore**, the parties agree as follows:

**1. Grant of Sub-License**

The County approves the grant of a sub-license to the Sub-Licensee, subject to all of the terms and conditions set forth in the License Agreement between the County of Suffolk and the Licensee. Consent to this Sub-License agreement is at the sole discretion of the County of Suffolk, acting through its duly constituted Real Property Tax Service Agency. Such consent shall be indicated by the signature of the Director of Real Property Tax Service Agency (or designee) on page one (1) of this Sub-License Agreement.

**2. Term and Termination**

**a. Term**

This Sub-License Agreement shall cover the period provided on the first page of this Sub-License Agreement, unless sooner terminated as provided below.

**b. Termination for Cause**

- i.** In the event the Sub-Licensee violates any of the terms and conditions of this Sub-License Agreement, the County and/or the Licensee may terminate this Sub-License, provided that no such termination shall be effective unless:
  - A.** the Sub-Licensee is given five (5) business days written notice of intent to terminate ("Notice of Intent to Terminate"), and
  - B.** an opportunity for consultation with the County and/or the Licensee prior to termination; and
  - C.** an opportunity to cure any violation of the terms and conditions of this Sub-License.

In the event that the Sub-Licensee has not cured, or commenced to cure, to the satisfaction of the County and/or Licensor, within such five (5) day period (or longer period at the County's option), then the County and/or the Licensee may issue a written termination notice ("Termination Notice").

- ii.** Notwithstanding the above, if the Sub-Licensee makes use of the Tax Maps and/or Product in a manner not permitted by the License Agreement and the County reasonably determines that such use was intended to result in harm to the County's proprietary

rights, the County shall have the right to terminate this Sub-License Agreement immediately upon written notice, stating the reason, to the Sub-Licensee.

**c. Termination for Convenience**

Any of the three parties to his Sub-License Agreement may terminate this Sub-License Agreement for any reason whatsoever, provided that no such termination shall be effective unless the other party is given fifteen (15) calendar days prior written notice of such termination.

**d. Return of Tax Maps and Product**

In the event that this Sub-License Agreement is terminated for any reason, within ten (10) business days thereafter, the Sub-Licensee shall return or destroy the original and all copies of the Tax Maps and Product and any derivative work(s) of the Product in spatial digital format. The Sub-Licensee will certify that such action has been taken. Notwithstanding the above, derivative work(s) in the form of reports in raster digital format or paper copy need to be destroyed.

**Exhibit B  
Variable Terms and Conditions**

**1. Sub-Licensee's Use of Tax Maps and/or Product**

The Licensee will use the Tax Maps and Product as follows:

This information will be used to assist in the downtown redevelopment plan.

**2. Contact Person(s) Information for Sub-Licensee for Notices**

**Licensee:**

**Town of Riverhead  
200 Howell Avenue  
Riverhead, NY 11901  
Attn: Lori Pipczynski  
(631) 727-3200 extension 280**

**Sub Licensee:**

**AKRF  
Environmental and Planning Consultants  
3900 Veterans Memorial Highway, Suite 300  
Bohemia, NY 11716  
Attn: James McAllister, VP  
(631) 285-6980**

**End of Text for Exhibit B**

December 19, 2006

# Adopted

## TOWN OF RIVERHEAD

### AUTHORIZES TOWN CLERK TO PUBLISH AND POST A NOTICE OF PUBLIC MEETINGS SCHEDULE FOR THE FARMLAND PRESERVATION COMMITTEE

RESOLUTION # 1135

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

BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the attached Notice of Public Meetings Schedule for the Farmland Preservation Committee in the December 21, 2006 issue of The News Review.

#### 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

December 19, 2006

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC MEETINGS**

**PLEASE TAKE NOTICE**, that public meetings of the Town Of Riverhead Farmland Preservation Committee will be held at Riverhead Town Hall Meeting Room, 200 Howell Avenue, Riverhead, New York at 7:00 p.m. on the following dates:

January 3, 2007  
February 7, 2007  
March 7, 2007  
April 4, 2007  
May 2, 2007  
June 6, 2007  
July 11, 2007  
August 1, 2007  
September 5, 2007  
October 3, 2007  
November 7, 2007  
December 5, 2007

Please be advised that if said meeting is cancelled due to unforeseen circumstances or weather conditions said meeting will be held on the following Wednesday evening at Riverhead Town Hall at 7:00 p.m.

DATED: December 19, 2006  
Riverhead, New York

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

December 19, 2006

# Adopted

## TOWN OF RIVERHEAD

### ACCEPTS RESIGNATION OF A TRAFFIC SIGNAL MAINTENANCE SUPERVISOR

RESOLUTION # 1136

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

**WHEREAS**, the Town has received a letter of resignation from Jeffrey Tetrault, a Traffic Signal Maintenance Supervisor in the Engineering Department, effective December 5, 2006.

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board hereby accepts the resignation of Jeffrey Tetrault.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be, and is hereby, directed to forward a certified copy of this Resolution to Jeffrey Tetrault, the Engineering Department and the Office of Accounting.

### 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

12/19/06

# Adopted

## TOWN OF RIVERHEAD

Resolution # 1137

### ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" (Handicapped Permit Fees) OF THE RIVERHEAD TOWN CODE

Councilman Bartunek 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 an amendment to Chapter 108 entitled, "Zoning" (Handicapped Permit Fees) of the Riverhead Town Code; and

**WHEREAS**, a public hearing was held on the 8th day of November, 2006 at 2:10 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

**NOW THEREFORE BE IT RESOLVED**, that a local law to consider an amendment to Chapter 108 entitled, "Zoning" (Handicapped Permit Fees) 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 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 Building Department, Planning Department, the Handicapped Advisory Committee, Ed Densieski, Councilman, Division of 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**

**TOWN OF RIVERHEAD  
NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE**, that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 108 entitled, "Zoning" (Handicapped Permit Fees) of the Riverhead Town Code at its regular meeting held on December 19, 2006. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

Chapter 108  
ZoningI

**§ 108-51.1. Handicapped access ramps. [Added 11-20-1990]**

**A.** Upon submission of a doctor's certificate as proof of a handicap condition, a handicapped access ramp of a minimum size necessary to meet the New York State Uniform Fire Prevention and Building Code and the American National Standards Institute (ANSI) shall be permitted for residential use in all zoning use districts and the minimum yard setback shall not apply, provided that a covenant and restriction, in recordable form, states that the handicapped access ramp shall be completely removed upon the happening of the following events, whichever first occurs:

- (1)** The handicapped access ramp is no longer necessary.
- (2)** The property is transferred.

**B.** This section shall not apply if the handicapped access ramp meets all setback requirements or if the owner elects to obtain a variance.

**C.** Handicapped access ramps and any other structure designed exclusively to facilitate accessibility to structures for the handicapped are exempt from a permit fee for that structure which would otherwise be required pursuant to Chapter 52.

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

Dated: Riverhead, New York  
December 19, 2006

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

BARBARA GRATTAN, Town Clerk

December 19, 2006

# Adopted

## TOWN OF RIVERHEAD

### ACCEPTS RESIGNATION OF A LABORER

RESOLUTION # 1138

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

**WHEREAS**, Robert Tribuzio, a Laborer in the Sanitation Department, failed to return from an approved Leave of Absence on December 4, 2006, having been duly notified via certified mail that he was expected to return to work on the aforementioned date, and having failed to notify the Town of his intent to return

**AND**, whereas Section 75 of Civil Service law states that any employee who fails to return to work within 10 days of the designated day shall be deemed to have abandoned his/her position with the Town and may be terminated by the Town at its discretion

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board hereby accepts the voluntary resignation of Robert Tribuzio due to the abandonment of his position effective December 15, 2006.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be, and is hereby, directed to forward a certified copy of this Resolution to Robert Tribuzio, the Sanitation Department and the Office of Accounting.

### 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

December 19, 2006

# Adopted

## TOWN OF RIVERHEAD

Resolution # 1139

### APPOINTS TWO (2) ON-CALL TRAFFIC CONTROL SPECIALISTS TO THE POLICE DEPARTMENT

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

**WHEREAS**, the need for Traffic Control Specialists exists in the Police Department; and,

**WHEREAS**, pursuant to completed background investigations, a recommendation has been made by the Chief of Police to hire Jan McKenna and William Merker to this on-call position.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby appoints Jan McKenna and William Merker to the on-call positions of Traffic Control Specialist at an hourly rate of \$12.00 effective December 20, 2006; and

**BE IT FURTHER, RESOLVED** that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Jan McKenna and William Merker, the Chief of Police and the Office of Accounting.

### THE VOTE

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

December 19, 2006

TOWN OF RIVERHEAD

Adopted

Resolution # 1140

**AUTHORIZES THE PUBLICATION OF A HELP WANTED AD FOR  
MAINTENANCE MECHANIC II**

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

**BE IT RESOLVED**, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Advertisement in the January 4, 2007 issue of The News Review.

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

**THE VOTE**

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

## **HELP WANTED**

**PLEASE TAKE NOTICE:** Position available with the Town of Riverhead for Maintenance Mechanic II. Min. 2 years experience in minor maintenance/repair work. CDL and electrical experience a plus. Applications can be downloaded at [Riverheadli.com](http://Riverheadli.com) and must be submitted to Riverhead Town Hall Accounting Dept. by 1/12/2007. EOE.

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

December 19, 2006

# Adopted

## TOWN OF RIVERHEAD

### APPROVES STIPULATION OF AGREEMENT

RESOLUTION # 1141

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

**WHEREAS**, a stipulation of agreement dated December 19, 2006 has been conditionally agreed to by the CSEA and the Town.

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes the stipulation of agreement dated December 19, 2006; and

**BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the President of the CSEA and Personnel Officer.

#### THE VOTE

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

## STIPULATION OF AGREEMENT

This Stipulation of Agreement is made and entered into this 19<sup>th</sup> day of December 2006 by and between the Town of Riverhead ("the Town") and the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Riverhead Unit ("CSEA").

WHEREAS, the Town and the CSEA are currently parties to a collective bargaining agreement effective January 1, 2004 through December 31, 2007; and

WHEREAS, it is the desire of both parties to re-evaluate the positioning of the Civil Service title of Principal Account Clerk.

NOW THEREFORE, it is hereby agreed as follows:

1. The Civil Service title of Principal Account Clerk which is currently found on the Administrative Salary Schedule in Group 5 and shall be reassigned to Group 7 on the Administrative Salary Schedule effective December 19, 2006.
2. This Stipulation of Agreement is subject to ratification by the Town Board and if the Town Board fails to ratify, this agreement is hereby null and void.

Town of Riverhead

CSEA

\_\_\_\_\_

\_\_\_\_\_

December 19, 2006

# Adopted

## TOWN OF RIVERHEAD

Resolution # 1142

### APPOINTS SIGN INSPECTOR TO THE BUILDING DEPARTMENT

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

**WHEREAS**, a position for a part-time Sign Inspector exists in the Building Department; and

**WHEREAS**, pursuant to interviews, a recommendation has been made by Leroy E. Barnes, Jr., Department Head, to appoint Anthony Schoberl to this part-time position.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby appoints Anthony Schoberl to the part-time position of Sign Inspector at an hourly rate of \$20.00 effective December 26, 2006; and

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

### THE VOTE

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

TOWN OF RIVERHEAD

Resolution # 1143

Adopted

APPOINTS MEMBER TO THE RIVERHEAD  
CONSERVATION ADVISORY COUNCIL

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

**WHEREAS**, Chapter 13 of the Riverhead Town Code entitled "Conservation Advisory Council" causes the establishment of an advisory body to the Town Board known as the Conservation Advisory Council consisting of (7) members; and

**WHEREAS**, one vacancy presently exists on the committee; and

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

**NOW THEREFORE, BE IT**

**RESOLVED**, that the Riverhead Town Board hereby appoints George H. Woodhull to the Conservation Advisory Council for a two-year term expiring December, 31, 2008.

**BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to George H. Woodhull and members of the Conservation Advisory Council.

THE VOTE

DUNLEAVY	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	BARTUNEK	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
BASS	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	DENSJESKI	<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

December 19, 2006

# Adopted

## TOWN OF RIVERHEAD

### AUTHORIZES TOWN CLERK TO PUBLISH AND POST A NOTICE OF PUBLIC MEETINGS SCHEDULE FOR THE OPEN SPACE COMMITTEE

RESOLUTION # 1144

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

BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the attached Notice of Public Meetings Schedule for the Open Space Committee in the December 21, 2006 issue of The News Review.

#### 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

December 19, 2006

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC MEETINGS**

**PLEASE TAKE NOTICE**, that public meetings of the Town Of Riverhead Open Space Committee will be held at Riverhead Town Hall Meeting Room, 200 Howell Avenue, Riverhead, New York at 7:00 p.m. on the following dates:

January 9, 2007  
February 13, 2007  
March 13, 2007  
April 10, 2007  
May 8, 2007  
June 12, 2007  
July 10, 2007  
August 14, 2007  
September 11, 2007  
October 9, 2007  
November 13, 2007  
December 11, 2007

Please be advised that if said meeting is cancelled due to unforeseen circumstances or weather conditions said meeting will be held on the following Monday evening at Riverhead Town Hall at 7:00 p.m.

DATED: December 19, 2006  
Riverhead, New York

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

Townbrdshare.resolutions.openspacetmeetings

December 19, 2006

Adopted

Town of Riverhead

APPOINTS ACTING DEPUTY FINANCIAL ADMINISTRATOR

RESOLUTION # 1145

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

**WHEREAS**, the Town of Riverhead is in need of a Deputy to the Financial Administrator; and

**WHEREAS**, it is the recommendation by the Interim Financial Administrator that Lori Pipczynski has the experience to fill this need.

**NOW, THEREFORE, BE IT RESOLVED**, that Lori Pipczynski is hereby appointed to the position of acting Deputy Financial Administrator, with a stipend of \$1,000 per month effective January 1, 2007 through June 30, 2007.

**BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Lori Pipczynski, William Rothaar, Personnel Officer and the Office of Accounting.

THE VOTE

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

DATE: December 19, 2006

# Adopted

**TOWN OF RIVERHEAD**

**AWARDS BID FOR 2007 TRACTOR (BUNKER & FIELD RAKE) FOR RECREATION DEPARTMENT**

**RESOLUTION # 1146**

COUNCILMAN DENSIESKI

\_\_\_\_\_ 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 JOHN DEERE 1200 TRACTOR (BUNKER & FIELD RAKE) FOR RECREATION DEPARTMENT and;

**WHEREAS**, bids were received, opened and read aloud on the 7th day of December at 11:10 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders.

NOW THEREFORE BE IT

RESOLVED, that the bid for 2007 TRACTOR FOR RECREATION DEPARTMENT USE be and hereby is, awarded to LACORTE FARM & EQUIPMENT, INC. for the base price of \$8950.00 and options in the amount of \$3000.00.

RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to LACORTE FARM & LAWN EQUIPMENT the RECREATION SUPERINTENDANT, AND THE PURCHASING DEPARTMENT.

**THE VOTE**

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

December 19, 2006

# Adopted

## TOWN OF RIVERHEAD

Resolution # 1147

### AWARDS BID FOR ABANDONED/JUNK VEHICLES

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

**WHEREAS**, six (6) bids for abandoned/junk vehicles were received, opened and read aloud by the Town Clerk on the 6<sup>th</sup> day of December, 2006 at 11:00 a.m. in the Town Clerk's Office at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders.

**NOW, THEREFORE, BE IT RESOLVED**, that the bid for abandoned/junk vehicles is awarded to Outpost Automotive for the purchase price of \$131.50 per vehicle from January 1, 2007 to and including January 1, 2009; and,

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

**THE VOTE**

Dunleavy  yes \_\_\_ no    Bartunek  yes \_\_\_ no  
 Blass  yes \_\_\_ no    Densieski  yes \_\_\_ no  
 Cardinale  yes \_\_\_ no

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

# Adopted

December 19, 2006

## TOWN OF RIVERHEAD

Resolution # 1148

### AWARDS BID FOR ABANDONED/JUNK MOTORCYCLES/MOPEDS

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

**WHEREAS**, three (3) bids for abandoned/junk motorcycles/mopeds were received, opened and read aloud by the Town Clerk on the 6<sup>th</sup> day of December, 2006 at 11:05 a.m. in the Town Clerk's Office at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders.

**NOW, THEREFORE, BE IT RESOLVED**, that the bid for abandoned/junk motorcycles/mopeds is awarded to DC Transport for the purchase price of \$52.50 per vehicle from January 1, 2007 to and including January 1, 2009; and,

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

THE VOTE  
Dunleavy  yes \_\_\_ no Bartunek  yes \_\_\_ no  
Blass  yes \_\_\_ no Pensieski  yes \_\_\_ no  
Cardinale  yes \_\_\_ no  
THE RESOLUTION  WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED

December 19, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 1149

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW TO AMEND CHAPTER 106-10 ENTITLED "WATERWAYS" OF THE RIVERHEAD TOWN CODE**

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

**RESOLVED**, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a proposed local law to amend Chapter 106-10 entitled, "Waterways" of the Riverhead Town Code, once in the **January 4, 2007** 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 Bay Constable, the Riverhead Police Department, the Recreation 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 on the 17<sup>th</sup> day of January, 2007, at 7:15 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 106-10 of the Riverhead Town Code entitled, "Waterways."

**§ 106-10. Restrictions on operators.**

- F. No person shall operate a boat with an engine which exceeds ten (10) horsepower on any section of the Peconic River west of Peconic Avenue.

DATED: December 19, 2006  
Riverhead, New York  
BY ORDER OF THE TOWN 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

12/19/06

# Adopted

Town of Riverhead

Resolution # 1150

Authorizes the Execution of a Contract for New York State Assistance from the Household Hazardous Waste (HHW) State Assistance Program

**COUNCILMAN DENSIESKI**

\_\_\_\_\_ offered the following resolution,

which was seconded by **COUNCILWOMAN BLASS** \_\_\_\_\_:

**WHEREAS**, the State of New York provides financial aid for hazardous waste programs; and

**WHEREAS**, the Town of Riverhead Community Development Department has prepared an application for funding through the New York State Household Hazardous Waste Assistance Program; and

**WHEREAS**, the Town of Riverhead has been awarded \$66,500 towards the collection of household hazardous waste over the three year period of April 1, 2007 to March 31, 2009 (50% of the town's cost).

**THEREFORE, BE IT FURTHER RESOLVED**, that the Supervisor is hereby authorized to sign a State Assistance Contract with the New York State Department of Environmental Conservation (DEC).

**THEREFORE, BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to Community Development Director Andrea Lohneiss and Sanitation Superintendent John Reeve.

### 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

12/19/06

# Adopted

**TOWN OF RIVERHEAD  
CALVERTON SEWER DISTRICT**

**Resolution #** 1151

**AUTHORIZED SERVICE AGREEMENT RE: CALVERTON SEWER DISTRICT**

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

**WHEREAS**, currently Water & Sewage Treatment Enterprises, Inc. is under control with the Calverton Sewer District to provide for the daily operation, maintenance and necessary testing to meet permit and treatment requirements; and

**WHEREAS**, the Adopted 2007 Budget of the Calverton Sewer District provides for the continued services of the contractor; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Supervisor be and is hereby authorized to execute the attached one year service agreement between the Calverton Sewer District and Water & Sewage Treatment Enterprises, Inc.; and

**BE IT FURTHER RESOLVED**, that the Town Clerk forward certified copies of this resolution to the Accounting Department, H2M Group, Frank Isler, Esq. and W.A.S.T.E. Inc.

**THE VOTE**

Dunleavy  Yes \_\_\_ No

Bartunek  Yes \_\_\_ No

Blass  Yes \_\_\_ No

Densieski  Yes \_\_\_ No

Cardinale  Yes \_\_\_ No



## **PROTECTION OF PERSONS AND PROPERTY**

Contractor shall be responsible for initiating, maintaining, and supervising all safety precautions and programs required in connection with the Work. Contractor shall take all necessary precautions for the safety of, and shall provide protection to prevent damage, injury, or loss to (1) any employee or other person on the work site, (2) all materials to be incorporated into the Work, and (3) the work site and any improvements or other personal property located on the work site. Contractor assumes all risks of damage or injury for whatever cause to property or persons used or employed on or in the property where ever located, resulting from any action or operation under this Agreement or in connection with the Work.

Contractor shall provide Owner with a copy of ALL accident reports, including all OSHA 100 recordable injuries and illnesses, related to performance of the Work.

Contractor hereby acknowledges that it has read the OSHA rules and will abide by them. No smoking is permitted at any time on the work site. The obligations of Contractor under this section extends to Contractor's employees, subcontractors, suppliers or others who may be performing work under this Agreement. Contractor agrees to pay just charges assessed by Owner for removal of surplus materials, containers and/or rubbish left by Contractor (or its subcontractors) including any charges for removal repair. All damage or loss of any property caused in whole or in part by Contractor, any subcontractor, or any one directly or indirectly employed by any of them, or by anyone, for whose acts any of them may be liable, shall be remedied by Contractor.

## **INDEMNIFICATION**

Contractor shall indemnify and hold Owner, the Town of Riverhead ("Owner"), Owner's lessees and sub lessees, and their respective agents and employees harmless from and against any and all claims, damages, liability, losses and expenses, including reasonable attorney fees, associated with:

- a) Bodily injury, personal injury, sickness, disease or death to any person (without limitation by any Workers Compensation or Disability Actor other insurance coverage);
- b) Damage to, or destruction of, any portion of the property, any adjoining building or structure, or any other real or persona property;

to the extent that any such damage, loss or expense is caused in whole or in part by the negligent act or omission of the Contractor, any subcontractor, any individual directly or indirectly employed by them, or anyone for whose acts they may be liable, regardless of whether caused in part by any indemnified party, and for which Contractor is legally held responsible or directly related to.

## INSURANCE

Prior to the commencement of any work, Contractor shall procure and maintain for the duration of this Agreement the following policies of insurance:

- a) Workers Compensation Insurance to the extent required by law, with Employer's Liability coverage in an amount not less than \$1,000,000 covering all personnel employed by Contractor. If coverage is provided by a State Fund or if Contractor has qualified, as a self-insurer, separate certificate must be furnished that coverage is in the State Fund or that Contractor has State approval to be a self insurer. Any policy of insurance must contain a provision or endorsement providing that the insurer's rights of subrogation against Owner and its employees are waived.
- b) Comprehensive General Liability Insurance in a form satisfactory to Owner (including contractual liability coverage covering all liability assumed by Contractor in this Agreement) in an amount not less than \$2,000,000 insuring Owner against claims for personal injury or death and property damage caused by, resulting from, arising out of, or occurring in connection with the performance of the Work.
- c) Automobile Liability Insurance for any vehicle owned or leased or used by Contractor with limits of \$500,000 for injury or death of any one person, \$1,000,000 for injury or death of two or more persons in any occurrence and property damage with a limit of \$500,000 for each accident.

The insurance policies described above shall be placed with an insurance company that is authorized to do business and settle claims in the state in which the Work is to be performed. Each policy shall name the Owner as additional insured and shall provide that Owner shall receive twenty (20) days written notice of cancellation.

Each policy of insurance shall contain provisions to the effect that (i) the insolvency or bankruptcy of the insured (or his estate) shall not release the insurer from its obligations to satisfy claims otherwise covered by the policy and (ii) that the insurer will 'pay on behalf of the insured all sums which the insured would be legally obligated to pay as a result of liability arising under this Agreement or caused by, resulting from, arising out of, or occurring in connection with the work performed under this Agreement.

Contractor shall require that each subcontractor performing work under this Agreement obtain and provide evidence of the same type and amount of insurance as set out above.

A certificate evidencing each policy of insurance, in sufficient detail to verify compliance with this section, and policy deductible shall be delivered to Owner prior to commencement of work.

In the event that any required policy of insurance shall expire or be cancelled during the term of this Agreement, Contractor agrees to promptly replace such insurance and to

provide Owner with certificate(s) which evidence such coverage not less than fifteen (15) days prior to the expiration or cancellation of such insurance. If contractor fails to provide such coverage within five (5) days following written notice from Owner, then Owner may procure such insurance coverage and charge the cost of such coverage to the Contractor.

### **TERMINATION**

Owner may terminate this Agreement, or any portion of this Agreement, without cause by giving Contractor two (2) days written notice of termination. For cause, Owner may terminate this Agreement immediately upon written notice. Contractor may terminate this Agreement by giving Owner ninety (90) days written notice of termination. Upon termination of this Agreement, Contractor shall remove any and all of its equipment and tools from the site and thereafter not have access to the site without permission of Owner.

### **ASSIGNMENT AND SUBCONTRACTING**

Any assignment or attempt to assign any portion of its rights or obligations by Contractor, including the right to receive money that may become due to Contractor under this Agreement, shall be void and of no force and affect unless Contractor shall have obtained the written consent to such assignment by the Owner. Owner retains the right to assign this Agreement to Owner or Owner's nominee upon written notice to Contractor of its intention to do so. Contractor shall not subcontract any of the Work to be performed under this Agreement without first obtaining the written approval of Owner. Such approval, if given, shall not release the Contractor from any responsibility or liability under this Agreement.

### **LIENS**

To the full extent possible under applicable law, Contractor nor any of its subcontractors, material men, laborers, or other person(s) agrees not to file a mechanic's lien for labor or materials provided under this agreement.

### **NONDISCRIMINATION**

Contractor agrees that it will not discriminate against any employee or applicant because of race, color, religious preference, sex, sexual orientation, age, national origin, disability, veteran status or any other factor that is not related to legitimate business interests. Their standards apply to employment, promotion, demotion, recruitment or condition of employment. Contractor agrees to include the provisions of this section in any subcontract entered into in connection with this Agreement.

## **NOTICE**

Notice under this Agreement shall be sufficient if sent by US Mail or with a recognized overnight carrier, postage prepaid, to the address of the addressee set out below:

Owner  
Calverton Sewer District  
C/o Town of Riverhead  
200 Howell Avenue  
Riverhead, NY 11901

Contractor  
Water and Sewage Treatment Ent. Inc.  
1 Oak Street  
Poquott  
East Setauket, NY 11733  
Attn: Richard Crescenzo

Notice shall be deemed given forty-eight (48) hours after deposited in the US Mail.

## **MODIFICATION**

This Agreement may be modified only by written amendment or other form of modification executed by the parties. It may not be modified by any oral agreement, by implied agreement or custom, or by any other waiver of any of its terms unless in writing.

## **SUCCESSORS**

Assignment shall not be assignable.

## **GOVERNING LAW**

This Agreement shall be construed, governed and enforced in accordance with the laws of the jurisdiction in which the Property is located and the Work is being performed.

## **INFORMARTION**

Contractor shall not disclose to any person or organization any information concerning the Owner, or the business of the Owner, which Contractor may acquire during the course on the performance of Work under this Agreement. Limited disclosure of such information may be made to employees and subcontractors of Contractor, but only the extent that such information is required to enable such employees and subcontractors to perform their work. This section shall survive this Agreement and remain in full force and effect until otherwise agreed by Owner. Contractor shall advise its employees of Contractor's obligation with respect to information of Owner and its clients. Each of Contractor's employees and subcontractors, whose services are required at the Property, may be required to sign a confidential disclosure agreement prior to commencement of Work.

**SECTION HEADINGS**

The section headings contained in the Agreement are provided for convenience only and do not affect the interpretation of this Agreement or the rights and obligations of the parties.

**ENTIRE AGREEMENT**

This Agreement, as well as any and all exhibits and/or attachments specified herein contains all the agreements, forms, understandings and terms and conditions made between the parties, and may not be modified orally or in any manner other than by agreement in writing signed by both parties. It is also understood and agreed that in the event of any and all conflicts between the terms of this Agreement and the terms of any other documents referencing and/or concerning the Work and/or this Agreement, the terms of this Agreement prevail and final interpretation is at the sole discretion of the Owner.

IN WITNESS WHEREOF, the parties hereto, by their representatives having the ability to legally bind Contractor and Owner, have executed this Agreement as of the day and year first written above.

Water Sewage Treatment Enterprises Inc.

Date

\_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_  
Richard L. Crescenzo, President

Calverton Sewer District

Date

\_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_  
Philip J. Cardinale, Supervisor

**APPENDIX "A"**  
**Contract through December 31, 2007**  
**Calverton Sewer District**

1. Contractor will assume responsible control and supply qualified personnel to operate the existing wastewater treatment plant and three OFF SITE pump stations as described below.
2. Contractor personnel will be on duty at the Calverton Sewer District site daily to fulfill permit regulations.
3. A daily operational log is to be maintained on site as directed by Calverton Sewer District and remain sole property of Calverton Sewer District.
4. Operators will maintain lab and operations building in clean condition.
5. On site daily laboratory testing will include all required by permits such as: dissolved oxygen, temperature, flow pH, settleable solids, mixed liquor settleable solids, nitrate analysis. Results will be entered into daily log.
6. Monthly laboratory testing will be performed as per New York State monitoring requirements. Discharge Monitoring Reports will be completed and submitted to the appropriate agencies.
7. Contractor will inspect, maintain and adjust, as necessary, all mechanical equipment in accordance with manufacturer's guidelines and specifications. Deficiencies will be reported immediately to the Calverton Sewer District.
8. Contractor will be responsible for repairs up to two hundred dollars (\$200.00). Additional materials are to be purchased by Calverton Sewer District.
9. Contractor will be present at all meetings between the Calverton Sewer District and the Suffolk County Department of Health Services of the New York State Department of Environmental Conservation for the purpose of explaining the manner in which the sewage treatment plant has been operated.
10. Contractor will operate the treatment plant and pump stations on a seven day a week basis. A telephone number for 24-hour emergency service will be provided by the contractor.
11. Additional services, major repairs or emergency work will be performed with the Sewer Districts prior authorization and subject to reasonable charges.

12. Contractor will adhere to all Suffolk County rules and regulations for the operation of the sewage plant and maintain all required licenses for the work being performed.

12/19/06

TOWN OF RIVERHEAD

Adopted

Resolution # 1152

**APPROVES THE APPLICATION FOR FIREWORKS PERMIT OF**  
**VAIL-LEAVITT MUSIC HALL, INC.**  
**(December 31, 2006)**

COUNCILMAN DUNLEAVY

\_\_\_\_\_ offered the following resolution, was seconded by

COUNCILMAN DENSIESKI

**WHEREAS**, Vail-Leavitt Music Hall, Inc. has submitted a Fireworks Permit Application for the purpose of conducting a fireworks display to be held at Grangebel Park, Riverhead, on December 31, 2006 at 8:00 p.m.; and

**WHEREAS**, the Town Attorney is in receipt of a completed Fireworks Application executed by the Chief of the Riverhead Department and the Riverhead Fire Marshal and a certificate of insurance from the fireworks company (Pyro Engineering, Inc., d/b/a Bay Fireworks) naming the Town of Riverhead as an additional insured and has determined that same is satisfactory as to their form.

**NOW THEREFORE BE IT RESOLVED**, that the Fireworks Permit Application of Vail-Leavitt Music Hall, Inc., for the purpose of conducting a fireworks display to be held at Grangebel Park, Riverhead, on December 31, 2006 at 8:00 p.m. is hereby approved with the following conditions:

- The required fire suppression equipment and personnel shall be provided by the Riverhead Fire Department whom must be at the site prior to commencement of fireworks display.
- Scheduling a pre-event inspection between 12:00 noon and 2:00 p.m. on the day of the event having the Fireworks technician(s), the Riverhead Fire Marshal and the Riverhead Fire Chief in attendance.
- Fireworks and technicians must arrive at Grangebel Park no later than 2:00 p.m. on the day of the event.
- Fireworks technician must have photo identification and present same to Fire Marshal upon request.
- Bay Fireworks shall provide all steel fireworks racks or (Connecticut Style) wood racks for this show
- Fire Marshal to be present 60 minutes prior to commencement of display for purpose of final inspection and safety review.

Z:\Laura Calamita\Fireworksapps\VailLeavittfireworks.res.doc

**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

- Fireworks display shall be limited to shells not larger than 3" in diameter.
- Fire Marshal shall have final authorization to allow the fireworks display or cancel the display if there are unsafe conditions, lightning and/or winds in excess of 30 miles per hour; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Vail-Leavitt Music Hall, Inc., 18 Peconic Avenue, P.O. Box 147, Riverhead, New York, 11901; Pyro Engineering, Inc., d/b/a Bay Fireworks, 110 Route 110, Suite 102, Huntington Station, New York, 11746; the Riverhead Fire Department; Bruce Johnson, Riverhead Fire Marshal; the Riverhead Police Department and the Office of the Town Attorney and.

December 19, 2006

Adopted

Town of Riverhead

Resolution # 1153

ESTABLISHES TIME AND DATES OF REGULAR MEETINGS OF THE TOWN BOARD FOR 2007

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

WHEREAS, that during the year 2007, all regular meetings of the Town Board will be held twice monthly in Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York; the first to be held on the first Tuesday of the month at 7:00 p.m. and the second to be held on the third Tuesday of the month at 7:00 p.m. Exceptions include meetings that will be held in Town Hall at 2:00 p.m. on Wednesday, January 3, 2007, Wednesday, April 4, 2007, July 3, 2007, August 7, 2007, Wednesday, September 5, 2007, Wednesday, November 7, 2007, December 4, 2007 and Thursday, December 27, 2007; the meeting at 2:00 p.m. on January 3, 2007 will replace the meeting scheduled for the first Tuesday in January; the meeting at 7:00 p.m. on Wednesday, January 17, 2007 will replace the meeting scheduled for the third Tuesday in January; the meeting at 7:00 p.m. on Wednesday, February 21, 2007 will replace the meeting scheduled for the third Tuesday in February; the meeting at 2:00 p.m. on Wednesday, April 4, 2007 will replace the meeting scheduled for the first Tuesday in April; the meeting at 7:00 p.m. on Wednesday, May 16, 2007 will replace the meeting scheduled for the third Tuesday in May; the meeting at 2:00 p.m. on Wednesday, September 5, 2007 will replace the meeting scheduled for the first Tuesday in September; the meeting at 2:00 p.m. on Wednesday, November 7, 2007 will replace the meeting scheduled for the first Tuesday in November; the March 20, 2007 meeting will be held at Riley Avenue Elementary School in Calverton at 7:00 pm; the May 16, 2007 meeting will be held at the Senior Citizen Human Resource Center in Aquebogue at 7:00 pm; the August 21, 2007 meeting will be held at the George Young Community Center in Jamesport at 7:00 pm; the September 18, 2007 meeting will be held at the Wading River Congregational Church at 7:00 pm.

NOW, THEREFORE BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the attached notice in the December 21, 2006 issue of The News-Review and to post same on the signboard(s) in Town Hall.

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**

**TOWN BOARD MEETING TIME AND DATES**

PLEASE TAKE NOTICE, pursuant to a resolution of the Town Board of the Town of Riverhead duly adopted on December 21, 2006, that during the year 2007, all regular meetings of the Town Board will be held twice monthly in Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York; the first to be held on the first Tuesday of the month at 7:00 p.m. and the second to be held on the third Tuesday of the month at 7:00 p.m. Exceptions include meetings that will be held in Town Hall at 2:00 p.m. on Wednesday, January 3, 2007, Wednesday, April 4, 2007, July 3, 2007, August 7, 2007, Wednesday, September 5, 2007, Wednesday, November 7, 2007, December 4, 2007 and Thursday, December 27, 2007; the meeting at 2:00 p.m. on January 3, 2007 will replace the meeting scheduled for the first Tuesday in January; the meeting at 7:00 p.m. on Wednesday, January 17, 2007 will replace the meeting scheduled for the third Tuesday in January; the meeting at 7:00 p.m. on Wednesday, February 21, 2007 will replace the meeting scheduled for the third Tuesday in February; the meeting at 2:00 p.m. on Wednesday, April 4, 2007 will replace the meeting scheduled for the first Tuesday in April; the meeting at 7:00 p.m. on Wednesday, May 16, 2007 will replace the meeting scheduled for the third Tuesday in May; the meeting at 2:00 p.m. on Wednesday, September 5, 2007 will replace the meeting scheduled for the first Tuesday in September; the meeting at 2:00 p.m. on Wednesday, November 7, 2007 will replace the meeting scheduled for the first Tuesday in November; the March 20, 2007 meeting will be held at Riley Avenue Elementary School in Calverton at 7:00 pm; the May 16, 2007 meeting will be held at the Senior Citizen Human Resource Center in Aquebogue at 7:00 pm; the August 21, 2007 meeting will be held at the George Young Community Center in Jamesport at 7:00 pm; the September 18, 2007 meeting will be held at the Wading River Congregational Church at 7:00 pm.

MEETING DATE	MEETING PLACE	MEETING TIME
January 3 (Wednesday)	Town Hall	2:00 p.m.
January 17 (Wednesday)	Town Hall	7:00 p.m.
February 6	Town Hall	7:00 p.m.
February 21 (Wednesday)	Town Hall	7:00 p.m.
March 6	Town Hall	7:00 p.m.
March 20	Riley Avenue Elementary School	7:00 p.m.
April 4 (Wednesday)	Town Hall	2:00 p.m.
April 17	Town Hall	7:00 p.m.

May 1	Town Hall	7:00 p.m.
May 16 (Wednesday)	Senior Citizen Human Resource Center	7:00 p.m.
June 5	Town Hall	7:00 p.m.
June 19	Town Hall	7:00 p.m.
July 3	Town Hall	2:00 p.m.
July 17	Town Hall	7:00 p.m.
August 7	Town Hall	2:00 p.m.
August 21	George Young Community Center	7:00 p.m.
September 5 (Wednesday)	Town Hall	2:00 p.m.
September 18	Wading River Congregational Church	7:00 p.m.
October 2	Town Hall	7:00 p.m.
October 16	Town Hall	7:00 p.m.
November 7 (Wednesday)	Town Hall	2:00 p.m.
November 20	Town Hall	7:00 p.m.
December 4	Town Hall	2:00 p.m.
December 18	Town Hall	7:00 p.m.
December 27 (Thursday)	Town Hall	2:00 p.m.

Dated: Riverhead, New York  
December 19, 2006

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

12/19/06

# Adopted

## TOWN OF RIVERHEAD

Resolution # 1154

### APPROVES THE CREATION OF A SOUTH JAMESPORT HISTORIC DISTRICT

COUNCILWOMAN BLASS

offered the following resolution, was seconded by

COUNCILMAN BARTUNEK

**WHEREAS**, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider the creation of a South Jamesport Historic District; and

**WHEREAS**, a public hearing was held jointly by the Riverhead Town Board and Landmarks Preservation Commission on the 19th day of September, 2006 at 7:10 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

**NOW THEREFORE BE IT RESOLVED**, that the creation of a South Jamesport Historic District is hereby approved 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 is hereby authorized to forward a certified copy of this resolution to the Landmarks Preservation Commission; the Riverhead Planning Department; the Assessor's Office; 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 approved the creation of a South Jamesport Historic District at its regular meeting held on December 5, 2006 as follows:

South Jamesport Historic District as per attached map

Dated: Riverhead, New York  
December 5, 2006

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

**BARBARA GRATTAN**, Town Clerk

# SOUTH JAMESPORT HISTORIC DISTRICT



## South Jamesport Historic District

 South Jamesport Hist Boundary

**Town of Riverhead**  
**Supervisor: Phil Cardinale**

200 Howell Ave.  
Riverhead, New York 11901

12/19/06

# Adopted

## TOWN OF RIVERHEAD

Resolution # 1155

### APPROVES THE CREATION OF A JAMESPORT HAMLET HISTORIC DISTRICT

**COUNCILMAN BARTUNEK**

\_\_\_\_\_ 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 the creation of a Jamesport Hamlet Historic District; and

**WHEREAS**, a public hearing was held jointly by the Riverhead Town Board and Landmarks Preservation Commission on the 19th day of September, 2006 at 7:15 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

**NOW THEREFORE BE IT RESOLVED**, that the creation of a Jamesport Hamlet Historic District is hereby approved 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 is hereby authorized to forward a certified copy of this resolution to the Landmarks Preservation Commission; the Riverhead Planning Department; the Assessor's Office; 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 approved the creation of a South Jamesport Historic District at its regular meeting held on December 5, 2006 as follows:

Jamesport Hamlet Historic District as per attached map

Dated: Riverhead, New York  
December 5, 2006

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

**BARBARA GRATTAN, Town Clerk**

# JAMESPORT HAMLET HISTORIC DISTRICT



## Jamesport Hamlet Historic District



Jamesport Historic Boundary

**Town of Riverhead**  
**Supervisor: Phil Cardinale**

200 Howell Ave.  
Riverhead, New York 11901

December 19, 2006

TOWN OF RIVERHEAD

Resolution # 1156

SCHEDULING A PUBLIC HEARING PURSUANT TO ARTICLE 2 OF THE NEW YORK STATE EMINENT DOMAIN PROCEDURE LAW IN CONNECTION WITH THE CONDEMNATION OF 48-52 Peconic Avenue, Riverhead, reputed owner, Antonio Militello, Suffolk County Tax Map 0600-128-6-85.3., RIVERHEAD, NEW YORK

COUNCILMAN DUNLEAVY offered the following resolution, was seconded

by COUNCILMAN DENSIESKI :

**BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby determines to hold a public hearing on January 17, 2007 at 7:10 o'clock in the evening of that day pursuant to Article 2 of the New York State Eminent Domain Procedure Law with respect to the proposed condemnation of 48-52 Peconic Avenue, Riverhead, reputed owner, **Antonio Militello**, Suffolk County Tax Map 0600-128-6-85.3, for the purposes of improving the entryway from Peconic Avenue to the Town held parking, bike path and Riverwalk Park with additional open space.

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

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

a. in two (2) successive issues of the *News Review*, the official newspaper of the Town of Riverhead on Thursday, January 4, 2007, and January 11, 2007;

b. in five (5) successive issues of *Newsday*, a newspaper of general circulation within the Town of Riverhead, commencing December 27, 2006; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution and the attached notice to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP., P.O. Box 389, 456 Griffing Avenue, Riverhead, New York, 11901; and the Town Attorney and to Anthony Militello.

This resolution was prepared by Frank A. Isler, Special Counsel.

**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

**PUBLIC NOTICE**

**PLEASE TAKE NOTICE**, that a public hearing will be held before the Town Board of the Town of Riverhead on January 17, 2007 at 7:10 o'clock in the evening of that day at Town Hall, 200 Howell Street, Riverhead, New York, to hear all interested persons with regard to the condemnation of property located at 48-52 Peconic Avenue, Riverhead, reputed owner, **Antonio Militello**, Suffolk County Tax Map 0600-128-6-85.3.

The proposed acquisition will be for the purposes of improving the entryway from Peconic Avenue to the Town held parking, bike path and Riverwalk Park with additional open space.

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

Dated: Riverhead, New York  
December 19, 2006

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

12/19/06

# Adopted

## TOWN OF RIVERHEAD

Resolution # 1157

### AUTHORIZES THE PURCHASE OF A TOWN OF RIVERHEAD CREDIT CARD

COUNCILMAN DENSIESKI

offered the following resolution, was seconded by

COUNCILWOMAN BLASS

**WHEREAS**, there is a need for the Town of Riverhead to utilize a credit card from time to time for purposes, including but not limited to, minimal purchases, one-time purchases, deposits and emergencies; and

**WHEREAS**, it is the desire of the Riverhead Town Board to purchase a credit card to be utilized for these purposes.

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Town Board of the Town of Riverhead hereby authorizes the purchase of a Town of Riverhead MBNA Master Card credit card; and be it further

**RESOLVED**, that William Rothaar, Interim Financial Administrator, shall be the authorized user and signator on said credit card; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Office of the Supervisor; William Rothaar; the Office of the Town Attorney 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**

# Adopted

RESOLUTION # 1158 ABSTRACT #06-49 December 6 2006 (TBM 12/19/06)				
COUNCILWOMAN BLASS offered the following Resolution which was seconded by				
COUNCILMAN BARTONEK				
FUND NAME		CD-12/1/06	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1		1,385,782.32	1,385,782.32
POLICE ATHLETIC LEAGUE	4	16,000.00	1,226.18	17,226.18
TEEN CENTER	5	7,500.00		7,500.00
RECREATION PROGRAM FUND	6	2,000.00	536.67	2,536.67
DARE PROGRAM	9	2,500.00		2,500.00
TOWN BOARD SPECIAL PROJECTS	24	17,000.00		17,000.00
SENIOR CITIZEN DAY CARE CENTER	27	4,000.00	531.44	4,531.44
ANIMAL/SPAY NEUTER PROGRAM	29	1,500.00		1,500.00
ECONOMIC DEVELOPMENT ZONE FUND	30	2,500.00	3,201.80	5,701.80
REC YOUTH PROGRAM	31	1,500.00		1,500.00
HIGHWAY FUND	111	119,000.00	65,377.25	184,377.25
WATER DISTRICT	112	18,500.00	43,657.86	62,157.86
REPAIR & MAINTENANCE	113	575,000.00		575,000.00
RIVERHEAD SEWER DISTRICT	114	2,150,000.00	25,616.66	2,175,616.66
REFUSE & GARBAGE COLLECTION	115		6,164.18	6,164.18
STREET LIGHTING DISTRICT	116		43,068.73	43,068.73
PUBLIC PARKING DISTRICT	117	112,000.00		112,000.00
BUSINESS IMPROVEMENT DISTRICT	118	55,000.00		55,000.00
AMBULANCE DISTRICT	120	78,000.00	108.72	78,108.72
EAST CREEK MARINA	122	110,000.00		110,000.00
CALVERTON SEWER DISTRICT	124	103,000.00	678.13	103,678.13
RIVERHEAD SCAVANGER WASTE DIST	128	104,000.00	12,541.90	116,541.90
SEWER DISTRICT FUND	130	133,000.00		133,000.00
WORKERS' COMPENSATION FUND	173	2,100,000.00	3,127.62	2,103,127.62
RISK RETENTION FUND	175		6,279.13	6,279.13
REVOLVING LOAN PROGRAM	178	57,000.00		57,000.00
RESIDENTAL REHAB PROGRAM	179	14,500.00		14,500.00
CDBG CONSORTIUM ACOUNT	181	12,000.00	5,499.69	17,499.69
UDC WORKING	182	11,500.00		11,500.00
RESTORE GRANT PROGRAM	184	7,000.00	5,000.00	12,000.00
PUBLIC PARKING DEBT	381	3,000.00		3,000.00
SEWER DEBT	382	375,000.00		375,000.00
WATER DEBT	383	134,500.00		134,500.00
GENERAL FUND DEBT	384	75,000.00		75,000.00
SCAVENGER WASTE DEBT	385	95,000.00		95,000.00
SUFFOLK THEATER DEBT	386	85,000.00		85,000.00
TOWN HALL CAPITAL PROJECTS	406		16,528,492.16	16,528,492.16
800 SERIES CP	408	20,000.00		20,000.00
TWO BEARS CP	440	32,500.00		32,500.00
CHIPS	451	45,000.00		45,000.00
YOUTH SERVICES CAP PROJECT	452	11,000.00	2,919.37	13,919.37
SENIORS HELP SENIORS CAP PROJE	453		2,424.12	2,424.12
EISEP	454	115,000.00		115,000.00
MUNICIPAL GARAGE FUND	626		27,047.91	27,047.91
TRUST & AGENCY	735		1,413,739.80	1,413,739.80
SPECIAL TRUST	736	955,000.00		955,000.00
COMMUNITY PRESERVATION FUND	737	3,030,000.00	381.12	3,030,381.12
CALVERTON PARK - C.D.A.	914	950,000.00	1,179.30	951,179.30
	915	75,000.00		75,000.00
<b>TOTAL ALL FUNDS</b>		<b>11,815,000.00</b>	<b>19,584,582.06</b>	<b>31,399,582.06</b>

RESOLUTION # <u>1158</u> ABSTRACT #06-49 December 14, 2006 (TBM 12/19/06)				
COUNCILWOMAN BLASS offered the following Resolution which was seconded by				
COUNCILMAN BARTUNEK				
FUND NAME		CD-12/8/06	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1	7,000,000.00	4,247,539.30	11,247,539.30
POLICE ATHLETIC LEAGUE	4		75.00	75.00
TEEN CENTER FUND	5		13.87	13.87
RECREATION PROGRAM FUND	6		3,287.75	3,287.75
NUTRITION SITE COUNCIL FUND	7		1,638.00	1,638.00
CHILD CARE CENTER BUILDING FUN	9		49.70	49.70
TOWN BOARD SPECIAL PROGRAM FUN	24		190.25	190.25
ECONOMIC DEVELOPMENT ZONE FUND	30		1,770.32	1,770.32
HIGHWAY FUND	111		40,058.98	40,058.98
WATER DISTRICT	112		143,506.41	143,506.41
REPAIR & MAINTENANCE RESERVE F	113		115,000.00	115,000.00
RIVERHEAD SEWER DISTRICT	114		147,826.74	147,826.74
REFUSE & GARBAGE COLLECTION DI	115		309,171.53	309,171.53
STREET LIGHTING DISTRICT	116		4,109.57	4,109.57
PUBLIC PARKING DISTRICT	117		12,718.68	12,718.68
BUSINESS IMPROVEMENT DISTRICT	118		118.60	118.60
AMBULANCE DISTRICT	120		1,179.79	1,179.79
EAST CREEK DOCKING FACILITY FU	122		181.30	181.30
CALVERTON SEWER DISTRICT	124		8,176.95	8,176.95
RIVERHEAD SCAVANGER WASTE DIST	128		17,964.12	17,964.12
WORKERS' COMPENSATION FUND	173		5,713.72	5,713.72
RISK RETENTION FUND	175		232,691.67	232,691.67
CDBG CONSORTIUM ACOUNT	181		3,409.23	3,409.23
SEWER DISTRICTS DEBT SERVICE	382		1,264.38	1,264.38
WATER DISTRICT DEBT SERVICE	383		65,952.47	65,952.47
GENERAL FUND DEBT SERVICE	384	7,600,000.00	44,089.40	7,644,089.40
TOWN HALL CAPITAL PROJECTS	406	10,450,000.00	2,182,262.44	12,632,262.44
YOUTH SERVICES CAP PROJECT	452		74.04	74.04
SENIORS HELP SENIORS CAP PROJE	453		29.12	29.12
EISEP CAP PROJECT	454		230.63	230.63
MUNICIPAL FUEL FUND	625		19,176.57	19,176.57
MUNICIPAL GARAGE FUND	626		14,415.31	14,415.31
TRUST & AGENCY	735		2,952.22	2,952.22
COMMUNITY PRESERVATION FUND	737	2,200,000.00	1,853.63	2,201,853.63
CALVERTON PARK - C.D.A.	914		125,024.93	125,024.93
TOTAL ALL FUNDS		27,250,000.00	7,753,716.62	35,003,716.62

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

December 19, 2006

# Adopted

## TOWN OF RIVERHEAD

Resolution # 1159

### REASSIGNS PRINCIPAL ACCOUNT CLERK

**COUNCILWOMAN BLASS** offered the following

resolution, which was seconded by \_\_\_\_\_

**COUNCILMAN DUNLEAVY**

**WHEREAS**, a stipulation of agreement dated December 19, 2006 has been conditionally agreed to by the CSEA and the Town reassigning the position of the Civil Service title of Principal Account Clerk on the Administrative Salary Schedule.

**NOW, THEREFORE, BE IT RESOLVED**, that pursuant to said stipulation Principal Account Clerk Janet Griffin is hereby reassigned to Group 7, Step 5A on the Administrative Salary Schedule effective today, December 19, 2006.

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

### THE VOTE

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

12/19/06

TOWN OF RIVERHEAD

**Adopted**

Resolution #\_1160

**AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE FOR  
PUBLIC HEARING REGARDING A LOCAL LAW TO AMEND CHAPTER 52  
(BUILDING CONSTRUCTION)  
OF THE RIVERHEAD TOWN CODE**

**COUNCILMAN DENSIESKI**

\_\_\_\_\_ 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 local law to amend Chapter 52 entitled, "Building Construction " of the Riverhead Town Code once in the December 21st, 2006 issue of the News Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

**RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to the Building Department, Code Enforcement, and 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 PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held on the 28th day of December, 2006 at 7 o'clock p.m., at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider a local law to amend Chapter 52 entitled "Building Construction " of the Riverhead Town Code as follows:

**ARTICLE VI ENERGY STAR Requirements**

**. Intent.**

The intent is to protect the public health, safety and welfare of its residents by mandating that new single-family dwellings comply with the Long Island Power Authority New York ENERGY STAR Labeled Homes Program guidelines, thus ensuring that the dwellings will use considerably less energy than if built to prevailing building standards. Compliance with Long Island Power Authority New York ENERGY STAR Labeled Homes Program guidelines as outlined in this section shall be required in addition to compliance with current standards outlined in the Energy Conservation Construction Code of the State of New York (Energy Code).

- A. Any new single-family dwelling shall be built to comply with the Long Island Power Authority New York ENERGY STAR Labeled Homes Program (hereinafter "the Program") requirements in accordance with the time periods specified in Subsections D, E and F contained herein.
- B. The ENERGY STAR requirements must be satisfied by compliance with one of the following standards:
  - (1) The Builder Option Package as established by LIPA; or
  - (2) Achieving a home energy rating of 84 or higher on the current expanded Home Energy Rating System (HERS) scoring system adopted by the State of New York (which corresponds to an index of 80 or less as defined in the 2006 Mortgage Industry National Home Energy Rating System Standards promulgated by the Residential Energy Services Network (RESNET).
- C. In addition to demonstrating compliance with one of the standards set forth in Subsection B above, the subject dwelling must comply with the following additional requirements:
  - (1) Include a total of 500 kilowatt hours of electricity savings per dwelling unit as defined by the Program; and
  - (2) Include an automatically controlled mechanical ventilation system as required by the Program; and
  - (3) Comply with the Combustion Safety Testing Standards and Procedures for New York ENERGY STAR Labeled Homes standards, as tested by an analyst certified by the Building Performance Institute, or equivalent trained analyst approved by the Long Island Power Authority, prior to issuance of a certificate of occupancy.
- D. Commencing on April 1, 2007, prior to the issuance of a building permit for any new subject dwelling, the applicant shall certify compliance with Energy Star requirements by one of the following methods:

(1) Method 1.

(a) The plans submitted shall demonstrate compliance with:

- [1] The thermal envelope requirements (R-values and U-values only);
- [2] The electrical savings and ventilation requirements; and
- [3] The equipment efficiency requirements of the Long Island Power Authority Builder Option Package prescriptive standards.

(b) No third-party verification or field testing shall be required under this method.

(2) Method 2. The Home Energy HERS rating shall be obtained, which demonstrates compliance with all requirements of the Program as described above, including all verification and field testing.

E. Commencing on January 1, 2008, prior to the issuance of a building permit for any new subject dwelling, the applicant shall certify that the subject dwelling will comply with the envelope and duct leakage requirements of the Program. Prior to issuance of a certificate of occupancy, the subject dwelling shall pass a test for combustion safety by an analyst certified by the Building Performance Institute, or equivalent trained analyst approved by the Long Island Power Authority. Any subject dwelling that satisfied the Program requirements by using the Home Energy Rating System (HERS) performance verification method shall also be tested for combustion safety.

F. Commencing on April 1, 2008, prior to the issuance of a building permit, the applicant shall certify that the subject dwelling will comply with all aspects of the Program, using either the Home Energy Rating System (HERS) or Builder Option Package method. Prior to issuance of a certificate of occupancy, all field verification and testing requirements of the Program shall be met.

~~§ 89-80~~ **Exemptions.**

Notwithstanding any provision contained in <sup>herein</sup> ~~§ 89-79~~, the testing and verification requirement may be waived upon the Long Island Power Authority (LIPA) submitting a certification that no testing or verification protocol and procedure can be applied accurately in a particular building configuration.