

**TOWN BOARD MEETING
AGENDA
PHILIP CARDINALE, Supervisor
September 5th, 2007**

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

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

**Barbara Grattan, Town Clerk
Dawn Thomas, Town Attorney**

ELECTED OFFICIALS

**Laverne Tennenberg
Paul Leszczynski
Mason E. Haas
Mark Kwasna
Maryann Wowak Heilbrunn
Richard Ehlers
Allen M. Smith**

**Chairwoman Board of Assessors
Board of Assessors
Board of Assessors
Highway Superintendent
Receiver of Taxes
Town Justice
Town Justice**

DEPARTMENT HEADS

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

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

PUBLIC COMMENT ON ANY RESOLUTIONS LISTED BELOW:
COMMUNITY DEVELOPMENT AGENCY MEETING:

- #11** Authorizes Execution of Agreement with the Suffolk County Department of Economic Development for Administration of the Empire Zone Program

REGULAR TOWN BOARD MEETING:

- #819 Appoints Police Officers to the Police Department (E. Lipinsky, W. Bianco, J. Steimel)
- #820 General Fund Budget Adjustment
- #821 Justice Court Budget Adjustment
- #822 Amends Resolution #1162-2006 (Amends Town Board Resolution #1153 and Establishes time and dates of regular meetings of the Town Board for 2007)
- #823 Ratifies the Reappointment of Members to the Riverhead Farmland Preservation Committee
- #824 Authorizes Attendance of One Police Department Employee to the Police Firearms Instructor School
- #825 Authorizes the Attendance of One Police Department Employee to the Homicide Seminar
- #826 Re-Appoints Members to the Riverhead Landmarks Preservation Commission
- #827 Rescinds Resolution #784-2007
- #828 Appoints a P/T Assistant Recreation Leader-Skate Park Level II to the Recreation Department (M. Mastromonico)
- #829 Authorizes Attendance of Two (2) Police Department Employees to the 8th National Conference on Preventing Crime

- #830 Appoints a Town Personnel Officer (M. Ferris)
- #831 Authorizes the Designation of a Certain Structure(s) as a Landmark Pursuant to Chapter 73 Entitled, "Landmarks Preservation" of the Riverhead Town Code
- #832 Authorizes the Town Clerk to Publish and Post a Public Notice for a Public Hearing Regarding a Local Law to Amend Section 3-1 of Chapter 3 Entitled, "Appearance Tickets" of the Riverhead Town Code
- #833 Authorizes Publication of a Display Advertisement Requesting General Contractors and Trades people to Apply as Vendors for the Town of Riverhead Home Improvement Program
- #834 Amends Resolution #793-2007 (Authorizes Town Clerk to Publish and Post Public Notice for a Public Hearing Regarding a Local Law to Repeals all Sections of Chapter 109 Entitled, "Moratorium on Residential Development" of the Riverhead Town Code) and Ratifies Publication
- #835 Amends Resolution #804-2007 (Authorizes Town Clerk to Re-Publish and Re-Post Public Notice for a Local Law to Consider Amendments to Chapter 18 of the Riverhead Town Code Entitled, "Code of Ethics") and Ratifies Publication
- #836 Amends Resolution #815-2007 (Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, "Zoning" (§108-56 Signs G. (6) Prohibited Signs)) and Ratifies Publication
- #837 Rescinds Resolution #816 and Ratifies the Publication of Said Resolution (In the Matter of the Increase and Improvement of the Facilities of the Riverhead Ambulance District, in the Town of Riverhead, Suffolk County, New York)
- #838 Approves Chapter 90 Application of Riverhead County Fair Committee

- #839 Approves Chapter 90 Application of Timothy Hill Children's Ranch (Country Western Kids Fest)
- #840 Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagee of the Property located at 400 South Jamesport Avenue, Jamesport, NY
- #841 Authorizes the Release of Letter of Credit of the Corporation of the Presiding Bishop of the Church of Jesus Christ of Later-Day-Saints, a Utah Corporation Sole
- #842 Authorizes the Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law for an Amendment to Chapter 101 "Vehicles and Traffic" of the Riverhead Town Code (§101-10 Parking Prohibited)
- #843 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 48 Entitled, "Beaches and Recreation Centers" of the Riverhead Town Code (§48-13 Parking and Parking Permits)
- #844 Authorizes Town Clerk to Publish and Post Notice to Bidders for Water Service Materials
- #845 Adopts a Local Law Amending Chapter 52 Entitled, "Building Construction" of the Riverhead Town Code (§52-20 Enforcement of Uniform Fire Prevention and Building Code for Government Buildings and Activities)
- #846 Adopts a Local Law to Amend Chapter 101 Entitled, "Vehicles & Traffic" of the Riverhead Town Code (§101-3 Stop and Yield intersections; railroad crossings; parking fields)
- #847 Authorizes the Supervisor to Execute Easement Agreement with Cablevision

- #848 Authorizes the Supervisor to Execute Agreements in Connection with County of Suffolk EISEP & CSE Housekeeping Contracts
- #849 Accepts Offer of Development Rights (Property Owners: John Bell and Raymond Bell)
- #850 Accepts Offer of Sale of Development Rights (Walter Hodun and Edmond Hodun, Jr.)
- #851 Accepts Offer of Sale of Development Rights (353 Manor Lane, LLC a/k/a Totino)
- #852 Authorizes the Town Clerk to Republish and Repost Notice to Bidders for Truck Body Repairs
- #853 Grants Change of Zone Petition of Miguel & Michelle Blanco
- #854 Approves Site Plan of Island International
- #855 Amends Resolution Approving the Site Plan of Stoneleigh Woods
- #856 Determines Office Space for Labor Unions to Be A Professional Office within the DC-1 Zoning Use District
- #857 Pays Bills

Adopted

TOWN OF RIVERHEAD

Resolution # 819

APPOINTS POLICE OFFICERS TO THE POLICE DEPARTMENT

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

WHEREAS, the Suffolk County Department of Civil Service established List #03-5002-001 Police Officer OC on November 28, 2003; and

WHEREAS, extensive background investigations and personal interviews were conducted by the Suffolk County and Riverhead Town Police Departments to establish three (3) individuals eligible for hire by the Town of Riverhead Police Department.

NOW, THEREFORE, BE IT RESOLVED, effective September 6, 2007, Eric Lipinsky, William Bianco and Jessica Steimel are hereby appointed to the position of Police Officer; and

BE IT FURTHER RESOLVED, that Eric Lipinsky, William Bianco and Jessica Steimel are hereby placed on a leave of absence until the commencement of the next scheduled recruit police officer training session of the Suffolk County Police Academy. On that day, the above-named individuals will become Probationary Police Officers of the Town of Riverhead Police Department as long as they still meet the requirements for employment; and

BE IT FURTHER RESOLVED, that the period of time from September 6, 2007, to the start of the next scheduled recruit training session will not be considered part of Eric Lipinsky's, William Bianco's and Jessica Steimel's probationary employment; and

BE IT FURTHER RESOLVED, that these appointments are contingent upon the start of the next Suffolk County Police Academy training session currently scheduled to begin on or before December 26, 2007. If such training session is cancelled, the aforementioned appointments shall be withdrawn; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Eric Lipinsky, William Bianco, Jessica Steimel, the Chief of Police and the Office of Accounting.

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

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

SEPTEMBER 5, 2007

Adopted

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # ⁸²⁰

COUNCILMAN BARTUNEK

offered the following resolution,

which was seconded by COUNCILMAN DUNLEAVY

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

		<u>FROM</u>	<u>TO</u>
001.010100.543902	Task Force Study Expense	2,000	
001.016200.546100	Telephone	4,000	
001.010100.542607	Town Board Ordinance Codification		6,000

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

SEPTEMBER 5, 2007

Adopted

TOWN OF RIVERHEAD

JUSTICE COURT

BUDGET ADJUSTMENT

RESOLUTION # 821

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

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

		<u>FROM</u>	<u>TO</u>
001.012610.421070	Justice Fines and Fees	10,000	
001.011100.543905	Administration Consultant		10,000

THE VOTE

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

TOWN OF RIVERHEAD

Resolution # 822

AMENDS RESOLUTION #1162 OF 2006 (AMENDS TOWN BOARD RESOLUTION #1153 AND ESTABLISHES TIME AND DATES OF REGULAR MEETINGS OF THE TOWN BOARD FOR 2007)

COUNCILMAN DENSIESKI offered the following resolution, was seconded
by

COUNCILWOMAN BLASS :

WHEREAS, Resolution #1153 adopted by the Riverhead Town Board established time and dates for regular meetings of the Town Board for 2007; and

WHEREAS, thereafter, Resolution #1162 adopted by the Riverhead Town Board on December 27, 2006 amended Resolution #1153 to reflect changes of time, dates and/or locations in said resolution; and

WHEREAS, Resolution #1162 requires an amendment to further change times, dates and/or locations of regular meetings of the Town Board for 2007.

NOW THEREFORE BE IT RESOLVED, that Town Board Resolution #1162 dated December 27, 2006 is hereby amended and that the Town Clerk is thereby directed to publish the attached public notice in the September 13, 2007 issue of the News-Review newspaper 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, DATES AND/OR LOCATIONS

PLEASE TAKE NOTICE, pursuant to a resolution of the Town Board of the Town of Riverhead duly adopted on September 5, 2007, 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. with exceptions as follows:

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 15	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 17	Town Hall	2:00 p.m.
October 2	Town Hall	7:00 p.m.
**October 16	Wading River Congregational Church	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.

** Please note that the meeting previously scheduled for September 18, 2007 has been changed to September 17, 2007 at Town Hall at 2:00 p.m.

** Please note that the meeting scheduled for October 16, 2007 has changed location to the Wading River Congregational Church at 7:00 p.m.

Dated: Riverhead, New York
September 5, 2007

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

September 5, 2007

Adopted

TOWN OF RIVERHEAD

Resolution No. 823

RATIFIES THE REAPPOINTMENT OF MEMBERS TO THE RIVERHEAD FARMLAND PRESERVATION COMMITTEE

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

WHEREAS, the Riverhead Town Board adopted Local Law 14-1997 designated to conserve agricultural land of the Town; and

WHEREAS, such local law provided for the creation of a Farmland Preservation Committee, its composition and its authority; and

WHEREAS, such local law empowers the Town Board to appoint members of the Farmland Preservation Committee; and

WHEREAS, the Town Board desires to reappoint those members whose terms have expired.

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby appoints the following individuals to the Farmland Preservation Committee with their respective terms as follows:

- Mr. Kareem Massoud (Agricultural representative) 2 years, ending 01/08
Mr. Charlie Scheer (Agricultural representative) 2 years, ending 01/09
Mr. Mark Zaweski (Agricultural representative) 2 years, ending 01/09
Mr. Richard O'Dea (Agricultural representative) 2 years, ending 01/08
Mr. Richard Wines (Community member) 2 years, ending 01/09

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to members of the Riverhead Farmland Preservation Committee, the Riverhead Planning Department, the office of the Town Attorney, and the Peconic Land Trust.

THE VOTE

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

abstain

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

09/05/07

STATUS **Adopted**

TOWN OF RIVERHEAD

Resolution # 824

**AUTHORIZES ATTENDANCE OF ONE POLICE DEPARTMENT EMPLOYEE
TO POLICE FIREARMS INSTRUCTOR SCHOOL**

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

WHEREAS, Police Chief Hegermiller has requested authorization from the Riverhead Town Board for the attendance of one police department employee to attend the Police Firearms Instructor School in West Point, New York , and,

WHEREAS, the seminar will be held in West Point, New York from September 17 – 28, 2007.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the attendance of one police department employee to attend the Police Firearms Instructor School.

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes reimbursement of expenses incurred, not to exceed \$2,000.00 upon submission of proper receipts; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Chief Hegermiller 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**

September 5, 2007

Adopted

TOWN OF RIVERHEAD

Resolution # 825

AUTHORIZES THE ATTENDANCE OF ONE POLICE DEPARTMENT EMPLOYEE TO A HOMICIDE SEMINAR

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

WHEREAS, Police Chief Hegermiller has requested authorization from the Riverhead Town Board for the attendance of a Police Department employee to attend the Henry William Homicide Seminar; and,

WHEREAS, the seminar will be held in Albany, New York, from September 15 to September 20, 2007.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the attendance of a Police Department employee at the aforementioned training conference; and,

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes reimbursement of expenses, not to exceed \$1,000.00, upon proper submission of receipts; and,

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

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

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

TOWN OF RIVERHEAD

Adopted

Resolution # 826

RE-APPOINTS MEMBERS TO THE RIVERHEAD LANDMARKS PRESERVATION COMMISSION

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

WHEREAS, Chapter 73 of the Riverhead Town Code entitled "Landmarks Preservation Commission" causes the establishment of an advisory body to the Town Board known as the Landmarks Preservation Commission consisting of (7) members; and

WHEREAS, the Riverhead Town Board recommends the reappointment of four members to the Commission,

NOW THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby reappoints three members to the Landmarks Preservation Commission as follows:

- Nancy Gilbert Three-year term expiring March, 2010
Stephanie Bail Three-year term expiring March, 2010
Peter Lucas Three-year term expiring March, 2010
Tom Sledjeski, Esq. Three-year term expiring August 2010

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Nancy Gilbert, Stephanie Bail, Peter Lucas, and Tom Sledjeski.

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.

September 5, 2007

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 827

RESCINDS RESOLUTION #784

COUNCILWOMAN BLASS

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

WHEREAS, Resolution #784 was adopted August 21, 2007 appointing Donna Zlatniski as a Deputy Town Clerk.

THEREFORE, BE IT RESOLVED, that this Town Board hereby rescinds Resolution #784.

BE IT FURTHER RESOLVED, That the Town Clerk be and is hereby authorized to forward a copy of this resolution to Donna Zlatniski, the Personnel Officer and the Accounting Office.

The Vote

Dunleavy ~~Yes~~ No Bartunek ~~Yes~~ No

Blass ~~Yes~~ No Densieski ~~Yes~~ No

Cardinale ~~Yes~~ No

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

9/5/2007

Adopted

TOWN OF RIVERHEAD

Resolution # 828

APPOINTS A P/T ASSISTANT RECREATION LEADER - SKATE PARK
LEVEL II
TO THE RIVERHEAD RECREATION DEPARTMENT

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

RESOLVED, that Michael Mastromonico is hereby appointed to serve as a P/T Assistant Recreation Leader-Skate Park Level II effective September 5th,2007 to be paid at the rate of \$10.45 per hour, and to serve as needed on an at will basis and to serve at the pleasure of the Town Board

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

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

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

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

¹ Rec.Doris /Res.Skate park Mastromonico

09/17/07

STATUS Adopted

TOWN OF RIVERHEAD

Resolution # 829

**AUTHORIZES ATTENDANCE OF TWO POLICE DEPARTMENT EMPLOYEES
TO 8TH NATIONAL CONFERENCE ON PREVENTING CRIME**

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

WHEREAS, Police Chief Hegermiller has requested authorization from the Riverhead Town Board for the attendance of two police department employees to attend the 8th National Conference on Preventing Crime, Atlanta, Georgia, and,

WHEREAS, the seminar will be held in Atlanta, Georgia from October 3 – 5, 2007.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the attendance of two police department employees to attend the 8th National Conference on Preventing Crime.

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes reimbursement of expenses incurred, not to exceed \$2,250.00 upon submission of proper receipts; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Chief Hegermiller 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

September 5, 2007

TOWN OF RIVERHEAD

Adopted

Resolution # 830

APPOINTS A TOWN PERSONNEL OFFICER

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

WHEREAS, Margaret Ferris has been serving as a provisional appointment in the position of Town Personnel Officer, and

WHEREAS, Civil Service has established a certified list of Eligibles, list # 07-0491-154, for the position of Town Personnel Officer, and Margaret Ferris is reachable on that list.

NOW, THEREFORE, BE IT RESOLVED, that effective September 6, 2007, the Town Board hereby removes the provisional status of Margaret Ferris and appoints her to the position of Town Personnel Officer at no change in salary.

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

The Vote

Dunleavy ~~Yes~~ No

Bartunek ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Cardinale ~~Yes~~ No

THE RESOLUTION WAS WAS NOT

THEREFORE DULY ADOPTED

Town of Riverhead

Adopted

Resolution # 831

AUTHORIZES THE DESIGNATION OF A CERTAIN STRUCTURE AS A LANDMARK PURSUANT TO CHAPTER 73 ENTITLED, "LANDMARKS PRESERVATION" OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Riverhead Landmarks Preservation commission received a nomination from the owner requesting the designation of the following as town landmark:

Luther Moore House, 486 Main Road, Aquebogue, NY 11931

SCTM #600-66-2-17
Owner: Terry Girls Realty, Inc.
Aquebogue, NY 11931; and

WHEREAS, the Town Clerk made the hearing notice available for public inspection and sent notification by registered mail to the owner of the property at least 10 days prior to the date of the hearing; and

WHEREAS, the Landmarks Preservation Commission held a hearing on the proposed designation at its meeting on July 23, 2007 at which no comments were received from the public; and

WHEREAS, the Commission recommends to the Town Board the designation of the Luther Moore House as an official town landmark; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of Riverhead hereby designates the aforementioned structure as a landmark pursuant to Chapter 73, entitled, "Landmarks Preservation", of the Riverhead Town Code as a specified in the attached notice of adoption; and it be 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 is hereby authorized to forward a certified copy of this resolution to the Riverhead Landmarks Preservation Commission; Riverhead Planning Board; the Riverhead Planning Department; the Riverhead 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 adopted a resolution pursuant to Chapter 73 entitled, "Landmarks Preservation" of the Riverhead Town code at its regular meeting held on September 5, 2007 designating the following structure as a landmark:

Luther Moore House, 486 Main Road, Aquebogue, NY 11931

SCTM #600-66-2-17
Owner: Terry Girls Realty, Inc.
Aquebogue, NY 11931

Dated: Riverhead, New York
September 5, 2007

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

BARBARA GRATTAN, Town Clerk

THE VOTE

DUNLEAVY ___ YES ___ NO BARTUNEK ___ YES ___ NO

BLOSS ___ YES ___ NO DENSIESKI ___ YES ___ NO

CARDINALE ___ YES ___ NO

THIS RESOLUTION ___ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

9/5/07

Adopted

TOWN OF RIVERHEAD

Resolution # 832

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE FOR A PUBLIC HEARING REGARDING A LOCAL LAW TO AMEND SECTION 3-1 OF CHAPTER 3 ENTITLED "APPEARANCE TICKETS" OF THE RIVERHEAD TOWN CODE

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider a local law to amend section 3-1 of Chapter 3 entitled, "Appearance Tickets" of the Riverhead Town Code once in the September 13, 2007 edition 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 be and is hereby directed to send notification of this resolution to the Office of the Supervisor, the Office of the Town Attorney and the Town Clerk.

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

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 2nd day of October, 2007 at 7:05 o'clock p.m. to hear all interested persons to consider a local law to amend section 3-1 of Chapter 3 entitled "Appearance Tickets" of Riverhead Town Code as follows:

§ 3-1. Authorized issuing officers. [Amended 8-2-1988 by L.L. No. 3-1988; 5-16-1989 by L.L. No. 3-1989; 4-20-1999 by L.L. No. 5-1999; 11-9-2006 by L.L. No. 46-2006; 3-20-2007 by L.L. No. 7-2007]

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

- Underscore represents addition(s)

Dated: Riverhead, New York
September 5, 2007

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

September 5, 2007

TOWN OF RIVERHEAD

RESOLUTION # 833

AUTHORIZES PUBLICATION OF A DISPLAY ADVERTISEMENT REQUESTING GENERAL CONTRACTORS AND TRADESPEOPLE TO APPLY AS VENDORS FOR THE TOWN OF RIVERHEAD HOME IMPROVEMENT PROGRAM

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

WHEREAS, the Town of Riverhead Community Development Department ("**CDD**") funds home repairs through the Town of Riverhead Home Improvement Program to eliminate hazardous conditions in the homes of eligible very low- and low-income owner-occupants who otherwise cannot afford to make such repairs; and

WHEREAS, the Town of Riverhead Home Improvement Program completes repairs by bidding out jobs to a pool of contractors registered as Town of Riverhead vendors; and

WHEREAS, CDD wishes to publish a display advertisement in a newspaper of general circulation in the project area requesting that additional general contractors and tradespeople apply as vendors for the Home Improvement Program; and

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby authorizes publication of the attached advertisement in the News Review on September 13, 2007.

BE IT FURTHER RESOLVED, that the Town Clerk shall provide a notification of this resolution to CDD Director Andrea Lohneiss.

THE VOTE

Dunleavy ~~Yes~~ No

Bartunek ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Cardinale ~~Yes~~ No

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

**TOWN OF RIVERHEAD
CALL FOR LICENSED CONTRACTORS**

The Town of Riverhead Home Improvement Program is looking for additional licensed remodeling contractors and tradespeople to apply as vendors for the Town of Riverhead Home Improvement Program to assist very low- and low-income homeowners to repair and rehabilitate their homes. Licensed General contractors, electricians, plumbers and heating contractors are encouraged to apply.

Contractor/Vendor applications are available for download online at <http://riverheadli.com/Contractor.Vendor.Application.pdf>. Interested individuals may inquire/submit vendor applications on an ongoing basis to:

Town of Riverhead
Community Development Department
200 Howell Avenue
Riverhead, NY 11901
Tel (631) 727 -3200 x238

The Town of Riverhead is an equal opportunity employer – women and minority contractors are encouraged to apply.

TOWN OF RIVERHEAD

Adopted

Resolution # 834

AMENDS RESOLUTION # 793-2007 (Authorizes Town Clerk to Publish and Post a Public Notice for a Public Hearing Regarding a Local Law to Repeal all Sections of Chapter 109 Entitled, "Moratorium on Residential Development" of the Riverhead Town Code) and Ratifies Publication

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

WHEREAS, Resolution #793-2007 was passed on August 21, 2007 scheduling a public hearing to Repeal all Sections of Chapter 109 Entitled, "Moratorium on Residential Development" on September 18, 2007 at 7:05 pm at Wading River Congregational Church, North Wading River Road, Wading River, NY;

WHEREAS, the 18th of September is Primary Day, and the Wading River Congregational Church is a polling place, it is necessary to change the date, place and time of the hearing;

WHEREAS, the date, place and time of the hearing will now be the 17th day of September, 2007, at 2:05 pm at Riverhead Town Hall, 200 Howell Avenue, Riverhead, NY;

BE IT RESOLVED the Town Board of the Town of Riverhead hereby ratifies the publication of the corrected public notice in the September 23, 2007 issue of the News Review,

RESOLVED, that the Town Clerk is hereby directed to send notification of this resolution to the Office of the Supervisor and Town Attorney.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 17th day of September, 2007 at 2:05 o'clock p.m. to hear all interested persons to consider a local law to repeal all sections of Chapter 109 entitled "Moratorium on Residential Development" of Riverhead Town Code as follows:

~~§ 109-1. Legislative intent.~~

~~A. In order to better protect the health, safety and welfare of its residents, the Town of Riverhead has recently adopted an update to its Comprehensive Plan so as to ensure the protection of its natural resources, including farmland, wetlands, coastal areas, waterfront lands, and woodlands.~~

~~B. With the intent on establishing a comprehensive means of preserving farmland in Riverhead, Land Ethics, Inc., a subcontractor to the Town's Comprehensive Plan consultant, Abeles, Phillips, Preiss & Shapiro (A, P, P & S), has developed a draft chapter for the Comprehensive Plan entitled "Preservation Strategy for Agriculture in the Town of Riverhead."~~

~~C. With regard to Riverhead's unique opportunities as an agricultural community, in its draft chapter Preservation Strategy for Agriculture in the Town of Riverhead, Land Ethics, Inc., stated as follows:~~

~~"Because of the large amount of farmland remaining in Riverhead, its excellent climate and soils, as well as its geographic location at the intersection of the North and South Forks, Riverhead is uniquely situated to benefit from agricultural preservation. Relative to other communities on eastern Long Island, Riverhead still has a large amount of contiguous agricultural space. Riverhead, therefore has the potential to become the agricultural nexus or "heartland" of eastern Long Island ... Because of its unique geographic location, Riverhead stands to benefit economically if new growth is well managed. To reap these benefits, Riverhead must carefully balance three areas of actions: the revitalization of downtown; the accommodation of new growth, and the maintenance of rural character in its outlying regions."~~

~~D. With regard to the current state of agriculture and agricultural lands within the Town of Riverhead, Land Ethics, Inc., further stated:~~

~~Over the nearly fifty year period between 1950 and 1992, farmland in Suffolk County decreased 71%, from 123,346 acres to 35,353 acres. According to the Suffolk County Planning Department, farmland continues to decline at a rate of roughly 1,300 (1,289) acres per year. ... In 1968, Riverhead had 30% of the county's farmland (19,550) acres; nearly 30 years later in 1996, despite a 9% drop in the Town's agricultural acreage,~~

~~Riverhead had 38% of the county's farmland, 17,662 acres. These figures indicate that Riverhead has a critical role to play in the protection of prime agricultural lands in eastern Long Island."~~

~~E. In an effort to enable the Town to better preserve its agricultural heritage and open spaces, Land Ethics, Inc., in its draft Preservation Strategy of Agriculture in the Town of Riverhead, has proposed significant changes to zoning which will impact residential development and residential land development review procedures with the Town.~~

~~F. Due in part to the ongoing comprehensive planning effort that the Town of Riverhead has been engaged in for several years, the Town has experienced a significant increase of subdivision, site plan and special permit project applications in anticipation of pending changes. Currently there are numerous such pending applications within the proposed Agriculture Overlay District and the proposed Development Rights Receiving Districts. The influx of these development applications going forward under outdated policies and procedures will impair the effectiveness of the aforementioned proposed changes, further exacerbating the loss of natural resources sought to be preserved through the implementation of the forthcoming update to the Comprehensive Plan. It is expected that the new zoning amendment will be ready to be adopted and implemented by the Town in approximately three months from the effective date of this chapter.~~

~~G. Pending the implementation of the Comprehensive Plan, a moratorium on the subdivision of land and/or the approval of site plans or special permits on lands within the proposed Agricultural Overlay District and Development Rights Receiving Areas will give the Town of Riverhead the breathing room it needs to adopt the zoning and planning changes necessary to protect the public health, safety, and welfare.~~

~~H. The previous moratorium adopted by the Town Board on December 12, 2001, which expired by its own terms on June 12, 2002, did not permit the Town sufficient time to adopt and implement the agricultural preservation strategy which is now in the final stages of completion. That moratorium was extended and will expire on February 7, 2004. The Town is now in the final stages of adopting and implementing the Comprehensive Plan. The Town Board has conducted the necessary public hearings and expects to adopt the Comprehensive Plan and its attendant Generic Environmental Impact Statement in October. It is anticipated that the public hearing process will conclude with the adoption of new zoning in accordance with the adopted Comprehensive Plan in November 2003. This continuation of moratorium will protect the status quo while the Town Board completes these tasks.~~

~~I. The moratorium is not a building moratorium. Those applicants for development who have obtained valid building permits are excluded from the moratorium. Likewise, those applicants for development who have received final conditional approval for residential land subdivision, residential site plans or residential special permits are exempted. This chapter recognizes the need to balance preservation with business concerns. Those applicants for development who have invested considerable time and money and received their final conditional approvals, building permits, site plan approvals or special permits are exempt from the moratorium.~~

~~J. The chapter also provides both exclusions and exemptions for owners of property, so that it does not impose an undue burden upon them. As such, undue hardships will not be imposed where community gains can be accomplished.~~

~~K. A well-planned community will serve all of the inhabitants of Riverhead. Surveys reveal that towns with tighter zoning controls generally have lower taxes. High density residential development often leads to the need for more expensive infrastructure, including more~~

~~—schools, police, roads, and sewers, among other amenities. Low density residential development generally leads to higher land values because the most beautiful portions of the community can be preserved via clustering and setbacks, a strong agricultural heritage and rural character can remain intact, and bays and ecosystems can be protected.~~

~~L. In addition, the advent of the two percent transfer tax represents an opportunity of unprecedented proportion to save the best of Riverhead Town for future generations. Wide expenditure of these monies will serve to preserve the quality of life in the Town and enhance property values well into the future.~~

~~M. In an effort to aid the Town in purchasing development rights, in April of 2002 the Town Board authorized the issuance of serial bonds in the sum of \$30,000,000 to allow the Town to increase its purchase power.~~

~~N. In short, sound planning will lead to a higher quality of life for all of Riverhead's citizens. By briefly pausing in order to enact the recommendations of the Comprehensive Plan for the Town of Riverhead, the Town is making an important investment for the future and upholding its commitments and obligations to its citizens.~~

~~§ 109-2. Statutory authority; supersession.~~

~~A. This chapter is adopted pursuant to Municipal Home Rule Law and the State Environmental Quality Review Act and its implementing regulations. It expressly supersedes any provisions of the Town Code of the Town of Riverhead, and §§ 267, 267-a, 267-b, 267-c, 274-a, 274-b and 276 of the Town Law of the State of New York. Furthermore, this chapter shall supercede the New York State Environmental Conservation Law §§ 3-0301(1)(b), 3-0301(2)(m) and 8-0113 and 6 NYCRR Part 617, also known as the State Environmental Quality Review Act (SEQRA), as it pertains to applications that are neither excluded nor exempt from this chapter.~~

~~B. In particular, this chapter shall supersede and suspend those provisions of the Town Code and New York State Law which require the Planning Board to accept, process and approve residential land subdivision applications within certain statutory time periods. In addition, this chapter shall supersede and suspend those provisions of the Town Code of the Town of Riverhead as well as the Town Law of the State of New York which require the Town Board to accept, process and approve site plan and special permit applications. Furthermore, this chapter shall supersede and suspend those provisions of the Town Code and the New York State Town Law which grant the Zoning Board of Appeals authority to hear appeals from applicable zoning provisions and specifically the time frames for decisionmaking and holding hearings for decisionmaking.~~

~~§ 109-3. Applicability.~~

~~The provisions of this chapter shall apply to all residential land subdivision, residential site plan and residential special use permit applications for lands within the Town of Riverhead.~~

~~§ 109-4. Processing of residential subdivision applications, residential site plans applications and residential special permit application prohibited.~~

~~Neither the Planning Board nor the Town Board shall process any residential land subdivision, residential site plans or residential special permits except as set forth herein.~~

~~§ 109-5. Time period.~~

~~This chapter shall apply for a period of six months from the effective date hereof. This chapter shall expire after said six-month period or upon the adoption of all the residential zoning use districts required to implement the Comprehensive Plan except the Multifamily Residential Overlay Zone, whichever shall occur first.~~

~~§ 109-6. Applications excluded.~~

~~The following applications are excluded from this chapter:~~

- ~~A. All minor subdivisions as defined in Chapter 108 of the Town Code of the Town of Riverhead, whether minor by definition, or major treated as minor pursuant to § 108-95B.~~
- ~~B. All major subdivisions of land lying within the development rights sending area as adopted by the Town Board and identified pursuant to the Code of the Town of Riverhead § 95A-12 which meet the following two criteria:
 - ~~(1) Residential lot yields in conformance with the subdivision regulations of Chapter 108 of the Town Code of the Town of Riverhead and depicting minimum lot areas of 80,000 square feet; and~~
 - ~~(2) Plat plans clustered pursuant to Chapter 108 of the Town Code of the Town of Riverhead which depict 70% of the area of the tract to be preserved by an easement restricting the use of the area to agricultural uses as defined in § 44-2 of the Town Code of the Town of Riverhead, in perpetuity.~~~~
- ~~C. Major land subdivisions upon real property lying within development rights receiving areas as adopted by the Town Board and identified pursuant to the Town Code of the Town of Riverhead § 95A-12, which subdivisions meet one of the following criteria:
 - ~~(1) Residential lot yields with a minimum lot area of 80,000 square feet; or~~
 - ~~(2) Subdivisions that utilize transferred development rights (TDR) as certified by the Planning Board pursuant to Chapter 95A of the Town Code of the Town of Riverhead and propose density increases at the rate of one additional lot per TDR with all resulting lots having a minimum lot area of 40,000 square feet. All such excluded land divisions shall depict residential lot yields in conformance with the subdivision regulations of Chapter 108 of the Code of the Town of Riverhead depicting the minimum lot areas of 80,000 square feet.~~~~
- ~~D. Residential subdivision applications that have final conditional approval from the Planning Board prior to the effective date of this chapter.~~
- ~~E. Any application for residential development which has been determined, by resolution of the Town Board of the Town of Riverhead, to be excluded from the previous moratorium pursuant to § 109-6 of Local Law No. 16 of 2001.~~
- ~~F. Site plan applications for residential development which have received a special permit from the Town Board of the Town of Riverhead prior to the enactment of this chapter.~~
- ~~G. Residential special permit and/or site plan applications for two-family dwellings as set forth in § 108-21B(3) of the Town Code of the Town of Riverhead.~~
- ~~H. Residential special permit and/or site plan applications for agricultural worker housing as set forth in § 108-21C(4) of the Town Code of the Town of Riverhead.~~

- I. Residential special permit and/or site plan applications for residential development pursuant to §§ 108-34B(2), 108-39B(3), and 108-42B(3) of the Town Code of the Town of Riverhead.
- J. Applications for approval of a condominium map within the Multifamily Residential /Professional Office Zone as set forth in § 108-169A(1) of the Town Code of the Town of Riverhead.
- K. Residential subdivision applications modifying a map or its conditions of approval, including legal instruments, in connection with a previously filed map or final conditional approval adopted prior to the effective date of this chapter. However, there shall be no modification to a map or conditions of approval that would create additional residential building lots on the subject parcel.
- L. Property designated pursuant to Articles 15 and 15-A of the General Municipal Law of the State of New York as an urban renewal area.
- M. There shall be no further subdivision of any property having received any subdivision approval during the moratorium period.

§ 109-7. Exemption criteria and procedure for obtaining an exemption.

- A. Applications may be exempted from the provisions of this chapter following a public hearing on notice before the Town Board. Upon such application, the Town Board shall consider:
 - (1) The proximity of the applicant's premises to natural resources, including prime agricultural soils, pine barrens, wetlands, coastal areas, endangered plant and animal species, wildlife and other similar environmental concerns.
 - (2) The impact of the proposed subdivision of the applicant's premises and the surrounding area.
 - (3) The environmental significance, if any, of the applicant's parcel and the proposed development's impact upon the environment, including existing transportation resources.
 - (4) Compatibility of the proposed development with the aesthetic resources of the community and with the existing community character.
 - (5) Compatibility of the proposed development with the recommendations of comprehensive planning studies.
- B. In making a determination concerning a proposed exemption, the Town Board may obtain and consider written reports from the Planning Department and such other sources as required in the discretion of the Town Board and consistent with the purposes of this chapter. A grant of an exemption to an applicant's application hereunder shall include a determination of unreasonable hardship upon the property owner which is unique to the property owner and a finding that the grant of an exemption will be in harmony with, and will be consistent with the recommendations of the Comprehensive Plan update.
- C. An application under Subsection A shall be accompanied by a fee of \$250, together with the applicant's written undertaking, in a form to be approved by the Town Attorney and, in substance, approved by the Town Board, to pay either in advance or by reimbursement, at the Town Board's ongoing election, any out-of-pocket costs incurred relating to the hearing, review, and determination of such application.

§ 109-8. Severability.

If any section or subsection, paragraph, clause, phrase or portion of this chapter shall be judged invalid or held unconstitutional by a court of competent jurisdiction, any judgment made thereby

~~shall not effect the validity of this chapter as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.~~

~~§ 109-9. When effective.~~

~~This chapter shall take effect immediately.~~

- Overstrike represents deletion(s)

Dated: Riverhead, New York
August 21, 2007

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

09/05/2007

TOWN OF RIVERHEAD

Adopted

Resolution # 835

AMENDS RESOLUTION # 804-2007 (Authorizes Town Clerk Re-Publish and Re-Post Public Notice for a Local Law to Consider Amendments to Chapter 18 of the Riverhead Town Code Entitled, "Code of Ethics") and Ratifies Publication

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

WHEREAS, Resolution #8804-2007 was passed on August 21, 2007 scheduling a public hearing to Amend Chapter 18, "Code of Ethics" on September 18, 2007 at 7:10 pm at Wading River Congregational Church, North Wading River Road, Wading River, NY;

WHEREAS, the 18th of September is Primary Day, and the Wading River Congregational Church is a polling place, it is necessary to change the date, place and time of the hearing;

WHEREAS, the date, place and time of the hearing will now be the 17th day of September, 2007, at 2:10 pm at Riverhead Town Hall, 200 Howell Avenue, Riverhead, NY;

BE IT RESOLVED the Town Board of the Town of Riverhead hereby ratifies the publication of the corrected public notice in the September 23, 2007 issue of the News Review,

RESOLVED, that the Town Clerk is hereby directed to send notification of this resolution to the Office of the Supervisor and Town Attorney.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead, at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 17th day of September, 2007 at 2:10 o'clock p.m. to consider a local law amending Chapter 18 entitled "Code of Ethics", §18-10 of the Riverhead Town Code as follows:

§18-10. Annual financial disclosure and conflict statement.

A. Town officers and employees required to file an annual financial and conflict disclosure statement. All elected officials, all Town Department Heads, Planning Board members, Zoning Board of Appeals members, Deputy Town Supervisor, Town Attorney, Deputy Town Attorneys, persons who are certified as Code Enforcement Officials as provided by Title 19 of the New York Code of Rules and Regulations Part 434, Building Inspectors, the Farmland Preservation Committee, the Open Space/Park Preserve Committee, and certain Town officers and employees and members of appointed boards and committees, as determined by the Town Board by resolution, are required to file a signed annual financial disclosure and conflict statement, which must be signed by the individual Town officer or employee.

- Underline represents addition(s)

Dated: Riverhead, New York
August 21, 2007

BY ORDER OF THE TOWN BOARD
OF THE TONW OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

09/05/2007

TOWN OF RIVERHEAD

Resolution # 836

AMENDS RESOLUTION # 815-2007 (Authorizes Town Clerk Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 of the Riverhead Town Code Entitled, "Zoning" (§108-56 Signs G. (6) Prohibited signs)) and Ratifies Publication

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

WHEREAS, Resolution #815-2007 was passed on August 21, 2007 scheduling a public hearing to Amend Chapter 108, "Zoning" on September 18, 2007 at 7:20 pm at Wading River Congregational Church, North Wading River Road, Wading River, NY;

WHEREAS, the 18th of September is Primary Day, and the Wading River Congregational Church is a polling place, it is necessary to change the date, place and time of the hearing;

WHEREAS, the date, place and time of the hearing will now be the 17th day of September, 2007, at 2:20 pm at Riverhead Town Hall, 200 Howell Avenue, Riverhead, NY;

BE IT RESOLVED the Town Board of the Town of Riverhead hereby ratifies the publication of the corrected public notice in the September 23, 2007 issue of the News Review,

RESOLVED, that the Town Clerk is hereby directed to send notification of this resolution to the Office of the Supervisor and 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 before the Town Board of the Town of Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 17th day of September, 2007 at 2:20 o'clock p.m. to consider a local law to amend Chapter 108 of the Riverhead Town Code entitled "Zoning" (§108-56. Signs).

§108-56. Signs.

- G. Prohibited signs. The following types of signs are prohibited in every use district in the Town of Riverhead unless otherwise specified in this chapter:
- (1) Off-premises commercial advertising signs, including but not limited to billboards or signs affixed to utility poles.
 - (2) Animated, flashing, moving, rotating, revolving, chasing, oscillating, or blinking signs or devices other than a time and temperature display.
 - (3) Banners, ribbons, pennants, spinners, streamers, balloons or other such devices.
 - (4) Any sign visible from a public right-of-way that is mounted on a vehicle or trailer designed to be transported by wheels, or is mounted on a chassis with or without wheels.
 - (5) Temporary menu, sandwich board, banners, posters and other such "temporary" signs within 50 feet of the public right-of-way, with the exception of farm market ground identification signs.
 - (6) Any sign, including handbills and stickers, affixed to a traffic sign, signal, controller cabinet or supporting structure, fire hydrant, utility pole, bridge, tree, rock, statue, or sculpture. It shall be presumed that any person, business or entity identified on any sign, poster, sticker or advertising device regulated under this chapter, or the owner, agent, registrant, manager, business, entity or person in charge of any telephone number, Web-Site, entity, business or address identified on any sign, poster, sticker or advertising device regulated under this chapter is responsible for the placement of that sign, poster or sticker. This presumption shall be rebuttable.

- Underline represents addition(s)

Dated: Riverhead, New York
August 21, 2007

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

BARBARA GRATTAN, Town Clerk

Adopted

RESCINDS RESOLUTION #816 AND RATIFIES THE PUBLICATION (In the Matter of

The Increase and Improvement of the Facilities of the Riverhead Ambulance District, in the Town of Riverhead, Suffolk County, New York)

160288868.01 43219-2-20

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York on September 5, 2007, at 2 o'clock P.M., Prevailing Time.

PRESENT:

Supervisor

Councilman

Councilman

Councilman

Councilman

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

COUNCILMAN DENSIESKI

<p>In the Matter of The Increase and Improvement of the Facilities of the Riverhead Ambulance District, in the Town of Riverhead, Suffolk County, New York</p>	<p>ORDER CALLING PUBLIC HEARING</p>
--	---

WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Riverhead Ambulance District, in the Town of Riverhead, Suffolk County, New York, being the

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

acquisition of a new ambulance, including incidental equipment and expenses in connection therewith, at a maximum estimated cost of \$150,000; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act ("SEQRA"), have been performed, it having been determined that this capital project is a Type II Action, the implementation of which as proposed, it has been determined will not result in any significant environmental effects; and

WHEREAS, it is now desired to call a public hearing on the question of the acquisition of a new ambulance for said Riverhead Ambulance District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

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

Section 1. A public hearing will be held at the Town Hall, in Riverhead, New York, in said Town, on September 17th, 2007, at 2:15 o'clock P.M., Prevailing Time, on the question of the increase and improvement of the Riverhead Ambulance District, in the Town of Riverhead, Suffolk County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the *News Review*, the official newspapers, and also to cause a copy thereof to be posted on the sign board of the Town,

such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This Order shall take effect immediately.

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

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

The order was thereupon declared duly adopted.-

* * * * *

Exhibit A

NOTICE OF PUBLIC HEARING
RIVERHEAD AMBULANCE DISTRICT

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, will meet at the Town Hall, 200 Howell Avenue in Riverhead, New York, on September 17th, 2007, at 2:15 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a "certain map, plan and report", including an estimate of cost, in relation to the proposed increase and improvement of the Riverhead Ambulance District, in said Town, consisting of the acquisition of a new ambulance, including incidental equipment and expenses in connection therewith, at a maximum estimated cost of \$150,000.

Said capital project has been determined to be a "Type II Action" pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA").

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Riverhead, New York,

August 21, 2007.

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

Barbara Grattan
Town Clerk

9/5/07

Adopted

TOWN OF RIVERHEAD

Resolution # 838

APPROVES CHAPTER 90 APPLICATION OF RIVERHEAD COUNTRY FAIR COMMITTEE

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

WHEREAS, on April 16, 2007, the Riverhead Country Fair Committee had submitted an application for the purpose of conducting their annual Country Fair to be held on Main Street, Peconic Riverfront parking area and Peconic Avenue, Riverhead, New York on October 7, 2007, having a rain date of October 8, 2007, between the hours of 10:00 a.m. and 5:00 p.m.; and

WHEREAS, the Riverhead Country Fair Committee has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617.6(b); and

WHEREAS, the Town Board of the Town of Riverhead has declared itself "Lead Agency" in accordance with 6 NYCRR 617; and

WHEREAS, the Riverhead Country Fair Committee has requested the Chapter 90 Application fee for this event be waived; and

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

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

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

RESOLVED that the Chapter 90 Application of Riverhead Country Fair Committee for the purpose of conducting their annual Country Fair to be held on Main Street, Peconic Riverfront parking area and Peconic Avenue, Riverhead, New York on October 7, 2007, having a rain date of October 8, 2007, between the hours of 10:00 a.m. and 5:00 p.m., is hereby approved; and be it further

RESOLVED, that approval for this event shall be subject to the following:

- Receipt of required Suffolk County Department of Health permit(s), including the food handling permit(s);
- Receipt of required Public Gathering/Emergency Medical Services (EMS) permit(s);

RESOLVED, that Chapter 46 entitled "Alcoholic Beverages" is deemed to be waived for the service of alcoholic beer during the event at or in locations and by licensed alcohol service providers to be determined prior to the commencement of the event; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes this event to be exempt from Chapter 86 entitled, "Noise Control" of the Riverhead Town Code; and be it further

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

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

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

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Country Fair Committee/Townscape, Inc.

RESOLVED, all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

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

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

9/5/07

Adopted

TOWN OF RIVERHEAD

Resolution # 839

APPROVES CHAPTER 90 APPLICATION OF TIMOTHY HILL CHILDREN'S RANCH
(Country Western Kids Fest)

COUNCILWOMAN BLASS

_____ offered the following resolution, was seconded by

COUNCILMAN BARTUNEK :

WHEREAS, on August 16, 2007, the Timothy Hill Children's Ranch had submitted a Chapter 90 Application for the purpose of conducting a Country Western Kids Fest including live music, contests, games, crafts and prizes to be held at 298 Middle Road, Riverhead, New York, on Saturday, September 8, 2007, between the hours of 12:00 p.m. and 5:00 p.m.; and

WHEREAS, Timothy Hill Children's Ranch has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

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

WHEREAS, Timothy Hill Children's Ranch has requested the Chapter 90 Application fee be waived due to its not-for-profit status; and

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

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

RESOLVED that the Chapter 90 Application of Timothy Hill Children's Ranch for the purpose of conducting a Country Western Kids Fest including live music, contests, games, crafts and prizes to be held at 298 Middle Road, Riverhead, New York, on Saturday, September 8, 2007, between the hours of 12:00 p.m. and 5:00 p.m., is hereby approved; and be it further

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

RESOLVED, that approval for this event shall be subject to the receipt of required Suffolk County Department of Health permit(s), including the food handling permit(s); and be it further

RESOLVED, that Timothy Hill Children's Ranch shall provide adequate personnel to direct all visitors to designated parking areas. There shall no parking permitted on Middle Road. Parking on Farm Road and Rabbit Run shall be permitted on the *west side only* to ensure emergency vehicle access; and be it further

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

RESOLVED, that this approval is subject to the provisions of Riverhead Town Code Chapter 81 - "Noise Control", Chapter 108-56 - "Signs" and any other section of the Riverhead Town Code that may pertain to this event; and be further

RESOLVED, that approval for this event shall be subject to the receipt of required Suffolk County Department of Health permit(s), including the food handling permit(s); and be it further

RESOLVED, that Timothy Hill Children's Ranch shall provide adequate personnel to direct all visitors to designated parking areas. There shall no parking permitted on Middle Road. Parking on Farm Road and Rabbit Run shall be permitted on the *west side only* to ensure emergency vehicle access; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Timothy Hill Children's Ranch, 298 Middle Road, Riverhead, New York, 11901, Attn: James E. Regan, Jr.; and be it further

RESOLVED, all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

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

09/05/07

Adopted

TOWN OF RIVERHEAD

Resolution # 840

AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS AND MORTGAGEE OF THE PROPERTY LOCATED AT 400 SOUTH JAMESPORT AVENUE, JAMESPORT, NEW YORK

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

WHEREAS, the Town Board has determined that the property situated at 400 South Jamesport Avenue, Jamesport, New York is being used and occupied in violation of various sections of the Code of the Town of Riverhead and the New York State Uniform Fire Prevention and Building Code;

NOW, THEREFORE

BE IT HEREBY RESOLVED, that Dawn C. Thomas, Town Attorney for the Town of Riverhead is authorized to institute legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the tents and/or structures situated at 400 South Jamesport Avenue, Jamesport, New York in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property and the tents and/or structures situated upon such; and be it further

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

THE VOTE

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

THE RESOLUTION WAS WAS NOT

TOWN OF RIVERHEAD

Adopted

Resolution # 841

AUTHORIZES THE RELEASE OF LETTER OF CREDIT OF THE CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATER-DAY SAINTS, A UTAH CORPORATION SOLE

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

WHEREAS, The Corporation of the Presiding Bishop of the Church of Jesus Christ of Later-Day Saints, A Utah Corporation Cole, posted an Irrevocable Letter of Credit (#ZSB801671 from Zions Bank, Los Angeles, California) in the sum of Forty Four Thousand Five Hundred Dollars (\$44,500) pursuant to Section 108-133(I) of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the letter of credit (#ZSB801671) in the sum of Forty Four Thousand Five Hundred Dollars (\$44,500) and

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to The Church of Jesus Christ of Later-Day Saints, 50 East North Temple Street, Salt Lake City, Ut. 84150, the Building Department; the Accounting Department, the Town Clerk and the Town Attorney's Office.

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

The Resolution Was Was Not
Therefore Duly Adopted

9/5/07

Adopted

TOWN OF RIVERHEAD

Resolution # 842

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT TO CHAPTER 101 "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE (101-10. Parking prohibited.)

COUNCILMAN DENSIESKI

offered the following resolution,

COUNCILWOMAN BLASS

which was seconded by _____:

RESOLVED, that the Town Clerk is hereby authorized to post and publish the attached public notice to consider a proposed local law to consider the amendment to Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code, once in the September 13, 2007 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

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 17th day of September, 2007 at 2:30 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

Chapter 101
Vehicles and Traffic
ARTICLE V
Parking, Standing and Stopping

§ 101-10. Parking prohibited.

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

Name of Street	Side	Location
Roanoke Avenue	Both	From Sound Avenue to the mean high-water line of Long Island Sound

- Overstrike represents deletion(s)

Dated: Riverhead, New York
September 5, 2007

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

BARBARA GRATTAN, Town Clerk

9/5/07

TOWN OF RIVERHEAD

Resolution # 843

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 48 ENTITLED, "BEACHES AND RECREATION CENTERS" OF THE RIVERHEAD TOWN CODE

(§48-13 Parking and parking permits.)
COUNCILWOMAN BLASS

_____ offered the following resolution, was seconded by

COUNCILMAN BARTUNEK :

RESOLVED, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 48 entitled, "Beaches and Recreation Centers" of the Riverhead Town Code once in the September 13, 2007 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law to be posted on the sign board of the Town; and be it further

RESOLVED, all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

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 meeting will be held before the Town Board of the Town of Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 17th day of September, 2007 at 2:25 p.m. o'clock to consider a local law amending Chapter 48 of the Riverhead Town Code entitled, "Beaches and Recreation Centers" as follows:

**Chapter 48
BEACHES AND RECREATION CENTERS**

ARTICLE II, Use of Recreation Centers and Public Beaches

§ 48-13. Parking and parking permits.

A. Vehicles entering any public bathing beach or recreation center shall enter only at designated entrances and leave only through designated exits. Parking of all vehicles displaying a parking permit, obtained as hereinafter provided, shall be permitted in the spaces provided at any public bathing beach or recreation center. The following parking areas are hereby designated as Town of Riverhead parking by permit only areas:

- (1) Parking area at South Jamesport Beach.
- (2) Parking area at Iron Pier Beach.
- (3) Parking area at Reeves Park Beach.
- (4) Parking areas at Wading River Beach. [Amended 2-7-2006 by L.L. No. 6-2006]
- (5) Parking area at Roanoke Fishing Point (unprotected beach).
- (6) Parking area at Edwards Avenue Fishing Point (unprotected beach).
- ~~(7) Parking area at Washington Avenue Fishing Point (unprotected beach).~~
- (8) Parking area at Wading River Boat Launch.
- (9) (Reserved)EN
- (10) Parking area at boat launching facility, Peconic Bay Boulevard, South Jamesport.
- (11) Two parking areas at Hulse Landing Beach, Wading River (unprotected beach).
- (12) Parking area at Oakleigh Avenue, Baiting Hollow (unprotected beach).

- Overstrike represents deletion(s)

Dated: Riverhead, New York
September 5, 2007

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

BARBARA GRATTAN, Town Clerk

TOWN OF RIVERHEAD

AUTHORIZES TOWN CLERK TO PUBLISH & POST
NOTICE TO BIDDERS FOR WATER SERVICE MATERIALS

RESOLUTION # 844

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders for Water Service Materials in the September 13, 2007, issue of *The News-Review*.

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED.

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **WATER SERVICE MATERIALS** for use by the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:05 a.m. on September 27, 2007.**

Bid Specifications and/or Plans may be examined and/or obtained at the Town Clerk's office at Town Hall Monday through Friday (except holidays) between the hours of 8:30 a.m. and 4:30 p.m. or by visiting the Town of Riverhead website at **www.riverheadli.com**. Click on "Bid Requests" and follow the instructions.

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

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

All bids are to be submitted in a sealed envelope addressed to: **TOWN CLERK, TOWN OF RIVERHEAD, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK, 11901**, and bear the designation: **BID FOR WATER SERVICE MATERIALS – BID #07-36A-RWD.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

9/5/07

Adopted

TOWN OF RIVERHEAD

Resolution # 845

ADOPTS A LOCAL LAW AMENDING CHAPTER 52 ENTITLED, "BUILDING CONSTRUCTION" OF THE RIVERHEAD TOWN CODE
(§52-20. Enforcement of Uniform Fire Prevention and Building Code for government buildings and activities.)

COUNCILMAN DUNLEAVY

_____ offered the following resolution, was seconded by

COUNCILMAN DENSIESKI _____ :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 52 entitled, "Building Construction" (52-20. Enforcement of Uniform Fire Prevention and Building Code for government buildings and activities.) of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 21st day of August, 2007 at 7:20 o'clock p.m. at the George Young Community Center, S. Jamesport Avenue, Jamesport, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 52 "Building Construction", 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, the official newspaper, and to post same on the signboard at Town Hall; and be it further

RESOLVED, all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Dunleavy yes ___ no ___ Bartunek yes ___ no ___

Blass yes ___ no ___ Densieski yes ___ no ___ *abstain*

Cardinale yes ___ no ___

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 52 entitled, "Building Construction" of the Riverhead Town Code at its regular meeting held on September 5, 2007. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**Chapter 52
BUILDING CONSTRUCTION**

~~§ 52-20. Enforcement of Uniform Fire Prevention and Building Code for government buildings and activities. [Added 1-21-1997 by L.L. No. 1-1997]~~

~~A. Compliance with the procedures of this section of Chapter 52 regarding building permits shall be exclusive of any other requirements as set forth in the Riverhead Town Code.~~

~~B. Whenever a special district within the town, such as a water district, sewer district, scavenger waste district, fire district, fire prevention district, ambulance corps, street lighting district, the Town of Riverhead Highway Department, the Town of Riverhead or any other of its governmental agencies as regulated by 19 NYCRR 441.2(a) or (b) (hereinafter collectively known as the "Regulated Public Entity") seeks to construct public improvements such as are regulated by the New York State Uniform Fire Prevention and Building Code, the requirements of this section shall be complied with.~~

~~C. The regulated public entities shall cause one complete set of all plans and specifications and any amendment thereto to be filed with the Town Clerk before construction of the public improvements are commenced. Such plans and specifications shall be prepared by a licensed professional engineer, architect or surveyor as required by the Education Law.~~

~~D. The plans shall bear the original seal and signature of the licensed professional.~~

~~E. In addition to the plans and specifications, the licensed professional shall certify in writing and file with the Town Clerk contemporaneously with the plans a certification that the construction proposed complies with the New York State Uniform Fire Prevention and Building Code.~~

~~F. Upon the completion of the construction, the licensed professional shall file a certification that the improvements have been constructed in accordance with the plans and specifications as filed with the Town Clerk and that such construction as completed is in accordance with the New York State Uniform Fire Prevention and Building Code.~~

- Overstrike represents deletion(s)

Dated: Riverhead, New York
September 5, 2007

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

BARBARA GRATTAN, Town Clerk

9/5/07

Tabled

TOWN OF RIVERHEAD

Resolution # 846

ADOPTS A LOCAL LAW TO AMEND CHAPTER 101 ENTITLED "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE
(\$101-3. Stop and yield intersections; railroad crossings; parking fields.)

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 a local law amending Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 21st day of August, 2007 at 7:25 o'clock p.m. at the George Young Community Center, S. Jamesport Avenue, Jamesport, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

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

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

RESOLVED, all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

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

Tabled

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code at its regular meeting held on September 5, 2007.

Be it enacted by the Town Board of the Town of Riverhead as follows:

§ 101-3. Stop and yield intersections; railroad crossings; parking fields.

- A. Stop intersections. The following intersections are designated as stop intersections, and stop signs shall be erected at such intersections as follows:

Intersection	Stop Sign On	Entrance From
<u>Fifth Street</u>	<u>St. John's Place</u>	<u>North</u>

* Underline represents addition(s)

Dated: Riverhead, New York
September 5, 2007

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

BARBARA GRATTAN, Town Clerk

09/05/07

TOWN OF RIVERHEAD

Adopted

Resolution # 847

AUTHORIZES THE SUPERVISOR TO EXECUTE EASEMENT AGREEMENT WITH CABLEVISION

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

WHEREAS the TOWN is the owner of a parcel of property located on the east side of Peconic Avenue, north of and adjacent to the Peconic River, Riverhead, New York; and

WHEREAS Cablevision desires an easement and right-of-way in, under, upon and through the above parcel of property in order to provide broadband telecommunications services; and

WHEREAS, the Town wishes to allow the use of the above property for said purpose;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to execute the attached easement Agreement, and be it further

RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to the Office of the Town Attorney.

THE VOTE

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

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

AGREEMENT

WHEREAS the TOWN OF RIVERHEAD, a municipal corporation with a principal place of business located at 200 Howell Avenue, Riverhead, New York 11901, (hereinafter referred to as the "Grantor") is the owner of a parcel of property located on the east side of Peconic Avenue, north of and adjacent to the Peconic River, Riverhead, New York 11901; and

WHEREAS Cablevision (CSC ACQUISITION-NY, INC.), a domestic corporation with a place of business located at 1111 Stewart Avenue, Bethpage, New York 11714-3581, (hereinafter referred to as the "Grantee") desires an easement and right-of-way in, under, upon and through the above parcel of property from the Grantor running from utility pole #3 across Peconic Avenue, along the north side of the Peconic River to McDermott Avenue, as more fully detailed in Drawing #1 and Drawing #2, attached hereto as **Exhibit "A"** and from the alley way adjacent to 133 East Main Street along the rear of buildings on the south side of East Main to Pole #2 across Peconic Avenue as more fully detailed in Drawing #3 which is attached hereto as **Exhibit "B"** (hereinafter referred to as the "Premises") for the purpose of enabling the Grantee to provide broadband telecommunications services; and

WHEREAS the Grantee acknowledges that it previously installed underground cables at or near the Premises in March of 1996 without the prior consent or permission of the Grantor; and

WHEREAS the Grantee acknowledges that the Grantor had to relocate a portion of said underground cables at a cost of \$11,671.56 due to the fact that such interfered with the Grantor's Peconic Riverfront Improvement Project; and

WHEREAS the Grantee further acknowledges that due to the relocation of said underground cables such delayed the completion of the Grantor's Peconic Riverfront Improvement Project by approximately twenty-seven (27) days; and

WHEREAS the Grantee has paid the Grantor the sum of \$11,671.56 for the costs incurred by the Grantor to relocate the Grantee's underground cables; and

WHEREAS the Grantee has and is currently providing basic cable service free of charge to the individuals using the east end of the bulkhead located on the Peconic River, Riverhead, New York; and

WHEREAS, the Grantor has requested the Grantee to supply basic cable service free of charge to the individuals using the west end of the bulkhead located on the Peconic River, Riverhead, New York; and

WHEREAS, the Grantee has represented that it anticipates that by June 13, 2013, the cable service presently given to the individuals using the east end of the bulkhead located on the Peconic River, Riverhead, New York will be switched to digital cable and when the switch is made, the Grantee may no longer be able to provide said cable service free of charge; and

WHEREAS, the Grantee has represented that it would cost approximately \$18,000.00 to extend its facilities to the west end of the bulkhead located on the Peconic River, Riverhead, New York,

IT IS HEREBY AGREED by the parties herein that the Grantee shall pay to the Grantor the sum of \$20,000.00 as consideration for the easement for the period of March 1996 to present and the additional sum of \$30,000.00 as consideration for the future use of said easement, with said sums being paid by the Grantee to the Grantor within ten (10) days of the execution of the within Agreement by both parties; and

IT IS FURTHER AGREED by the parties herein that in lieu of the Grantee extending its facilities to the west end of the bulkhead located on the Peconic River, Riverhead, New York, the Grantee shall pay to the Grantor the sum of \$18,000.00 within ten (10) days of the execution of the within Agreement by both parties,

IT IS FURTHER AGREED by the parties that if at a future date the cable services supplied by the Grantee switch to digital cable, that the Grantee shall not provide free cable service to the individuals situated on the east end of the bulkhead located on the Peconic River, Riverhead, New York, but that from the year that said free cable services are terminated by the Grantee and each year thereafter until June 13, 2013, the Grantee shall pay the Grantor the sum of \$2,000.00; and

IT IS FURTHER AGREED that the Grantee shall give the Grantor written notice ninety (90) days prior to the termination of said free cable services to the individuals situated on the east end of the bulkhead located on the Peconic River, Riverhead, New York; and

IT IS FURTHER AGREED by the parties herein that the Grantor shall retain the services of Joseph A. Ingegno Land Surveyor, located at 322 Roanoke Avenue, Riverhead, New York 11901 in order to prepare surveys and a metes and bounds description setting forth the location of the easement for a fair market price, so that the same may be included in the "Cable Easement" annexed hereto as **Exhibit "C"**; and

IT IS FURTHER AGREED by the parties herein that the Grantee shall pay all reasonable and customary costs incurred for having said survey and metes and bounds description prepared by Joseph A. Ingegno Land Surveyor; and

IT IS FURTHER AGREED that after the completion of the survey, metes and bounds description set forth above that the parties herein shall execute the "Cable Easement" annexed hereto as **Exhibit "C"** which constitutes the easement to be granted by the Grantor to the Grantee as set forth herein.

GRANTOR:

Town of Riverhead

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

GRANTEE:

CSC Acquisition-NY, Inc.

By: Wayne Richardson
Name: Wayne Richardson
Title: S.V.P., Contract/Infrastructure
Management -NWM
Date: 8/16/07

OK
P. O'Dell
8-15-07

STATE OF NEW YORK }
 } SS.:
COUNTY OF SUFFOLK }

On the _____ day of _____, in the year 2007, before me the undersigned personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signatures on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public – State of New York

STATE OF NEW YORK }
 } SS.:
COUNTY OF NASSAU }

On the _____ day of _____, in the year 2007, before me the undersigned personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) and that by his/her/their signatures on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public – State of New York

← AERIAL CROSS 82'

PELOVIC AVE.

TO MAIN ST →

○ RISER POLE
NO TAG

4" SCHED 40
PVC CONDUIT

CATV PULL BOX

BULKHEAD

BULKHEAD

4" STEEL CONDUIT
ATTACHED TO BULKHEAD

4" SCHEDULE 40
PVC CONDUIT
ATTACHED TO DECK

PELOVIC RIVER

BULKHEAD

ND DECLINE

50' S.S. 80' APPROX

ND DECLINE

FLANG. POLE

CATV PULL BOX

○ MATCH

LINE

PELOVIC RIVER
DRAWING #1

PELOVIC RIVER
DRAWING #1

* DRAWINGS NOT TO SCALE

DRAWING #1

EXHIBIT "B"

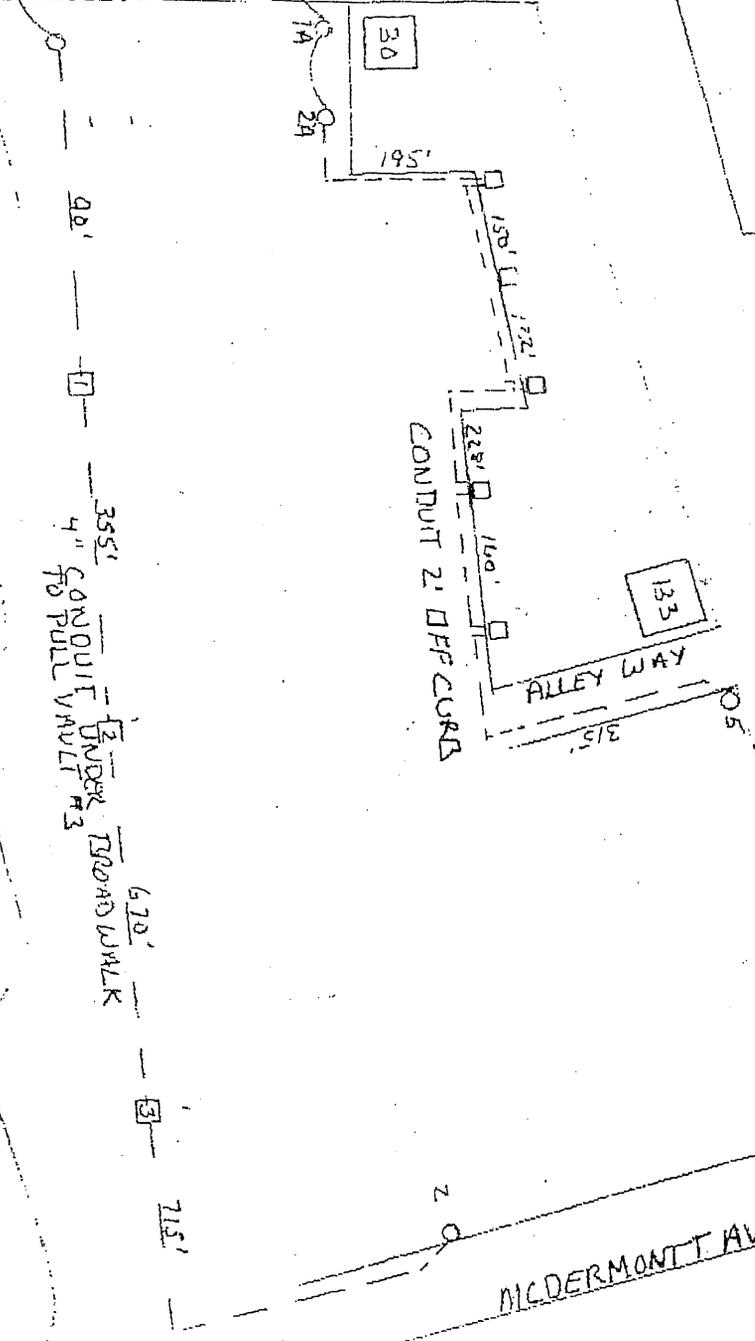
PECONIC AVE

ROANOKE AVE.

EAST MAIN ST.

MCDERMONT AVE

PECONIC RIVER



ATTACHMENT 3

DRAWING NOT TO SCALE

EXHIBIT "C"

CABLE EASEMENT

THIS AGREEMENT, made the _____ day of _____, 2007, the TOWN OF RIVERHEAD, a municipal corporation with a principal place of business located at 200 Howell Avenue, Riverhead, New York 11901, (hereinafter referred to as the "Grantor") and Cablevision (CSC ACQUISITION-NY, INC.), a domestic corporation with a place of business located at 1111 Stewart Avenue, Bethpage, New York 11714-3581, (hereinafter referred to as the "Grantee").

WITNESSETH:

1. That for and in consideration of thirty thousand (\$30,000) dollars, the receipt of which is hereby acknowledged, the Grantor hereby grants to the Grantee, an easement and right-of-way in, under, upon and through the premises of the Grantor for the purpose of enabling the Grantee to provide broadband telecommunications services, said property being located on the east side of Peconic Avenue, north of and adjacent to the Peconic River, Town of Riverhead, County of Suffolk and State of New York, more particularly described as follows:

{ metes and bounds description to be inserted }

2. Said easement is subject to the following terms and conditions:

A. The following definitions shall apply to this grant of easement:

“Maintain” shall mean alter, repair, replace, maintain, operate, restore or remove, whether structural or non-structural, foreseen or unforeseen, regular or periodic in accordance with all Laws and insurance requirements (which work shall also be deemed to include any derivation of “Maintain”); and

“Maintenance” shall be the conduct of the definition of Maintain.

B. This easement is granted for the purpose of enabling the Grantee to install, maintain, operate, inspect, repair, replace, and remove any and all equipment and facilities as Grantee may from time to time require to provide broadband telecommunications services. Such equipment and facilities shall include, but not be limited to, conduit, cables, drop wires, vaults, above ground markers, pedestals, amplifiers, line extenders, taps, power supplies, and other such equipment and appurtenances. The Grantee, its employees and contractors shall have the right to enter in and upon the premises for the purposes stated above, after prior written notice has been given to the Grantor of the anticipated date of the work (except in the event of an emergency) and at such a time and in such a manner, to the greatest extent reasonably practicable in accordance with good construction practice, as will minimize interference with the easement and with the business being conducted by Grantor upon its land surrounding and adjoining the easement.

C. Placement and maintenance of Grantee's equipment and facilities in the easement shall be performed at the Grantee's sole cost and expense.

D. If the Grantee, in exercising its rights under this Cable Easement, damages the Grantor's property, the Grantee shall restore said property, including but not limited to the surface of the land, to the same condition as it was prior to the undertaking of any such work, reasonable wear and tear excepted, within thirty (30) days of completing such

work to the extent such work is reasonably capable of being completed within thirty (30) days, or as soon thereafter as possible if the damage is not capable of being completed within thirty (30) days, to the reasonable satisfaction of the Grantor. In addition, the Grantee agrees to guarantee the restoration and/or repair of the Grantor's property for a period of one (1) year. The Grantee shall have the right, from time to time, to remove or clear and keep clear any or all trees and other obstructions upon the easement or which extend into the easement area as in the judgment of Grantee may interfere with or endanger Grantee's equipment or facilities upon prior written notice and approval of the Grantor, not to be unreasonably withheld or delayed..

E. In the event that any of the Grantee's equipment and/or facilities situated upon the easement area impedes the Grantor's future use and development of said property such shall be removed and relocated by the Grantee within sixty (60) days of a written request by the Grantor. All costs and expenses to remove and relocate the Grantee's equipment and/or facilities shall be paid by the Grantee. If the Grantee removes and relocates its equipment and/or facilities the Grantee shall restore said property, including but not limited to the surface of the land, to the same condition as it was prior to undertaking such work, within thirty (30) days of completing such work, to the satisfaction of the Grantor. In addition, the Grantee agrees to guarantee the restoration and/or repair of the Grantor's property for a period of one (1) year.

F. The Grantor reserves unto itself and others to whom easements shall be granted the right to use the easement area for all purposes not inconsistent with this Cable Easement.

G. The Grantee acknowledges that the Grantor has not made any representations with respect to the adequacy or appropriateness of the easement area and that the Grantee is accepting the easement area "AS IS". The Grantee waives all claims against and releases the Grantor from any and all liability resulting from the Grantee's inability to use all or any portion of this easement, except as a result of the Grantor's negligence or willful

failure to provide this easement or negligence or willful failure to comply with this Cable Easement.

H. The Grantee agrees to indemnify, defend and hold harmless the Grantor, its officers, employees and agents from and against any and all obligations, liabilities, claims, liens, encumbrances, losses, damages, costs, expenses, reasonable attorneys' fees and disbursements, suffered or incurred by the Grantor (including claims by third parties) arising out of the Grantee's or its officers, directors, employees, agents, contractors, customers, , or licensees use, enjoyment, maintenance, repair or restoration of the easement.

I. The Grantor represents and warrants to the Grantee that it has the full right, title, power and authority to grant this easement.

J. This Cable Easement, is subject to (i) all prior liens, encumbrances, restrictions and easements of record, (ii) all agreements with and rights of governmental authorities and public utilities, recorded or unrecorded, (iii) requirements of all applicable insurance bodies, (iv) reasonable rules and regulations promulgated by the Grantor and (v) laws, rules, regulations, ordinances and requirements of all applicable governmental authorities, including environmental and administrative consent orders, now or hereafter in effect. This Cable Easement shall (a) run with the lands, buildings and improvements affected hereby, (b) inure to the benefit of the Grantor and Grantee and their successors and assigns having an interest in the properties affected hereby, and (c) shall be binding on the parties hereto, their heirs, assigns and successors in title or interest in perpetuity.

K. The Grantee shall have the right to record this Cable Easement in the real property records at its own cost and expense and the Grantor shall sign such other documentation, if any, which is reasonably required to effect the recordation. The Grantee shall forward

a recorded copy of this Cable Easement to the Grantor within seven (7) days of the filing of such.

L. It is agreed by the parties herein that no representations or statements, verbal or written, have been made modifying, adding to or changing the terms of this Cable Easement.

GRANTOR:

Town of Riverhead

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

GRANTEE:

CSC Acquisition-NY, Inc.

By: Wayne Richardson
Name: Wayne Richardson
Title: S.V.P., Contract/Infrastructure
Management -NWM
Date: 8/16/07

9/5/07

TOWN OF RIVERHEAD

Adopted

Resolution # 848

AUTHORIZES THE SUPERVISOR TO EXECUTE AGREEMENTS IN CONNECTION WITH COUNTY OF SUFFOLK EISEP & CSE HOUSEKEEPER/CHORE CONTRACTS

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

WHEREAS, the County of Suffolk has stated that sufficient funding exists in the 2007 Suffolk County Operating Budget; and

WHEREAS, the Town received contracts from Suffolk County Office for the Aging for the purpose of making an EISEP (Expanded In-Home Services for the Elderly Program and CSE (Community Services for the Elderly Program) available to senior citizens of Suffolk County.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized to execute the attached agreements implementing the County of Suffolk EISEP & CSE Housekeeper/Chore program, and be it further

RESOLVED all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

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

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

CHECKLIST OF REQUIRED ITEMS

- ___ ♦ Agreement – sign and return all three copies
- ___ ♦ Advance Voucher – sign in **Payee Certification Section** and return, if applicable
- ___ ♦ Certification Regarding Lobbying – complete and sign this form contained in each of three agreements, if applicable
- ___ ♦ Statement of Other Contracts – complete and sign this form contained in each of three agreements, if applicable
- ___ ♦ Contractor's/Vendor's Public Disclosure Statement - Suffolk County Form 22 – complete and notarize this form contained in each of three agreements. If your organization is exempt, three copies of the form still **must be notarized**, however, only **Items 1, 12 and 13 should be completed**
- ___ ♦ Union Organizing Certification/Declaration—Subject to Audit, Form DOL LO1 – complete and sign this form contained in each of three agreements. **Note: Not-for-profit status is not a reason for non-applicability.**
- ___ ♦ Lawful Hiring Compliance Requirements—Complete Application and **notarize** Affidavit of Compliance in each of three agreements, if attached
- ___ ♦ A current copy of the **Declaration Page** of the required insurance policies must be submitted to this office
- ___ ♦ W-9 complete and sign one copy. (required for new contractors only)

NOTE: Please return checklist with contracts and keep a copy for your records

SEE VVV Form letters NEW AGREEMENTS without voucher 07 Town CO.doc

Amendment of Agreement

This is the **Second Amendment of an Agreement (Agreement)**, last dated October 14, 2005, between the **County of Suffolk (County)**, a municipal corporation of the State of New York, having its principal office at the County Center, Riverhead, New York 11901, acting through its duly constituted **Office for the Aging (Aging)**, having its principal office at H. Lee Dennison Building, 100 Veterans Memorial Highway, Hauppauge, New York (Mailing address: P.O. Box 6100, Hauppauge, New York 11788-0099), and the **Town of Riverhead (Contractor)**, a New York municipal corporation, having its principal place of business at 200 Howell Avenue, Riverhead, New York 11901.

The parties hereto desire to extend the term of the Expanded In-Home Services for the Elderly Program (EISEP) from March 31, 2007 through March 31, 2010 (the period April 1, 2007 through March 31, 2010 being hereinafter called the "2007/2010 Extension Period"). Sufficient funding exists in the 2007 Suffolk County Operating Budget.

- Term of Agreement:** Shall be April 1, 2005 through March 31, 2010.
- Total Cost of Agreement:** Shall be paid on a fee-for-service basis for each contract year (April 1 through the following March 31), at the rate of \$13.66 for the current contract, as set forth in Exhibit C-2007/2010 attached.
- Terms and Conditions:** Shall be as set forth in Exhibit A-2007/2010, C-2007/2010 and the Exhibit entitled "Legislative Requirements Exhibit for Contracts" revised 1/4/07 attached.

In Witness Whereof, the parties hereto have executed this Second Amendment of Agreement as of the latest date written below.

Town of Riverhead

By: _____
Philip Cardinale
Supervisor

Fed. Taxpayer ID #: 11-6001935

Approved as to Form, Legality:
Town of Riverhead

By: _____ Date _____
Dawn Thomas
Town Attorney

Approved as to Form, Legality:

Christine Malafi
Suffolk County Attorney

By: _____ Date _____
Samantha N. McEachin
Assistant County Attorney

PLEASE SIGN & DATE
County of Suffolk

By: _____
Name: _____
Deputy County Executive

Date: _____

Approved:

By: _____ Date _____
Holly S. Rhodes-Teague,
Director, Office for the Aging

Recommended:

By: _____ Date _____
Ritva Gottesman
Asst. Senior Citizen Program Coordinator

Exhibit A –2007/2010

Whereas, the **County** and **Contractor** have entered into an Agreement (Law No. AG002M/0015-10R), last dated October 14, 2005, for a term from April 1, 2005 through March 31, 2006 for an EISEP/CSE Housekeeper/Chore Program; and

Whereas, the **County** and **Contractor** have entered into a First Amendment of Agreement (Law No. AG002M/0015-10RA) extending the term of the Agreement from March 31, 2006 through March 31, 2007; and

Whereas, the continuity of service delivery is considered to be in the best interest of the County and the frail, elderly clients and their families for the best possible outcomes, and the parties hereto desire to modify the Agreement and First Amendment of Agreement to extend the term from March 31, 2007 through March 31, 2010, as set forth below;

Now, Therefore, in consideration of the covenants, promises and consent herein contained, the parties hereto agree as follows:

1. Term of Agreement:

The Term of Agreement paragraph on the cover page of the Agreement is amended to read April 1, 2005 through March 31, 2010 as set forth on page 1 of this Second Amendment of Agreement.

2. Rate Page:

The rate at which the **Contractor** shall be paid for this Extension Period is as set forth in Exhibit C-2007/2010, annexed hereto and made part of the Agreement.

3. Paragraph 15 to the Agreement is amended in its entirety with the following:

Nondiscrimination in Employment

(a) The **Contractor** agrees in connection with the performance of this Agreement as follows:

(i). The **Contractor** shall not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, sexual preference, age, disability, military status or marital status, and will undertake or continue existing programs of affirmative action to ensure that women and minority group members are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation.

(ii). The **Contractor** shall require each employment agency, labor union or authorized representative of workers, with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, sexual preference, age, disability, military status or marital status and that such union or representative will affirmatively cooperate in the implementation of the **Contractor's** obligations herein.

- (iii). The **Contractor** shall state, in all solicitations or advertisements for employees, that, in the performance of this Agreement, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, sexual preference, age, disability, military status or marital status.

4. Paragraph 17 to the Agreement is amended in its entirety with the following:

Nondiscrimination in Services

- (a) Furthermore, the **Contractor**, in providing services under this Agreement, shall not, on the grounds of race, creed, color, national origin, sex, sexual preference, age, disability or marital status:
- (i) Deny an individual any services or other benefits provided under the program;
 - (ii) Provide any services or other benefits to an individual which are different, or are provided in a different manner, from those provided to others under the program;
 - (iii) Subject an individual to segregation or separate treatment in any matter related to his/her receipt of any services or other benefits provided under the program;
 - (iv) Restrict an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any services or other benefits provided under the program;
 - (v) Treat an individual differently from others in determining whether or not the individual satisfies any eligibility or other requirements or conditions which individuals must meet in order to receive any aid, care, services, or other benefits provided under the program.
- (b) The **Contractor** shall not utilize criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, creed, national origin, sex, sexual preference, age, disability or marital status or have the effect of defeating or substantially impairing accomplishment of the objectives of the program in respect to individuals of a particular race, creed, national origin, sex, sexual preference, age, disability or marital status, in determining:
- (i) The types of services or other benefits to be provided under the program, or
 - (ii) The class of individuals to whom, or the situations in which, such services or other benefits will be provided under the program, or
 - (iii) The class of individuals to be afforded an opportunity to participate in the program.
- (c) The **Contractor** also agrees to observe all applicable Federal Regulations contained in 45 CFR, Part 84 and Part 85 entitled "Non-Discrimination on the Basis of Handicap in Program Activities Receiving or Benefiting from Federal Financial Assistance."
- (d) The **Contractor** agrees to comply with the requirements of the Civil Rights Act of 1964.
- (e) In addition (unless otherwise indicated, or not applicable to the Program described, in Exhibit B), pursuant to § 306(a)(5)(A)(ii) of the Older Americans Act, as added by P. L. 100-175, 42 U.S.C.A. § 3026(a)(5)(A)(ii), the **Contractor** shall

- (i) specify how the **Contractor** intends to satisfy the service needs of low-income minority individuals in the area served by the **Contractor**; and
- (ii) attempt to provide services to low-income minority individuals in at least the same proportion as the population of low-income minority older individuals bears to the population of older individuals of the area served by the **Contractor**.

5. Paragraph 18 to the Agreement, "Suffolk County Living Wage Law" is amended in its entirety to read as follows:

Suffolk County Living Wage Law

This Agreement is subject to the Living Wage Law of the County of Suffolk. The law requires that, unless specific exemptions apply all employers (as defined) under service contracts and recipients of County financial assistance, (as defined) shall provide payment of a minimum wage to employees as set forth in the Living Wage Law. Such rate shall be adjusted annually pursuant to the terms of the Suffolk County Living Wage Law of the County of Suffolk. Under the provisions of the Living Wage Law, the County shall have the authority, under appropriate circumstances, to terminate this Agreement and to seek other remedies as set forth therein, for violations of this Law. The Contractor represents and warrants that it has read and shall comply with the requirements of Suffolk County Code Chapter 347, Suffolk County Local Law No. 12-2001, the Living Wage Law.

Required Forms: Suffolk County Living Wage Form LW-1; entitled "Suffolk County Department of Labor – Living Wage Unit Notice of Application for County Compensation (Contract)"
Suffolk County Living Wage Form LW-38; entitled "Suffolk County Department of Labor – Living Wage Unit Living Wage Certification/Declaration – Subject To Audit"

6. **Lawful Hiring of Employees Law**

This Agreement is subject to the Lawful Hiring of Employees Law of the County of Suffolk (Local Law 52-2006). It provides that all covered employers, (as defined), and the owners thereof, as the case may be, that are recipients of compensation from the County through any grant, loan, subsidy, funding, appropriation, payment, tax incentive, contract, subcontract, license agreement, lease or other financial compensation agreement issued by the County or an awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees (as defined) and with respect to the alien and nationality status of the owners thereof. The affidavit shall be executed by an authorized representative of the covered employer or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement with the County; and shall be made available to the public upon request.

All contractors and subcontractors (as defined) of covered employers, and the owners thereof, as the case may be, that are assigned to perform work in connection with a County contract, subcontract, license agreement, lease or other financial compensation agreement

issued by the County or awarding agency, where such compensation is one hundred percent (100%) funded by the County, shall submit to the covered employer a completed sworn affidavit (under penalty of perjury), the form of which is attached, certifying that they have complied, in good faith, with the requirements of Title 8 of the United States Code Section 1324a with respect to the hiring of covered employees and with respect to the alien and nationality status of the owners thereof, as the case may be. The affidavit shall be executed by an authorized representative of the contractor, subcontractor, or owner, as the case may be; shall be part of any executed contract, subcontract, license agreement, lease or other financial compensation agreement between the covered employer and the County; and shall be made available to the public upon request.

An updated affidavit shall be submitted by each such employer, owner, contractor and subcontractor no later than April 1 of each year for the duration of any contract and upon the renewal or amendment of the contract, and whenever a new contractor or subcontractor is hired under the terms of the contract.

The Contractor acknowledges that such filings are a material, contractual and statutory duty and that the failure to file any such statement shall constitute a material breach of this agreement.

Under the provisions of the Lawful Hiring of Employees Law, the County shall have the authority to terminate this Agreement for violations of this Law and to seek other remedies available under the law.

The Contractor represents and warrants that it has read, is in compliance with, and shall comply with the requirements of Suffolk County Code Chapter 234, Suffolk County Local Law No. 52-2006, the Lawful Hiring of Employees Law.

Required Forms: Suffolk County Lawful Hiring of Employees Law Form LHE-1; entitled "Suffolk County Department of Labor –"Notice Of Application To Certify Compliance With Federal Law (8 U.S.C. SECTION 1324a) With Respect To Lawful Hiring of Employees"
"Affidavit Of Compliance With The Requirements Of 8 U.S.C. Section 1324a With Respect To Lawful Hiring Of Employees" Form LHE-2.

7. **Non Responsible Bidder**

The Contractor represents and warrants that it has read and is familiar with the provisions of Suffolk County Code Chapter 143, Article II, §§143-5 through 143-9. Upon signing this Agreement the Contractor certifies that he, she, it, or they have not been convicted of a criminal offense within the last ten (10) years. The term "conviction" shall mean a finding of guilty after a trial or a plea of guilty to an offense covered under the provision of Section 143-5 of the Suffolk County Code under "Nonresponsible Bidder."

8. **Gratuities**

The Contractor represents and warrants that it has not offered or given any gratuity to any official, employee or agent of Suffolk County or New York State or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or the making of any determinations with respect to the performance of an agreement, and that the signer of this Agreement has read and is familiar with the provisions of Local Law No. 32-1980 of Suffolk County (Chapter 386 of the Suffolk County Code).

9. Except as herein amended, all other representations, terms and conditions of said Agreement, including any and all amendments or budget modifications executed prior to the date hereof, are hereby ratified and confirmed to be in full force and effect.

- End of Text of Exhibit -

9/5/07

TOWN OF RIVERHEAD

Adopted

Resolution # 849

ACCEPTS OFFER OF SALE OF DEVELOPMENT RIGHTS
(Property Owners: John Bell and Raymond Bell)

COUNCILMAN DENSIESKI

_____ offered the following resolution, was seconded

by COUNCILWOMAN BLASS _____ :

WHEREAS, the Riverhead Farmland Preservation Committee (“the Committee”) has received an offer for the sale of development rights from John Bell and Raymond Bell, on approximately 19.7 acres of their agricultural lands located on Roanoke Avenue, Riverhead, New York, at \$90,000.00 per acre, further described as Suffolk County Tax Map #0600-063.00-02.00-p/o 004.000, to the Town of Riverhead, which parcel falls within the Agricultural Protection Zone “APZ” zoning district; and

WHEREAS, the Committee has commissioned an appraisal of the value of the development rights inherent in the subject real property; and

WHEREAS, the Committee has assessed the subject real property with respect to the criteria provided in the Agricultural Preservation Law and has formally recommended that the Town Board of the Town of Riverhead consider the purchase of development rights from this property; and

WHEREAS, the Town Board has carefully considered the merits of the offer of sale of development rights, the report of the Peconic Land Trust, the appraisal of developments rights by Ellinor Brunswick and John Goess, the report of the Farmland Preservation Committee, the criteria set forth in the Agricultural Preservation Law and all other pertinent planning, zoning and environmental information; and

WHEREAS, the Town Board finds that the acquisition of the development rights on the subject parcel is the best alternative for the protection of community character of all reasonable alternatives available to the Town, and

WHEREAS, the County of Suffolk and the Town of Riverhead are desirous of sharing the cost of purchasing said development rights, and

WHEREAS, the County of Suffolk will acquire a seventy percent (70%) undivided interest in and to the premises, and the Town of Riverhead will acquire a thirty percent (30%) undivided interest in and to the premises, as tenants in common,

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby accepts the offer of sale of development rights from the subject real property of John Bell and Raymond Bell, pursuant to Chapter 14 and Chapter 44, Section 44-5B(2) of the Code of the Town of Riverhead, and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a contract, deed and other closing documents necessary for purchase of development rights from the subject property in an amount not to exceed ninety thousand dollars (\$90,000.00) per acre and authorizes the Town Attorney to order a survey and title report for the subject real property and directs the Accounting Department to set up a budget, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to John Bell and Raymond Bell, c/o Peter S. Danowski, Jr., Esq., 616 Roanoke Avenue, Post Office Box 779, Riverhead, Riverhead, New York 11901; the Farmland Select Committee; Peconic Land Trust, Attn: Laura Fischer, 296 Hampton Road, P.O. Box 1776, Southampton, New York, 11969; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office and the Town Attorney's Office.

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

9/5/07

TOWN OF RIVERHEAD

Adopted

Resolution # 850

ACCEPTS OFFER OF SALE OF DEVELOPMENT RIGHTS
(Property Owners: Walter Hodun and Edmond Hodun, Jr.)

COUNCILWOMAN BLASS

_____ offered the following resolution, was seconded

COUNCILMAN DENSIESKI

by _____ :

WHEREAS, the Riverhead Farmland Preservation Committee (“the Committee”) has received an offer for the sale of development rights from Walter Hodun and Edmond Hodun, Jr., on approximately 74 acres of their agricultural lands located on Reeves Avenue, Riverhead, New York, at \$90,000.00 per acre, further described as Suffolk County Tax Map #0600-065.00-01.00-p/o 009.002, to the Town of Riverhead, which parcel falls within the Agricultural Protection Zone “APZ” zoning district; and

WHEREAS, the Committee has commissioned an appraisal of the value of the development rights inherent in the subject real property; and

WHEREAS, the Committee has assessed the subject real property with respect to the criteria provided in the Agricultural Preservation Law and has formally recommended that the Town Board of the Town of Riverhead consider the purchase of development rights from this property; and

WHEREAS, the Town Board has carefully considered the merits of the offer of sale of development rights, the report of the Peconic Land Trust, the appraisal of developments rights by Carol Sweeney and Given Associates, the report of the Farmland Preservation Committee, the criteria set forth in the Agricultural Preservation Law and all other pertinent planning, zoning and environmental information; and

WHEREAS, the Town Board finds that the acquisition of the development rights on the subject parcel is the best alternative for the protection of community character of all reasonable alternatives available to the Town, and

WHEREAS, the County of Suffolk and the Town of Riverhead are desirous of sharing the cost of purchasing said development rights, and

WHEREAS, the County of Suffolk will acquire a seventy percent (70%) undivided interest in and to the premises, and the Town of Riverhead will acquire a thirty percent (30%) undivided interest in and to the premises, as tenants in common,

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board

hereby accepts the offer of sale of development rights from the subject real property of Walter Hodun and Edmund Hodun, Jr., pursuant to Chapter 14 and Chapter 44, Section 44-5B(2) of the Code of the Town of Riverhead, and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a contract, deed and other closing documents necessary for purchase of development rights from the subject property in an amount not to exceed ninety thousand dollars (\$90,000.00) per acre and authorizes the Town Attorney to order a survey and title report for the subject real property and directs the Accounting Department to set up a budget, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Walter Hodun and Edmond Hodun, Jr., c/o Peter S. Danowski, Jr., Esq., 616 Roanoke Avenue, Post Office Box 779, Riverhead, New York 11901; the Farmland Select Committee; Peconic Land Trust, Attn: Laura Fischer, 296 Hampton Road, P.O. Box 1776, Southampton, New York, 11969; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office and the Town Attorney's Office.

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

9/5/07

Adopted

TOWN OF RIVERHEAD

Resolution # 851

ACCEPTS OFFER OF SALE OF DEVELOPMENT RIGHTS
(Property Owners: 353 Manor Lane, LLC a/k/a Totino)

COUNCILMAN DENSIESKI

_____ offered the following resolution, was seconded

by **COUNCILWOMAN BLASS** _____ :

WHEREAS, the Riverhead Farmland Preservation Committee (“the Committee”) has received an offer for the sale of development rights from, 353 Manor Lane, LLC, on approximately 35 acres of their agricultural lands located on Roanoke Avenue, Riverhead, New York, at \$88,000.00 per acre, further described as Suffolk County Tax Map #0600-047.00-01.00-p/o 003.002, to the Town of Riverhead, which parcel falls within the Agricultural Protection Zone “APZ” zoning district; and

WHEREAS, the Committee has commissioned an appraisal of the value of the development rights inherent in the subject real property; and

WHEREAS, the Committee has assessed the subject real property with respect to the criteria provided in the Agricultural Preservation Law and has formally recommended that the Town Board of the Town of Riverhead consider the purchase of development rights from this property; and

WHEREAS, the Town Board has carefully considered the merits of the offer of sale of development rights, the report of the Peconic Land Trust, the appraisal of developments rights by Ellinor Brunswick and John Goess, the report of the Farmland Preservation Committee, the criteria set forth in the Agricultural Preservation Law and all other pertinent planning, zoning and environmental information; and

WHEREAS, the Town Board finds that the acquisition of the development rights on the subject parcel is the best alternative for the protection of community character of all reasonable alternatives available to the Town, and

WHEREAS, the County of Suffolk and the Town of Riverhead are desirous of sharing the cost of purchasing said development rights, and

WHEREAS, the County of Suffolk will acquire a seventy percent (70%) undivided interest in and to the premises, and the Town of Riverhead will acquire a thirty percent (30%) undivided interest in and to the premises, as tenants in common,

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby accepts the offer of sale of development rights from the subject real property of 353 Manor Lane a/k/a Joseph Totino, pursuant to Chapter 14 and Chapter 44, Section 44-5B(2) of the Code of the Town of Riverhead, and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a contract, deed and other closing documents necessary for purchase of development rights from the subject property in an amount not to exceed eighty-eight thousand dollars (\$88,000.00) per acre and authorizes the Town Attorney to order a survey and title report for the subject real property and directs the Accounting Department to set up a budget, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Joseph Totino, 151-24 18th Avenue, Whitestone, New York 11357, Riverhead, New York 11901; the Farmland Select Committee; Peconic Land Trust, Attn: Laura Fischer, 296 Hampton Road, P.O. Box 1776, Southampton, New York, 11969; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office and the Town Attorney's Office.

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

September 5, 2007

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 852

AUTHORIZES THE TOWN CLERK TO REPUBLISH AND REPOST NOTICE TO BIDDERS FOR TRUCK BODY REPAIRS

COUNCILWOMAN BLASS

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 the purpose of receiving bids for truck body repairs; and

WHEREAS, no bids were received on the day and time specified in the notice to bidders;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to republish and repost the attached Notice to Bidders; and be it further

Resolved, that the Town Clerk is authorized to forward a certified copy of this resolution to the Riverhead Highway Department and the Accounting Department.

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

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

NOTICE TO BIDDERS

Sealed bids for **“TRUCK BODY REPAIRS”** for the Riverhead Highway Department will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York 11901 until **11:00 A.M.** on **September 24, 2007.**

Instructions for bidders, specifications and forms may be obtained at the office of the Town Clerk at the Town Hall Monday through Friday between the hours of 8:30 A.M. and 4:30 P.M. or by visiting the Town of Riverhead website at www.riverheadli.com , click on “Bid Requests”.

All bids will be submitted on the bid form provided. Any and all exceptions to the specifications will be listed on a separate sheet of paper bearing the designation **“Exceptions to the Specifications”**, and attached to the bid form.

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

All bids will be submitted in a sealed envelope bearing the designation **“BID on TRUCK BODY REPAIRS”** and addressed to: TOWN CLERK, TOWN OF RIVERHEAD, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901.

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

TOWN OF RIVERHEAD

Adopted

Resolution # 853

Grants Change Of Zone Petition Of Miguel & Michelle Blanco

COUNCILMAN BARTUNEK

offered the following resolution,

which was seconded by

COUNCILMAN DUNLEAVY

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a change of zone petition from Miguel & Michelle Blanco seeking to amend the Zoning Use District Map of the Town of Riverhead to provide for the Professional Business (PB) Zoning Use District to the exclusion of the existing Residential A-40 Zoning Use District upon the property more particularly known as SCTM 0600-107-2-24.3, and

WHEREAS, by resolution dated November 8, 2006, the Town Board has declared itself Lead Agency for the review of the petition and has determined that the application is an Unlisted Action pursuant to 6NYCRR Part 617, and

WHEREAS, the Town Board has referred the petition to the Planning Board for its report and recommendations, such Planning Board recommending the granting of the change of zone petition, and

WHEREAS, a public hearing upon the subject zoning petition was held on the fifth day of June, 2007, and

WHEREAS, The Riverhead Town Board has carefully considered the merits of the petition, the SEQRA record created to date, the report of the Planning Department, the commentary offered at the relevant public hearing before this Board as well as all other pertinent planning, zoning and environmental information, now

THEREFORE BE IT

RESOLVED, that the Riverhead town Board as lead agency hereby determines that the action will not have significant adverse impacts upon either the natural or social environment and that a Draft Environmental Impact Statement need not be prepared, and

BE IT FURTHER

RESOLVED, that in the matter of the change of zone petition of Miguel & Michelle Blanco, the Riverhead Town Board hereby makes the following findings:

FIRST: That the property currently lies within the Residential A-40 Zoning Use District;

SECOND: The applicant proposes to construct a 3,000 sq. ft. medical office building in place of an existing residence;

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

THIRD: The parcel to the easterly border lies within the Professional Business (PB) Zoning Use District;

FOURTH: Cranberry Street is currently a maintained public highway;

FIFTH: That the current state of the subject property is considered to be a blighting influence upon the neighborhood; and

BE IT FURTHER

RESOLVED, that the Riverhead Town Board hereby approves the change of zone petition of Miguel & Michelle Blanco to amend the Town of Riverhead Zoning Use District Map to provide for the Professional Business (PB) Zoning Use District to the exclusion of the existing Residential A-40 Zoning Use District upon the property more particularly known as SCTM 0600-107-2-24.3, and

BE IT FURTHER

RESOLVED, that the Town Clerk be authorized to publish a map of the zoning amendment in the official newspaper of the Town of Riverhead, and

BE IT FURTHER

RESOLVED, that copies of this resolution be forwarded to the Planning Department, the Office of Town Attorney and Harvey Arnoff, Esq. as attorney for the applicant, and

BE IT FURTHER

RESOLVED, that copies of this resolution be forwarded to the Town Board of the Town of Riverhead, the Town Attorney and Miguel & Michelle Blanco or their agent.

THE VOTE

DUNLEAVY ___ YES ___ NO BARTUNEK ___ YES ___ NO

BLASS ___ YES ___ NO DENSIESKI ___ YES ___ NO

CARDINALE ___ YES ___ NO

**THIS RESOLUTION ___ WAS ___ WAS NOT
THEREFORE DULY ADOPTED**

September 5th, 2007

Adopted

TOWN OF RIVERHEAD

Resolution # 854

APPROVES SITE PLAN OF ISLAND INTERNATIONAL
COUNCILMAN DUNLEAVY

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

WHEREAS, a site plan was submitted by Island International for the construction of a 59,533.5 sq. ft. metal building for manufacturing and storage use, other related improvements, and restoration of cleared areas to meet the required 500,000 sq. ft. of area to remain natural in Calverton, New York, known and designated as Suffolk County Tax Map Number 0600-135-1-7.18 and lot #25 in the Calverton Camelot II subdivision; and

WHEREAS, the Planning Department has reviewed the site plan/proposed building plan dated August 30th, 2007 and the proposed building lighting plan dated August 22nd, 2007, prepared by Michael Mapes, P. E., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Numbers G12803 and F3504 of the Office of the Financial Administrator of the Town of Riverhead; and

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

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the site plan application of Island International the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Unlisted pursuant to 6NYCRR Part 617 without significant adverse impacts upon either the natural or social environment and that a draft environmental impact statement need not be prepared.

BE IT FURTHER

RESOLVED, that the site plan submitted by Island International to construct a 59,533.5 sq. ft. metal building for manufacturing and storage use, other related improvements, and restoration of cleared areas to meet the required 500,000 sq. ft. of area to remain natural, site plan/proposed building plan dated August 30th, 2007 and proposed building lighting plan dated August 22nd, 2007, prepared by Michael Mapes, P. E., are hereby approved by the Town Board subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted for the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as any restrictions imposed as a condition of the site plan approval granted herein;
4. That any outdoor lighting shall be installed pursuant to Article XLV of the **Riverhead Town Code** and no lighting shall be adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Island International hereby authorizes and consents to the

Town of Riverhead to enter premises on the west side of Burman Blvd., Calverton, New York, 11933 to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all new utilities shall be constructed underground;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;
14. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing or building permit, shall post a letter of credit in an amount equaling one hundred percent (100%) of the site improvement costs as estimated by the Town Board. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said letter of credit, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The land clearing or building permit shall not be issued until the Town Clerk certifies that the letter of credit has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the clearing or building permit or any renewal thereof;
15. That the applicant shall be required to file and obtain all the necessary site inspections as prescribed in section 108-131E of the **Code of the Town of Riverhead**;
16. That no building permit shall be issued until the Supervisor of the Town of Riverhead signs the mylar site plan. A condition of the Supervisor of the Town of Riverhead signing the mylar map will be the payment of any Water District or Sewer District fees and charges;
17. That a Notice of Intent for storm water discharges from construction activities will be filed with the New York State Department of Environmental Conservation prior to clearing or building; and
18. That no clearing or building permit shall issue prior to certification of clean title to the satisfaction of the Riverhead Town Attorney;
19. That no building permits will issue until elevations signed and sealed by the licensed design professional are approved by a resolution of the Architectural Review Board and six copies of the approved plan are submitted to the Planning Department;

21. That no clearing or building permit shall issue prior to the flagging of the limits of the area to remain natural as shown on the site plan;
22. That a maintenance and monitoring plan addressing the weeding of invasive species, frequency and time of year of mowing of areas to be restored with native grasses if needed, minimum mowing height, two year survivability, and reseeded/replanting, deemed acceptable by the Riverhead Planning Department will be on file for the areas to be restored prior to the issuance of a clearing or building permit;
23. That the applicant shall be required to file for and obtain an inspections of the restored areas by the Town of Riverhead Planning Department six months, one year and two years from the date of seeding/planting to determine compliance with the maintenance and monitoring plan;
24. That no building permit shall issue without the filing of covenants in a form acceptable to the Riverhead Town Attorney that the area to remain natural shall remain perpetually undisturbed except for the removal of invasive plant species with the prior approval of the Town of Riverhead Planning Department; the removal of diseased, decayed, or dead trees or limbs which have the potential to fall upon developed portions of the property; or the restoration, and maintenance (as indicated in the approved maintenance and monitoring plan) of specific areas as shown on the site plan;
25. That no building permit shall issue without compliance with the issues listed in the Fire Marshall's memo of February 5th, 2007;
26. That an agreement between the applicant and the subdivider, for the subdivider to relocate the curbed landscaped island along Burman Blvd. which conflicts with the access to the site, will be provided prior to the issuance of a building permit or an amended site plan showing revised access to the site must be submitted prior to issuance of a building permit; and be it further

RESOLVED, that the Planning Department is hereby authorized to forward a certified copy of this resolution to Tim Stevens, Island International, 4062 Grumman Blvd., Building #81, Calverton, NY 11933; the Riverhead Building Department; the Town's consulting engineer, the Town Attorney; the Town Clerk; the Water District; the Sewer District; the Fire Marshall; the Tax Assessor; and the Town's Consulting Engineer.

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

September 5, 2007

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 855

AMENDS RESOLUTION APPROVING THE SITE PLAN OF STONELEIGH WOODS

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

WHEREAS, by resolution dated 2 May 2006 (Number 390), the Riverhead Town Board did approve the site plan petition of Stoneleigh Woods consisting of 176 age restricted condominium units upon lands located at Middle Road, Riverhead, NY; and

WHEREAS, due to a field condition, the applicant has requested that the Town Board amend one of the conditions imposed by the Town Board; and

WHEREAS, the Town Board has considered the merits of the proposed amendment, now

THEREFORE BE IT,

RESOLVED, that resolution number 390 of 2006, which approved the site plan petition of Stoneleigh Woods, be amended as follows:

RESOLVED, that the application is approved subject to the following conditions:

- 1. The approval is limited to the construction of buildings 1-14 (56 units), clubhouse, pool and associated improvements and that no building permits shall issue for buildings 15-44 (120 units) and associated improvements prior to an additional site plan approval and redemption of 117 development rights.
1. That this approval is limited to the construction of a maximum of 14 buildings (56 units), clubhouse, pool and associated improvements and no building permits for the fifteenth through forty-fourth buildings (120 units) and any associated improvements prior to a future site plan approval and the redemption of one hundred seventeen (117) development rights.

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

Adopted

Resolution # 856

DETERMINES OFFICE SPACE FOR LABOR UNIONS TO BA A PROFESSIONAL OFFICE WITHIN THE DC-1 ZONING USE DISTRICT

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by COUNCILMAN BARTUNEK

WHEREAS, a request has been made by Joseph Shanahan to locate a labor union office within premises located at Main Street, Riverhead and lying within the DC-1 Zoning Use District, and

WHEREAS, the text of the DC-1 Zoning Use District does not list a labor union office as a specific professional office use; and

WHEREAS, pursuant to Section 108-3, Professional Offices may be determined by resolution of the Town Board; and

THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby determines that a labor union office use be substantially similar to Professional Office Use specifically permitted within the DC-1 Zoning Use District, and

BE IT FURTHER

RESOLVED, that the aforementioned determination is restricted to the office space for the administrative functions of a labor union and shall not include hiring halls for such unions, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Joseph Shanahan, 108 East Main Street Riverhead, NY 11901, the Planning Department, Town Attorney and the Building Department.

THE VOTE

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

THIS RESOLUTION WAS ___ WAS NOT THEREFORE DULY ADOPTED

RESOLUTION # 857 ABSTRACT #07-32 Aug. 23, 2007 (TBM 09/04/07)

COUNCILMAN BARTUNEK offered the following Resolution which was seconded by

~~COUNCILMAN DUNLEAVY~~

FUND NAME		CD-NIONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1		565,375.91	565,375.91
ECONOMIC DEVELOPMENT ZONE FUND	30		426.03	426.03
HIGHWAY FUND	111		39,918.33	39,918.33
WATER DISTRICT	112		29,668.10	29,668.10
RIVERHEAD SEWER DISTRICT	114		29,383.50	29,383.50
REFUSE & GARBAGE COLLECTION	115		2,653.86	2,653.86
STREET LIGHTING DISTRICT	116		2,240.69	2,240.69
PUBLIC PARKING DISTRICT	117		465.22	465.22
EAST CREEK DOCKING FACILITY	122		5,940.75	5,940.75
CALVERTON SEWER DISTRICT	124		6,824.26	6,824.26
RIVERHEAD SCAVANGER WASTE DIST	128		22,782.72	22,782.72
WORKERS' COMPENSATION FUND	173		20,482.95	20,482.95
RISK RETENTION FUND	175		4,326.59	4,326.59
URBAN DEVELOPMENT CORP WORKING	182		6,545.45	6,545.45
PUBLIC PARKING DEBT SERVICE	381		2,247.51	2,247.51
WATER DISTRICT DEBT SERVICE	383		47,189.68	47,189.68
GENERAL FUND DEBT SERVICE	384		9,575.91	9,575.91
SCAVANGER WASTE DISTRICT DEBT	385		2,830.65	2,830.65
TOWN HALL CAPITAL PROJECTS	406		307,540.47	307,540.47
YOUTH SERVICES CAP PROJECT	452		1,309.13	1,309.13
MUNICIPAL GARAGE FUND	626		15,562.42	15,562.42
TRUST & AGENCY	735		44,091.83	44,091.83
COMMUNITY PRESERVATION FUND	737		2,024.04	2,024.04
TOTAL ALL FUNDS			1,169,406.00	1,169,406.00

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

RESOLUTION #	ABSTRACT #07-33 Aug. 30, 2007 (TBM 09/04/07)		
	offered the following Resolution which was seconded by		
FUND NAME	CD-NIONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1	790,631.39	790,631.39
POLICE ATHLETIC LEAGUE	4	1,032.93	1,032.93
RECREATION PROGRAM FUND	6	36,302.33	36,302.33
ECONOMIC DEVELOPMENT ZONE FUND	30	2,893.67	2,893.67
HIGHWAY FUND	111	89,312.12	89,312.12
WATER DISTRICT	112	58,364.28	58,364.28
RIVERHEAD SEWER DISTRICT	114	30,902.15	30,902.15
REFUSE & GARBAGE COLLECTION DI	115	5,658.09	5,658.09
STREET LIGHTING DISTRICT	116	15,142.18	15,142.18
PUBLIC PARKING DISTRICT	117	381.04	381.04
AMBULANCE DISTRICT	120	1,815.90	1,815.90
EAST CREEK DOCKING FACILITY FU	122	1,261.93	1,261.93
CALVERTON SEWER DISTRICT	124	1,145.37	1,145.37
RIVERHEAD SCAVANGER WASTE DIST	128	10,810.24	10,810.24
WORKERS' COMPENSATION FUND	173	1,904.34	1,904.34
CDBG CONSORTIUM ACOUNT	181	249.57	249.57
TOWN HALL CAPITAL PROJECTS	406	56,957.56	56,957.56
YOUTH SERVICES CAP PROJECT	452	4,630.36	4,630.36
SENIORS HELP SENIORS CAP PROJE	453	2,621.04	2,621.04
EISEP CAP PROJECT	454	15.00	15.00
MUNICIPAL FUEL FUND	625	51,087.68	51,087.68
MUNICIPAL GARAGE FUND	626	24,191.64	24,191.64
TRUST & AGENCY	735	895,366.17	895,366.17
COMMUNITY PRESERVATION FUND	737	617.23	617.23
TOTAL ALL FUNDS		2,083,294.21	2,083,294.21

09/05/07

Adopted

Town of Riverhead RESOLUTION 858

APPROVES THE DEFENSE AND INDEMNIFICATION FOR PHILIP
CARDINALE
COUNCILWOMAN BLASS

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

WHEREAS, a law suit has been filed by Henry B. Silverman as plaintiff naming the Town of Riverhead, Philip Cardinale, Barbara Blass, George Bartunek, Edward Densieski, John Dunleavy and Leroy E. Barnes, Jr. as defendants under case number CV 07 3235 in the United States District Court of the Eastern District for the State of New York; and

WHEREAS, the law suit purportedly names the aforementioned parties both individually and in their official capacity;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board pursuant to Town Law directs and authorizes the Town to defend and indemnify **PHILIP CARDINALE** for all purposes in the cause of action under case number CV 07 3235, and be it further

RESOLVED, that the Town Clerk is hereby directed to deliver a copy of this resolution to the Town Board, Town Attorney, Office of Accounting and the Personnel Dept.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

09/05/07

Adopted

Town of Riverhead
RESOLUTION 859

APPROVES THE DEFENSE AND INDEMNIFICATION FOR EDWARD
DENSIESKI

COUNCILMAN DUNLEAVY

_____ offered the following Resolution, which was seconded

by **COUNCILWOMAN BLASS**

WHEREAS, a law suit has been filed by Henry B. Silverman as plaintiff naming the Town of Riverhead, Philip Cardinale, Barbara Blass, George Bartunek, Edward Densieski, John Dunleavy and Leroy E. Barnes, Jr. as defendants under case number CV 07 3235 in the United States District Court of the Eastern District for the State of New York; and

WHEREAS, the law suit purportedly names the aforementioned parties both individually and in their official capacity;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board pursuant to Town Law directs and authorizes the Town to defend and indemnify EDWARD DENSIESKI for all purposes in the cause of action under case number CV 07 3235, and be it further

RESOLVED, that the Town Clerk is hereby directed to deliver a copy of this resolution to the Town Board, Town Attorney, Office of Accounting and the Personnel Dept.

THE VOTE

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

THE RESOLUTION ___ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

09/05/07

Adopted

Town of Riverhead
RESOLUTION 860

APPROVES THE DEFENSE AND INDEMNIFICATION FOR GEORGE
BARTUNEK
COUNCILMAN DENSIESKI

by COUNCILMAN DUNLEAVY offered the following Resolution, which was seconded

WHEREAS, a law suit has been filed by Henry B. Silverman as plaintiff naming the Town of Riverhead, Philip Cardinale, Barbara Blass, George Bartunek, Edward Densieski, John Dunleavy and Leroy E. Barnes, Jr. as defendants under case number CV 07 3235 in the United States District Court of the Eastern District for the State of New York; and

WHEREAS, the law suit purportedly names the aforementioned parties both individually and in their official capacity;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board pursuant to Town Law directs and authorizes the Town to defend and indemnify GEORGE BARTUNEK for all purposes in the cause of action under case number CV 07 3235, and be it further

RESOLVED, that the Town Board permit and authorize the retention of individual counsel for the purposes of representation of any and all of the above parties pursuant to any and all contractual obligations and as otherwise permitted and authorized by any provision under the law, and be it further

RESOLVED, that the Town Clerk is hereby directed to deliver a copy of this resolution to the Town Board, Town Attorney, Office of Accounting and the Personnel Dept.

THE VOTE

Dunleavy yes ___ no ___ Bartunek ___ ~~yes~~ ___ ~~no~~ ___
Blass yes ___ no ___ Densieski yes ___ no ___
Cardinale ___ yes ___ no ___ *abstain*

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

09/05/07

Adopted

Town of Riverhead
RESOLUTION⁸⁶¹

APPROVES THE DEFENSE AND INDEMNIFICATION FOR BARBARA
BLASS
COUNCILMAN DUNLEAVY

by COUNCILMAN DENSIESKI offered the following Resolution, which was seconded

WHEREAS, a law suit has been filed by Henry B. Silverman as plaintiff naming the Town of Riverhead, Philip Cardinale, Barbara Blass, George Bartunek, Edward Densieski, John Dunleavy and Leroy E. Barnes, Jr. as defendants under case number CV 07 3235 in the United States District Court of the Eastern District for the State of New York; and

WHEREAS, the law suit purportedly names the aforementioned parties both individually and in their official capacity;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board pursuant to Town Law directs and authorizes the Town to defend and indemnify BARBARA BLASS for all purposes in the cause of action under case number CV 07 3235, and be it further

RESOLVED, that the Town Clerk is hereby directed to deliver a copy of this resolution to the Town Board, Town Attorney, Office of Accounting and the Personnel Dept.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

09/05/07

Adopted

Town of Riverhead
RESOLUTION 862

APPROVES THE DEFENSE AND INDEMNIFICATION FOR JOHN
DUNLEAVY

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

WHEREAS, a law suit has been filed by Henry B. Silverman as plaintiff naming the Town of Riverhead, Philip Cardinale, Barbara Blass, George Bartunek, Edward Densieski, John Dunleavy and Leroy E. Barnes, Jr. as defendants under case number CV 07 3235 in the United States District Court of the Eastern District for the State of New York; and

WHEREAS, the law suit purportedly names the aforementioned parties both individually and in their official capacity;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board pursuant to Town Law directs and authorizes the Town to defend and indemnify JOHN DUNLEAVY for all purposes in the cause of action under case number CV 07 3235, and be it further

RESOLVED, that the Town Clerk is hereby directed to deliver a copy of this resolution to the Town Board, Town Attorney, Office of Accounting and the Personnel Dept.

abstain **THE VOTE**

Dunleavy yes no *abstain* Bartunek yes no

Blass yes no Densieski yes no

Cardinale yes no *abstain*

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

09/05/07

Adopted

Town of Riverhead
RESOLUTION 863

APPROVES THE DEFENSE AND INDEMNIFICATION FOR LEROY BARNES, JR. **COUNCILMAN BARTUNEK**

by COUNCILMAN DUNLEAVY offered the following Resolution, which was seconded

WHEREAS, a law suit has been filed by Henry B. Silverman as plaintiff naming the Town of Riverhead, Philip Cardinale, Barbara Blass, George Bartunek, Edward Densieski, John Dunleavy and Leroy E. Barnes, Jr. as defendants under case number CV 07 3235 in the United States District Court of the Eastern District for the State of New York; and

WHEREAS, the law suit purportedly names the aforementioned parties both individually and in their official capacity;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board pursuant to Town Law directs and authorizes the Town to defend and indemnify LEROY BARNES for all purposes in the cause of action under case number CV 07 3235, and be it further

RESOLVED, that the Town Board permit and authorize the retention of Thomas Sledjeski, Esq. for the purposes of representing Leroy Barnes, Jr. pursuant to any and all contractual obligations and as otherwise permitted and authorized by any provision under the law, and be it further

RESOLVED, that the Town Clerk is hereby directed to deliver a copy of this resolution to the Town Board, Town Attorney, Office of Accounting, the Personnel Dept and Leroy Barnes, Jr.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED