

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

**April 4<sup>th</sup> , 2006**

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

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

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

**ELECTED OFFICIALS**

**Laverne Tennenberg  
Madelyn Sendlewski  
Paul Leszczynski  
Mark Kwasna  
Maryann Wowak Heilbrunn  
Richard Ehlers  
Allen M. Smith**

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

**DEPARTMENT HEADS**

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

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

**PUBLIC COMMENT ON ANY RESOLUTIONS LISTED BELOW:**

**REGULAR TOWN BOARD MEETING:**

- #294** 2006 Highway Vehicles Project Budget Adoption
- #295** East Creek Bulkheading Project Budget Adoption
- #296** Exercises Town's Option to Receive Franchise Fees from Cablevision
- #297** Authorizes the Supervisor to Execute Stipulation of Settlement in Connection with the Matters Entitled, Foster A. Romano and Joanne M. Romano V. The Planning Board, Index No. 04-14427 and Foster A. Romano and Joanne M. Roman V. Town of Riverhead Et Al., Index No. 04-21946
- #298** Authorizes the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP, to Act as Special Counsel to the Town of Riverhead Planning Board
- #299** Authorizes Legal action Against the Owners, Tenants, Occupants and Mortgagee of the Property Locate at 46 Segal Avenue, Riverhead, New York
- #300** Reinstates the Excavation Permit of TRW Realty LLC
- #301** Authorizes the Retention of Twomey, Latham, Shea, Kelley, Dubin, Reale and Quartararo, LLP. As Special Counsel to the Town Board in Connection with the Downtown Redevelopment Project
- #302** Promotion to Maintenance Mechanic I in the Engineering Department (Joe Ortiz)
- #303** Promotion to Maintenance Mechanic II in the Engineering Department (William Merker)
- #304** Promotion to Maintenance Mechanic IV in the Water Department (William Renten)
- #305** Appoints Deputy Town Engineer in the Engineering Department (Christine Fetten, PE)
- #306** Appoints Temporary Secretary to the Board of Assessment Review (Maribeth Vail)
- #307** Accepts Resignation of Water Treatment Plant Operator Trainee (Frederick Ligon)

- #308** Appoints Riverhead Anti-Bias Task Force Members
- #309** Re-Appoints Members to the Board of Ethics
- #310** Authorizes Fire Marshal to attend Training Conference
- #311** Authorizes Attendance to Parents of Meghan's Law "Apple of My Eye Seminar"
- #312** Authorizes the Town Clerk to Publish and Post a Help Wanted Advertisement for a Part-Time Kennel Attendant
- #313** Approves Plan of Edward W. Harbes III, Agricultural Worker Housing Permit
- #314** Accepts Irrevocable Letter of credit of Portview Homes Inc. in Connection with the Subdivision Entitled, "Country Trails at Baiting Hollow"
- #315** Approves Chapter 90 Application of Wading River Civic Association (Duck Pond Day)
- #316** Approves Chapter 90 Application of Our Redeemer Lutheran Church of Aquebogue (Carnival & Plant Sale)
- #317** Approves Chapter 90 Application of East End Arts & Humanities Council, Inc.
- #318** Approves Chapter 90 Application of East End Olds Club (Car Show & Swap Meet)
- #319** Approves Chapter 90 Application of Timothy Hill Children's Ranch
- #320** Adopts a Local Law Amending Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (108-51 Nonconforming Buildings and Uses)
- #321** Ratifies Resolution #253 Adopted on March 21, 2006, (Authorizes Town Clerk to Publish and Post Public Notice to Consider the Purchase of Development Rights of a Parcel Located in the Town of Riverhead (purported owner: Tri-State Horticultural Services, Inc. Joseph Alberta)
- #322** Ratifies Resolution #202 Adopted on March 7, 2006, (Authorizes Town Clerk to Publish and Post Public Notice to Consider the Purchase of Development Rights of a Parcel Located in the Town of Riverhead (purported owner: Dr. Maurice Goldman)

- #323** Authorizes Town Clerk to Publish and Post Public Notice to Consider the Purchase of a Parcel Located in the Town of Riverhead (purported owner: Benjamin McBurnie)
- #324** Authorizes Town Clerk to Publish and Post Public Notice to Consider the Purchase of a Parcel Located in the Town of Riverhead (purported owner: Alison Adams Larson)
- #325** Authorizes Town Clerk to Post and Publish Public Notice for Public Hearing on the Special Permit Application of Culinary Arts Riverhead, LLC
- #326** Authorizes the Town Clerk to Post and Publish a Notice to Bidders for the Addition of An Item to Annual Asphalt Contract
- #327** Authorizes Town Clerk to Publish & Post Notice to Bidders for Quick Lube Maintenance for Use by the Riverhead Water District
- #328** Authorization to Publish Advertisement for disposal of Demolition & Construction Debris
- #329** Authorization to Publish Advertisement for 2006-2007 Snack Vendor Services
- #330** Authorization to Publish Advertisement for Outboard Motor Boat Engines
- #331** Extends Bid Contract for Removal of Hazardous Household Products (Hazmat)
- #332** Awards Bid for Work Clothes
- #333** Ratifies the Submission of a Grant Application to the New York State Governor's Traffic Safety Committee
- #334** Ratifies the Submission of a Grant Application to the New York State Governor's Traffic Safety Committee
- #335** Adopts Policy of Decorum for Riverhead Town Board Meetings
- #336** Pays Bills

APRIL 4, 2006

Adopted

TOWN OF RIVERHEAD

2006 HIGHWAY VEHICLES PROJECT

BUDGET ADOPTION

RESOLUTION # 294

**COUNCILMAN DUNLEAVY**

\_\_\_\_\_ offered the following resolution,  
which was seconded by **COUNCILMAN DENSIESKI**

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

		<u>FROM</u>	<u>TO</u>
406.051300.494200.40140	Serial Bond Proceeds	440,000	
406.051300.524175.40140	Trucks		440,000

THE VOTE

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

APRIL 4, 2006

Adopted

TOWN OF RIVERHEAD

EAST CREEK BULKHEADING PROJECT

BUDGET ADOPTION

RESOLUTION # 295

COUNCILMAN DENSIESKI

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

COUNCILWOMAN BLASS

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

		<u>FROM</u>	<u>TO</u>
406.095301.481900.40136	Transfer from Park & Rec	200,000	
406.095301.523018.40136	Bulkhead Construction		200,000

THE VOTE

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

April 4, 2006

TOWN OF RIVERHEAD

Adopted

Resolution # 296

**EXERCISES TOWN'S OPTION TO RECEIVE FRANCHISE FEES FROM CABLEVISION.**

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

**WHEREAS**, Cablevision entered into a franchise agreement with the Town of Riverhead in 2002 which set forth the rights and obligations of Cablevision for operation of cable utility systems within the Town of Riverhead; and

**WHEREAS**, Section 18 of the franchise agreement between Cablevision and the Town of Riverhead permits the Town of Riverhead, upon notice to Cablevision, to receive franchise fees from Cablevision of up to five percent of the Cablevisions gross revenue; and

**WHEREAS**, the Town Board has determined that it is appropriate to exercise the Town's right to receive franchise fees pursuant to the franchise agreement,

**NOW, THEREFORE, it is hereby**

**RESOLVED**, that the Supervisor is hereby authorized to execute a written request to Cablevision pursuant to section 18.1 of the franchise agreement between the Town of Riverhead and Cablevision requesting the initiation of a franchise fee in the amount of five (5%) percent, and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to the Dody P. Tschirch, VP Public Affairs, David Cullen, Special Projects Manager, the Office of Accounting and the Office of the Town Attorney.

**THE VOTE**

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

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

4/4/06

Ad opted

TOWN OF RIVERHEAD

Resolution # 297

**AUTHORIZES THE SUPERVISOR TO EXECUTE STIPULATION OF SETTLEMENT  
IN CONNECTION WITH THE MATTERS ENTITLED, FOSTER A. ROMANO AND  
JOANNE M. ROMANO V. THE PLANNING BOARD, INDEX NO. 04-14427  
AND FOSTER A. ROMANO AND JOANNE M. ROMANO V. TOWN OF RIVERHEAD  
ET AL., INDEX NO. 04-21946**

COUNCILMAN DENSIESKI

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

\_\_\_\_\_ COUNCILMAN DUNLEAVY :

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Supervisor is hereby authorized to execute a Stipulation of Settlement in connection with the aforementioned hybrid CPLR Article 78 proceeding/declaratory judgment action; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Richard A. Ehlers, Esq., 456 Griffing Avenue, P.O. Box 387, Riverhead, New York, 11901 and Dawn C. Thomas, Town Attorney.

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

04/04/06

# Adopted

## TOWN OF RIVERHEAD

Resolution # 298

AUTHORIZES THE LAW FIRM OF SMITH, FINKELSTEIN, LUNDBERG, ISLER AND YAKABOSKI, LLP, TO ACT AS SPECIAL COUNSEL TO THE TOWN OF RIVERHEAD PLANNING BOARD

COUNCILMAN DUNLEAVY

\_\_\_\_\_ offered the following resolution was  
seconded by COUNCILMAN DENSIESKI \_\_\_\_\_:

WHEREAS, Richard Ehlers, Esq. is counsel to the Town of Riverhead Planning Board, and

WHEREAS, from time to time the Town of Riverhead Planning Board requires the assistance of outside counsel for various reasons, and

WHEREAS, the Town Board of the Town of Riverhead wishes to retain outside counsel to assist the Planning Board as required,

NOW, THEREFORE,

BE IT HEREBY RESOLVED, that the law firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP, is hereby retained as special counsel in connection with the above matter at the rate of \$110.00 per hour for general counsel and \$165.00 for litigation matters, and be it further

RESOLVED, that the Riverhead Town Board hereby authorizes the Supervisor to execute the attached Retainer Agreement; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, 456 Griffing Avenue, P.O. Box 389, Riverhead, New York 11901; the Office of the Town Attorney and the Office of Accounting

### THE VOTE

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

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



TOWN OF RIVERHEAD

Resolution # 300

**Adopted**

**REINSTATES THE EXCAVATION PERMIT OF T.R.W. REALTY LLC**  
**PURSUANT TO CHAPTER 62 OF THE TOWN CODE OF THE TOWN OF**  
**RIVERHEAD**

**COUNCILMAN DUNLEAVY**

\_\_\_\_\_ offered the following resolution,  
which was seconded by **COUNCILMAN DENSIESKI** \_\_\_\_\_:

**WHEREAS**, T.R.W. Realty LLC, owners of the subject property located at 1800 Old Country Route 58, Riverhead, NY known as Riverhead Auto Mall, Suffolk County tax map number, 119-1-5.1, and

**WHEREAS**, the owners petitioned the Town Board for site plan amendment approval to allow the importation of 21,100 Cubic yards of clean soils for the construction of a vehicle storage area as depicted on a site plan prepared by Young and Young Land Surveyors, dated January 6, 2000 and amended September 27, 2005, and

**WHEREAS**, the owner received the excavation permit applied for with conditions in accordance with their approved site plan as provided by Resolution 1277 dated December 2, 2003, and by Resolution #949 dated October 4, 2005, and

**WHEREAS**, the conditions of the excavation permit set forth in Resolution #948 of 2005, allowed the importation of 21,100 cubic yards of clean soil to be imported provided they came from an approved DEC site, registered pursuant to 6 NYCRR Part 360-16 and supported by a manifest showing the origins of the soils from the owners and approved by the Town of Riverhead Engineer and Building Department, and

**WHEREAS**, the importation of the 21,100 cubic yards was also subject to random soil testing of the imported soils to detect the existence of environmental contaminants in excess of the requirements set forth in 6 NYCRR Part 360-16 to be conducted by the town's consultant testing company at the supervision of the Town Engineer and Building Department as directed by the Town Board, and

**WHEREAS**, the testing of the soil was conducted pursuant to the conditions of the aforementioned permit, and

**WHEREAS**, the soil test results were presented and analyzed in a document prepared by Coastal Environmental dated November 7, 2005 and submitted to the Town Attorney, and

**WHEREAS**, soil test results revealed contamination in excess of the limits set forth in NYSDEC and Suffolk County Health Department Technical Guidance Documents referenced in the "Coastal" report, and

**WHEREAS**, the Town Engineer has reviewed the results of the soil testing and has concluded that they are unacceptable results and that the soils and aggregates do not meet the descriptions for "uncontaminated", are therefore not clean soils, and recommends that the Town require the offending soils to be removed from the premises and sent to a suitable disposal facility, and

**WHEREAS**, pursuant to resolution 1105-05, the Town Board revoked the excavation permit issued pursuant to resolution 948-05 and directed that the offending material be removed from the site and disposed of in accordance with the directives of the New York State Department of Environmental Conservation and 6 NYCRR Part 360, and

**WHEREAS**, the remaining material has been examined by the Department of Environmental Conservation and found to be acceptable, and

**WHEREAS**, the applicant has agreed to test the remaining material at the site for contaminants utilizing the TCLP testing standard and procedures, and

**WHEREAS**, the applicant has further agrees that any additional material imported to the site shall be subject to a inspection by the Department of Environmental Conservation and a satisfactory TCLP result and be approved in accordance with the directives of the resolution 948-05, and

**NOW, THEREFORE, BE IT**

**RESOLVED**, that based upon the foregoing, the Town Board hereby reinstates the excavation permit granted to the applicant pursuant to resolution no. 948-05 and modifies it as set forth herein, and be it further,

**RESOLVED**, that the applicant shall be required to test the remaining imported fill material at the site as of the date of this resolution using TCLP testing standards and procedures, and be it further

**RESOLVED**, that additional material imported to the site is subject to TCLP testing and a DEC approval, and

**RESOLVED**, that the applicant has paid the excavation fees applicant in the amount of \$ 42,200.00 dollars representing \$2.00 per cubic yard for the soils imported to the site, and be it further,

**RESOLVED**, that should any of the remaining imported soils or new imported soils be tested show an unacceptable result based upon the TCLP test, such offending soils shall be removed in accordance with the provision of 6 NYCRR Part 360 at the direction of the Department of Environmental Conservation, and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Howard Greenberg, Esq., 180 E. Main St., Suite 308, Smithtown, NY 11787, T.R.W. Realty LLC, the Riverhead Planning Department, The Riverhead Accounting Department, The Riverhead Town Engineer, and the Riverhead Building Department.

**THE VOTE**

Dunleavy ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Bartunek ~~Yes~~ No

Cardinale ~~Yes~~ No

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

04/04/06

# Adopted

TOWN OF RIVERHEAD

Resolution # 301

**AUTHORIZES THE RETENTION OF TWOMEY, LATHAM, SHEA, KELLEY, DUBIN, REALE AND QUARTARARO, LLP. AS SPECIAL COUNSEL TO THE TOWN BOARD IN CONNECTION WITH THE DOWNTOWN REDEVELOPMENT PROJECT**

COUNCILWOMAN BLASS offered the following resolution, was seconded by

COUNCILMAN DUNLEAVY :

**WHEREAS**, on March 7, 2006, the Town Board, by Community Development Resolution # 2, authorized the commencement of negotiations with Apollo Real Estate Advisors, LP on a downtown redevelopment project; and

**WHEREAS**, the Town Board has reviewed the proposals from several law firms offering to provide legal services in connection with the redevelopment project; and

**WHEREAS**, after careful consideration, the Town Board has selected the firm of Twomey, Latham, Shea, Kelley, Dubin, Reale and Quartararo, LLP to represent the Town of Riverhead in negotiations with Apollo Real Estate Advisors, LP.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby designates Twomey, Latham, Shea, Kelley, Dubin, Reale and Quartararo, LLP as counsel to the Town in connection with said negotiations as detailed in the letter proposal attached hereto; and be it further

**RESOLVED**, that no legal work shall commence unless and until a majority of the Town Board shall determine it necessary to engage counsel on the project; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to provide a copy of this resolution to Twomey, Latham, Shea, Kelley, Dubin, Reale and Quartararo, LLP, Christopher E. Kent, Esq., Deputy Supervisor, Dawn C. Thomas, Esq., Town Attorney, Andrea Lohneiss, Community Development Director and Jack Hansen, Financial Administrator.

**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**

Authorize desimone/dct

**TWOMEY, LATHAM, SHEA, KELLEY,  
DUBIN, REALE & QUARTARARO, LLP**  
Attorneys at Law

THOMAS A. TWOMEY, JR.  
STEPHEN B. LATHAM  
JOHN F. SHEA, III  
CHRISTOPHER D. KELLEY  
DAVID M. DUBIN  
P. EDWARD REALE  
JAY P. QUARTARARO  
PETER M. MOTT  
JANICE L. SNEAD  
JANE DIGIACOMO  
PHILIP D. NYKAMP  
MARTIN D. FINNEGAN  
ANNE MARIE GOODALE

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New York 11901-9398

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OF COUNSEL  
KENNETH P. LAVALLE  
JOAN C. HATFIELD

Laura I. Squazzin  
Bryan G. Van Cott  
Cyrus G. Dolce, Jr.  
Alicia S. O'Connor  
Lisa A. Azzato  
Kathryn Dalli  
Daniel G. Wani  
Thomas Gibbons

LL.M. IN TAXATION  
LL.M. IN ESTATE PLANNING  
NY & LA BARS  
NY & CT BARS  
NY, NJ, & PA BARS  
NY & NJ BARS  
NY, DC, GA, & FL BARS  
NY, NJ, CT, & FL BARS

April 4, 2006

Supervisor Philip Cardinale  
Town of Riverhead  
Town Hall  
400 Howell Avenue  
Riverhead, N.Y. 11901

Dear Supervisor Cardinale:

This letter will confirm and acknowledge our agreement to perform all work necessary regarding the negotiations between the Town of Riverhead and Apollo Real Estate Advisors, LLP on its proposal for downtown redevelopment.

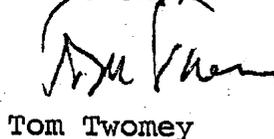
If our legal fees are to be paid from funds received by the Town from Apollo, our fee structure will be \$325 an hour for partners, and \$250 an hour for associates.

If our legal fees are paid out of Town funds not reimbursed by Apollo, our fees shall be \$225 an hour for partners and \$150 an hour for associates.

Thank you for considering our firm in representing the Town in this exciting project.

If you have any questions regarding this letter, please don't hesitate to contact me.

Sincerely,



Tom Twomey

TT:jo

cc: Members of the Town Board

20 MAIN STREET  
EAST HAMPTON, NY 11937  
631.324.1200

51 HILL STREET  
SOUTHAMPTON, NY 11968  
631.287.0090

105 MAIN STREET  
PORT JEFFERSON STA., NY 11776  
631.928.4400

400 TOWNLIN ROAD  
HAUPPAUGE, NY 11788  
631.285.1414

56340 MAIN ROAD, P. O. BOX 325  
SOUTHOLD, NY 11971  
631.765.2300

April 4, 2006

TOWN OF RIVERHEAD

Resolution # 302

**Adopted**

**PROMOTION TO MAINTENANCE MECHANIC I  
IN THE ENGINEERING DEPARTMENT**

**COUNCILWOMAN BLASS**

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

**WHEREAS**, the Town Engineer has requested a promotion for a Custodial Worker in his department; and

**WHEREAS**, the position of Maintenance Mechanic I has been posted (posting # 6 ) as required by the CBA with the CSEA; and

**WHEREAS**, it is the recommendation of the Personnel Committee to promote the recommendation of the Town Engineer.

**NOW, THEREFORE, BE IT RESOLVED**, that Joe Ortiz is hereby promoted to the position of Maintenance Mechanic I effective April 10, 2006 to Group 4 Step 3A of the Salary Administration Schedule; and

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

**THE VOTE**

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

April 4, 2006

TOWN OF RIVERHEAD

Adopted

Resolution # 303

PROMOTION TO MAINTENANCE MECHANIC II  
IN THE ENGINEERING DEPARTMENT

COUNCILMAN BARTUNEK

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

which was seconded by COUNCILWOMAN BLASS

**WHEREAS**, the Town Engineer has requested a promotion for a Maintenance Mechanic I in Building and Grounds; and

**WHEREAS**, the position of Maintenance Mechanic II has been posted (posting # 3) as required by the CBA with the CSEA; and

**WHEREAS**, it is the recommendation of the Personnel Committee to promote the recommendation of the Town Engineer.

**NOW, THEREFORE, BE IT RESOLVED**, that William Merker is hereby promoted to the position of Maintenance Mechanic II effective April 10, 2006 to Group 7 Step 3A of the Salary Administration Schedule; and

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

THE VOTE

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

April 4, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 304

PROMOTION TO MAINTENANCE MECHANIC IV  
IN THE WATER DEPARTMENT

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by

COUNCILMAN BARTUNEK

**WHEREAS**, the Water Superintendent has requested a promotion for a Maintenance Mechanic III in his department; and

**WHEREAS**, the position of Maintenance Mechanic IV has been posted (posting # 4) as required by the CBA with the CSEA; and

**WHEREAS**, it is the recommendation of the Personnel Committee to promote the recommendation of the Water Superintendent.

**NOW, THEREFORE, BE IT RESOLVED**, that William Renten is hereby promoted to the position of Maintenance Mechanic IV effective April 10, 2006 to Group 12 Step 4A of the Salary Administration Schedule; and

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

THE VOTE

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

April 4, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 305

APPOINTS DEPUTY TOWN ENGINEER  
IN THE ENGINEERING DEPARTMENT

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by

COUNCILMAN BARTUNEK

**WHEREAS**, there is a vacancy for a Deputy Town Engineer and the position has been advertised; and

**WHEREAS**, the Personnel Committee and the Town Engineer have made a recommendation of a viable candidate; and

**WHEREAS**, the Suffolk County Department of Civil Service has granted authorization for a provisional appointment.

**NOW, THEREFORE, BE IT RESOLVED**, that Christine Fetten PE is hereby provisionally appointed to the position of Deputy Town Engineer effective April 17, 2006 and the Town Supervisor is hereby authorized to execute a contract with Christine Fetten PE.

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

THE VOTE

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

Agreement made and entered into this \_\_\_\_\_ day of April 2006, between THE TOWN OF RIVERHEAD, County of Suffolk, State of New York, hereinafter referred to as the "Town", and Christine Fetten, Deputy Town Engineer for the Town of Riverhead, New York, hereinafter referred to as "Fetten."

### WITNESSETH:

WHEREAS, the Town desires to provide Fetten with written terms and conditions of employment in order to enhance administrative stability and continuity within the Town, which the Town believes generally improves the quality of its overall mission; and

WHEREAS, the Town and Fetten believe that written terms and conditions of employment are necessary to describe specifically their relationship and to serve as the basis of effective communication between them as they fulfill their governance and administrative functions in the operation of the Town; and

WHEREAS, this Agreement supersedes all prior agreements between the parties; and

WHEREAS, this agreement has been negotiated by the parties and said negotiations and agreements have been reduced in writing in this agreement, which cannot be, in whole or in part, amended orally by the parties.

NOW THEREFORE, in exchange of the mutual covenants and considerations, it is agreed that the terms and conditions of employment of Fetten in her position as Deputy Town Engineer, shall be effective April 17, 2006 and continue until terminated by the Town or Fetten on an at-will basis, as follows:

### ARTICLE I

#### DURATION

1. This Agreement shall be effective as of April 17, 2006 and shall continue in full force and effect until terminated by the Town or Fetten on an at-will basis.

### ARTICLE II

#### HOURS OF WORK

1. Fetten's minimum basic work week shall be 35 hours. There shall be no maximum number of hours of work per week. Fetten shall not receive additional compensation for holiday pay. Fetten is not entitled to earn, accrue, or be paid for overtime or compensatory time.

2. Fetten shall be entitled to the same paid holidays as the employees under her supervision.

3. (a) Five (5) days personal leave will be granted per calendar year with 2006 being prorated at 3.5 days personal leave.

(b) Personal leave may not be accumulated and must be used within the calendar year earned, except that unused personal days at the end of each year shall be converted to sick time and may be used as sick time, subject to all the rules and pertaining to sick time.

(c) Personal leave must be approved by the Town Supervisor. Fetten must request such leave at least forty eight (48) hours in advance unless the personal leave is deemed to be an emergency of which she had no prior knowledge, in which case Fetten must notify the Supervisor or designee of such absence. Failure to notify the Supervisor or designee of her absence will result in loss of pay for the day's absence.

4. Funeral Leave. Fetten shall be entitled to four (4) consecutive working days leave of absence computed either from the day of death or the day following death, at Fetten's option, for the death of Fetten's spouse, child (including adopted children), father, mother, brother, sister, parents, parents-in-law, grandparents, grandparents-in-law, grandchildren, daughter-in-law, brother-in-law, sister-in-law, son-in-law, or stepchild.

5. Jury Service. Fetten will be paid her regular salary while performing jury service upon documentary proof being filed with the Supervisor. Fetten shall endorse the jury salary checks to the Town. Travel allowance or mileage compensation checks for jury service are to be retained by Fetten.

6. Court Appearance. Fetten's absence by reason of appearance as a defendant or witness on behalf of the Town in any court action involving the Town will be approved by the Town Supervisor for the number of days necessary. Fetten shall not lose any salary therefrom.

7. Parentage Leave. Fetten shall receive a parentage leave as defined in the 2001-2003 CSEA contract, Article III, Section 5.

### ARTICLE III

#### VACATIONS

1. Fetten shall be entitled to 15 working days' vacation (January 1 to December 31) with 2006 being prorated at 10 working days' vacation.

2. Fetten, upon request, shall be paid her vacation pay prior to the vacation, providing she shall have given three (3) weeks' notice to the Supervisor.

3. Upon retirement or termination of service, except for cause, Fetten shall be compensated,

in cash, for any accumulated vacation up to a maximum of sixty (60) days.

4. Fetten may carry over any unused vacation days from one (1) year into the following year, but in no event shall Fetten carry over more than sixty (60) vacation days from one year to the next.

5. Fetten, at her option, shall be entitled to make an election to work the current year's allotted vacation time. Fetten must provide written notification to the Supervisor of the exercising of this option not fewer than thirty (30) days prior to the date of which payment is requested. The Supervisor is to acknowledge receipt of this notification to the payroll personnel prior to payment. Payment is to be processed during the next overtime run. Payment will be the same method as outlined in the 2002-2004 Superior Officers' Contract, Article IX, Section C, except that the buyback shall be in blocks of three days per month.

#### ARTICLE IV

#### SICK LEAVE

1. Sick leave is absence necessitated by Fetten's illness or other physical disability. Sick leave will be accumulated at the rate of one and a half (1.5) days per month (eighteen (18) days per year), total accumulated sick leave of three hundred (300) days. After three hundred (300) days, additional paid sick leave may be granted in the sole discretion of the Town Board. In order to receive sick leave, Fetten shall, when absent because of sickness for more than three (3) days, furnish the Supervisor, when requested by him/her, with a medical certificate. Failure to furnish a medical certificate will result in loss of pay for absent days. The Town Board, in its discretion, may request a physical examination Fetten before her return to work.

2. Fetten, or her legal representative, upon retirement or severance, is entitled to cash payment for accumulated sick leave. Said payment shall be paid in a lump sum the value of her accumulated and unused sick leave to the extent of one hundred (100%) percent of the first two hundred and eighty (280) days thereof.

3. Fetten may elect to reduce the sick time accrued under paragraph "1" one by filing a written election with the Supervisor one (1) month prior to payment. Buy-out shall be in lots of ten (10) sick days. No buy-out shall be permitted unless at the time of election Fetten has accumulated at least fifty (50) sick days. The rate of pay shall be calculated at the time of payment based on a two hundred sixty (260) day work year. If Fetten "buys-out" sick leave, she shall be permitted to reaccumulate sick days to a maximum of three hundred (300) days.

4. Fetten, if she falls ill while on vacation, upon presentation of a medical certificate certifying she was confined to bed for more than five (5) working days during her vacation, may charge this illness to sick leave upon proper notification to the Supervisor and may take the same number of sick days as vacation days.

## ARTICLE V

### PENSION AND LONGEVITY

Fetten represents that she is a member of the New York State Employees Retirement System. As a Tier IV employee, she is a participant in the Article 15 Coordinated Retirement Plan.

Longevity payments shall be based on the present year's salary and the percentages shall be taken therefrom. Fetten shall be paid longevity based on the following schedule:

- Four percent (4%) of base pay after ten (10) years of service.
- Six percent (6%) of base pay after fifteen (15) years of service.
- Seven percent (7%) of base pay after eighteen (18) years of service.

## ARTICLE VI

### HEALTH INSURANCE

1. The Town shall pay, on Fetten's behalf, one hundred (100%) percent of the cost of either the individual or family coverage for hospitalization under the Town Health Insurance Program. These plans shall also provide that the Town pays for one hundred (100%) percent coverage for Fetten if she retires from the Town and Town shall also pay to the extent of fifty (50%) percent coverage on the premiums for her family.

In the event that Fetten's employment with the Town should terminate, she shall have the option, at her own expense, to participate in the Town Health Insurance Program in accordance with the rules of NYS Civil Service.

2. The Town shall pay, on Fetten's behalf, one hundred (100%) percent of the cost of either the individual or family plan for dental coverage under the Riverhead Town Dental Plan.

3. The Town shall pay, on Fetten's behalf, one hundred (100%) percent of the cost of either the individual or family plan for optical coverage under the Riverhead Town Optical Plan.

4. The Town will insure Fetten's life in accordance with the maximum death benefit provided by the Employees Retirement System for Tier IV members.

5. The Town will offer a Universal Life Insurance policy and a disability insurance policy. Fetten may, at her option, choose the life insurance or the disability insurance or both. The cost of these policies to the Town may not exceed \$2,500.00. Any additional cost may be supplemented by Fetten via a payroll deduction. The cost will be adjusted yearly based on the Consumer Price Index for New York and Northeastern New Jersey area for all Urban Consumers as produced by the U.S.

Department of Labor, Bureau of Labor Statistics. The Base Year to be used will be 1989.

6. Fetten, at her option, may elect not to accept the Town's hospitalization coverage for a period of not less than one calendar year and receive the following payment during the first full pay period of each year the election is made: \$1,650 if Fetten changes from family to no coverage; \$900 if Fetten changes from family to individual coverage; \$750 if Fetten changes from individual to no coverage. Also, at her option, Fetten may elect not to accept the dental coverage for a period of not less than one calendar year and receive the following payment during the first full pay period of each year the election is made: \$230 if Fetten changes from family to no coverage; \$150 if Fetten changes from family to individual coverage; \$80 if Fetten changes from individual to no coverage. Also, at her option, Fetten may elect not to accept the optical coverage for a period of not less than one calendar year and receive a payment of twenty five dollars (\$25.00) during the first full pay period of each year the election is made. Fetten must sign an application form each year and said application shall include an acknowledgment that she is covered under another plan.

## ARTICLE VII

### GENERAL PROVISIONS

1. The Town agrees to provide legal counsel to defend Fetten in any action arising out of an assault on Fetten on Town business, and the Town hereby agrees to defend, indemnify, and hold Fetten harmless for any and all acts performed for the Town, its agents and employees, including but not limited to preparation, certification and sealing of plans prepared exclusively for the Town, its agents and employees, provided Fetten was acting within the scope of her employment. In the event that Fetten is appointed, authorized or directed by the Town or one of its agencies to represent it as a member of the board of directors of an organization or agency, then she shall be covered by the provisions of Public Officers Law Section 18 and Town Code Sections 15-1 and 15-2 pertaining to the defense and indemnification of officers and employees of public entities, provided Fetten is otherwise eligible for coverage pursuant to the terms of those provisions.

2. If Fetten is injured or assaulted in the course of employment, she shall receive full salary until such time as her application for reinstatement to full duty status, or, in the event of permanent disability, her application for a disability pension be finally determined or by a physician's examination determining no further disability, whichever comes first. If Fetten is injured on the job and reports the same to the Supervisor, and has to be absent from work, no days shall be deducted from her sick leave for such injury. If Fetten receives a compensation check for lost time due to a compensable injury, she shall endorse her check over to the Town. The above shall apply if Fetten was acting within the scope of her employment.

3. A leave of absence, without pay, may be granted to Fetten in the discretion of the Town Board for a maximum of six (6) months, upon written application therefore and good cause shown.

4. If Fetten is absent without leave or without due notification to the Supervisor, she shall suffer loss of pay for the days of such absence.
5. Fetten shall receive a medical examination once a year and inoculations, when necessary, at the expense of the Town and by a physician selected by the Town.
6. Fetten will be paid every two (2) weeks on Thursday of the latter week.
7. Upon Fetten's request to examine her official employment personnel file, she may be permitted to do so at the discretion of the Town Board. Any material classified as confidential shall not be subject to duplication by Fetten, but she shall have an opportunity to read said material and make a written reply, which shall be inserted in her personnel folder.
8. Safety equipment shall be furnished by the Town Board to Fetten at no cost to him.
9. The Town shall make available a safe and reliable vehicle to Fetten for use on Town business. The Town Board, at its discretion, may determine that Fetten has responsibilities on a twenty-four (24) hour basis that require that a vehicle be provided on that basis.
10. To the extent permitted by the U.S. Internal Revenue Code and the New York State Income Tax Laws, the Town shall establish a deferred compensation plan for Fetten.
11. The Town will provide a college and post-graduate incentive program for courses approved by the Town Board. The Town will reimburse Fetten the tuition cost on a grade related basis. A grade of "A" will receive seventy five (75%) percent of the tuition cost. A grade of "B" will receive fifty (50%) percent of the tuition cost. A grade of "C" will receive twenty five (25%) percent of the tuition cost. Payment will only be made upon submission of voucher and proof of grade.

## ARTICLE VII

### WAGES

Fetten shall receive the following annual salary:

April 17, 2006 - \$80,000 (prorated)

IN WITNESS WHEREOF, the parties hereto by their duly authorized representatives, have executed this Agreement the day and year stated above.

TOWN BOARD OF THE TOWN OF RIVERHEAD

BY:

\_\_\_\_\_  
PHILIP CARDINALE, Town Supervisor

\_\_\_\_\_  
CHRISTINE FETTEN

4/4/06

Adopted

TOWN OF RIVERHEAD

Resolution # 306

APPOINTS TEMPORARY SECRETARY  
TO THE BOARD OF ASSESSMENT REVIEW

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

WHEREAS, a position of temporary secretary currently exists on the Board of Assessment Review; and

WHEREAS, Maribeth Vail has expressed an interest in serving in this capacity; and

WHEREAS, all members of the Board of Assessment Review approve of her appointment.

NOW, THEREFORE, BE IT RESOLVED, that Maribeth Vail be and is hereby appointed as temporary secretary to the Board of Assessment Review at an hourly rate of \$12.50 effective May 1, 2006 through December 31, 2006; and

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

THE VOTE

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

APRIL 4, 2006

Adopted

TOWN OF RIVERHEAD

ACCEPTS RESIGNATION OF WATER TREATMENT PLANT OPERATOR TRAINEE

RESOLUTION # 307

COUNCILWOMAN BLASS

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

which was seconded by \_\_\_\_\_ COUNCILMAN BARTUNEK \_\_\_\_\_.

**WHEREAS**, Frederick Ligon has notified the Water Superintendent of his resignation from the position of Water Treatment Plant Operator Trainee in the Water Department, effective April 1, 2006.

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

**BE IT FURTHER, RESOLVED**, that the Town Clerk be, and is hereby, directed to forward a Certified Copy of this Resolution to Frederick Ligon, the Water Department and the Office of Accounting.

THE VOTE

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

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

4/4/06

TOWN OF RIVERHEAD

Resolution # 308

Adopted

APPOINTS RIVERHEAD ANTI-BIAS TASK FORCE MEMBERS

**COUNCILMAN DENSIESKI**

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

**COUNCILMAN DUNLEAVY** :

**WHEREAS**, the Anti-Bias Task Force was formed as an advisory committee in order to advise the Riverhead Town Board regarding issues of racial, gender, handicap or other potential bias issues; and

**WHEREAS**, pursuant to Resolution #168 adopted by the Riverhead Town Board on February 15, 2005, the appointments of members to the Anti-Bias Task Force were terminated as of December 31, 2005; and

**WHEREAS**, it is necessary to re-appoint members to the Anti-Bias Task Force.

**NOW THEREFORE BE IT RESOLVED**, that the Riverhead Town Board hereby appoints the following Town residents to serve until December 31, 2007 as unpaid members of a the Riverhead Anti-Bias Task Force, which shall meet on the last Monday of every month:

- Marilyn Banks-Winter – Community Member
- Kathy Berezny – Riverhead Central School District School Board
- Gwendolyn Branch – Community Member
- April Gray – Community Member
- Cynthia Richardson – Suffolk County Interfaith Anti-Bias Task Force
- Sister Margaret Smyth – Spanish Apostolate of the North Fork
- Louise Wilkinson – Riverhead Central School District Superintendent’s Advisory Council
- Anna Rodriguez – Youth & Family Counseling Services
- Dr. Ledyard Baxter – Clergy; and be it further

**RESOLVED**, that Councilman George Bartunek, Councilman John Dunleavy and Police Chief David Hegermiller shall act as liaison for the Riverhead Anti-Bias Task Force Committee; and be it further

**RESOLVED**, that George Woodson shall act a liaison for the Suffolk County Interfaith Anti-Bias Task Force; and be it further

**RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to Councilman George Bartunek; Councilman John Dunleavy; George Woodson; Marilyn Banks-Winter; Kathy Berezny; Gwendolyn Branch; April Gray; Cynthia Richardson; Sister Margaret Smyth; Louise Wilkinson; Anna Rodriguez; Dr. Ledyard Baxter; Police Chief Hegermiller 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

04/04/06

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 309

**RE-APPOINTS MEMBERS TO THE BOARD OF ETHICS**

COUNCILMAN DUNLEAVY

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

**WHEREAS**, on November 16, 2004, the Town Board adopted a revised Ethics Code, and

**WHEREAS**, the revised Code of Ethics creates a five member Ethics Board with no more than two members from the same political party, and

**WHEREAS**, the Town Board has agreed on the individuals it wishes to re-appoint to the Board of Ethics for a two year term;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board hereby re-appoints the following individuals to the Town of Riverhead Board of Ethics,

- Donna Barnard (2 year term)
- Irene Pendzick (2 year term)

**AND BE IT FURTHER,**

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to the Ethics Board and the Office of Accounting.

**THE VOTE**

Dunleavy ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Bartunek ~~Yes~~ No

Cardinale ~~Yes~~ No

Town Attorney

4/4/06

TOWN OF RIVERHEAD

Adopted

Resolution # 310

AUTHORIZES FIRE MARSHAL TO ATTEND TRAINING CONFERENCE

COUNCILMAN DENSIESKI

offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

WHEREAS, Fire Marshal Bruce E. Johnson requests to attend the 2006 National Fire Protection Association (NFPA) Safety Conference and Exposition; and

WHEREAS, the training at said Conference will provide specialized Fire Safety Training on LNG: What is the Status of LNG Fire Hazard Assessment? – What Do We Know and What Do We Need to Know; Case Study Permitting a New LNG Import Terminals; and LNG Regulation: From Cleveland 1944 to Today; and

WHEREAS, the proposed Broadwater Project is an LNG Storage and Re-gasification Facility within the jurisdiction of the Town of Riverhead and this training is essential for the Fire Marshal to thoroughly review the fire and safety risks associated with the Broadwater LNG proposal; and

WHEREAS, the 2006 NFPA Safety Conference will be held June 4-6, 2006, at the Orange County Convention Center in Florida; and

WHEREAS, the cost of the seminar will not exceed \$1,250.00 (expenses include fees for airfare, registration, lodging, meals and other travel costs such as tolls and gas); and

NOW THEREFORE BE IT RESOLVED, that the Fire Marshal be authorized to attend this seminar and shall remit to the Accounting Department all pertinent receipts and documentation to be reimbursed for expenditures not to exceed the authorized limit; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is authorized to forward a copy of this resolution to the Fire Protection and Code Enforcement Division and Office of Accounting.

THE VOTE

Dunleavy  Yes \_\_\_ No

Bartunek  Yes \_\_\_ No

Blass  Yes \_\_\_ No

Densieski  Yes \_\_\_ No

Cardinale  Yes \_\_\_ No

The Resolution  Is \_\_\_ Is Not Declared Duly Adopted

# Adopted

4/4/06

## TOWN OF RIVERHEAD

Resolution # 311

### AUTHORIZES ATTENDANCE TO PARENTS OF MEGHAN'S LAW "APPLE OF MY EYE SEMINAR

COUNCILMAN BARTUNEK

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

WHEREAS, the Parents for Meghan's Law will be conducting an Educational conference on June 21<sup>st</sup>, 2006 at the George C. Young Community Center.

WHEREAS, attendance of this conference is necessary and appropriate For all Recreation personnel who work with children.

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Riverhead hereby authorizes the attendance of all Recreation Personnel who work with children.

BE IT FURTHER RESOLVED, that all related expenses will be \$5.00 per person not to exceed 80 people & not to exceed \$400.00 for the first session. If necessary, a second class can be held or conducted with a charge not to exceed a base fee of \$175.00 plus \$5.,00 per person.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Parents for Meghan's Law, the Recreation Department and the Office of Accounting.

THE VOTE

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

THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

April 4, 2006

# Adopted

## TOWN OF RIVERHEAD

Resolution # 312

**AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST A HELP WANTED  
ADVERTISEMENT FOR A PART-TIME KENNEL ATTENDANT**

COUNCILWOMAN BLASS

\_\_\_\_\_ offered the following resolution, which was  
seconded by \_\_\_\_\_ **COUNCILMAN DENSIESKI**

**BE IT RESOLVED**, that the Town Clerk be and is hereby directed to publish the  
attached Help Wanted Advertisement in the April 13, 2006 issue of The News Review.

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

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

THIS RESOLUTION  IS  IS NOT  
DECLARED DULY ADOPTED

**HELP WANTED**

The Town of Riverhead is seeking a qualified individual to serve in the position of Part-time Kennel Attendant with the Town of Riverhead Animal Shelter. Applications should be submitted to the Police Department, 210 Howell Avenue, Riverhead, New York, by close of business on April 21, 2006. EOE.

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

April 4th, 2006

# Adopted

TOWN OF RIVERHEAD

Resolution # 313

APPROVES PLAN OF EDWARD W. HARBES III  
AGRICULTURAL WORKER HOUSING PERMIT

COUNCILMAN BARTUNEK

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

COUNCILMAN DUNLEAVY

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

WHEREAS, the Riverhead Planning Department is in receipt of a survey and plan of real property owned by Edward W. Harbes III to allow the Building Department to issue building permits to allow the construction of two (2) agricultural worker housing units pursuant to Article XIII Section 108-64.4 of the Riverhead Town Code, such real property located at Sound Avenue, Jamesport, New York, Suffolk County Tax Map Number 0600-08-03-04; and

WHEREAS, the Riverhead Planning Department and Riverhead Building Department have reviewed the survey and plan and have determined that the location of the proposed structures conform to the criteria enumerated in the Town Code; and

NOW, THEREFORE BE IT

RESOLVED, that in the matter of the plan petition of Edward W. Harbes III, that the Riverhead Town Board hereby declares itself to be the Lead Agency pursuant to 6NYCRR Part 617 and further determines the action to be Type II pursuant to 6NYCRR Part 617, and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

RESOLVED, that the Town Board of Riverhead does hereby approve the survey and plan of Edward W. Harbes III Agricultural Worker Housing pursuant to Article XIII Section 108-64.4 of the Riverhead Town Code, survey and plan prepared by Young and Young, L.S., plan dated March 22<sup>nd</sup>, 2006.

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution of Edward W. Harbes III, c/o Harbes Farm Riverhead West LLC, PO Box 1524, Mattituck, New York 11952, the Riverhead Planning

Department, Building Department, Town Engineer, Assessors' Office and the Office of  
The Town Attorney.

*Planning Department*

THE VOTE

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

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

4/4/06

Adopted

TOWN OF RIVERHEAD

Resolution # 314

**ACCEPTS IRREVOCABLE LETTER OF CREDIT OF PORTVIEW HOMES INC. IN CONNECTION WITH THE SUBDIVISION ENTITLED, "COUNTRY TRAILS AT BAITING HOLLOW"**

COUNCILMAN DENSIESKI

\_\_\_\_\_ offered the following resolution, was seconded by COUNCILWOMAN BLASS :

WHEREAS, by Resolution #81 adopted on October 21, 2005, the Riverhead Planning Board conditionally approved the final plat entitled, "Country Trails at Baiting Hollow" filed by L.I. Tech Developing Corp. which has since been sold and is now known owned by Portview Homes, Inc., having one of the conditions of final approval being the submission and filing of a performance bond in the amount of \$500,000.00 covering improvements to be completed within said subdivision; and

WHEREAS, Portview Homes Inc. has submitted to the Town of Riverhead, Bank of Smithtown Irrevocable Letter of Credit No. 100337 in the amount of Five Hundred Thousand and 00/100 (\$500,000.00) Dollars for improvements to be completed within said subdivision; and

WHEREAS, the Town Attorney has reviewed said irrevocable letter of credit and determines same to be acceptable in its form.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts Bank of Smithtown Irrevocable Letter of Credit No. 100337 in the amount of Five Hundred Thousand and 00/100 (\$500,000.00) Dollars for improvements to be completed within said subdivision; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Francis L. Bosco, Esq., 38 Church Street, Unit A, Patchogue, New York, 11772, as attorney for Portview Homes, Inc.; Vincent Gaudiello, P.E.; the Planning Department; the Building Department and the Town Attorney's Office.

THE VOTE

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

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

4/4/06

Adopted

TOWN OF RIVERHEAD

Resolution # 315

**APPROVES CHAPTER 90 APPLICATION OF WADING RIVER CIVIC  
ASSOCIATION  
(DUCK POND DAY)**

COUNCILMAN DENSIESKI

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

COUNCILMAN BARTUNEK  
\_\_\_\_\_ :

**WHEREAS**, the Wading River Civic Association has submitted a Chapter 90 Application for the purpose of conducting their annual Duck Pond Day to be held on Wading River Manor Road and North Country Road, Wading River, New York, on May 7, 2006, between the hours of 12:00 noon and 4:00 p.m.; and

**WHEREAS**, the Wading River Civic Association has completed and filed a Short Form Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

**WHEREAS**, the applicant has requested the Chapter 90 application fee be waived; 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 application of the Wading River Civic Association for the purpose of conducting their annual Duck Pond Day to be held on Wading River Manor Road and North Country Road, Wading River, New York on May 7, 2006, between the hours of 12:00 noon and 4:00 p.m. is hereby approved; and be it further

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

opening of this event to the public and shall be contacted at least three days in advance for the purpose of arranging the "pre-opening" inspection appointment at (631) 727-3200 extension 209; 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 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 and the Tents & Membrane Structures; 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 the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Wading River Civic Association, Attn: Sidney Bail, P.O. Box 805, Wading River, New York, 11792; Bruce Johnson, Fire Marshal and the Riverhead Police Department.

**THE VOTE**

Dunleavy	<input checked="" type="checkbox"/>	yes	<input type="checkbox"/>	no	Bartunek	<input checked="" type="checkbox"/>	yes	<input type="checkbox"/>	no
Blass	<input 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 7 WAS        WAS NOT  
THEREFORE DULY ADOPTED**

4/4/06

Adopted

TOWN OF RIVERHEAD

Resolution # 316

**APPROVES CHAPTER 90 APPLICATION OF OUR REDEEMER LUTHERAN  
CHURCH OF AQUEBOGUE  
(CARNIVAL & PLANT SALE)**

COUNCILMAN DUNLEAVY

offered the following resolution, was seconded by

COUNCILMAN BARTUNEK

**WHEREAS**, Our Redeemer Lutheran Church of Aquebogue has submitted a Chapter 90 Application for the purpose of conducting a carnival and plant sale to be located on their property located at 269 Main Road, Aquebogue, New York, to be held on May 11<sup>th</sup> through and including May 14, 2006, between the hours of 12:00 noon and 11:00 p.m.; and

**WHEREAS**, Our Redeemer Lutheran Church of Aquebogue has completed and filed and Short Form Environmental Assessment Form in accordance with 6 NYCRR 617, and

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

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

**WHEREAS**, the Town Attorney of the Town of Riverhead has reviewed all documents regarding said application; and

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

**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 application of Our Redeemer Lutheran Church of Aquebogue for the purpose of conducting a carnival and plant sale to be located on their property located at 269 Main Road, Aquebogue, New York, to be held on May 11<sup>th</sup> through and including May 14, 2006, between the hours of 12:00 noon and 11:00 p.m., is hereby approved; and be it further

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

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

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Our Redeemer Lutheran Church of Aquebogue, P.O. Box 960, Aquebogue, New York, 11931; the Riverhead Fire Marshal and the Riverhead Police Department.

**THE VOTE**

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

Adopted

Resolution # 317APPROVES CHAPTER 90 APPLICATION OF EAST END ARTS & HUMANITIES COUNCIL, INC.

COUNCILMAN DENSIESKI

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

COUNCILMAN DUNLEAVY  
\_\_\_\_\_

**WHEREAS**, the East End Arts & Humanities Council Inc. ("EEAC") has submitted a Chapter 90 application for the purpose of conducting their Annual Community Mosaic Street Painting Festival with music and art exhibit to be held on EEAC grounds and parking lot, Riverhead, New York, on Sunday, May 28, 2006 having a rain date of Monday, May 29, 2006, between the hours of 12:00 noon and 5:00 p.m.; and

**WHEREAS**, East End Arts & Humanities Council, Inc. has completed and filed and Short Form 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**, due to its not-for-profit status, the applicant has requested the Chapter 90 application fee 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 application of the East End Arts & Humanity Council, Inc. for the purpose of conducting their Annual Community Mosaic Street Painting Festival with music and art exhibit to be held on EEAC grounds and parking lot, Riverhead, New York, on Sunday, May 28, 2006, having a rain date of Monday, May 29, 2006, between the hours of 12:00 noon and 5:00 p.m., is hereby approved; and be it further

**RESOLVED**, that the Town Board of the Town of Riverhead hereby waives the Chapter 90

application fee; and be it further

**RESOLVED**, that 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 and the Tents & Membrane Structures 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 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 (631) 727-3200 extension 209, for the purpose of arranging the "pre-opening" inspection appointment at least three days in advance; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the East End Arts & Humanities Council, Inc., 133 East Main Street, Riverhead, New York, 11901; Bruce Johnson, Fire Marshal; Ken Testa, P.E.; the Riverhead Police 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

4/4/06

TOWN OF RIVERHEAD

Adopted

Resolution # 318

**APPROVES CHAPTER 90 APPLICATION OF EAST END OLDS CLUB  
(CAR SHOW & SWAP MEET)**

**COUNCILMAN DENSIESKI**

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

**COUNCILWOMAN BLASS** :

**WHEREAS**, East End Olds Club has submitted a Chapter 90 Application for the purpose of conducting a car show and swap meet to be held at the George Young Community Center located at South Jamesport Avenue, Jamesport, New York, between the hours of 8:00 a.m. and 5:00 p.m., on August 13, 2006 having a rain date of August 20, 2006; and

**WHEREAS**, East End Olds Club has completed and filed and Short Form 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**, East End Olds Club has paid the required Chapter 90 application fee for this event; and

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

**WHEREAS**, the Town Attorney of the Town of Riverhead has reviewed all documents regarding said application.

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

**RESOLVED**, that the Chapter 90 Application of East End Olds Club, for the purpose of conducting a car show and swap meet to be held at the George Young Community Center located at South Jamesport Avenue, Jamesport, New York, between the hours of 8:00 a.m. and 5:00 p.m., on August 13, 2006 having a rain date of August 20, 2006 is hereby approved; 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 any tent installations and any and all electric shall comply <sup>with the</sup> applicable provisions of the Building and Fire Code of New York State, the National Electrical Code and National Fire Protection Agency 102 and the Tents & Membrane Structures <sup>and be it</sup> further.

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

**RESOLVED**, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to East End Olds Club, P.O. Box 2024, Riverhead, New York, 11901; the Riverhead Fire Marshal; Kenneth Testa, P.E.; the Office of the Town Attorney and the Riverhead Police Department.

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

4/4/06

# Adopted

TOWN OF RIVERHEAD

Resolution # 319

**APPROVES CHAPTER 90 APPLICATION OF TIMOTHY HILL CHILDREN'S RANCH**

COUNCILMAN BARTUNEK

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

COUNCILMAN DUNLEAVY  
\_\_\_\_\_ :

**WHEREAS**, Timothy Hill Children's Ranch has submitted a Chapter 90 Application for the purpose of conducting a Fall Festival Country Western Day and Open House to be held at 298 Middle Road, Riverhead, New York, on Saturday, September 9, 2006, between the hours of 9:00 a.m. and 9:00 p.m.; and

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

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

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

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

**WHEREAS**, the applicant has requested the application fee be waived due to its not-for-profit status.

**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 Fall Festival Country Western Day and Open House to be held at 298 Middle Road, Riverhead, New York, on Saturday, September 9, 2006, between the hours of 9:00 a.m. and 9:00 p.m., is hereby approved; and be it further

**RESOLVED**, that this approval is *subject to* receipt of an up-dated certificate of insurance no later than July 1, 2006; and be it further

**RESOLVED**, that this approval is subject to Riverhead Town Code Chapter 8 1 entitled, "Noise Control" and that applicant shall not exceed the noise limits as defined in Section 81-5 Prohibited Acts.; and be it further

**RESOLVED**, that any tent installations and any and all electric shall comply with the applicable provisions of the Building and Fire Code of New York State, the National Electrical Code and National Fire Protection Agency 102 and the 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 the Town Board hereby waives the Chapter 90 Application fee in connection with this event; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Timothy Hill Children's Ranch, 298 Middle Road, Riverhead, New York, 11901, Attn: Janet Liles; Bruce Johnson, Fire Marshal; Chief Hegermiller, Riverhead Police Department; the Riverhead Fire Department and the Office of the Town Attorney.

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

4/4/06

# Adopted

TOWN OF RIVERHEAD

Resolution # 320

**ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING"**  
**OF THE RIVERHEAD TOWN CODE**  
**(108-51 – Nonconforming buildings and uses.)**

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 108 entitled, "Zoning" of the Riverhead Town Code; and

**WHEREAS**, a public hearing was held on the 21st day of March, 2006 at 7:15 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

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

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

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

**THE VOTE**

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

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

**TOWN OF RIVERHEAD  
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on April 4, 2006 as follows:

**ARTICLE XIII Supplementary Use Regulations**

**§ 108-51. Nonconforming buildings and uses.**

E.

Alteration or enlargement of nonconforming structures, generally. A lawfully preexisting nonconforming building or structure or a building or structure which lawfully exists on a nonconforming lot may be enlarged, altered, reconstructed or repaired, provided that the degree of nonconformity is not thereby increased. For the purposes of this subsection, an increase in the degree of nonconformity shall include any increase in the amount of a nonconforming building's or structure's gross floor area which is located within a required setback area, or an increase in any portion of a building or structure located above the maximum height permitted

E. F. Any parcel of land which has been used for a camp or for which a plan for a camp has been filed with the Town Clerk of the Town of Riverhead at the effective date of this chapter but not any amendment thereto and which is held in a single ownership by an organization, such as the Boy Scouts, 4-H Club or other similar recognized civic or fraternal organization, all or a part of which has been used for the purposes of a camp, may continue to be used as a camp although such use does not conform to the regulations of the district in which it is located.

F. G. This chapter shall not apply to any preexisting nonconforming use that has received a special permit to expand said use from the Town Board prior to the effective date hereof.

Dated: Riverhead, New York  
April 4, 2006

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

**BARBARA GRATTAN, Town Clerk**

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

April 4, 2006

# Adopted

## TOWN OF RIVERHEAD

Resolution # 321

**RATIFIES RESOLUTIONS # 253 ADOPTED ON MARCH 21, 2006,**  
**(AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO**  
**CONSIDER THE PURCHASE OF DEVELOPMENT RIGHTS OF A PARCEL**  
**LOCATED IN THE TOWN OF RIVERHEAD(( purported owner: Tri-State Horticultural**  
**Services, Inc. Joseph Alberta))**

COUNCILMAN DENSIESKI

offered the following resolution, was seconded by

COUNCILMAN DUNLEAVY

WHEREAS, Resolution # 253, adopted on March 21, 2006, authorized the Town Clerk to publish and post public notices in regard to a public hearing to consider the purchase of development rights of a parcel located in the Town of Riverhead; and

WHEREAS, the public notices were not properly posted, therefore, the Town Board would like to publish the notice again in the April 6, 2006, edition of the News Review and hold an additional public hearing on April 18, 2006.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead hereby ratifies Resolution # 253 to reflect publishing of the attached amended public notice once in the April 6, 2006, issue of the News Review; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Supervisor's Office, the Farmland Preservation Committee; Peconic Land Trust, Attn: Marian Sumner, 296 Hampton Road, PO Box 1776 Southampton, New York-11969, the Planning Department, the Accounting 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

Mary Hartill

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held on the 18th day of April, 2006, at 7:25 PM o'clock p.m., at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider the purchase of development rights on 20 +/- acres of agricultural lands owned by Tri-State Horticultural Services Inc.,/ Joseph Alberta, located on the East Side of Cross River Drive, Riverhead, New York, at \$69,300.00 per acre, further described as Suffolk County Tax Map #0600-85-2- p/o 1, to the Town of Riverhead, pursuant to §247 of the New York State General Municipal Law and Chapter 44 of the Riverhead Town Code.

Dated: Riverhead, New York  
April 4, 2006

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

April 4, 2006

# Adopted

## TOWN OF RIVERHEAD

Resolution # 322

**RATIFIES RESOLUTIONS # 202 ADOPTED ON MARCH 7, 2006,  
(AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE  
TO CONSIDER THE PURCHASE OF A PARCEL LOCATED IN THE TOWN  
OF RIVERHEAD(( purported owner: Dr. Maurice Goldman))**

**COUNCILWOMAN BLASS** \_\_\_\_\_ offered the following resolution, was seconded  
by  
**COUNCILMAN BARTUNEK**  
\_\_\_\_\_:

**WHEREAS**, Resolution # 202, adopted on March 7, 2006, authorized the Town Clerk to publish and post public notices in regard to a public hearing to consider the purchase of a parcel located in the Town of Riverhead; and

**WHEREAS**, the public notices were not properly posted, therefore, the Town Board would like to publish the notice again in the April 6, 2006, edition of the News Review and hold an additional public hearing on April 18, 2006.

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Town Board of the Town of Riverhead hereby ratifies Resolution # 202 to reflect publishing of the attached amended public notice once in the April 6, 2006, issue of the News Review; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Supervisor's Office, the Open Space Committee; Peconic Land Trust, Attn: Dawn Haight, 296 Hampton Road, PO Box 1776 Southampton, New York 11969, the Planning Department, the Accounting 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 PUBLIC HEARING

**PLEASE TAKE NOTICE** that a public hearing will be held on the 18th day of April, 2006 at 7:30 PM o'clock p.m., at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider the purchase of approximately 4.9 acres of vacant lands owned by Maurice Goldman, located on the Northerly side of East Main Street, Riverhead, New York, for \$245,500, further described as Suffolk County Tax Map #0600- 109-2-12.1, to the Town of Riverhead, pursuant to §247 of the New York State General Municipal Law and Chapter 14 of the Riverhead Town Code.

Dated: Riverhead, New York  
April 4, 2006

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

April 4, 2006

# Adopted

TOWN OF RIVERHEAD

Resolution # 323

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER THE PURCHASE OF DEVELOPMENT RIGHTS ON A PARCEL LOCATED IN THE TOWN OF RIVERHEAD (purported owner: Benjamin McBurnie)**

**COUNCILMAN BARTUNEK**

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

**COUNCILMAN DUNLEAVY** :

**WHEREAS**, pursuant to the provisions of §247 of the New York State General Municipal Law, fee simple owners of lands may elect to sell and the Town of Riverhead may elect to purchase said lands; and

**WHEREAS**, Benjamin McBurnie has expressed a desire to sell the development rights on a parcel of approximately 9.7 acres of vacant lands located on the Southerly side of Middle Road, east of Ostrander Avenue, Riverhead, New York, for a purchase price of \$75,000 an acre, further described as Suffolk County Tax Map #0600-84-1-p/o 4.1, to the Town of Riverhead.

**NOW THEREFORE BE IT RESOLVED**, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider the purchase of development rights on vacant lands owned by Benjamin McBurnie, once in the April 13, 2006, issue of the News Review, the official newspaper designated for these purposes, and also to cause a copy of the proposed purchase to be posted on the sign board of the Town in the Office of the Town Clerk; and be it further

**RESOLVED**, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Benjamin McBurnie, 382 Middle Road, Riverhead, New York 11901 , the Open Space Committee; Peconic Land Trust, Attn: Dawn Haight, 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**

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

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

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held on the 2<sup>nd</sup> day of May, 2006 at 7:05 PM o'clock p.m., at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider the purchase of development rights on approximately 9.7 acres of vacant lands owned by Benjamin McBurnie, located on the Southerly side of Middle Road, east of Ostrander Avenue, Riverhead, New York, for \$75,000 an acre, further described as Suffolk County Tax Map #0600-84-1-p/o 4.1, to the Town of Riverhead, pursuant to §247 of the New York State General Municipal Law and Chapter 14 of the Riverhead Town Code.

Dated: Riverhead, New York  
April 4, 2006

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

April 4, 2006

# Adopted

TOWN OF RIVERHEAD

Resolution # 324

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER THE PURCHASE OF A PARCEL LOCATED IN THE TOWN OF RIVERHEAD (purported owner: Alison Adams Larson)**

COUNCILMAN DENSIESKI

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

COUNCILWOMAN BLASS

**WHEREAS**, pursuant to the provisions of §247 of the New York State General Municipal Law, fee simple owners of lands may elect to sell and the Town of Riverhead may elect to purchase said lands; and

**WHEREAS**, Alison Adams Larson has expressed a desire to sell the parcel of approximately 5.9 acres of vacant lands located on the Northerly side of Sound Avenue, east of Eight Bells Road, Riverhead, New York, for a purchase price of \$800,000, further described as Suffolk County Tax Map #0600-12-3-1, to the Town of Riverhead.

**NOW THEREFORE BE IT RESOLVED**, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider the purchase of vacant lands owned by Alison Adams Larson, once in the April 13, 2006, issue of the News Review, the official newspaper designated for these purposes, and also to cause a copy of the proposed purchase to be posted on the sign board of the Town in the Office of the Town Clerk; and be it further

**RESOLVED**, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Linda Dieterich, 805 Roanoke Avenue, Riverhead, New York 11901, the Open Space Committee; Peconic Land Trust, Attn: Dawn Haight, 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

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

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

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held on the 2<sup>nd</sup> day of **May**, 2006 at 7:10 PM o'clock p.m., at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider the purchase of approximately 5.9 acres of vacant lands owned by , located on the Northerly side of Sound Avenue east of Eight Bells Road, Riverhead, New York, for \$800,000, further described as Suffolk County Tax Map #0600-12-3-1, to the Town of Riverhead, pursuant to §247 of the New York State General Municipal Law and Chapter 14 of the Riverhead Town Code.

Dated: Riverhead, New York  
April 4, 2006

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

4/4/06

# Adopted

TOWN OF RIVERHEAD

Resolution # 325

**AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE FOR PUBLIC HEARING ON THE SPECIAL PERMIT APPLICATION OF CULINARY ARTS RIVERHEAD, LLC**

**COUNCILWOMAN BLASS**

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

which was seconded by **COUNCILMAN DUNLEAVY** \_\_\_\_\_ :

**WHEREAS**, Culinary Arts Riverhead, LLC has applied for a Special Permit pursuant to section 108-69 of the Town Code of the Town of Riverhead.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town of Riverhead Town Board hereby declares itself lead agency with respect to the application, and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to post and publish the attached public notice for a public hearing on the Special Permit application of Culinary Arts Riverhead, LLC, once in the April 13th, 2006 edition of the New Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

**RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to the Planning Department, Building Department, Culinary Arts Riverhead, LLC c/o Germano & Cahill, P.C. 4250 Veterans Memorial Highway, Holbrook, NY 11741 and the Town Attorney.

**THE VOTE**

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

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

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held on the 2<sup>nd</sup> day of May, 2006 at 7:15 p.m., at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider the Special Permit application of Culinary Arts Riverhead, LLC for a Special Permit pursuant to Riverhead Town Code section 108-69 on property identified as SCTM# 0600-128-06-50.1, 51, 53, 55, and 066.003 for the construction of a two story culinary arts center (28,583 sq.ft) for Suffolk County Community College.

A copy of the application may be reviewed at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

Dated: Riverhead, New York  
April 4, 2006

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

**BARBARA GRATTAN, Town Clerk**

April 4, 2006

# Adopted

TOWN OF RIVERHEAD

RESOLUTION # 326

AUTHORIZES THE TOWN CLERK TO POST AND PUBLISH A NOTICE TO  
BIDDERS FOR THE ADDITION OF AN ITEM  
TO ANNUAL ASPHALT CONTRACT  
COUNCILMAN BARTUNEK

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

seconded by COUNCILWOMAN BLASS.

WHEREAS, the Town Board awarded the Annual Asphalt Contract for 2006-2007, however, Item 110C, 1.5 Asphalt Top Coat over 1,000 ton was inadvertently omitted for the bid; and

WHEREAS, the Town Board wishes to add this item to the Annual Asphalt Contract as it will be cost effective and beneficial to the Town.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the April 13, 2006 issue of the official Town newspaper for the Addition of Item 110C to the Annual Asphalt Contract, Riverhead, New York; and

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

THE VOTE

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

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

TOWN OF RIVERHEAD  
NOTICE TO BIDDERS

Sealed proposals for the addition of Item 110C, 1.5 Asphalt Top Coat over 1,000 ton to the Annual Asphalt Contract will be received by the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:05 am on April 27, 2006 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and/or obtained on or about April 5, 2006 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays or by visiting the Town of Riverhead website: [www.riverheadli.com](http://www.riverheadli.com) and click on Bid Requests.

Each proposal must be submitted on the form provided in a sealed envelope clearly marked "Additional Item to Annual Asphalt Contract".

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

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

Dated: April 4, 2006

April 4, 2006

**Adopted**

TOWN OF RIVERHEAD

AUTHORIZES TOWN CLERK TO PUBLISH & POST  
NOTICE TO BIDDERS FOR QUICK LUBE MAINTENANCE  
FOR USE BY THE RIVERHEAD WATER DISTRICT

RESOLUTION # 327

COUNCILMAN DENSIESKI

\_\_\_\_\_ 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 quick lube maintenance to be used by the Riverhead Water  
District ; and be it further

**RESOLVED**, that the Town Clerk is authorized to forward a certified copy of this  
resolution to the Riverhead Water District and the Purchasing Department.

**THE VOTE**

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

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

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of QUICK LUBE MAINTENANCE for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m. on April 27, 2006.**

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

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

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BIDS FOR QUICK LUBE MAINTENANCE.**

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

Adopted

April 4, 2006

TOWN OF RIVERHEAD

Resolution # 328

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR DISPOSAL OF  
DEMOLITION & CONSTRUCTION DEBRIS  
COUNCILMAN DUNLEAVY

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

which was seconded by COUNCILMAN BARTUNEK

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for proposals for DISPOSAL OF DEMOLITION & CONSTRUCTION DEBRIS and;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the APRIL 13, 2006 issue of the News Review and;

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

THE VOTE

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the **DISPOSAL OF DEMOLITION & CONSTRUCTION DEBRIS** 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 **11:15 a.m. on APRIL 21, 2006.**

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

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

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BIDS FOR DISPOSAL OF DEMOLITION & CONSTRUCTION DEBRIS.**

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

APRIL 4, 2006

# Adopted

TOWN OF RIVERHEAD

Resolution # 329

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR  
2006-2007 SNACK VENDOR SERVICES

**COUNCILMAN DENSIESKI**

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

which was seconded by COUNCILWOMAN BLASS

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for 2006-2007 SNACK VENDOR SERVICES for the Town of Riverhead at Reeves Park Beach, Iron Pier Beach, Wading River Beach and Stotzky Park; and

NOW THEREFORE, BE IT

RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the April 13, 2006 issue of the News Review and;

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

THE VOTE

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

**Sealed bids for 2006-2007 SNACK VENDOR SERVICES FOR the Town of Riverhead for each of the following locations: Wading River Beach, Reeves Beach, Iron Pier Beach and Stotzky Park will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:00 a.m. on APRIL 21, 2006.**

**(Individual or all locations may be bid on.)**

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

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

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

All bids are to be submitted in a sealed envelope bearing the designation **BIDS FOR 2006-2007 SNACK VENDOR SERVICES.**

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk



**TOWN OF RIVERHEAD**

**NOTICE TO BIDDERS**

Sealed bids for the purchase of 2- OUTBOARD MOTOR BOAT ENGINES for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:00 a.m. on APRIL 14, 2006.

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

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

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation BIDS FOR OUTBOARD MOTOR BOAT ENGINES.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

April 4, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 331

EXTENDS BID CONTRACT FOR REMOVAL OF HAZARDOUS HOUSEHOLD PRODUCTS (HAZMAT)

COUNCILMAN BARTUNEK

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

COUNCILMAN DUNLEAVY which was seconded by

WHEREAS, the Purchasing Department has requested the contract with RADIAC ENVIRONMENTAL SERVICES, be extended until April 2007 and;

WHEREAS, the above name vendor has agreed to extend the contract until April 2007 for the attached prices, and;

WHEREAS, the Town Board has reviewed said request.

NOW THEREFORE BE IT

RESOLVED, that the contract for REMOVAL OF HAZARDOUS HOUSEHOLD PRODUCTS (HAZMAT) be and hereby is, extended until April 20, 2007;

RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to RADIAC ENVIRONMENTAL SERVICES, Sanitation Department and the Purchasing Department.

THE VOTE

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

*Cardinale Yes*



200 Howell Ave.  
Riverhead, NY 11901  
(631) 727-3200  
email: darrow@riverheadli.com

Lisa Darrow  
Ext. 391

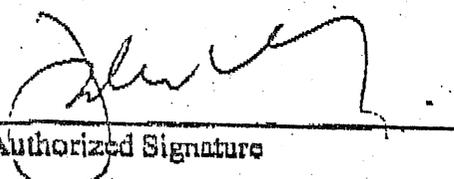
**Bid Extension Notice**

To: Radiac Environmental Services  
From: Sanitation Department  
Date: 3/21/06  
Subject: Extension of bid prices for STOP Program 2006-2007

This letter is to inform you that our current contract for the Riverhead STOP Program is about to expire in April 2006.

The Town of Riverhead would like to extend this contract for a period of one year until April 2007.

If this extension meets with your approval, please complete the bottom portion of this letter and return it to us immediately.

  
\_\_\_\_\_  
Authorized Signature

John V. Tekin, Jr.  
\_\_\_\_\_  
Print Name

Radiac Research Corp.  
\_\_\_\_\_  
Company Name

March 21, 2006  
\_\_\_\_\_  
Date

**BID PROPOSAL SHEET  
HOUSEHOLD HAZARDOUS WASTE**

PRICES ARE PER 55 GALLON DRUM

1. Waste Water Reactive Solids	\$ <u>35.00</u>
2. Hazardous Waste Liquid	\$ <u>No Charge</u>
3. Hazardous waste solid	\$ <u>No Charge</u>
4. Waste Flammable Liquid, Toxic	\$ <u>No Charge</u>
5. Waste Asbestos	\$ <u>No Charge</u>
6. Mercury	\$ <u>No Charge</u>
7. Non-Regulated Waste Dry Cell Batteries	\$ <u>No Charge</u>
8. Non-Regulated Waste Waxes, Abrasive, Cleansers	\$ <u>325.00</u>
9. Non-Regulated Waste Lab Chemicals	\$ <u>325.00</u>
10. Waste Pesticides Liquid, Toxic	\$ <u>265.00</u>
11. Waste Pesticides Solid, Toxic	\$ <u>385.00</u>
12. Waste Oxidizing Liquid	\$ <u>365.00</u>
13. Waste Oxidizing Solid	\$ <u>No Charge</u>
14. Waste Corrosive Liquid, Acidic, Inorganic	\$ <u>295.00</u>
15. Waste Corrosive Liquid, Basic, Inorganic	\$ <u>265.00</u>
16. Waste Toxic Liquid, Inorganic	\$ <u>265.00</u>
17. Waste Toxic Solid, Inorganic	\$ <u>No Charge</u>
18. Waste Flammable Solid, Organic	\$ <u>No Charge</u>
19. Waste Paint	\$ <u>No Charge</u>
20. Waste Aerosols	\$ <u>365.00</u>
21. Paint related materials	\$ <u>290.00</u>
22. Non-Regulated Waste Anti-Freeze	\$ <u>No Charge</u>
	\$ <u>No Charge</u>
<b>TOTAL</b>	<b>\$ <u>3180.00</u></b>

Adopted

TOWN OF RIVERHEAD

AWARDS BID FOR WORK CLOTHES

RESOLUTION # 332

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

**WHEREAS**, the Town Clerk was authorized to publish and post a notice to bidders for WORK CLOTHES and;

**WHEREAS**, bids were received, opened and read aloud on the 9<sup>th</sup> day of February, 2006 at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders.

NOW THEREFORE BE IT

RESOLVED, that the bid for WORK CLOTHES be and hereby is, awarded to EAST END UNIFORMS & WORKWEAR, INC. for the prices on the attached pages.

RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to EAST END UNIFORMS & WORKWEAR and the Purchasing Department.

THE VOTE

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

IMPORTANT - SAMPLES MUST ACCOMPANY BID FORM

ITEM #	DESCRIPTION	OVERSIZE PRICE	PRICE
em #1	Trousers	1ST OS +20% 2ND OS +30%	
	Poly/Cotton Blend Dickies PT-10 series (or equal)	SIZE 44-60	# 14.00
	100% Cotton PC-10	Size 44-60	17.00
	Color - Navy		
Item #2	Dungarees C993RNB-REG FIT OR CR393RNB-RELAXED FIT		
	Dickies, Pre-washed C993 (or equal)	Sizes 44-50 ; 52-56	16.00
Item #3	Short Sleeve T-Shirt		
	Dickies #4624 - Navy; Lt. Blue (or equal)	Sizes 2XL-3XL ; 4XL	8.00
Item #4	Short Sleeve Polo Shirt		
	Dickies #5521 - Lt. Blue; Med. Blue (or equal)	Sizes 2XL-3XL ; 4XL	12.00
Item #5	Short Sleeve Uniform Shirts		
	Poly/Cotton Blend Dickies SP24 (or equal)	Sizes 2XL-3XL ; 4XL-5XL	9.00
	Lt. Blue or Navy Blue		
Item #5-C	Short Sleeve Uniform Shirts 100% Cotton		N/B
	Lt. Blue or Navy Blue	Sizes 2XL-3XL	
Item #6	Long Sleeve Uniform Shirts		
	Poly/Cotton Blend - Lt. Blue or Navy SP14	Sizes 2XL-4XL ; 5XL	11.00
Item #6-	Long Sleeve Uniform Shirts		
	100% cotton - Lt. Blue or Navy SC15	Sizes 2XL-4XL	13.00
Item #7	Coveralls, Insulated 20 Degrees		
	Dickies 2439 100% cotton Duck (or equal) 2439	1ST OS (Sizes 2XL) 2ND OS (3XL-4XL)	60.00
Item #8	Long Coat, Insulated 20 Degrees (winter) 2158		
	Dickies 3158BD Duck (or equal)	52-54-56 (2XL-3XL) (4XL-5XL)	50.00
	with Hood (SEPARATE AD BEFORE)		14.00
Item #9	Jacket, Lined Panel Front (spring)		
	Dickies JT52 (or equal)	2XL-3XL ; 4XL	26.00
Item #10	Coveralls, one piece (unlined)		
	10% Cotton	2XL-4XL SIZES 48-50 +20%	27.00
Misc.	Long Sleeve Sweatshirt	52-60 +30%	
	Poly/Cotton Blend - Navy, Gray	2XL-4XL	18.00

East End Uniforms

April 4, 2006

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 333

**RATIFIES THE SUBMISSION OF A GRANT APPLICATION  
TO THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE**

COUNCILMAN BARTUNEK

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

COUNCILMAN DUNLEAVY

WHEREAS, grant funding is available from the New York State Governor's Traffic Safety Committee for Fiscal Year 2007 under the Buckle Up New York program; and

WHEREAS, the Town of Riverhead Police Department has made application for funding in the amount of \$17,662.50; and

WHEREAS, the grant will fund overtime costs incurred to assign officers to seatbelt law enforcement activities;

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby ratifies Chief Hegermiller's signature on the grant application.

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

THE VOTE

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

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

mesiano\_GTSC\_BUNY\_2007

April 4, 2006

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 334

RATIFIES THE SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE

COUNCILMAN BARTUNEK

offered the following resolution, which was seconded by

COUNCILMAN DENSIESKI

WHEREAS, grant funding is available from the New York State Governor's Traffic Safety Committee for Fiscal Year 2007 under the Selective Traffic Enforcement Program; and

WHEREAS, the Town of Riverhead Police Department has made application for funding in the amount of \$14,407.25; and

WHEREAS, the grant will fund overtime costs incurred to assign officers to traffic law enforcement duties targeting aggressive driving;

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby ratifies Chief Hegermiller's signature on the grant application.

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

mesiano\_GTSC\_STEP\_2007

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

**Adopted**

**ADOPTS POLICY OF DECORUM FOR RIVERHEAD TOWN BOARD MEETINGS**

Councilman Densieski offered this resolution, which was seconded by Councilman Dunleavy.

**WHEREAS**, the Town Board has the responsibility to ensure that everyone has the right to participate in public hearings and public meetings; and

**WHEREAS**, reasonable limitations on speakers are necessary to ensure public participation by numerous speakers presenting various points of view for consideration by the Town Board and attendees at the public hearing or public meeting; and

**WHEREAS**, such rules and regulations are consistent with and guarantee the rights of free speech;

**NOW THEREFORE, BE IT**

**RESOLVED**, that the Town Board hereby adopts the following rules and regulations for conducting public hearings and public meetings:

1. Establish a portion of the meeting in which public comment is invited.
2. Establish a five-minute time allocation for each speaker, except for those speakers making a presentation at a scheduled public hearing.
3. Require that persons desiring to speak at a public meetings or hearings sign in upon entering the room, indicating their intention to speak on a particular topic, for use by the Supervisor in recognizing speakers. The Supervisor, may, in his discretion, recognize additional speakers upon request, after taking into consideration the number of registered speakers and the total time for public comment.
4. Comments by speakers must be addressed to the Town Board. Attendees may not address the board until recognized by the Supervisor.
5. Discussion between speakers and attendees of the public meeting or hearing should be prohibited. A speaker may disagree with or support prior speakers in comments directed to the Town Board.
6. Comments should relate to the purpose of a hearing or matters within the authority of the board.
7. Speakers should present their remarks in a courteous manner and may not make slanderous comments about public officials, town residents, or others.
8. Placards, banners or other signs shall not be permitted in meeting rooms.

9. A person who disregards the directive of the Supervisor in enforcing the rules, disturbs the peace at a meeting, makes slanderous remarks or generally conducts themselves in a boisterous or inappropriate manner while addressing the Town Board should be barred from further comment and forfeit any balance of time remaining for their comments.
10. After a final warning, if a speaker refuses to step down, the Town Supervisor should request that a police or peace officer escort the individual from the meeting room. The authority is section 240.20 of the Penal Law, providing that a person is guilty of disorderly conduct when, with intent to cause public inconvenience, annoyance or alarm or recklessly creating a risk thereof:

- 1) He makes unreasonable noise,
- 2) In a public place, he uses abusive or obscene language,
- 3) Without lawful authority, he disturbs any lawful assembly or meeting of persons or,
- 4) He creates a hazardous or physically offensive condition by any act which serves no legitimate purpose. Disorderly conduct is a criminal offense constituting a violation.

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

**THE VOTE**

Dunleavy	<del>Yes</del>	No	Blass	<del>Yes</del>	No
Densieski	<del>Yes</del>	No	Bartunek	<del>Yes</del>	No
Cardinale	<del>Yes</del>	No			