

**TOWN BOARD MEETING
AGENDA
PHILIP CARDINALE, Supervisor
January 17th , 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:
COMMUNITY DEVELOPMENT AGENCY MEETING:

- #38 Resolution and Consent Approving the Dedication of Highways Known as Bluffs Drive, Landing Lane and Recharge Basin (Baiting Hollow Estates, Section One at Baiting Hollow)
- #39 Harvard Nichols Water Ext. #79 Budget Adjustment
- #40 Adopts a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (108-3 Definitions- Professional Offices)
- #41 Adopts a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Destination Retail (DRC) Zoning Use District- Accessory Uses)
- #42 Adopts a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Business Center (BC) Zoning Use District- Accessory Uses)
- #43 Adopts a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Commercial/Residential Campus (CRC) Zoning Use District-Accessory)
- #44 Adopts a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Shopping Center (SC) Zoning Use District- Accessory Uses)
- #45 Ratifies Appointment of a P/T Recreation Aide (Teen Center) Level II to the Recreation Department (K. Drumm)
- #46 Appoints a Volleyball Leader to the Recreation Dept. (K. Drumm)
- #47 Appoints Engineering Consultant (Sound Engineering, PC)
- #48 Approves Transfer of Police Officer (C. Mohl)
- #49 Abolishes Part Time Position in the Town Attorney's office
- #50 Setting Terms and Conditions of Employment of Tina LoSchiavo, Deputy Town Attorney
- #51 Setting Terms and Conditions of Employment for Dawn Thomas, Town Attorney

- #52 Reappoints Legal Representation for Zoning Board of Appeals (S. DeSimone)
- #53 Authorizes Mary C. Hartill to act as Special Prosecutor for Prosecution of Violations for the Town Code of the Town of Riverhead
- #54 Setting Terms and Conditions of Employment for Christopher Kent, Deputy Town Supervisor
- #55 Approves Site Plan of Splish Splash at Adventureland, Inc. Restroom and Plaza
- #56 Approves Sign Permit of Riverhead Ford
- #57 Authorizes Town Clerk to Publish and Post Public Notice of Public hearing to Consider a Proposed Local Law for an Amendment to Chapter 95 Entitled, "Taxation" of the Riverhead Town Code (Veterans' Exemptions)
- #58 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead (108-97, Major Subdivision)
- #59 Authorizes Town Clerk to Publish and Post Public Notice of Public hearing to Consider a Proposed Local Law for an Amendment to Chapter 95 Entitled, "Taxation" of the Riverhead Town Code (Un-Married Spouses of Members of Volunteer Fire Companies or Volunteer Ambulance Services Killed in the Line of Duty)
- #60 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 14 Entitled, "Community Preservation" of the Riverhead Town Code
- #61 Authorizes Town Clerk to Publish and Post Public Hearing Notice- Draft Environmental Impact Statement- Headriver, LLC (WalMart Store)
- #62 Authorizes Town Clerk to Publish and Post Public Notice of Public hearing to Consider a Proposed Local Law to Amend Chapter 52 Entitled, "Building Construction" of the Riverhead Town Code (52-10)
- #63 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Destination Retail (DRC) Zoning Use District- Accessory Uses)

- #64 Authorizes Attendance of Individuals Associated with Drug Court to Attend 2 Day Conference under Justice Assistance Grant
- #65 Authorizes Attendance at the 2006 Training School Held by the Association of Towns
- #66 Authorizes Sewer District Employee to Attend Course (M. Reichel)
- #67 Authorizes Fire Marshal to Attend Training Seminar
- #68 Sets Fees for the Usage of Recreation and Other Town Facilities
- #69 Authorizes Umpire/Referee Fee Schedule for Police Athletic League (P.A.L.) Programs for the year 2006
- #70 Authorizes Registration Fee Schedule for Police Athletic League (P.A.L.) Programs for year 2006
- #71 Authorizes the Supervisor to Execute a Contract Agreement between the Town of Riverhead and Peggy Schiefer (Court Reporter)
- #72 Authorization to Junk Fixed Assets
- #73 Authorization to Sell Fixed Asset
- #74 Authorizes Town Clerk to Advertise for Bids-RWD-Riverhead Scavenger Waste District –Removal of Liquid Sludge
- #75 Authorization to Publish Advertisement for Milk
- #76 Authorization to Publish Advertisement for Work Clothes
- #77 Pays Bills

1/17/06

TOWN OF RIVERHEAD

Adopted

Resolution # 38

RESOLUTION AND CONSENT APPROVING THE DEDICATION OF HIGHWAYS KNOWN AS BLUFFS DRIVE, LANDING LANE AND RECHARGE BASIN (BAITING HOLLOW ESTATES SECTION ONE AT BAITING HOLLOW)

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

At a regular meeting of the Town Board of the Town of Riverhead, in the County of Suffolk, State of New York, held at 200 Howell Avenue, Riverhead, New York on the 17th day of January, 2006.

P R E S E N T :

- Hon. Philip J. Cardinale, Supervisor
- Edward Densieski, Councilperson
- George Bartunek, Councilperson
- Barbara Blass, Councilperson
- John Dunleavy, Councilperson

X

In the Matter of the Dedication of Certain Highways in the Town of Riverhead, County of Suffolk and State of New York, Known as

RESOLUTION AND CONSENT

BLUFFS DRIVE, LANDING LANE AND RECHARGE BASIN

X

WHEREAS, a certain subdivision map was filed in the Office of the Clerk of the County of Suffolk, known as "Baiting Hollow Estates Section One of Baiting Hollow", Town of Riverhead, County of Suffolk, State of New York, filed on October 30, 1987 as Map No. 8416 in the Office of the Clerk of Suffolk County, Riverhead, New York; and

WHEREAS, plans for the construction of various improvements to said road known and designated as **BLUFFS DRIVE, LANDING LANE** and **RECHARGE BASIN** were submitted to the Planning Board of the Town of Riverhead; and

WHEREAS, the Town Board of the Town of Riverhead did approve a performance bond as to form, sufficiency, manner of execution and surety; and

WHEREAS, said roads, drainage systems, sumps and other improvements have been completed in accordance with the plans and specifications of the Town of Riverhead Planning Board; and

WHEREAS, the construction of the said roads, drainage systems, sumps and other improvements have met with the approval of the Superintendent of Highways of the Town of Riverhead; and

WHEREAS, a copy of the Order Laying Out Road Upon Consent of Owner(s) from the Superintendent of Highways indicating his consent is annexed hereto and made a part hereof; and

WHEREAS, a special search street dedication from Decision 2000 Real Estate Services, Inc., Title Number 05-08-5325 dated December 6, 2005, has been filed with the Clerk of the Town of Riverhead, together with a deed of dedication and release affecting said roads, drainage systems, sumps and/or other improvements.

NOW THEREFORE BE IT RESOLVED, that in accordance with the provisions of Section 171 of the Highway Law of the State of New York, consent be and the same is hereby given that the Superintendent of Highways of the Town of Riverhead, make an order laying out a certain road known as **BLUFFS DRIVE, LANDING LANE** and **RECHARGE BASIN**, the said Town roads and drainage basin to consist of the land described in the deed of dedication dated the 4th day of October, 2005 and to extend same as delineated therein; and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby directed to forthwith cause such deeds of dedication to be recorded in the Office of the Clerk of the County of Suffolk, and upon its return, to attach it hereto; and be it further

RESOLVED, that the Town Clerk is hereby directed to release any and all previously submitted performance bonds upon adoption of this resolution by the Town Board; and be it further

RESOLVED, that this resolution shall take effect immediately; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Anthony B. Tohill, Esq., 12 First Street, P.O. Box 1330, Riverhead, New York, 11901; the Riverhead Superintendent of Highways; the

Planning Board; the Planning Department; the Assessor's Office; the Tax Receiver's Office and the Town Attorney's Office.

Dated: Riverhead, New York
January 17, 2005

**TOWN BOARD OF THE
TOWN OF RIVERHEAD**

PHILIP J. CARDINALE

EDWARD DENSIESKI

GEORGE BARTUNEK

BARBARA BLASS

JOHN DUNLEAVY

THE VOTE

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

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

Adopted

TOWN OF RIVERHEAD

HARVARD NICHOLS WATER EXT #79

BUDGET ADJUSTMENT

RESOLUTION # 39

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

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

		<u>FROM</u>	<u>TO</u>
406.083200.547900.60081	Contingency	2,400	
406.083200.523002.60081	Water Main Construction		2,400

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

1/17/06

TOWN OF RIVERHEAD

Adopted

Resolution # 40

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (108-3 Definitions – Professional Offices)

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider an amendment to Chapter 108 entitled, "Zoning"(108-3 Definitions) of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 3rd day of January, 2006 at 7:10 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law to consider an amendment to Chapter 108 entitled, "Zoning" (108-3 Definitions) of the Town Code of the Town of Riverhead is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

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

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 108 entitled, "Zoning" at its regular meeting held on January 17, 2006. Be it enacted by the Town Board of the Town of Riverhead as follows:

**Chapter 108
ZONING**

ARTICLE I, General Provisions

§ 108-3. Definitions; word usage.

PROFESSIONAL OFFICES – The office of a member of a recognized profession maintained for the conduct of that profession, specifically included are offices of:

(a) Accountants.

(b) Architects.

(c) Artists.

(d) Attorneys.

(e) Audiologists.

(f) Bookkeepers.

(g) Chiropractors.

(h) Dentists.

(i) Engineers.

(j) Income tax preparers.

(k) Insurance agents of brokers.

(l) Interior designers.

(m) Journalists.

(o) Medical doctors.

(p) Optometrists.

(q) Osteopaths.

(r) Podiatrists.

(s) Physical therapists.

(t) Real estates agents or brokers.

(u) any other professional office determined by resolution of the Town Board to have similar impacts to those listed above.

Dated: Riverhead, New York
January 17, 2006

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

BARBARA GRATTAN, Town Clerk

1/17/06

Adopted

TOWN OF RIVERHEAD

Resolution # 41

**ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF
THE RIVERHEAD TOWN CODE
(DESTINATION RETAIL (DRC) ZONING USE DISTRICT – ACCESSORY USES.)**

COUNCILWOMAN BLASS offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 108 entitled, "Zoning" (Destination Retail (DRC) Zoning Use District – Accessory Uses) of the Riverhead Town Code; and

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

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

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Planning Board; the Riverhead Planning Department; the Riverhead Zoning Board of Appeals; 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 checked="" type="checkbox"/> yes	<input type="checkbox"/> no			

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

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on January 17, 2006. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**ARTICLE XLVI
Destination Retail Center (DRC) Zoning Use District**

§ 108-258. Uses.

In the DRC Zoning Use District, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

- B. Accessory uses. Accessory uses shall include those uses customarily incidental to any of the above permitted uses or specially permitted uses when located on the same lot. Specifically included are the following:

- (1) Drive-through windows for banks and pharmacies.

Dated: Riverhead, New York
January 17, 2006

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

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)

1/17/06

Adopted

TOWN OF RIVERHEAD

Resolution # 42

ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (BUSINESS CENTER (BC) ZONING USE DISTRICT – ACCESSORY USES.)

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILMAN DUNLEAVY :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 108 entitled, "Zoning" (Business Center (BC) Zoning Use District – Accessory Uses) of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 3rd day of January, 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 Riverhead Building Department and the Office of the Town Attorney.

THE VOTE

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

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

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on January 17, 2006. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**ARTICLE XLVIII
Business Center (BC) Zoning Use District**

§ 108-266. Uses.

In the BC Zoning Use District, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

C. Accessory uses. Accessory uses shall include those uses customarily incidental to any of the above permitted uses or specially permitted uses when located on the same lot. Specifically included are the following:

- (1) Drive-through windows for ~~pickup of prescriptions only in drugstores~~ banks and pharmacies.

Dated: Riverhead, New York
January 17, 2006

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

BARBARA GRATTAN, Town Clerk

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

1/17/06

Adopted

TOWN OF RIVERHEAD

Resolution # 43

ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (COMMERCIAL/RESIDENTIAL CAMPUS (CRC) ZONING USE DISTRICT - ACCESSORY USES.)

COUNCILMAN DUNLEAVY 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" (Commercial/Residential Campus (CRC) Zoning Use District – Accessory Uses) of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 3rd day of January, 2006 at 7:20 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 Riverhead Building Department and the Office of the Town Attorney.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
 THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on January 17, 2006. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**ARTICLE XLIX
Commercial/Residential Campus (CRC) Zoning Use District**

§ 108-270. Uses.

In the CRC Zoning Use District, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

- B. Accessory uses. Accessory uses shall include those uses customarily incidental to any of the above permitted uses or specially permitted uses when located on the same lot. Specifically included are the following:
- (1) Home occupations.
 - (2) Drive-through windows for banks and pharmacies.

Dated: Riverhead, New York
January 17, 2006

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

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)

1/17/06

Adopted

TOWN OF RIVERHEAD

Resolution # 44

ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (SHOPPING CENTER (SC) ZONING USE DISTRICT – ACCESSORY USES.)

COUNCILMAN BARTUNEK offered the following resolution, was seconded by

COUNCILMAN DUNLEAVY :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 108 entitled, "Zoning" (Shopping Center (SC) Zoning Use District – Accessory Uses) of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 3rd day of January, 2006 at 7:30 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 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 checked="" type="checkbox"/> yes	<input type="checkbox"/> no			

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on January 17, 2006. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**ARTICLE XLVII
Shopping Center (SC) Zoning Use District**

§ 108-262. Uses.

In the SC Zoning Use District, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

- B. Accessory uses. Accessory uses shall include those uses customarily incidental to any of the above permitted uses or specially permitted uses when located on the same lot. Specifically included are the following:

- (1) Drive-through windows for banks and pharmacies.

Dated: Riverhead, New York
January 17, 2006

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

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)

1/17/06

Adopted

TOWN OF RIVERHEAD

Resolution # 45

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

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

RESOLVED, that Kenneth Drumm is hereby appointed to serve as a P/T Recreation Aide for the Teen Center Level II effective January 13, 2006, to be paid at the rate of \$10.00 per hour, and to serve as needed on an at will basis and to serve at the pleasure of the Town Board

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

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

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

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

¹ Rec.Doris /Res. Kenneth Drumm TC

1/17/06

Adopted

TOWN OF RIVERHEAD

Resolution # 46

APPOINTS A VOLLEYBALL LEADER TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN BARTUNEK

_____ offered the following resolution,

which was seconded by _____

COUNCILWOMAN BLASS

RESOLVED, that Kenneth Drumm is hereby appointed to serve as a Volleyball Leader, effective, January 18, 2006 to and including May 22, 2006 to serve as needed on an at will basis to be paid at the rate of \$10.00 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

THE VOTE

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

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

¹ Rec. Doris /Res. Kenneth Drumm V-ball

January 17, 2006

Adopted

TOWN OF RIVERHEAD

APPOINTS ENGINEERING CONSULTANT

RESOLUTION # 47

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

WHEREAS, the Consulting Firm of Sound Engineering, PC has been authorized to conduct consulting work for the Town of Riverhead.

WHEREAS, Sound Engineering PC has forwarded 2006 rate schedules for approval by the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby approves the attached rate sheet; and

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

Fee Estimate - Our fee for the complete design and inspection package per intersection is as follows:

- Tasks 1-4 Design package..... \$ 1,195.00
- Tasks 5-10 Permit and Inspection..... \$ 355.00
- Task 11 Emergency Services Agreements To be determined

The total billing for this work will be \$1,550.00 (one thousand five hundred fifty dollars) per intersection. Billings will be issued based upon percent complete.

We look forward to working with you on this project. Please call if we can be of any further assistance.

Very truly yours,

Richard Marsanico, P.E.
President

Emergency Vehicle Preemption Design Proposal for the Town of Riverhead

Acceptance:

I hereby accept the terms and conditions stated in this proposal dated September 06, 2005.

Town of Riverhead

Date

Richard Marsanico, P.E.
President

Date

January 17, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 48

APPROVES TRANSFER OF POLICE OFFICER

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

WHEREAS, Police Officer Christopher Mohl has requested authorization from the Town of Riverhead to transfer to Southampton Village effective January 14, 2006.

NOW THEREFORE, BE IT RESOLVED, that the Town Board agrees to approve the request of transfer from Christopher Mohl effective January 14, 2006.

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

TOWN OF RIVERHEAD

Resolution # 49

SETTING TERMS AND CONDITIONS OF EMPLOYMENT FOR TINA LOSCHIAVO, DEPUTY TOWN ATTORNEY

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

BE IT RESOLVED, THAT the terms and conditions of employment of Tina Loschiavo, Deputy Town Attorney ("the Employee") shall, effective January 23, 2006, be as follows:

TERM

1. These terms and conditions of employment shall continue in full force and effect until subsequently altered by Town Board resolution.
2. The employee is employed at the will of the Town Board and for no specific term or duration, except as otherwise provided by law.

HOURS OF WORK

1. The employee's minimum basic work week shall be 35 hours. There shall be no maximum number of hours of work per week. The employee shall not receive additional compensation for holiday pay. The employee is not entitled to earn, accrue, or be paid for overtime or compensatory time.
2. The employee shall be entitled to the same paid holidays as are set forth in the 2004-2007 CSEA collective bargaining agreement,
3. (a) Five (5) days of personal leave will be granted.

(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. The employee must request such leave at least forty eight (48) hours in advance unless the personal leave is deemed to be an emergency of which the employee had no prior knowledge, in which case the employee must notify the Town Supervisor or designee of such absence. Failure to notify the Town Supervisor or designee of the absence will result in loss of pay for the day's absence.
4. Funeral Leave. The employee 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 the

employee's option, for the death of the employee'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. The employee will be paid the employee's regular salary while performing jury service upon documentary proof being filed with the Town Supervisor. The employee shall endorse the jury salary checks to the Town. Travel allowance or mileage compensation checks for jury service are to be retained by the employee.

6. Court Appearance. The employee'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. The employee shall not lose any salary therefrom.

7. Parentage Leave. The employee shall receive a parentage leave as defined in the 2004-2007 CSEA contract, Article III, Section 5.

VACATIONS

1. The employee shall be entitled to 15 working days' of vacation (January 1 to December 31) per annum.

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

3. Upon retirement or termination of service, except for cause, the employee shall be compensated, in cash, for any accumulated vacation.

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

5. The employee, at the employee's option, shall be entitled to make an election to work the current year's allotted vacation time. The employee 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.

SICK LEAVE

1. Sick leave is absence necessitated by the employee's illness or other physical disability. Sick leave will be accumulated at the rate of 10.5 hours per month, up to a total

accumulated sick leave of 2100 hours. After 2100 hours, additional paid sick leave may be granted in the sole discretion of the Town Board. In order to receive sick leave, the employee shall, when absent because of sickness for more than three (3) days, furnish the Supervisor, when requested by him, 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 the employee before the employee's return to work.

2. The employee, or 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 the employee's accumulated and unused sick leave to the extent of one hundred (100%) percent of the first 1960 hours thereof.

3. The employee 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 35 hours. No buy-out shall be permitted unless, at the time of election, the employee has accumulated at least 70 hours. The rate of pay shall be calculated at the time of payment based on a two hundred sixty (260) day work year. If the employee "buys-out" sick leave, the employee shall be permitted to reaccumulate sick days to a maximum of 2100 hours.

4. If the employee falls ill while on vacation then, upon presentation of a medical certificate certifying that the employee was confined to bed for more than five (5) working days during the 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.

HEALTH INSURANCE

1. The Town shall reimburse the employee for the cost of health insurance premiums paid by her to the County of Suffolk to maintain coverage obtained through prior employment with the County, but only to the amount that it would cost the Town for family coverage for hospitalization under the Town Health Insurance Program.

2. The Town shall pay, on the employee'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 the employee'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 offer a Universal Life Insurance policy, a disability insurance policy or participation in the New York State deferred compensation program. The employee may, at the employee's option, choose the life insurance, the disability insurance or the deferred compensation program, or any combination thereof. The cost of these policies to the Town may

not exceed \$2,500.00. Any additional cost may be supplemented by the employee 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.

5. The employee, at the employee's 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: \$1,650.00 if the employee changes from family to no coverage; \$900 if the employee changes from family to individual coverage; \$750 if the employee changes from individual to no coverage. Also, at the employee's option, the employee 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 the employee changes from family to no coverage; \$150 if the employee changes from family to individual coverage; \$80 if the employee changes from individual to no coverage. Also, at the employee's option, the employee 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. The employee must sign an application form each year and said application shall include an acknowledgment that the employee is covered under another plan.

GENERAL PROVISIONS

1. The Town agrees to provide legal counsel to defend the employee in any action arising out of an assault on the employee on Town business, and the Town hereby agrees to defend, indemnify, and hold the employee harmless for any and all acts performed for the Town, its agents and employees, provided the employee was acting within the scope of employment. In the event that the employee 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 the employee 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 the employee is otherwise eligible for coverage pursuant to the terms of those provisions.

2. If the employee is injured or assaulted in the course of employment, the employee shall receive full salary until such time as the employee's application for reinstatement to full duty status, or, in the event of permanent disability, the employee's application for a disability pension be finally determined or by a physician's examination determining no further disability, whichever comes first. If the employee 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 his sick leave for such injury. If the employee receives a compensation check for lost time due to a compensable injury, the employee shall endorse the employee's check over to the Town. The above shall apply if the employee was acting within the scope of employment.

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

4. If the employee is absent without leave or without due notification to the Supervisor, the employee shall suffer loss of pay for the days of such absence.

5. The employee will be paid every two (2) weeks on Thursday of the latter week.

6. Upon the employee's request to examine the employee's official employment personnel file, the employee 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 the employee, but the employee shall have an opportunity to read said material and make a written reply, which shall be inserted in the personnel folder.

7. 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 the employee.

8. The Town will provide a college and/or post-graduate incentive program for courses approved by the Town Board. The Town will reimburse the employee 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.

WAGES

The employee shall receive the following annual salary:
January 23, 2006 \$55,000. (Prorated)

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

January 17, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # ⁵⁰ _____

ABOLISHES PART TIME POSITION IN THE
TOWN ATTORNEY'S OFFICE

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

WHEREAS, the Town Board desires to re-organize the office of the Town
Attorney to provide exclusively for full-time attorney staff, and

WHEREAS, the Town Board adopted on November 17, 2005 the 2006 Town
Budget which provides for four full-time attorneys only.

NOW THEREFORE BE IT RESOLVED that the Town Board hereby confirms the
abolishing of the part-time Deputy Town Attorney position effective January 21, 2006.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

TOWN OF RIVERHEAD

Adopted

Resolution # 51

SETTING TERMS AND CONDITIONS OF EMPLOYMENT FOR DAWN
THOMAS, TOWN ATTORNEY

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

BE IT RESOLVED THAT the terms and conditions of employment of Dawn Thomas,
Town Attorney ("the Employee") shall, effective January 1, 2006, be as follows:

TERM

1. These terms and conditions of employment shall continue in full force and effect until subsequently altered by Town Board resolution.
2. The employee is employed at the will of the Town Board and for no specific term or duration, except as otherwise provided by law.

HOURS OF WORK

1. The employee's minimum basic work week shall be 35 hours. There shall be no maximum number of hours of work per week. The employee shall not receive additional compensation for holiday pay. The employee is not entitled to earn, accrue, or be paid for overtime or compensatory time.
2. The employee shall be entitled to the same paid holidays as are set forth in the 2004-2007 CSEA collective bargaining agreement.
3. (a) Five days of personal leave will be granted.
(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. The employee must request such leave at least forty eight (48) hours in advance unless the personal leave is deemed to be an emergency of which the employee had no prior knowledge, in which case the employee must notify the Town Supervisor or designee of such absence. Failure to notify the Town Supervisor or designee of the absence will result in loss of pay for the day's absence.

4. Funeral Leave. The employee 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 the employee's option, for the death of the employee's spouse, child (including adopted children), father, mother, brother, sister, parents, parents-in-law, grandparents, grandparents-in-law, grandchildren, daughter-on-law, brother-in-law, sister-in-law, son-in-law or stepchild.

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

6. Court Appearance. The employee'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. The employee shall not lose any salary therefrom.

7. Parentage Leave. The employee shall receive a parentage leave as defined in the 2004-2007 CSEA contract, Article III, Section 5.

VACATIONS

1. The employee shall be entitled to 30 working days' of vacation (January 1 to December 31) during fiscal year 2006.

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

3. Upon retirement or termination of service, except for cause, the employee shall be compensated, in cash, for any accumulated vacation.

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

5. The employee, at the employee's option shall be entitled to make an election to work the current year's allotted vacation time. The employee 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. 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.

SICK LEAVE

1. Sick leave is absence necessitated by the employee's illness or other physical disability. Sick leave will be accumulated at the rate of 14 hours per month, up to a total accumulated sick leave of 2100 hours. After 2100 hours, additional paid sick leave may be granted in the sole discretion of the Town Board. In order to receive sick leave, the employee shall, when absent because of sickness for more than three (3) days, furnish the Supervisor, when requested by him, 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 of the employee before the employee's return to work.

2. The employee, or 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 the employee's accumulated and unused sick leave to the extent of one hundred (100%) percent of the first 1960 hours thereof.

3. The employee may elect to reduce the sick time accrued under paragraph "1" by filing a written election with the Supervisor one (1) month prior to payment. Buy-out shall be in lots of 35 hours. No buy-out shall be permitted unless, at the time of election, the employee has accumulated at least 70 hours. The rate of pay shall be calculated at the time of payment based on a two hundred sixty (260) day work year. If the employee "buys-out" sick leave, the employee shall be permitted to reaccumulate sick days to a maximum of 2100 hours.

4. If the employee falls ill while on vacation then, upon presentation of a medical certificate certifying that the employee was confined to a bed for more than five (5) working days during the 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.

GRIEVANCE PROCEDURE

1. Consideration of Grievance.

A grievance by the employee shall be made, in writing, to the Town Board. Upon receipt of the grievance, the Town Board may request the employee to submit any agreed statement of facts or the employee's version of the facts, or any other documents that the Town Board may deem pertinent to the determination of the appeal.

2. Time of Hearings.

All discussions and hearings shall, as far as practicable, be conducted during working hours.

3. Representation.

The employee shall have the right at all times to representation of the employee's choosing.

4. Limitations.

If a grievance occurs and cannot be resolved immediately, the employee shall obey all directives and shall present the grievance as soon thereafter as practicable. Grievances that are not presented within ten (10) days of the occurrence shall be deemed to have been abandoned.

5. Withdrawn Grievances.

The employee may withdraw a grievance at any point of the grievance procedure.

HEALTH INSURANCE

1. The Town shall pay, on the employee'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 the employee if the employee retires from the Town and Town shall also pay to the extent of fifty (50%) percent coverage on the premiums for the employee's family.

2. The Town shall pay, on the employee'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 the employee'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 offer a Universal Life Insurance Policy, a disability insurance policy or participation in the New York State deferred compensation program. The employee may, at the employee's option, choose the life insurance, the disability insurance or the deferred compensation program, or any combination thereof. The cost of these policies to the Town may not exceed \$2,500.00. Any additional cost may be supplemented by the employee 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.

5. The employee, at the employee's 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: \$1,659.00 if the employee changes from family to no coverage; \$900 if the employee changes from family to individual coverage; \$750 if the employee changes from individual to no coverage. Also, at the employee's option, the employee 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: \$150 if the employee changes from family to individual coverage; \$230 if the employee changes from family to no coverage; \$150 if the employee changes from family to individual coverage; \$80 if the employee changes from individual to no coverage. Also, at the employee's option, the employee 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. The employee must sign an application form each year and said application shall include an acknowledgment that the employee is covered under another plan.

GENERAL PROVISIONS

1. The Town agrees to provide legal counsel to defend the employee in any action arising out of an assault on the employee on Town business, and the town hereby agrees to defend, indemnify, and hold the employee harmless for any and all acts performed for the Town, its agents and employees, provided the employee was acting within the scope of employment. In the event that the employee 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 the employee 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 the employee is otherwise eligible for coverage pursuant to the terms of those provisions.

2. If the employee is injured or assaulted in the course of employment, the employee shall receive full salary until such time as the employee's application for a disability pension is finally determined or by a physician's examination determining no further disability, whichever comes first. If the employee 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 his sick leave for such injury. If the employee receives a compensation check for lost time due to a compensable injury, the employee shall endorse the employee's check over to the Town. The above shall apply if the employee was acting within the scope of employment.

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

4. If the employee is absent without leave or without due notification to the Supervisor, the employee shall suffer loss of pay for the days of such absence.

5. The employees will be paid every two (2) weeks on Thursday of the latter week.

6. Upon the employee's request to examine the employee's official employment personnel file, the employee 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 the employee, but the employee shall have an opportunity to read said material and make a written reply, which shall be inserted in the personnel folder.

7. 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 the employee.

8. The Town will provide a college and/or post-graduate incentive program for courses approved by the town Board. The Town will reimburse the employee the tuition cost on a grade related basis. The 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.

WAGES

The employee shall receive the following annual salary: \$91,000

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

January 17, 2006

Adopted

TOWN OF RIVERHEAD

**REAPPOINTS LEGAL REPRESENTATION FOR
ZONING BOARD OF APPEALS**

RESOLUTION # 52

COUNCILMAN DENSIESKI

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

WHEREAS, the Town Board wishes to reappoint as Special Counsel, Scott DeSimone to represent the ZBA and Board of Assessment Review.

NOW, THEREFORE BE IT RESOLVED, that Scott DeSimone is hereby reappointed as Special Counsel to ZBA and Board of Assessment Review (BOA) at the rate of \$7,500 annual for both; service shall include appearance at all meetings, assistance in drafting decisions and legal advice and counsel required; and

BE IT FURTHER RESOLVED, that assigned litigation with the ZBA and BOA shall be billed at the rate of \$150.00/hour and Small Claims shall be billed at the rate of \$250.00 per case, and

RESOLVED, that the Town Clerk be, and is hereby, authorized to forward a copy of this resolution to Scott DeSimone, the Office of Accounting, and the Zoning Board of Appeals.

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

January 17, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 53

AUTHORIZES MARY C. HARTILL TO ACT AS SPECIAL PROSECUTOR FOR PROSECUTION OF VIOLATIONS THE CODE OF THE TOWN OF RIVERHEAD

COUNCILMAN DUNLEAVY offered the following resolution ,
which was

seconded by COUNCILMAN BARTUNEK :

NOW THEREFORE BE IT RESOLVED, that Mary C. Hartill is hereby authorized to act as Special Assistant District Attorney for prosecution of violations of the Code of the Town of Riverhead ("Town Code"); and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Town Attorney and the Suffolk County District 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

Adopted

1/11/2006 7:36 PM

TOWN OF RIVERHEAD

Resolution # 54

SETTING TERMS AND CONDITIONS OF EMPLOYMENT FOR CHRISTOPHER KENT, DEPUTY TOWN SUPERVISOR

COUNCILMAN BARTUNEK

offered the following resolution, which was seconded

by COUNCILWOMAN BLASS.

BE IT RESOLVED, THAT the terms and conditions of employment of Christopher Kent, Deputy Town Supervisor ("the employee") shall, effective Jan. 1, 2006, be as follows:

TERM

1. These terms and conditions of employment shall continue in full force and effect until subsequently altered by Town Board resolution.
2. The employee is employed at the will of the Town Board and for no specific term or duration.

HOURS OF WORK

1. The employee's minimum basic work week shall not exceed less than 35 hours. The employee shall not receive additional compensation for holiday pay. The employee is not entitled to earn, accrue, or be paid for overtime or compensatory time.
2. The employee shall be entitled to the same paid holidays as are set forth in the 2004-2007 CSEA collective bargaining agreement.
3. (a) Thirty-Five (35) hours of personal leave will be granted per annum.

(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. The employee must request such leave at least forty eight (48) hours in advance unless the personal leave is deemed to be an emergency of which the employee had no prior knowledge, in which case the employee must notify the Town Supervisor or designee of such absence. Failure to notify the Town Supervisor or designee of the absence will result in loss of pay for the day's absence.
4. Funeral Leave. The employee 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 the employee's option, for the death of the employee'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. The employee will be paid the employee's regular salary while performing jury service upon documentary proof being filed with the Town Supervisor. The employee shall endorse the jury salary checks to the Town. Travel allowance or mileage compensation checks for jury service are to be retained by the employee.

6. Court Appearance. The employee'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. The employee shall not lose any salary therefrom.

7. Parentage Leave. The employee shall receive a parentage leave as defined in the 2004-2007 CSEA contract, Article III, Section 5.

VACATIONS

1. The employee shall be entitled to one hundred and forty (140) hours of vacation per year (Jan. 1 to December 31).

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

3. Upon retirement or termination of service, except for cause, the employee shall be compensated, in cash, for any accumulated vacation.

4. The employee may carry over any unused vacation days from one (1) year into the following year, but in no event shall the employee carry over more than two hundred and eighty (280) vacation hours from one year to the next.

5. The employee, at the employee's option, shall be entitled to make an election to work the current year's allotted vacation time. The employee 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 twenty-one hours per month.

SICK LEAVE

1. Sick leave is absence necessitated by the employee's illness or other physical disability. Sick leave will be accumulated at the rate of 10.5 hours per month, up to a total accumulated sick leave of 2100 hours. After 2100 hours, additional paid sick leave may be granted in the sole discretion of the Town Board. In order to receive sick leave, the employee shall, when absent because of sickness for more than three (3) days, furnish the Supervisor, when requested by him, 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 the employee before the employee's return to work.

2. The employee, or 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 the employee's accumulated and unused sick leave to the extent of one hundred (100%) percent of the first 1960 hours thereof.

3. The employee 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 35 hours. No buy-out shall be permitted unless, at the time of election, the employee has accumulated at least 70 hours. The rate of pay shall be calculated at the time of payment based on a two hundred sixty (260) day work year. If the employee "buys-out" sick leave, the employee shall be permitted to reaccumulate sick days to a maximum of 2100 hours.

4. If the employee falls ill while on vacation then, upon presentation of a medical certificate certifying that the employee was confined to bed for more than five (5) working days during the 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.

GRIEVANCE PROCEDURE

1. Consideration of Grievance.

A grievance by the employee shall be made, in writing, to the Town Board. Upon receipt of the grievance, the Town Board may request the employee to submit any agreed statement of facts or the employee's version of the facts, or any other documents that the Town Board may deem pertinent to the determination of the appeal.

The Town Board shall conduct a hearing within twenty (20) business days of receipt of an appeal. Within twenty (20) business days after the hearing, the Town Board shall make a decision based on its findings and advise the employee. The decision of the Town Board shall be final and all parties bound thereby.

2. Time of Hearings.

All discussions and hearings shall, so far as practicable, be conducted during working hours.

3. Representation.

The employee shall have the right at all times to representation of the employee's choosing.

4. Limitations.

If a grievance occurs and cannot be resolved immediately, the employee shall obey all directives and shall present the grievance as soon thereafter as practicable. Grievances that are not presented within ten (10) days of the occurrence shall be deemed to have been abandoned.

5. Withdrawn Grievances.

The employee may withdraw a grievance at any point in the grievance procedure.

HEALTH INSURANCE

1. The Town shall pay, on the employee'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 the employee if the employee retires from the Town and Town shall also pay to the extent of fifty (50%) percent coverage on the premiums for the employee's family.

2. The Town shall pay, on the employee'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 the employee'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 offer a Universal Life Insurance policy, a disability insurance policy or participation in the New York State deferred compensation program. The employee may, at the employee's option, choose the life insurance, the disability insurance or the deferred compensation program, or any combination thereof. The cost of these policies to the Town may not exceed \$2,500.00. Any additional cost may be supplemented by the employee 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.

5. The employee, at the employee's 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: \$1,650.00 if the employee changes from family to no coverage; \$900 if the employee changes from family to individual coverage; \$750 if the employee changes from individual to no coverage. Also, at the employee's option, the employee 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 the employee changes from family to no coverage; \$150 if the employee changes from family to individual coverage; \$80 if the employee changes from individual to no coverage. Also, at the employee's option, the employee 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. The employee must sign an application form each year and said application shall include an acknowledgment that the employee is covered under another plan.

GENERAL PROVISIONS

1. The Town agrees to provide legal counsel to defend the employee in any action arising out of an assault on the employee on Town business, and the Town hereby agrees to defend, indemnify, and hold the employee harmless for any and all acts performed for the Town, its agents and employees, provided the employee was acting within the scope of employment. In the event that the employee 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 the employee 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 the employee is otherwise eligible for coverage pursuant to the terms of those provisions.

2. If the employee is injured or assaulted in the course of employment, the employee shall receive full salary until such time as the employee's application for reinstatement to full duty status, or, in the event of permanent disability, the employee's application for a disability pension be finally determined or by a physician's examination determining no further disability, whichever comes first. If the employee 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 his sick leave for such injury. If the employee receives a compensation check for lost time due to a compensable injury, the employee shall endorse the employee's check over to the Town. The above shall apply if the employee was acting within the scope of employment.

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

4. If the employee is absent without leave or without due notification to the Supervisor, the employee shall suffer loss of pay for the days of such absence.

5. The employee will be paid every two (2) weeks on Thursday of the latter week.

6. Upon the employee's request to examine the employee's official employment personnel file, the employee 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 the employee, but the employee shall have an opportunity to read said material and make a written reply, which shall be inserted in the personnel folder.

7. 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 the employee.

8. The Town will provide a college and/or post-graduate incentive program for courses approved by the Town Board. The Town will reimburse the employee 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.

WAGES

The employee shall receive the following annual salary:

Effective Jan. 1, 2006: \$78,000.

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

January 17th, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 55

**APPROVES SITE PLAN OF SPLISH SPLASH AT ADVENTURELAND, INC
RESTROOM AND PLAZA**

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

WHEREAS, a site plan and elevations were submitted by Realty Income Corporation for the construction of a two unit restroom building and a plaza area at premises located at 2549 Splish Splash Drive, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-118-1.3.1; and

WHEREAS, the Planning Department has reviewed the site plan dated April 2004, as prepared by H2M Group, and elevations dated June 14, 2005, as prepared by H2M Group and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

WHEREAS, a copy of the site plan has been marked and initialed by the Town Board to show changes that are further set forth in this resolution, which site plan shall be on record with the Town Clerk; and

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 2005-0927 of the Office of the Supervisor of the Town of Riverhead; and;

WHEREAS, this Town Board has reviewed the site plan aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the site plan of Splish Splash at Adventureland Inc., the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Type II.

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Realty Income Corporation, for construction of a two unit restroom building and a plaza area, located at 2549 Splish Splash Drive, Riverhead, New York, site plan dated April 2004, as prepared by H2M Group, and elevations dated June 14, 2005, as prepared by H2M Group be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan approves and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Realty Income Corporation, hereby authorizes and consents to

the Town of Riverhead to enter premises at 2549 Splish Splash Drive, Riverhead, New York, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all utilities shall be constructed underground, if feasible;
12. That pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to John L. Ciarelli, Esq., 737 Roanoke Avenue, Riverhead, New York 11901,, the Riverhead Planning Department, Riverhead Building Department, Town Attorney and the Town Engineer.

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

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2006, made by Reality Income Corporation, PO Box 543185, Dallas, Texas 75354
Declarant:

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Realty Income Corporation authorizes and consents to the Town of Riverhead to enter premises at 2549 Splish Splash Drive, Riverhead, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all utilities shall be constructed underground, if feasible;
11. That pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall pose a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;

13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock", as published by the American Association of Nurserymen;
14. That all necessary precautions shall be taken to contain all dust, dirt, and sand within property boundaries. Such precautions may include the application of dust down, watering, or proper screening or other appropriate measures;

Declarant has hereunto set his/her hand and seal the day and year above first written.

REALITY INCOME CORPORATION

State of New York, County of Suffolk) ss.:

On the ___ day of _____ in the year 2006, before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

January 17, 2006

Adopted

TOWN OF RIVERHEAD
Resolution # 56

APPROVES SIGN PERMIT OF
RIVERHEAD FORD

COUNCILMAN DENSIESKI offered the following resolution, which
was seconded by

COUNCILMAN DUNLEAVY

WHEREAS, a sign permit and sketch were submitted by North Shore Neon for Riverhead Ford for property located at 1655 Old Country Road, Riverhead, New York 11901, designated by SCTM#0600/119.00-01-011.00; and

WHEREAS, the Architectural Review Board did not approve said sign application, due to the sign not being necessary for the building;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby overrides the Architectural Review Board's decision and approves the sign permit application for a sign "Quick Lane Tire & Auto Center" submitted by North Shore Neon Signs for Riverhead Ford to be located at located at 1655 Old Country Road, Riverhead, New York, designated by SCTM#0600/119.00-01-011.00; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Riverhead Ford, 1655 Old Country Road, Riverhead, New York 11901, the Planning Department and the Building Department.

THE VOTE

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

1/17/06

Adopted

TOWN OF RIVERHEAD

Resolution # 57

AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT TO CHAPTER 95 ENTITLED, "TAXATION" OF THE RIVERHEAD TOWN CODE (VETERANS' EXEMPTIONS)

COUNCILMAN DUNLEAVY

_____ offered the following resolution,

which was seconded by COUNCILMAN BARTUNEK _____:

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a proposed local law to consider the amendment to Chapter 95 entitled, "Taxation" of the Riverhead Town Code, once in the January 26, 2006 issue of News Review, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Assessor's 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
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 7th day of February, 2006 at 7:35 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 95 of the Riverhead Town Code entitled, "Taxation" as follows:

Chapter 95
TAXATION
ARTICLE VII
Exemption for Gold Star Parents

§ 95-31. Definitions.

As used in this article, the following terms shall have the meanings indicated:

"HIGH-APPRECIATION MUNICIPALITY" – a) a special assessing unit that is a city, b) a county for which the state board has established a sales price differential factor for purposes of the STAR exemption authorized by section four hundred twenty-five of subparagraph (ii) of paragraph (d) of Subdivision 2 of section 458-a of the real property tax law, as amended by Chapter 417 of the laws of 1997, in three consecutive years, and c) a city town or village which is wholly or partly located within such a county.

§ 95-32. Exemptions granted; veterans.

- A. The maximum exemption allowable to qualifying residential real property exempt from taxation, under § 458-a of the New York State Real Property Tax Law, to the extent of 15% of the assessed value, shall be increased from ~~\$18,000 to \$27,000~~ \$27,000 to (see chart below for possible "wartime" exemption amounts). In addition, a county, city, town or village, which is a "high-appreciation municipality" as defined in §95-31, is authorized to adopt a local law to increase the maximum exemption allowable in paragraphs A. B. and C. of this section.
- B. The maximum exemption allowable to veterans who served in a combat theater or zone of operations, as documented by the award of the United States campaign ribbon or service medal, under § 458-a of the New York State Real Property Tax Law, is hereby increased from ~~\$12,000 to \$18,000.~~ \$18,000 to (see chart below for possible "combat" exemption amounts) In addition, a county, city, town or village, which is a "high-appreciation municipality" as defined in §95-31, is authorized to adopt a local law to increase the maximum exemption allowable in paragraphs A. B. and C. of this section.
- C. The maximum exemption allowable as an additional exemption available to a veteran who has received a compensation rating from a New York veterans' organization or the United States Department of Defense because of a service connected disability, is hereby increased from \$90,000 to (see chart below for possible "disability" exemption amounts). In addition, a county, city, town or village, which is a "high-appreciation municipality" as defined in §95-31, is authorized to adopt a local law to increase the maximum exemption allowable in paragraphs A. B. and C. of this section.

Chart below illustrates the allowable exemptions pursuant to New York State Real Property Tax Law §458-a (ii)

Wartime	27,000	30,000	33,000	36,000
Combat	18,000	20,000	22,000	24,000
Disability	90,000	100,000	110,000	120,000

In "high appreciation municipalities" the governing body may adopt still higher limits of:

Wartime	39,000	42,000	45,000	48,000	51,000	54,000
Combat	26,000	28,000	30,000	32,000	34,000	36,000
Disability	130,000	140,000	150,000	160,000	170,000	180,000

Dated: Riverhead, New York
January 17, 2006

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

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)

1/17/06

Adopted

TOWN OF RIVERHEAD

Resolution # 58

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO
CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED,
"ZONING" OF THE RIVERHEAD TOWN CODE (108-97. Major Subdivision)**

COUNCILMAN BARTUNEK offered the following resolution, was seconded

by

COUNCILWOMAN BLASS :

RESOLVED, the Town Clerk be and is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the January 26, 2006 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

THE VOTE

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

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

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 7th day of February, 2006 at 7:45 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

Chapter 108
ZONING
ARTICLE XX
Subdivision Regulations

§ 108-97. Major subdivision.

A. Procedure.

(4) Improvements. After the approval of the final plat, the subdivider shall submit to the Town Board a properly executed performance bond or other security as provided in § 27 of the Town Law, in an amount to be determined by the Planning Board, for review and approval by the Town Board. The performance bond shall run for a period ~~not to exceed~~ of two years with such performance bond or other security to be extended, upon written request, ~~by a one-year term~~ for two-year terms at the discretion of the ~~Town Planning Board~~ in an amount to be determined by the Planning Board for such extension. There shall be a two thousand (\$2,000) dollar fee imposed for each two-year extension granted beyond the initial two-year period. In no instance will the Planning Board provide for additional extensions of the security agreement or performance bond. Nothing herein shall extend the statutory Town Law provisions relating to an exemption from amendments to the zoning ordinance and bulk area requirements beyond the three years set forth in such statute. In the event that any required improvements have not been installed or constructed within the term of the original security agreement or its authorized extension(s), the Town Board will thereupon declare the security agreement to be in default and collect the sum remaining payable thereunder, and upon the receipt of the proceeds thereof, the town shall install such improvements as are covered by such security.

Dated: Riverhead, New York
January 17, 2006

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

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

1/17/06

Adopted

TOWN OF RIVERHEAD

Resolution # 59

AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT TO CHAPTER 95 ENTITLED, "TAXATION" OF THE RIVERHEAD TOWN CODE (UN-REMARRIED SPOUSES OF MEMBERS OF VOLUNTEER FIRE COMPANIES OR VOLUNTEER AMBULANCE SERVICES KILLED IN THE LINE OF DUTY)

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI:

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a proposed local law to consider the amendment to Chapter 95 entitled, "Taxation" of the Riverhead Town Code, once in the January 26, 2006 issue of News Review, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Assessor's 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
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 7th day of February, 2006 at 7:40 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 95 of the Riverhead Town Code entitled, "Taxation" as follows:

**Chapter 95
TAXATION**

**PERSONS WITH DISABILITIES AND
LIMITED INCOMES EXEMPTIONS**

**ARTICLE VIII Exemption for Volunteer Fire Fighters and Volunteer
Ambulance Workers [Adopted 2-4-2003 by L.L. No. 2-2003]**

§ 95-35. Legislative intent.

This Town Board hereby finds and determines that § 466-c and § 466-f of the New York State Real Property Tax Law allows localities such as the Town of Riverhead to grant exemptions of real property taxes on real property owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service or such an enrolled member and spouse residing in a county with a population of more than 1,400,000 and less than 1,500,000.

§ 95-36. Exemptions granted.

- A. Qualifying residential real property, under § 466-c the New York State Real Property Tax Law, shall be exempt from taxation to the extent of 10% of the assessed value of such property for city, village, Town, part-Town, special district, county or school district purposes, exclusive of special assessments. **[Amended 11-3-2004 by L.L. No. 50-2004]**
- B. Such exemption shall not be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service residing in such county unless:
- (1) The applicant resides in the ~~city, Town or village~~ which is served by such incorporated fire company or fire department or incorporated voluntary ambulance service; ~~;~~
 - (2) The property is the primary residence of the applicant; ~~;~~
 - (3) The property is used exclusively for residential purposes; provided, however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section; and
 - (4) The applicant has been certified by the authority having jurisdiction for the incorporated volunteer fire company or fire department as an enrolled member of such incorporated volunteer fire company or fire department for at least five years or the applicant has been certified by the authority having jurisdiction for the incorporated voluntary ambulance service as an enrolled member of such incorporated voluntary ambulance service for at least five years. It shall be the duty and responsibility of the municipality to determine the procedure for certification.

- C. Any enrolled member an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than 20 years of active service and is so certified by the authority having jurisdiction for the incorporated voluntary fire company or fire department or incorporated voluntary ambulance service shall be granted the ten-percent exemption as authorized by this section for the remainder of his or her life, as long as his or her primary residence is located within the Town of Riverhead.
- D. Application for such exemption shall be filed with the Assessor or other agency, department or office designated by the municipality offering such exemption on or before the taxable status date on a form as prescribed by the State Board.
- E. Incorporated volunteer fire companies, fire departments and incorporated volunteer ambulance services shall file lists of their enrolled members eligible for the exemption provided by this section with the Assessor or other agency, department or office designated by the municipality offering such exemption on or before the taxable status date on a form as prescribed by the State Board.
- F. No applicant who is a volunteer firefighter or volunteer ambulance worker who, by reason of such status, is receiving any benefit under the provisions of this article on the effective date of the section shall suffer any diminution of such benefit because of the provisions of this section.

§ 95-37. Applicability.

This article § 95-36 shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after January 1, 2003.

§ 95-38 Un-remarried spouses of volunteer firefighters or volunteer ambulance workers killed in the line of duty.

Any local law or ordinance adopted pursuant to sections four hundred sixty-six, four hundred sixty-six-a, four hundred sixty-six-b, four hundred sixty-six-c, four hundred sixty-six-d, or four hundred sixty six-e of the New York State Real Property Tax Law may be amended, or a local law, ordinance or resolution may be adopted to continue any exempted claimed under such statutes by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated volunteer ambulance service, to such deceased enrolled member's un-remarried spouse if such member is killed in the line of duty; provided, however, that:

1. such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated volunteer ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who was killed in the line of duty, and
2. such deceased volunteer had been an enrolled member for at least five years, and
3. such deceased volunteer had been receiving the exemption prior to his or her death.

§ 95-39. Applicability.

§ 95-38 shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after January 1, 2006.

§ 95-3840 Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this article or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof; but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this article, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Dated: Riverhead, New York
January 17, 2006

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

BARBARA GRATTAN, Town Clerk

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

TOWN OF RIVERHEAD

Adopted

Resolution # 60

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO
CONSIDER A LOCAL LAW TO AMEND CHAPTER 14 ENTITLED,
"COMMUNITY PRESERVATION" OF THE RIVERHEAD TOWN CODE**

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

RESOLVED, the Town Clerk be and is hereby authorized to publish the attached public to consider a local law to amend Chapter 14 entitled, "Community Preservation" of the Riverhead Town Code once in the January 26, 2006 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Recreation Committee; the Conservation Advisory Council; the Planning Board and Office of the Town Attorney.

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

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public meeting will be held before the Town Board of the Town of Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 7th day of February, 2006 at 7:50 p.m. o'clock to consider a local law amending Chapter 14 of the Riverhead Town Code entitled, "Community Preservation" as follows:

**Chapter 14
COMMUNITY PRESERVATION
ARTICLE V**

Acquisition and Use of Open Spaces, Parks and Park Preserves

§ 14-40. Open Space/Park Preserve Committee.

- A. The Town of Riverhead Open Space/Park Preserve Committee shall consist of ~~five~~ seven members appointed by the Town Board for staggered two-year terms including four representatives from the community at large, and one representative each from the Recreation Committee, and the Conservation Advisory Council and the Planning Board.

Dated: Riverhead, New York
January 17, 2006

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

BARBARA GRATTAN, Town Clerk

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

Adopted

January 17, 2006

TOWN OF RIVERHEAD

RESOLUTION # 61

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC HEARING NOTICE - DRAFT ENVIRONMENTAL IMPACT STATEMENT - HEADRIVER, LLC (WALMART STORE)

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

WHEREAS, by resolution dated November 15, 2005, the Riverhead Town Board did accept the Draft Supplemental Environmental Impact Statement ("DEIS") supporting the amended site plan petition of Headriver, LLC to allow the construction of a 167,951 square foot Walmart Store and related site improvements upon real property located at Route 58, Riverhead, New York; such property more particularly described as Suffolk County Tax Map Number 0600-119-1-1.2, and

WHEREAS, the Town Board desires to hold a public hearing on the DEIS at this time, now

THEREFORE BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the attached notice of public hearing IN THE January 26, 2006 edition of the News-Review.

RH/planning

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 15th day of February, 2006 at 3:00 o'clock p.m. at 200 Howell Avenue, Riverhead, New York to consider the Draft Supplemental Environmental Impact Statement supporting the amended site plan petition of Headriver, LLC to allow the construction of a 167,951 square foot Wal-Mart store and site related improvements upon real property located at route 58, Riverhead; such real property more particularly described as Suffolk County Tax Map Number 0600-119-1-1.2.

DATED: January 17, 2006

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

1/17/06

Adopted

TOWN OF RIVERHEAD

Resolution # 62

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW TO AMEND CHAPTER 52 ENTITLED, "BUILDING CONSTRUCTION" OF THE RIVERHEAD TOWN CODE (52-10.)

COUNCILMAN BARTUNEK offered the following resolution,

which was seconded by COUNCILWOMAN BLASS:

WHEREAS, the Town Board has established fees for building permits in the Town Code of the Town of Riverhead, and

WHEREAS, the Town Board desires to change certain fees contained in the building code.

NOW THEREFORE BE IT RESOLVED, that the proposed Local Law is a Type II action and is not subject to review under 6 NYCRR Part 617.5 (C)(27), and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a proposed local law to consider a local law to amend Chapter 52 entitled, "Building Construction" of the Riverhead Town Code, once in the January 26th 2006 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Building Department; the Planning Department; the Planning Board; Zoning Board of Appeals and the Office of the Town Attorney.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 22nd day of February 7:05 p.m. o'clock at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 52 entitled, "Building Construction" of the Riverhead Town Code as follows:

**Chapter 52
BUILDING CONSTRUCTION**

§ 52-10. Building permit fees.

C. For each building permit where the construction cost shall exceed \$1,000, an additional fee of \$12 per thousand dollars, or fraction thereof, in addition to the minimum fee of \$100. The basis for computing construction costs shall be the square feet of the floor area of the proposed building in relation to the proposed use of said building and/or the cost thereof may be based on current Marshall Swift Valuation cost estimates using local regional multipliers and/or as follows:

- (3) Private garages, attached or detached: \$40 per square foot.
 - (a) ~~Agricultural buildings: farm buildings used for agricultural use, not as an accessory use to a residence: \$50 per square foot.~~
 - (b) ~~Plastic greenhouses: buildings used for agricultural use, not as an accessory use to a residence, \$30 per square foot.~~

(D) Agricultural buildings

- (1) Permanent greenhouses and farm buildings constructed solely for wholesale agricultural use and not as an accessory use to a residence: a flat fee of \$200.00 for any structures 2,000 square feet or less. For structures larger than 2,000 square feet .06 cents per square foot in addition to the flat fee.
- (2) Any structure approved pursuant to this section which is subsequently utilized on a permanent basis for any non-agricultural use or retail shall be subject to pay, "nunc pro tunc", the standard building permit fees required for non-agricultural buildings. The owner of said structure shall be required to pay said fees within thirty days of receipt of written notice from the Building Department.
- (3) All fees paid pursuant to this section are non refundable.

(E) Residential or commercial energy conservation devices

- (1) Residential or commercial energy conservation devices constructed or installed in or upon a structure which qualify for any federal, state or local tax exemption, tax credit or tax rebate, including, but not limited to, solar panels: a flat fee of \$150.00.

(REMAINING PARAGRAPHS IN SECTION TO BE RENUMBERED
ACCORDINGLY)

Dated: Riverhead, New York
January 17, 2006

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

BARBARA GRATTAN, Town Clerk

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

Adopted

1/17/06

TOWN OF RIVERHEAD

Resolution # 63

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (DESTINATION RETAIL (DRC) ZONING USE DISTRICT – ACCESSORY USES.)

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

RESOLVED, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the February 2, 2006 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

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

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 22nd day of February, 2006 at 7:15 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

**ARTICLE XLVI
Destination Retail Center (DRC) Zoning Use District**

§ 108-258. Uses.

In the DRC Zoning Use District, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

A. Permitted uses:

(3) Car dealerships.

Dated: Riverhead, New York
January 17, 2006

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

BARBARA GRATTAN, Town Clerk

* Underline represents addition(s)

January 17, 2006

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 64

AUTHORIZES ATTENDANCE OF INDIVIDUALS ASSOCIATED WITH DRUG COURT TO ATTEND 2 DAY CONFERENCE UNDER JUSTICE ASSISTANCE GRANT

COUNCILMAN DUNLEAVY

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

WHEREAS, the Grant's Coordinator has secured grant funds which will allow individuals of the East End Regional Intervention Court Team (EERIC) to attend a training conference, and

WHEREAS, a two day training seminar entitled "Ensuring the Sustainability of Drug Courts" will be hosted by The National Drug Court Institute at The Westin Peachtree Plaza Hotel, in Atlanta, Georgia on February 23rd and 24th, 2006,

NOW, THEREFORE, BE IT RESOLVED that the Town Board authorizes the attendance of the following individuals: Charlene H. Mascia, Allen M. Smith, Deborah E. Kooperstein, Danielle R. Passano, Jennifer S. Lippmann, Anthony B. Rutkowski and Karen A. Papp at the aforementioned seminar; and

BE IT FURTHER RESOLVED that the Town Board authorizes payment and/or reimbursement of expenses to Allen M. Smith, not to exceed the amount of the grant of \$4,000.00 (airfare, transportation, lodging, taxes, food and miscellaneous expenses) upon proper submission and presentation of receipts; and

BE IT FURTHER RESOLVED that the Town Clerk be and is hereby authorized to forward a certified copy of this Resolution to Justice Allen M. Smith 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

1/17/06

Adopted

TOWN OF RIVERHEAD

Resolution # 65

AUTHORIZES ATTENDANCE AT THE 2006 TRAINING SCHOOL HELD BY THE ASSOCIATION OF TOWNS

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

WHEREAS, the Association of Towns is hosting their 2006 Training School at the Hilton Hotel, New York City, on February 19th through February 22nd, 2006; and

WHEREAS, it is the desire of Philip Cardinale, Supervisor; Barbara Blass, Councilperson; Edward Densieski, Councilperson; George Bartunek, Councilperson; John Dunleavy, Councilperson; Mark Kwasna, Highway Superintendent; Richard Hanley, Planning Director and Leroy Barnes, Jr., Building Department Administrator to attend such course.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the aforementioned individuals to attend the Association of Towns 2006 Training School to be held at the Hilton Hotel, New York City on February 19th through February 22nd, 2006; and be it further

RESOLVED, that all related expenses incurred by the employees will be reimbursed upon proper submission of receipts; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Philip Cardinale, Supervisor; Barbara Blass, Councilperson; Edward Densieski, Councilperson; George Bartunek, Councilperson; John Dunleavy, Councilperson; Mark Kwasna, Highway Superintendent; Richard Hanley, Planning Director; Leroy Barnes, Jr., Building Department Administrator; 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**

1/17/06

Adopted

TOWN OF RIVERHEAD

Resolution # 66

AUTHORIZES SEWER DISTRICT EMPLOYEE TO ATTEND COURSE

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

WHEREAS, SUNY Morrisville is sponsoring Wastewater Operator Certification Courses having a specific course entitled, "Grade 4 Management" to be held on April 24, 2006 through April 27, 2006; and

WHEREAS, it is the desire of Michael Reichel, Sewer District Superintendent, that Sewer District employee Warren Alexander attend such course.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes Sewer District employee Warren Alexander to attend the aforementioned course to be held at SUNY Morrisville on April 24, 2006 through April 27, 2006; and be it further

RESOLVED, that all related expenses incurred by the Sewer District Employee will be fully receipted upon his return, not to exceed a total cost of \$960.00, and thereafter reimbursed by the Accounting Department; and be it further

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

THE VOTE
Dunleavy yes ___ no Bartunek yes ___ no
Blass yes ___ no Depsieski yes ___ no
Cardinale yes ___ no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

1/17/06

TOWN OF RIVERHEAD

Adopted

Resolution # 67

AUTHORIZES FIRE MARSHAL TO ATTEND TRAINING SEMINAR

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

WHEREAS, Fire Marshal David Andruszkiewicz requests to attend the International Association of Arson Investigators Advanced Arson Training Conference in Atlantic City, New Jersey; and

WHEREAS, the training at said seminar will provide 16 of the 24 required training hours for New York State Certified Fire Investigator II needed for the performance of Riverhead Town Fire Marshal duties; and

WHEREAS, the Seminar will be held March 7, 8 and 9, 2006, in Atlantic City, NJ; and

WHEREAS, the cost of the seminar will not exceed \$550.00 (expenses include fees for registration, two nights lodging, meals and other travel costs such as tolls and gas); and

NOW, THEREFORE BE IT RESOLVED, that Fire Marshal David Andruszkiewicz be authorized to attend this seminar, use of an official vehicle for transportation (March 7, 8 and 9, 2006) 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

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

EAST CREEK DOCK

- Resident/ Taxpayer \$60.00 per foot
- Electricity \$200.00 per line
- Initial Processing Fee \$75.00
- Renewal Thereafter fee \$35.00

RIVERFRONT DOCKING

- Daily (Overnight) \$25.00 fee
- Weekly \$150.00 fee

ROLLER RINK/ SKATE PARK

Group party/ rink use (Residents only) \$5.00 Application fee
 8:30- 12:00 P.m. Saturday & Sunday only \$50.00 per hour (min 2 hrs)
 20 Participant max

SESSION FEE

\$5.00 Residents
 \$10.00 Non-Residents

ANNUAL FEES

\$25.00 Residents
 \$75.00 Non-Residents

VEHICLE USAGE

Bus rental fee \$30.00 per hour
 (Riverhead sponsored groups only)

BEACH STICKERS

4X4 Permits	\$45.00	Boat Ramps Permit	\$15.00
Daily Permit	\$35.00	Non-Resident Permit	\$200.00
Resident Permit	\$15.00	Senior Resident	\$5.00
Resident Bus Fee	\$ 85.00		

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

THE VOTE

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

¹ Rec.Doris/ Resolution Facility usage & other fees

Tabled

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

January 17, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 69

AUTHORIZES UMPIRE/REFEREE FEE SCHEDULE FOR POLICE ATHLETIC LEAGUE (P.A.L.) PROGRAMS FOR YEAR 2006

COUNCILMAN DENSIESKI

_____ offered the following resolution

which was seconded by COUNCILMAN BARTUNEK

WHEREAS, The Town of Riverhead is responsible for setting a fee schedule for umpires and referees participating in the Riverhead Police Athletic League; and

WHEREAS, those fees are established below for the Year 2006:

Baseball/Softball umpires	Two umpires per game	\$70.00/each umpire, each game
	One umpire per game	\$105.00/umpire
Football referees	Two referees per game	\$60.00/each referee, each game
	One referee per game	\$95.00/referee
Lacrosse referees (3 rd - 8th grade)	Two referees per game	\$55.00/each referee per game
	One referee per game	\$82.50/referee per game
Town Soccer referees	One referee per game	\$30.00 for one referee per game

NOW, THEREFORE BE IT RESOLVED, that the above P.A.L. Umpire/Referee fee schedule is established for the year 2006.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to the JAB/PAL 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
THEREFORE DULY ADOPTED

January 17, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 70

AUTHORIZES REGISTRATION FEE SCHEDULE FOR POLICE ATHLETIC LEAGUE (P.A.L.) PROGRAMS FOR YEAR 2006

COUNCILMAN BARTUNEK

_____ offered the following resolution

which was seconded by COUNCILMAN DUNLEAVY

WHEREAS, the Town of Riverhead is responsible for setting a fee schedule for PAL Programs; and

WHEREAS, those fees are established below for the Year 2006:

Boys 13-15 year old Baseball	\$65.00 (resident)	\$75.00 (non-resident)
Boys 16-17 year old Baseball	\$50.00 (resident)	\$60.00 (non-resident)
Spring Lacrosse Program	\$50.00 (resident)	\$60.00 (non-resident)
Summer Lacrosse Program	\$35.00 (resident)	\$45.00 (non-resident)
Winter Lacrosse Clinic	\$25.00 (resident)	\$35.00 (non-resident)
Town - Soccer Program	\$30.00 (resident)	\$40.00 (non-resident)
Football Program	\$125.00 (resident)	\$135.00 (non-resident)
Cheerleading Program	\$50.00 (resident)	\$60.00 (non-resident)

NOW, THEREFORE BE IT RESOLVED, that the above P.A.L. registration fee schedule is established for the year 2006.

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

c: JAB Documents/PAL/Resolutions

THE VOTE

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

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

1/17/06

Adopted

Town of Riverhead

Resolution # 71

**AUTHORIZES THE SUPERVISOR TO EXECUTE A CONTRACT AGREEMENT
BETWEEN THE TOWN OF RIVERHEAD AND PEGGY SCHIEFER
(COURT REPORTER SERVICES)**

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

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute a contract agreement (copy attached herewith) between the Town of Riverhead and Peggy Schiefer for court reporter services in Riverhead Justice Court; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Peggy Schiefer; Justice Richard A. Ehlers; Justice Allen M. Smith; 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

AGREEMENT

THIS AGREEMENT, made the 3rd day of January, 2006, by and between the TOWN OF RIVERHEAD, a municipal corporation with its principal place of business at 200 Howell Avenue, Riverhead, New York, 11901 and PEGGY SCHIEFER, Certified Court Reporter, residing at 175 Storm Drive, Holtsville, New York, 11742.

WITNESSETH

The parties hereto agree as follows:

WHEREAS, the Town of Riverhead wishes to engage the services of PEGGY SCHIEFER, Certified Court Reporter, who will personally, or by her agent, provide court reporting services to the Riverhead Town Justice Court; and

WHEREAS, PEGGY SCHIEFER has agreed to perform services as a Certified Court Reporter to the Riverhead Justice Court.

NOW THEREFORE, it is agreed as follows:

1. Two Hundred and 00/100 (\$200.00) Dollars per appearance from 9:00 a.m. session until 5:00 p.m., or any part thereof if an extra session is required between the hour of 5:00 p.m. and 6:00 p.m., this fee would be an additional Fifty and 00/100 (\$50.00) Dollars for that hour, or any part thereof. If a session is required after 5:00 p.m., and extends past 6:00 p.m., the fee will be that of a full session; to wit: Two Hundred and 00/100 (\$200.00) Dollars. These fees include regular court calendars and jury trials. If a jury trial is cancelled, and unless 48 hours notice is given, there shall be an appearance fee of Seventy-Five and 00/100 (\$75.00) Dollars. Special jury trial assignments shall be paid the same as stated herein. The Town may cancel such an appointment up to 48 hours prior to the time of trial without incurring a show-up fee.

2. If a scheduled Monday, Tuesday or Wednesday session is cancelled, there will be a fee of Seventy Five and 00/100 (\$75.00) Dollars.
3. In the event the morning court session does not adjourn by 1:00 p.m., PEGGY SCHIEFER shall be entitled to an addition fee of Twenty-Five and 00/100 (\$25.00) Dollars.
4. There will be a Three and 50/100 (\$3.50) Dollar per page fee for any transcript of proceedings as required by the Town.
5. The above services shall be provided by PEGGY SCHIEFER, or her agent(s).
6. The terms of this agreement shall be from January 1, 2006 to December 31, 2006.

TOWN OF RIVERHEAD

By: _____
PHILIP J. CARDINALE
Town Supervisor

PEGGY SCHIEFER

TOWN OF RIVERHEAD

Adopted

AUTHORIZATION TO JUNK FIXED ASSETS

RESOLUTION # 72

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

WHEREAS, after careful consideration, the Accounting Department has made a recommendation that this equipment has no residual value and should be junked and taken off the inventory listing. The Accounting Department hereby requests that the Town Board excess this property so that it may be removed from the records.

NOW, THEREFORE BE IT RESOLVED that the Accounting Department is hereby authorized to discard the following items:

<u>Tag #</u>	<u>Description</u>	<u>Tag #</u>	<u>Description</u>
21948	Adding Machine	24392	Fax machine
6042	Adding machine	21283	A/C converter
4032	Cassette recorder	131	Typewriter stand
20077	Cassette recorder	22609	Welding helmet
10226	Honda pump	6675	Shop Vac
20624	Stihl Saw	25996	Mouse
20825	Fax Machine	23060	Unisys Printer
23644	Lexmark Printer		

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

JANUARY 17, 2006

Adopted

TOWN OF RIVERHEAD

AUTHORIZATION TO SELL FIXED ASSET

RESOLUTION # 73

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

WHEREAS, PAL soccer goals purchased in February 2005 have been deemed to be excess equipment and are no longer needed in the PAL soccer program; and

WHEREAS, an individual has come forward requesting to purchase these soccer goals for what the Town paid for them.

NOW THEREFORE, BE IT RESOLVED that the Town Board declares the PAL Soccer Goals purchased from Passon's Sports (Inv. # 91636967) as excess equipment and authorizes the sale of one pair, 24' x 8' Aluminum Club Goals to Ed Quiros for \$1,176.75.

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	

**BSN/Passon's/GSC/
Conlin Sports**

P.O. Box 49

Jenkintown, PA 19046

TEL: 972-484-9484

FAX: 972-243-0895

Federal ID #: 752241783

Invoice

Invoice Number	: 91636967
Invoice Date	: 02/22/2005
P.O. Number	: 050592
Sales Order Number	: 1209094
Sales Order Date	: 02/18/2005
Customer Number	: 1093584

Payer: RIVERHEAD PAL
210 HOWELL AVENUE
RIVERHEAD NY 11901-2515

Sold To: RIVERHEAD PAL
210 HOWELL AVENUE
RIVERHEAD NY 11901-2515

Ship To: RIVERHEAD PAL
210 HOWELL AVENUE
RIVERHEAD NY 11901-2515

Come visit us at www.bsnsports.com.

Terms of payment: Net 30 - Invoice Due Date 03/24/2005

Terms of delivery: No Freight

Material Description	Quantity Ship-To	Plant Ship-Via	Unit Price	Extended Price
CLB248XX 24' X 8' ALUM CLUB GOAL	1 PR 1093584	DL ABF	1,176.750	1,176.75

MDSE Total	\$	1,176.75
Shipping & Handling	\$	0.00
Sales Tax	\$	0.00
Total Invoice	\$	1,176.75

Sport Supply Group, Inc. accepts payment by check, credit card, wire transfer and check by phone. If paying by check, please include the last page of the invoice and mail in the enclosed envelope. For all other payments, please contact your representative at 1-800-227-7404 ext. 7531.

If payment amount is less than invoice amount, please provide an explanation with payment or call us at the above 800 number.

Attn: Maryann

Total inv. amt \$1,176.75
Vendor: BSN/Passons
Date of purchase: 5/05
Voucher #: 05-4416
CR #: 31478 6/9/05
PO#: none (or 050592)

Past due balances are subject to a finance

1 by applicable law, whichever is lower.

Adopted

1/17/06

**AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS
RIVERHEAD SEWER DISTRICT
RIVERHEAD SCAVENGER WASTE DISTRICT
REMOVAL OF LIQUID SLUDGE**

Adopted _____

Resolution # 74

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

RESOLVED, that the town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the January 26, 2006, edition of the News Review, with regard to receiving bids for the removal of liquid sludge, and be it further

RESOLVED, that the town Clerk shall forward certified copies of this resolution to Michael Reichel, H2M, and Frank Isler, Esq.

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

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

NOTICE TO BIDDERS

PLEASE TAKE NOTICE that the Town Clerk shall accept sealed bids on behalf of the Riverhead Sewer District and the Riverhead Scavenger Waste District for the removal of liquid sludge. Said bids shall be opened and read aloud at 11 a.m. on the 14th day of February, 2006. Bid packages are available at the Riverhead Town Clerk's Office, 200 Howell Avenue, Riverhead, NY, during normal business hours.

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

Dated: January 26, 2006

JANUARY 17, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 75

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR MILK

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN DUNLEAVY

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

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the January 26, 2006 issue of the News Review and;

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

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of MILK 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 11:20 a.m. on FEBRUARY 2, 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 MILK.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

JANUARY 17, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 76

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR WORK CLOTHES

COUNCILMAN BARTUNEK offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

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

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the January 26, 2006 issue of the News Review and;

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

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **WORK CLOTHES** 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 FEBRUARY 9, 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 WORK CLOTHES.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk