

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

**March 20<sup>th</sup> , 2007**

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

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

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

**ELECTED OFFICIALS**

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

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

**DEPARTMENT HEADS**

**William Rothaar (Financial Administrator)  
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:**

- #4** Authorizes Chairman of CDA to Execute Contract with NYS Department of Economic Development for the 2006-7 Empire Zone Administrative Grant

**REGULAR TOWN BOARD MEETING:**

- #236** Authorization to Junk Fixed Assets
- #237** Replacement of Backstop and Fencing at Stotzky Park Field #5 Budget Adjustment
- #238** Osborne Acres Budget Adoption
- #239** Concrete Grinding Budget Adjustment
- #240** Addition of Backstop and Fencing at George Young Community Center Budget Adjustment
- #241** Transfer of an Account Clerk Typist to the Fire Marshal's Office (L. Tague)
- #242** Appoints a Senior Park Attendant to the Recreation Department (K. Hasty)
- #243** Accepts Retirement of a Senior Account Clerk Typist (E. Roman)
- #244** Accepts Retirement of a Part-Time Senior Citizen Aide (S. Grabowski)
- #245** Authorizes Selling of the 2007 Beach Permits by Warren's Tackle Center, Fisherman's Deli and Wading River Tackle Center, Inc.
- #246** Authorizes Attendance to Parents of Meghan's Law "Apple of my Eye Seminar"
- #247** Appoints Co-Compliance Officers (M. Ferris, A. Lohneiss)
- #248** Appoints Interim Assessor in the Assessor's Office (T. Fragnito)

- #249 Authorizes the Town Clerk to Publish and Post a Help Wanted Ad for Detention Attendants
- #250 Authorizes the Town Clerk to Publish and Post a Help Wanted Ad for Pump Out Boat Personnel
- #251 Terminates Provisional Automotive Equipment Operator (H. Downs)
- #252 Rescinds Resolution Dated 06/01/1976 RE: Residency
- #253 Appoints a Maintenance Mechanic II to the Street Lighting District (K. Sawler)
- #254 Appoints Four (4) Part-Time Court Officers to the Police Department (R. Doering, J. Elfein, J. Grodski, D. Bennett)
- #255 Rehire Former Employee in the Nutrition Department (D. Sinko)
- #256 Authorizes the Supervisor to Execute a License Agreement with Twin Fork Oyster to Allow the Installation of Floating Upweller Systems (FLUPSY) in East Creek
- #257 Approves Darr Construction Equipment Corp as Drainlayer for Riverhead Sewer District
- #258 Authorizes the Supervisor to Execute an Agreement with County of Suffolk (Department of Fire, Rescue and Emergency Services)
- #259 Authorizes Town Clerk to Publish and Post Public Notice for a Local Law to Consider the Addition of a New Chapter 111 to the Riverhead Town Code Entitled, "Youth Bureau"
- #260 Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagee of the Property Located at 728 Raynor Avenue, Riverhead, New York
- #261 Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagee of the Property Located at 49 East Second Street, Riverhead, New York
- #262 Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagee of the Property Located at 30 Elton Street, Riverhead, New York

- #263 Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagee of the Property Located at 24 Elton Street, Riverhead, New York
- #264 Authorizes Town Clerk to Publish and Post Notice to Bidders for Calcium Hypochlorite Tabs for Use by the Riverhead Water District
- #265 Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law to Add Chapter 20 Entitled, "Riverhead Town Towing Ordinance" to the Riverhead Town Code
- #266 Authorizes Town Clerk to Advertise for Bids-RSD-Supply of Belt Filter Press System and Appurtenances
- #267 Authorizing the Town of Riverhead to Order an Appraisal and Retain the Services of a Structural Engineer for Property Located at 400 West Main Street, Riverhead, New York
- #268 Adopts Local Law to Amend Chapter 3 Entitled, "Appearance Tickets" of the Riverhead Town Code (§3-1 Authorizing Officers)
- #269 Adopts a Local Law Amending Chapter 47 Entitled, "Bays and Creeks" of the Riverhead Town Code
- #270 Approves Chapter 90 Application of Our Redeemer Lutheran Church of Aquebogue (Carnival & Flower Sale)
- #271 Grants Timothy Hill Children's Ranch an Exemption from Real Property Taxes for the 2004-2005 Assessment Roll
- #272 Order Establishing Extension to the Riverhead Sewer District to be Known as Blackman Plumbing Supply Co., Inc.
- #273 Sets Registration Fees for the Riverhead Recreation Department
- #274 Calls Public Hearing on Special Permit of Ottoman Enterprises
- #275 Approves Special Use Permit Application of Kar-McVeigh, LLC (Jamesport Manor Inn)

- #276 Authorizes the Supervisor to Execute and Agreement for a Modular Recreation Office Building Between Best Modular Homes and the Town of Riverhead
- #277 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 (Industrial C (IC) Zoning Use District- Uses.)
- #278 Authorizing Compromise and Settlement of Tax Certiorari Proceedings Against Town of Riverhead
- #279 Pays Bills

March 6, 2007

Adopted  
03/20/07

~~Tabled~~

TOWN OF RIVERHEAD

RESOLUTION ~~4~~2

APPOINTS ENGINEERING CONSULTANT

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

RESOLVED, that the Town Board hereby appoints the following consultant to assist with traffic engineering matters and adopts the attached fee schedule;

CONSULTING ENGINEERS  
Eschbacher Engineering, PC  
532 Broad Hollow Road  
Melville, NY 11747

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

March 20, 2007 Town Board Meeting  
Councilman Densieski offered the resolution to be brought off the table, seconded by Councilman Dunleavy.  
All members in favor of untabling the resolution, Bartunek absent.

Councilwoman Blass offered the resolution for adoption, seconded by Councilman Dunleavy.

All members in favor of adoption of resolution  
Bartunek absent.

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

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

Tabled

Adopted  
03/20/07



**ESCHBACHER  
ENGINEERING, PC**

February 21, 2006

Andrea Lohneiss, Director  
Town of Riverhead Community Development Agency  
210 Howell Avenue  
Riverhead, N.Y. 11901

RE: Traffic Engineering Services  
Peconic Waterfront

Dear Ms. Lohneiss:

In response to your request, below please find Eschbacher Engineering's billing rates for assisting the Town in resolving the concerns/comments received from the Suffolk County Department of Public Works in regard to the proposed revision to the access to Peconic Avenue from the parking lots south of Main Street.

At this time, based on my review of the DPW's comments, it is difficult to determine whether we will be able to convince them to reconsider their position in regard to prohibiting left turns out of the driveway. However, we believe that by analyzing the past accident history and providing data on the current pedestrian and vehicular activity at this location, we will be able to develop a reasonable defense for keeping the status quo. Although the exact extent of our efforts cannot be determined at this time, we propose to charge for time on this project in accordance with the rates indicated below:

Principal	\$155.00	per hour
Chief Engineer	\$145.00	per hour
Supervising Engineer	\$125.00	per hour
Senior Engineer	\$90.00	per hour
CADD Operator	\$85.00	per hour
Engineer	\$80.00	per hour
Assistant Engineer	\$70.00	per hour
Engineering Aide	\$45.00	per hour
Traffic Count Subcontractor	At Actual Cost	
Outside Printing/Reproduction	At Actual Cost	

I estimate that our work efforts on the Town's behalf will range in cost between \$3,000 and \$5,000, depending on the number of meetings with the County and the amount of data collection required. If you wish to proceed, we can continue to work as a sub-consultant to Young & Young, the Town's prime consultant on the project.

3/20/07

Adopted

Town of Riverhead Community Development Agency

Resolution # 4

**AUTHORIZES CHAIRMAN OF CDA TO EXECUTE CONTRACT WITH NYS DEPARTMENT OF ECONOMIC DEVELOPMENT FOR THE 2006-2007 EMPIRE ZONE ADMINISTRATIVE GRANT**

**COUNCILMAN DENSIESKI** offered the following resolution,

which was seconded by **COUNCILWOMAN BLASS**.

**WHEREAS**, the Town of Riverhead Community Development Agency is the administrative agency for the local Empire Zone Administrative Board known as the Suffolk County/Town of Riverhead Empire Zone Administrative Board; and

**WHEREAS**, the New York State Department of Economic Development has awarded \$25,700 to the CDA for administrative costs associated with the operation of the zone; and

**WHEREAS**, the Town of Riverhead will provide \$24,000 in in-kind services and Suffolk County will provide cash in the amount of \$29,000, Town of Babylon will contribute \$25,000, Town of Southampton will contribute \$1,000 for a total annual budget of \$104,700;

**THEREFORE, BE IT RESOLVED**, that the CDA hereby authorizes the Chairman to execute a contract for funds in the amount of \$25,700.

**AND BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to Community Development Director Andrea Lohneiss, Director of the Empire Zones Program Randy Coburn, Empire Zone Coordinator Tracy Stark, and Chairman of the Suffolk County Empire Zone Board, Jim Morgo.

**THE VOTE**

Dunleavy ~~Yes~~ No

Bartunek ~~Yes~~ No *absent*

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Cardinale ~~Yes~~ No

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

March 20, 2007

Adopted

TOWN OF RIVERHEAD

AUTHORIZATION TO JUNK FIXED ASSETS

RESOLUTION # 236

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

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>
23764	UPS
22639	UPS
25444	Mouse
26246	KB
25834	Battery
25827	Mouse
25972	Mouse
26851	Monitor
25788	Mouse
24735	Mouse
25827	Mouse
25062	KB
23330	Mouse
23636	Mouse
25306	Mouse

THE VOTE

Dunleavy  Yes  No

Bartunek  Yes  No *absent*

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

March 20, 2007

Adopted

TOWN OF RIVERHEAD

REPLACEMENT OF BACKSTOP AND FENCING  
AT STOTZKY PARK FIELD #5

BUDGET ADJUSTMENT

RESOLUTION # 237

COUNCILMAN DUNLEAVY

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

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

		<u>FROM</u>	<u>TO</u>
406.095031.481900.70059	Transfer from Park & Rec.	\$36,000	
406.071100.524911.70059	Fence Installation Improv.		\$36,000

THE VOTE

Dunleavy  Yes  No

Bartunek  Yes  No *absent*

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

March 20, 2007

TOWN OF RIVERHEAD

Adopted

OSBORNE ACRES

BUDGET ADOPTION

RESOLUTION # 238

COUNCILMAN DENSIESKI

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

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

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

		<u>FROM</u>	<u>TO</u>
406.092705.421050.30090	Developer Fees	\$75,000	
406.083200.523002.30090	Construction		\$54,000
406.083200.543501.30090	Engineering Expenses		\$11,000
406.083200.549001.30090	Administration Fees		\$4,150
406.083200.524451.30900	Purchase of Water Meters		\$3,500
406.083200.547900.30090	Contingency		\$2,350

**THE VOTE**

Dunleavy  Yes  No

Bartunek  Yes  No *absent*

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

March 20, 2007

TOWN OF RIVERHEAD  
CONCRETE GRINDING  
BUDGET ADJUSTMENT  
RESOLUTION #239

Adopted

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

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

		<u>FROM</u>	<u>TO</u>
111.051400.547504	Refuse & Garbage	\$10,000	
111.051420.512500	Overtime	\$30,000	
111.051100.541302	Gravel & Stone		\$40,000

**THE VOTE**

Dunleavy  Yes  No      Bartunek  Yes  No *absent*

Blass  Yes  No      Densieski  Yes  No

Cardinale  Yes  No

March 20, 2007

Adopted

TOWN OF RIVERHEAD

ADDITION OF BACKSTOP AND FENCING  
AT GEORGE YOUNG COMMUNITY CENTER

BUDGET ADJUSTMENT

RESOLUTION # 240

COUNCILMAN DUNLEAVY

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

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

		<u>FROM</u>	<u>TO</u>
406.095031.481900.70059	Transfer from Park & Rec.	\$25,000	
406.071100.524911.70059	Fence Installation Improv.		\$25,000

THE VOTE

Dunleavy  Yes  No

Bartunek  Yes  No *absent*

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

March 20, 2007

Adopted

TOWN OF RIVERHEAD

Resolution # 241

**TRANSFER OF AN ACCOUNT CLERK TYPIST  
TO THE FIRE MARSHAL'S OFFICE**

COUNCILMAN DENSIESKI

\_\_\_\_\_ offered the following

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

**WHEREAS**, a vacancy exists for the position of Account Clerk Typist in the Fire Marshal's Office, and

**WHEREAS**, the Personnel Committee and the Department Head have agreed to transfer Laura Tague, and

**NOW, THEREFORE, BE IT RESOLVED**, that effective March 8, 2007, the Town Board hereby transfers Laura Tague to the position of Account Clerk Typist in the Fire Marshal's Office at no change in pay, and

**BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Laura Tague, the Fire Marshal's Office and the Personnel Officer.

The Vote

Dunleavy ~~Yes~~ No

Bartunek <sup>absent</sup> ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Cardinale ~~Yes~~ No

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

March 20, 2007

TOWN OF RIVERHEAD

Adopted

Resolution # 2420

**APPOINTS SENIOR PARK ATTENDANT TO THE RECREATION DEPARTMENT**

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

**WHEREAS**, the position of Senior Park Attendant was created in the Recreation Department, and

**WHEREAS**, this position was duly posted, posting #8, and the Certification of Eligibles List was received from the Suffolk County Department of Civil Service, and

**WHEREAS**, the recommendation of the Recreation Supervisor was received and the candidate was number one on the list, making her immediately reachable.

**NOW, THEREFORE, BE IT RESOLVED**, that effective April 9, 2007 Recreation Aide Kimberly Hasty, is hereby appointed to the position of Senior Park Attendant as found on Group 5, Step P of the Clerical and Supervisory Salary Administration Schedule.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Kimberly Hasty, the Recreation Department, and the Personnel Officer.

The Vote

Dunleavy ~~Yes~~ No      Bartunek <sup>absent</sup> ~~Yes~~ No  
Blass ~~Yes~~ No      Densieski ~~Yes~~ No  
Cardinale ~~Yes~~ No

THE RESOLUTION X WAS    WAS NOT THEREFORE DULY ADOPTED

MARCH 20, 2007

Adopted

TOWN OF RIVERHEAD

ACCEPTS RETIREMENT OF A SENIOR ACCOUNT CLERK TYPIST

RESOLUTION # 243

COUNCILMAN DUNLEAVY

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

**WHEREAS**, the Town has received a letter from Eileen Roman, a Senior Account Clerk Typist in the Planning Department, indicating her intent to retire effective February 28, 2007.

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board hereby accepts the retirement of Eileen Roman effective February 28, 2007.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be, and is hereby, directed to forward a certified copy of this Resolution to the Planning Department, Eileen Roman, and the Personnel Officer.

THE VOTE

Dunleavy  Yes  No

*absent*  
Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

THIS RESOLUTION  IS  IS NOT  
DECLARED DULY ADOPTED

MARCH 20, 2007

Adopted

TOWN OF RIVERHEAD

ACCEPTS RETIREMENT OF A PART-TIME SENIOR CITIZEN AIDE

RESOLUTION # 244

COUNCILMAN DENSIESKI

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

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

**WHEREAS**, the Town has received a letter from Stasia Grabowski, a part-time Senior Citizen Aide in the Senior Citizen Program, indicating her intent to retire effective March 1, 2007.

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board hereby accepts the retirement of Stasia Grawbowski effective March 1, 2007.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be, and is hereby, directed to forward a certified copy of this Resolution to the Senior Citizen Program, Stasia Grabowski, and the Personnel Officer.

THE VOTE

Dunleavy  Yes  No

Bartunek  Yes  No *absent*

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

THIS RESOLUTION  IS  IS NOT  
DECLARED DULY ADOPTED

3/20/07

# Tabled

TOWN OF RIVERHEAD

Resolution # 245

**AUTHORIZES SELLING OF THE 2007 BEACH PERMITS BY WARREN'S TACKLE CENTER, FISHERMAN'S DELI AND WADING RIVER TACKLE CENTER, INC.**

COUNCILWOMAN BLASS

offered the following resolution,

COUNCILMAN DUNLEAVY

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

**WHEREAS**, Warren's Tackle Center, located at 548 Main Road, Aquebogue, NY 11931 and Fisherman's Deli, located at 1315 West Main Street, Riverhead, NY 11901, request to sell annual and daily non-resident beach permits and South Jamesport boat ramp permits at their facilities from April 1, 2007 through December 31, 2007 without any reimbursement or services being charged.

**WHEREAS**, Wading River Tackle Center, Inc, located at 4 Beach Club Lane, Wading River, NY 11792, requests to sell annual resident and senior resident, daily non-resident beach permits and annual non-resident parking permits at their facility from April 1, 2007 through December 31, 2007 with out any reimbursement or services being charged.

**NOW THEREFORE BE IT RESOLVED**, the Town Board of Riverhead hereby authorizes Warren's Tackle Center and Fisherman's Deli to sell annual and daily non-resident beach permits and South Jamesport boat ramp permits at prices set by the Riverhead Recreation Department.

**NOW THEREFORE BE IT RESOLVED**, the Town Board of Riverhead hereby authorizes Wading River Tackle Center, Inc. to sell annual resident and senior resident, daily non-resident beach permits and annual non-resident parking permits at prices set by the Riverhead Recreation Department.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Warren's Tackle Center, Fisherman's Deli and Wading River Tackle Center Inc., the Recreation Department and the Office of Accounting.

1

THE VOTE

Dunleavy  yes  no Bartunek  yes  no *absent*

Blass  yes  no Densieski  yes  no

Cardinale  yes  no

THE RESOLUTION  WAS  WAS NOT THEREFORE DULY ADOPTED

# Tabled

<sup>1</sup> Rec./ Doris:Res Warren's & Fisherman's and Wading River Tackle.

3/20/07

# Adopted

## TOWN OF RIVERHEAD

Resolution # 246

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

COUNCILMAN DUNLEAVY

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

which was seconded by \_\_\_\_\_ COUNCILMAN DENSIESKI

**WHEREAS**, the Parents for Meghan's Law will be to conducting an educational conference on June 27<sup>th</sup>, 2007 at the George C. Young Community Center.

**WHEREAS**, it is necessary and appropriate for all Recreation personnel who work with children.

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

**BE IT FURTHUR, RESOLVED**, that the all related expenses will be fully receipted and reimbursed upon their return, not to exceed \$175.00 per class, \$5.00 per person not to exceed 50 people and

**BE IT FURTHUR, RESOLVED**, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Parents for Meghan's Law, the Recreation Department and the Office of Accounting.<sup>1</sup>

THE VOTE *absent*

Dunleavy  yes \_\_\_ no Bartunek  ~~yes~~ \_\_\_ ~~no~~

Blass  yes \_\_\_ no Densieski  yes \_\_\_ no

Cardinale  yes \_\_\_ no

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

<sup>1</sup> Recreation. Doris. Resolution: Meghan's Law.

March 20, 2007

TOWN OF RIVERHEAD

Adopted

Resolution # 247

**APPOINTS CO-COMPLIANCE OFFICERS**

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

**WHEREAS**, a vacancy exists in the Town for a Compliance Officer, and

**WHEREAS**, the Town Board is committed to safeguarding the rights of all employees within the Town to work in an environment that is free from all forms of harassment on the basis of race, color, ethnicity, religion, creed, sex, national origin, citizenship, age, disability, pregnancy, marital status, veteran status, sexual orientation, or any other status protected by law, including sexual harassment.

**NOW, THEREFORE, BE IT RESOLVED**, that effective March 21, 2007 the Board hereby appoint Margaret Ferris, Personnel Officer, and Andrea Lohneiss, Community Development Director, to the position of Co-Compliance Officers.

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

The Vote

Dunleavy ~~Yes~~ No      Bartunek <sup>absent</sup> ~~Yes~~ No  
Blass ~~Yes~~ No      Densieski ~~Yes~~ No  
Cardinale ~~Yes~~ No

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

March 20, 2007

TOWN OF RIVERHEAD

Resolution No. 248

Tabled

APPOINTS INTERIM ASSESSOR IN THE ASSESSOR'S OFFICE

Councilman Densieski offered the following resolution which was seconded by Councilman Dunleavy.

**WHEREAS**, it has been determined that three Assessors are necessary for the efficient operation of the Assessor's Office; and

**WHEREAS**, a vacancy exists in the Assessor's Office due to the retirement of Madelyn Sendlewski; and

**WHEREAS**, there is an immediate need to fill this vacancy and the next general election will be held on November 6, 2007; and

**WHEREAS**, Trisha Fragnito possesses the necessary qualifications for the position and is available.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby appoints Trisha Fragnito to the position of interim Assessor for a term beginning March 26, 2007 and ending December 31, 2007.

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

RESOLVED, that the Town Clerk is hereby directed to send a certified copy of this resolution to Trisha Fragnito.

THE VOTE

DUNLEAVY  YES \_\_\_ NO     BARTUNEK <sup>absent</sup>  YES \_\_\_ NO

BLASS  YES \_\_\_ NO     DENSIESKI  YES \_\_\_ NO

CARDINALE  YES \_\_\_ NO

THIS RESOLUTION    WAS    WAS NOT  
THEREFORE DULY ADOPTED

Tabled

March 20, 2007

TOWN OF RIVERHEAD

Adopted

Resolution # 249

**AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST  
A HELP WANTED AD FOR DETENTION ATTENDANTS**

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

**BE IT RESOLVED**, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the March 29, 2007 issue of The News Review.

The Vote

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

## **HELP WANTED**

**PLEASE TAKE NOTICE** that the Town of Riverhead is seeking qualified individuals to serve in the position of part-time/on-call detention attendants. Applications are to be submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY. No applications will be accepted after 4:00pm on April 15, 2007. EOE.

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

March 20, 2007

Adopted

TOWN OF RIVERHEAD

Resolution # 250

**AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST  
A HELP WANTED AD FOR PUMP OUT BOAT PERSONNEL**

COUNCILMAN DUNLEAVY

\_\_\_\_\_ offered the following

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

**BE IT RESOLVED**, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the March 29, 2007 issue of The News Review.

The Vote

Dunleavy ~~Yes~~ No

*absent*  
Bartunek ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Cardinale ~~Yes~~ No

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

## **HELP WANTED**

PLEASE TAKE NOTICE that the Town of Riverhead is seeking qualified individuals to serve in the position of Pump Out Boat Personnel from May – September, 2007. Applications are to be submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY. No applications will be accepted after 4:00pm on April 15, 2007. EOE.

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

March 20, 2007

# Adopted

**TOWN OF RIVERHEAD**

**RESOLUTION # 252**

**RESCINDS RESOLUTION Dated 06/01/1976 re: Residency**

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

**WHEREAS**, a resolution had been passed on June 1, 1976 requiring all Town of Riverhead employees to be a resident of the Town or within six (6) months of hire establishing a domicile within the Town, and

**WHEREAS**, it is the opinion of the Board that having such a requirement in the current economic climate may pose an undue hardship on both the current and future personnel of the Town, and

**WHEREAS**, recognizing further that the Town does not want to impose the disruption to family life that enforcing a residency requirement may cause, and wanting to ensure that the Town hires from the best pool of applicants possible.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby rescinds the residency requirement resolved on June 1, 1976.

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

**The Vote**

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

**THE RESOLUTION ~~X~~ WAS      WAS NOT**

**THEREFORE DULY ADOPTED**

March 20, 2007

TOWN OF RIVERHEAD

Adopted

Resolution # 253

**APPOINTS MAINTENANCE MECHANIC II TO THE STREET LIGHTING DISTRICT**

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

**WHEREAS**, the need for a Maintenance Mechanic II exists in the Street Lighting District; and,

**WHEREAS**, this position was duly posted, posting #26, advertised and interviews were conducted, and

**WHEREAS**, pursuant to a completed background investigation, a recommendation has been made by the Town Engineer and the Personnel Committee to hire Kenneth Sawler to this position.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby appoints Kenneth Sawler to the position of Maintenance Mechanic II as found on Group 7, Step P of the Operational and Technical Salary Schedule effective March 26, 2007 and

**BE IT FURTHER, RESOLVED** that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Kenneth Sawler, the Town Engineer and the Personnel Officer.

The Vote

Dunleavy ~~Yes~~ No

*Absent*  
Bartunek ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Cardinale ~~Yes~~ No

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

March 20, 2007

Adopted

TOWN OF RIVERHEAD

Resolution # 254

**APPOINTS FOUR (4) PART-TIME COURT OFFICERS TO THE POLICE DEPARTMENT**

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

**WHEREAS**, the need for Court Officers exists in the Police Department;  
and,

**WHEREAS**, pursuant to completed background investigations, a recommendation has been made by the Chief of Police, the Justice Court, and the Personnel Committee to hire Robert Doering, Jennifer Elflein, John Grodski, and Daniel Bennett to this part-time position.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby appoints Robert Doering, Jennifer Elflein, John Grodski, and Daniel Bennett to the part-time positions of Court Officers at an hourly rate of \$20.00 effective April 2, 2007 and

**BE IT FURTHER, RESOLVED** that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Robert Doering, Jennifer Elflein, John Grodski, and Daniel Bennett, the Chief of Police, the Justice Court and the Personnel Officer.

The Vote

Dunleavy ~~Yes~~ No      <sup>absent</sup> Bartunek ~~Yes~~ No  
Blass ~~Yes~~ No      Densieski ~~Yes~~ No  
Cardinale ~~Yes~~ No

THE RESOLUTION  WAS  WAS NOT

THEREFORE DULY ADOPTED

March 20, 2007

TOWN OF RIVERHEAD

Adopted

Resolution # 255

**REHIRE FORMER EMPLOYEE  
IN THE NUTRITION DEPARTMENT**

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

**WHEREAS**, the position of Assistant Senior Citizens Center Manager was created in the Nutrition Department; and

**WHEREAS**, this position was duly posted (posting #7); and

**WHEREAS**, the Suffolk County Department of Civil Service has certified a List of Eligibles and the former employee was immediately reachable, and

**WHEREAS**, it is the recommendation of the Senior Center Director and the Personnel committee that Donna Sinko be appointed to said position.

**NOW, THEREFORE, BE IT RESOLVED**, that effective March 20, 2007 the Town Board hereby appoint Donna Sinko to the position of Assistant Senior Citizens Center Manager in the Nutrition Department at Grade 5 Step P of the Salary Administration Schedule .

**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Donna Sinko, the Nutrition Department and the Town Personnel Officer.

THE VOTE

Dunleavy  Yes  No

Bartunek <sup>absent</sup>  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

3/20/07

**Adopted**

Town of Riverhead

Resolution # 256

**AUTHORIZES THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH TWIN FORK OYSTER TO ALLOW THE INSTALLATION OF FLOATING UPWELLER SYSTEMS (FLUPSY) IN EAST CREEK**

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

**WHEREAS**, the Peconic Estuary Management Conference has identified six priority management issues facing the estuary, one of which is the threat to habitat and living resources; and

**WHEREAS**, the Peconic watershed contains a large variety of natural communities, all of which are important to the ecology and productivity of the ecosystem; and

**WHEREAS**, Twin Fork Oyster is in the business of cultivating oysters, scallops and hard clams for the purpose of providing cultivated shellfish to entities wishing to aid in the proliferation of shellfish; and

**WHEREAS**, Twin Fork Oyster wishes to install three (3) Floating Upweller Systems in East Creek for the purposes of cultivating shellfish; and

**WHEREAS**, it is in the best interests of the residents of the Town of Riverhead to encourage such environmental companies to locate within the Township; and

**WHEREAS**, Twin Fork Oyster has agreed to provide monthly tours of its East Creek facility.

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Supervisor is hereby authorized to execute the attached License Agreement with Twin Fork Oyster; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Twin Fork Oyster, P.O. Box 139, Jamesport, New York, 11947; the Office of the Town Attorney and the Office of Accounting.

Z:\Laura Calamita\reso\authFlupsy3.reso.doc (Kathy)

THE VOTE

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

LICENSE

License ("License"), made as of the        day of March, 2007, by and between the Town of Riverhead, ("Licensor") having and address at 200 Howell Avenue, Riverhead, New York and Twin Fork Oyster, ("Licensee"), having an address at P.O. Box 139, Jamesport, New York, 11947, a not for profit corporation.

WITNESSETH

WHEREAS, Twin Fork Oyster Company wishes to utilize a floating Upweller System (FLUPSY) to be located at the northerly terminus of East Creek, in Jamesport, for the purpose of culturing seek hard clams, bay scallops and oysters set forth in the contract between the parties, and

WHEREAS, the Town of Riverhead wishes to grant the Licensor the right to install and utilize three (3) FLUPSY tanks at the aforementioned location.

NOW, THEREFORE, in consideration of the mutual agreements herein contained, Licensor and Licensee, for themselves and their successors, hereby agree as follows:

1. Licensing: Upon the terms and conditions hereinafter set forth, Licensor hereby licenses to Licensee the right to use the licensed premises, a copy of which is annexed hereto as Exhibit A.

2. Term of the License. The term of this License (the "term") shall commence on January 1, 2007 and shall end on December 31, 2007.

3. Condition of the License Properties. Licensee if familiar with the licensed premises, has examined same and is aware of defects, if any, in it. Notwithstanding the foregoing, licensee agrees to accept the license properties "as is".

4. License Fee. Licensee shall pay to Licensor, upon the execution of this agreement the license fee of \$50.00 per month for each FLUPSY installed at the Town's site for the term of the license, in full. In addition, licensee agrees to pay metered electric and water charges to the Town.

a) The License fee and any other monies payable by the licensee shall be paid by check made payable to the Town of Riverhead and delivered to William Rothaar, Financial Administrator, at 200 Howell Avenue, Riverhead, New York, 11901.

5. Use of License Property. Licensee agrees to utilize the licensed properties exclusively for the purpose of operating the FLUPSY and to provide educational tours of the facility.

6. Insurance. Shall be maintained as per the attached contract and in accordance with the Town of Riverhead to ensure adequate coverage of all property and liability with all concerned entities being named as additional insured.

7. Repair, Maintenance and Inventory of License Properties.

a) Licensee agrees to maintain the licensed area free of trash and debris.

b) The licensee shall not be permitted to alter the licensed properties without the prior permission of the licensor.

8. Assignment. Notwithstanding anything to the contrary contained in the License, Licensee shall not assign this license, license the license property, in whole or in part, or permit licensee's interest to be vested in any other party other than licensee by operation of law or otherwise. A transfer of more than fifty (50%) percent at any one time, or in the aggregate from time to time, of the stock, partnership or other ownership interests in Licensee, direct or indirectly shall be deemed to be an assignment of this License.

9. Indemnity: Licensee shall indemnify and hold the Licensor harmless from and against any and all claims, actions, liabilities, losses (including, without limitation, consequential and special damages), costs and expenses (including, without limitation, court costs and reasonable attorney fees and expenses), arising from or in connection with the use of the licensed property.

10. Notices: Any notices to be given under this License shall be in writing and shall be sent by registered or certified mail, return receipt requested. If such notice is directed to Licensor, it shall be addressed to the attention of the Riverhead Town Supervisor at 200 Howell Avenue,

Riverhead, New York. If such notice is directed at the Licensee, it shall be addressed to P.O. Box 139, Jamesport, New York, 11947.

11. Miscellaneous: Merger. All prior understandings and agreements between the parties with respect to the subject matter hereof are merged within this agreement, which alone, fully and completely sets forth the understanding of the parties with respect to the subject matter hereof. This license may not be changed or terminated orally, or in any manner, other than in writing signed by the party against whom enforcement is sought.

12. Cross Default: To the extent that the Licensor and Licensee are parties to related agreements, any default under the related agreements shall be deemed to be a default under this License, and any default under this license shall be deemed a default under such similar agreements.

IN WITNESS WHEREOF, Licensor and Licensee do hereby execute this License as of the date and year first above written.

TOWN OF RIVERHEAD

By: \_\_\_\_\_  
PHILIP J. CARDINALE, Supervisor

TWIN FORK OYSTER

By: \_\_\_\_\_

3/20/07

# Adopted

TOWN OF RIVERHEAD

Resolution #257

**APPROVES DARR CONSTRUCTION EQUIPMENT CORP. AS DRAINLAYER FOR RIVERHEAD SEWER DISTRICT**

COUNCILMAN DENSIESKI

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

COUNCILWOMAN BLASS :

**WHEREAS**, pursuant to Section 88-3 of the Riverhead Town Code, Darr Construction Equipment Corp. has submitted a request to become an authorized drainlayer with the Town of Riverhead Sewer District; and

**WHEREAS**, a letter of credit has been posted and a Certificate of Insurance has been received naming the Town of Riverhead as an additional insured.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby approves Darr Construction Equipment Corp. as an authorized drainlayer with the Town of Riverhead Sewer District; and further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Darr Construction Equipment Corp., 870 Sylvan Avenue, Bayport, New York, 11705; Michael Reichel, Sewer District Superintendent; Office of the Town Attorney and the Accounting Department.

THE VOTE

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

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

3/20/07

TOWN OF RIVERHEAD

Adopted

Resolution # 258

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH COUNTY OF SUFFOLK (DEPARTMENT OF FIRE, RESCUE AND EMERGENCY SERVICES)**

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

**NOW THEREFORE BE IT RESOLVED**, that the Supervisor is hereby authorized to execute the attached Disaster Preparedness/Shelters Agreement; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to County of Suffolk, Department of Fire, Rescue and Emergency Service, PO Box 127, Yaphank, New York, 11980-0127; the Office of Accounting and the Office of the Town Attorney.

DUNLEAVY  YES \_\_\_ NO    BARTUNEK ~~YES~~ \_\_\_ NO *absent*

BLASS  YES \_\_\_ NO    DENSIESKI  YES \_\_\_ NO

CARDINALE  YES \_\_\_ NO

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

**Disaster Preparedness/Shelters – Use of County-Owned Generator for Residents of Riverhead**

**Interagency Agreement  
Suffolk County Department of Fire, Rescue and Emergency Services  
and  
Town of Riverhead**

**This Agreement (Agreement)** is between the **County of Suffolk (County)**, a municipal corporation of the State of New York, acting through its duly constituted **Department of Fire, Rescue and Emergency Services** (“**Department**” and/or “**FRES**”), located at Yaphank Avenue, Yaphank, New York 11980, and the **Town of Riverhead, a municipal corporation**, having its principal office at 200 Howell Avenue, Riverhead, NY 11901

The parties hereto desire that the Contractor’s services be made available to the County to help assure for disaster preparedness.

The parties hereto agree that the Town of Riverhead shall be assigned, maintain, and agree to keep in good working condition a 25 kV/20 kW generator, owned by the County of Suffolk, in the event of a declared disaster or emergency, in order to provide temporary power to the residents of Riverhead.

**Term of Agreement:** January 1, 2007 through May 31, 2011.

**Total Cost of Agreement:** Shall be a no-cost agreement to FRES.

**Terms and Conditions:** Shall be as set forth in Exhibit A entitled “Specific Terms and Conditions” and Exhibit B entitled “General Terms and Conditions” attached and incorporated herein.

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

**Town of Riverhead**

**County of Suffolk**

By: \_\_\_\_\_  
Name: Philip Cardinale  
Title: Town Supervisor

By: \_\_\_\_\_  
Paul Sabatino II  
Chief Deputy County Executive

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

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

**Reviewed and Approved:**

**Approved: Department of Fire Rescue & Emergency Services**

By: \_\_\_\_\_  
Town Attorney

By: \_\_\_\_\_  
Joseph F. Williams  
Commissioner

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

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

**Approved as to Legality:  
Christine Malafi, Suffolk County Attorney**

**Recommended:**

By: \_\_\_\_\_  
Samantha McEachin  
Assistant County Attorney

By: \_\_\_\_\_  
Belinda Pagdanganan  
Director of Emergency Management

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

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

**Exhibit A**

**Specific Terms and Conditions**

**1. Performance Subject to Condition**

- a. Pursuant to Article 2-B of the New York State Executive Law entitled Disaster Preparedness, the County, as the first line of defense in times of disaster has developed disaster preparedness programs and plans.
- b. "Disaster" means the occurrence or imminent threat of wide spread or severe damage, injury, or loss of life or property resulting from any natural or man-made causes, including, but not limited to, fire, flood, earthquake, hurricane, tornado, high water, landslide, mudslide, wind, storm, wave action, volcanic activity, epidemic, air contamination, blight, drought, infestation, explosion, radiological accident, water contamination, bridge failure or bridge collapse;
- c. The County's disaster preparedness plans, organizational arrangements, and response capability must at all times be the most effective that current circumstances and existing resources allow. The purpose of such plans shall be to minimize the effect of disasters by (i) identifying appropriate local measures to prevent and mitigate disasters, (ii) developing mechanisms to coordinate the use of local resources and manpower for service prior to, during and after disasters and the delivery of services to aid citizens and reduce human suffering resulting from a disaster, and (iii) providing for recovery and redevelopment after disasters. In order to execute such plans during, or at imminent threat of disaster, the County must ensure that all resources necessary and required for such implementation are readily available to it.
- d. Performance of this Agreement is contingent on the occurrence of a disaster, as this term is defined herein and by New York State Executive Law Article 2-B. Such condition shall be deemed in effect immediately upon the declaration of a state of emergency by the Suffolk County Executive, or in the event of a vacancy in this office, by the Chief Deputy County Executive or the Deputy County Executive designated to perform the administrative duties of the County Executive during his temporary absence or disability.

**2. Requirements Agreement**

The parties agree that this is a Requirements Agreement and:

The FRES Commissioner is responsible for the coordination of emergency preparedness plans and the County's response to natural or manmade disasters or emergencies; and

FRES requires and needs to guarantee the services of the Town of Riverhead as contractor to provide, maintain, and repair as necessary, a 25 kVA/20 kW, # 2 diesel fuel powered, sound attenuated trailer-mounted generator, in the event of a declared disaster or emergency, to provide temporary power services to the residents of the Town of Riverhead; and

This agreement is to assure that the County, as the first line of defense in the minimization of the adverse effects to the people and property of Suffolk County in the event of a declared state of emergency and in the recovery and redevelopment efforts following disasters, receives all the services

**Disaster Preparedness/Shelters – Use of County-Owned Generator for the Residents of Riverhead**

described herein, to be made available by the Contractor to the County prior to the Contractor's provision of such services to other entities, so that the County may accomplish the foregoing.

**3. Term and Termination:**

- a. The term of this Agreement shall be as set forth on page one of this Agreement, unless sooner terminated as provided below.
- b. Performance of the Services as set forth in this agreement shall commence as of the date of a declared state of emergency set forth in Paragraph one above and a determination by the County that the services of the Contractor are necessary to execute the County's emergency preparedness plans. The parties acknowledge that there may be one or more declared states of emergency during the term of this agreement.
- c. This Agreement may be terminated in whole or in part in writing by the County in the event of failure by Contractor to fulfill any of the terms and conditions under this agreement. The County shall also have the right to terminate this Agreement at any time and for any reason deemed to be in its best interest.

**4. Town of Riverhead Responsibilities:**

- a. The Town of Riverhead will test said generator and conduct the maintenance on a regular basis in order to ensure generator is in good working condition and to provide continued temporary emergency power to a designated shelter in Riverhead in the event of the occurrence of a declared disaster or emergency, and for drills and exercises as mutually agreed upon; and any other facilities as mutually agreed upon by the parties.
- b. The Town of Riverhead shall make provisions to store and secure said generator at the \_\_\_\_\_ **(need complete address where generator will be stored)** \_\_\_\_\_.
- c. The Town of Riverhead will pay for the usage of fuel required to power said generator.
- d. The Town of Riverhead will transport said generator from location designated in Paragraph 4, part C , to include initial delivery and warranty and repair work as needed, at no cost to Suffolk County.
- e. The Town of Riverhead shall pay for expenses incurred during the repair of the generator unit after expiration of the unit's warranty.
- f. The Town of Riverhead will keep and maintain all maintenance records and all records of any repair work performed with the said generator and send a copy to FRES.
- g. The Town of Riverhead will secure and maintain all related accessories, such as extension cords, that are assigned with the said generator unit.
- h. The Town of Riverhead understands that this equipment can be recalled at any time, as seen necessary by the County Executive, designee, Commissioner of Fire, Rescue and Emergency Services or designee.

**5. FRES Responsibilities:**

- a. FRES will coordinate the delivery of said generator and all related accessories with the Town of Riverhead.
- b. FRES will ensure said generator unit is fleeted and properly marked by the Suffolk County Department of Public Works prior to delivery to the Town of Riverhead.

**6. Notices**

**a. Notice of Declared State of Emergency**

While best efforts will be made by the County to provide written notice to the Contractor of a declaration of a state of emergency, the parties understand that the unpredictable nature of disasters may prevent such formal notification. In the event that such notification is not possible, notification by telephone or messenger or other reasonable means to the individual(s) listed below will serve as adequate notice.

Mr. Philip Cardinale  
Town Supervisor  
Town of Riverhead  
200 Howell Avenue  
Riverhead, NY 11901

**b. All Other Notices**

All other notices shall be in writing and shall be given to the County as set forth in Exhibit B, entitled General Terms and Conditions. Notification to the Contractor shall be made to:

Chief David Hegermiller  
Town Emergency Coordinator  
200 Howell Avenue  
Riverhead, New York 11901

With an additional copy to:

Mr. Philip Cardinale  
Town Supervisor  
Town of Riverhead  
200 Howell Avenue  
Riverhead, New York 11901

**c.** Each party shall give prompt written notice to the other party of the appointment of successor(s) to the designated contact person(s) or his or her designated successor(s).

**End of text for Exhibit A**

3/20/07

Town of Riverhead

Authorizes Supervisor to Execute Application and Grant Agreement with  
New York State Department of State

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

**WHEREAS**, the Town of Riverhead has been awarded \$200,000 as a Legislative Initiative Grant from the NYS Department of State for an ice rink; and

**WHEREAS**, the Town is required to submit a Budget and Program Workplan describing the purpose of the project and use of the funds for incorporation into a Project Agreement.

**THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute the attached Project Agreement for Contract #M060683 in the amount of \$200,000 for the purchase and installation of an ice rink in the Town of Riverhead.

**BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a copy of this resolution to the Engineering Department, Recreation Department and Community Development Department.

**THE VOTE**

**Dunleavy Yes No**

**Bartunek Yes No**

**Blass Yes No**

**Densieski Yes No**

**Cardinale Yes No**

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

**Community Development**

# CONTRACT FACE PAGE

**STATE AGENCY**

New York State Department of State  
41 State Street  
Albany, New York 12231

**NYS CONTRACT NUMBER****M060683****BOX 1 - CONTRACTOR** (Name and Business Address)

Town of Riverhead  
200 Howell Ave.  
Riverhead, NY 11901

**ORIGINATING AGENCY CODE:****19000****TYPE OF PROGRAM:****Legislative Member Initiative**State 100 % Federal 0 %**FEDERAL FUNDS CFDA #:** N/A**BOX 2 - FEDERAL TAX ID NUMBER**116001935**INITIAL CONTRACT PERIOD:****FROM:** 04/01/2006 **TO:** 07/31/2007**MUNICIPAL CODE #****MULTI-YEAR TERM:** N/A**FROM:** **TO:****BOX 3 - STATUS**

Sectarian entity? Yes \_\_\_ No X  
Not-for-profit organization? Yes \_\_\_ No X

**FUNDING FOR INITIAL PERIOD:****\$200,000.00**

**BOX 4 - CHARITIES REGISTRATION NUMBER** N/A - \_\_\_ - \_\_\_ / **EXEMPTION (E-2)** - \_\_\_  
**ESTATES, POWERS AND TRUSTS LAWS REPORTING EXEMPTION (E-3)** - \_\_\_

**BOX 5 - If you did not claim an exemption to both of the items in Box 4, you must check the applicable response in the following:** N/A  
Contractor has \_\_\_ / has not \_\_\_ timely filed with the Attorney General's Charities Bureau all required periodic or annual written reports.

**APPENDICES ATTACHED TO AND PART OF THIS AGREEMENT**

- APPENDIX A: Standard Clauses as Required by the Attorney General for all State Contracts
- APPENDIX A1: Agency-specific Clauses
- APPENDIX B: Budget
- APPENDIX C: Payment and Reporting Schedule
- APPENDIX D: Program Workplan
- APPENDIX E: Charities Bureau Registration and Reporting Exemptions
- APPENDIX X: Modification Agreement Form (to accompany modified appendices for changes in term or consideration on an existing period or for renewal periods)

# SIGNATURE PAGE

IN WITNESS THEREOF, the parties hereto have executed or approved this AGREEMENT on the dates below their signatures.

**CONTRACT #M060683**

CONTRACTOR

STATE AGENCY

New York State Department of State

By: \_\_\_\_\_

By: \_\_\_\_\_

(Print Name)

Title: \_\_\_\_\_

Title: \_\_\_\_\_

(Print Name)

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

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

State Agency Certification

"In addition to the acceptance of this Contract, I also certify that original copies of this signature page will be attached to all other exact copies of this Contract."

STATE OF NEW YORK )

COUNTY OF \_\_\_\_\_ ) ss.:

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year 20\_\_\_\_, before me personally appeared \_\_\_\_\_, to me known, who being by me duly sworn, did depose and say that he/she is the \_\_\_\_\_ of \_\_\_\_\_, the organization described in and which executed the above instrument; and that he/she has the authority to sign on behalf of said organization; and that he/she executed the foregoing agreement for and in behalf of said organization.

\_\_\_\_\_  
Notary Public

**APPROVED:**

ATTORNEY GENERAL'S SIGNATURE:

ALAN G. HEVESI, STATE COMPTROLLER

Title: \_\_\_\_\_

Title: \_\_\_\_\_

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

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

# STATE OF NEW YORK

## AGREEMENT

This AGREEMENT is hereby made by and between the State of New York agency (STATE) and the public or private agency (CONTRACTOR) identified on the face page hereof.

WITNESSETH:

WHEREAS, the STATE has the authority to regulate and provide funding for the establishment and operation of program services and desires to contract with skilled parties possessing the necessary resources to provide such services; and

WHEREAS, the CONTRACTOR is ready, willing and able to provide such program services and possesses or can make available all necessary qualified personnel, licenses, facilities and expertise to perform or have performed the services required pursuant to the terms of this AGREEMENT;

NOW, THEREFORE, in consideration of the promises, responsibilities and covenants herein, the STATE and the CONTRACTOR agree as follows:

I. Conditions of Agreement

- A. This AGREEMENT may consist of successive periods (PERIOD), as specified within the AGREEMENT or within a subsequent Modification Agreement(s) (Appendix X). Each additional or superseding PERIOD shall be on the forms specified by the particular State agency, and shall be incorporated into this AGREEMENT.
- B. Funding for the first PERIOD shall not exceed the funding amount specified on the face page hereof. Funding for each subsequent PERIOD, if any, shall not exceed the amount specified in the appropriate appendix for that PERIOD.
- C. This AGREEMENT incorporates the face pages attached and all of the marked appendices identified on the face page hereof.
- D. For each succeeding PERIOD of this AGREEMENT, the parties shall prepare new appendices, to the extent that any require modification, and a Modification Agreement (the attached Appendix X is the blank form to be used). Any terms of this AGREEMENT not modified shall remain in effect for each PERIOD of the AGREEMENT.

To modify the AGREEMENT within an existing PERIOD, the parties shall revise or complete the appropriate appendix form(s). Any change in the amount of consideration to be paid, or change in the term, is subject to the approval of the Office of the State comptroller. Any other modifications shall be processed in accordance with agency guidelines as stated in Appendix A1.

- E. The CONTRACTOR shall perform all services to the satisfaction of the STATE. The CONTRACTOR shall provide services and meet the program objectives summarized in the Program Workplan (Appendix D) in accordance with: provisions of the AGREEMENT; relevant laws, rules and regulations, administrative and fiscal guidelines; and where applicable, operating certificates for facilities or licenses for an activity or program.
- F. If the CONTRACTOR enters into subcontracts for the performance of work pursuant to this AGREEMENT, the CONTRACTOR shall take full responsibility for the acts and omissions of its subcontractors. Nothing in the subcontract shall impair the rights of the STATE under this AGREEMENT. No contractual relationship shall be deemed to exist between the subcontractor and the STATE.
- G. Appendix A (Standard Clauses as required by the Attorney General for all State contracts) takes precedence over all other parts of the AGREEMENT.

## II. Payment and Reporting

- A. The CONTRACTOR, to be eligible for payment, shall submit to the STATE's designated payment office (identified in Appendix C) any appropriate documentation as required by the Payment and Reporting Schedule (Appendix C) and by agency fiscal guidelines, in a manner acceptable to the STATE.
- B. The STATE shall make payments and any reconciliations in accordance with the Payment and Reporting Schedule (Appendix C). The STATE shall pay the CONTRACTOR, in consideration of contract services for a given PERIOD, a sum not to exceed the amount noted on the face page hereof or in the respective Appendix designating the payment amount for that given PERIOD. This sum shall not duplicate reimbursement from other sources for CONTRACTOR costs and services provided pursuant to this AGREEMENT.
- C. The CONTRACTOR shall meet the audit requirements specified by the STATE.

### III. Terminations

- A. This AGREEMENT may be terminated at any time upon mutual written consent of the STATE and the CONTRACTOR.
- B. The STATE may terminate the AGREEMENT immediately, upon written notice of termination to the CONTRACTOR, if the CONTRACTOR fails to comply with the terms and conditions of this AGREEMENT and/or with any laws, rules, regulations, policies or procedures affecting this AGREEMENT.
- C. The STATE may also terminate this AGREEMENT for any reason in accordance with provisions set forth in Appendix A1.
- D. Written notice of termination, where required, shall be sent by personal messenger service or by certified mail, return receipt requested. The termination shall be effective in accordance with the terms of the notice.
- E. Upon receipt of notice of termination, the CONTRACTOR agrees to cancel, prior to the effective date of any prospective termination, as many outstanding obligations as possible, and agrees not to incur any new obligations after receipt of the notice without approval by the STATE.
- F. The STATE shall be responsible for payment on claims pursuant to services provided and costs incurred pursuant to terms of the AGREEMENT. In no event shall the STATE be liable for expenses and obligations arising from the program(s) in this AGREEMENT after the termination date.

### IV. Indemnification

- A. The CONTRACTOR shall be solely responsible and answerable in damages for any and all accidents and/or injuries to persons (including death) or property arising out of or related to the services to be rendered by the CONTRACTOR or its subcontractors pursuant to this AGREEMENT. The CONTRACTOR shall indemnify and hold harmless the STATE and its officers and employees from claims, suits, actions, damages and costs of every nature arising out of the provision of services pursuant to this AGREEMENT.
- B. The CONTRACTOR is an independent contractor and may neither hold itself out nor claim to be an officer, employee or subdivision of the STATE nor make any claim, demand or application to or for any right based upon any different status.

V. Property

Any equipment, furniture, supplies or other property purchased pursuant to this AGREEMENT is deemed to be the property of the STATE except as may otherwise be governed by Federal or State laws, rules or regulations, or as stated in Appendix A1.

VI. Safeguards for Services and Confidentiality

- A. Services performed pursuant to this AGREEMENT are secular in nature and shall be performed in a manner that does not discriminate on the basis of religious belief, or promote or discourage adherence to religion in general or particular religious beliefs.
- B. Funds provided pursuant to this AGREEMENT shall not be used for any partisan political activity, or for activities that may influence legislation or the election or defeat of any candidate for public office.
- C. Information relating to individuals who may receive services pursuant to this AGREEMENT shall be maintained and used only for the purposes intended under the Contract and in conformity with applicable provisions of laws and regulations, or specified in Appendix A1.
- D. CONTRACTOR shall comply with provisions of the New York State Information Security Breach and Notification Act (General Business Law Section 899-aa; State Technology Law Section 208). CONTRACTOR shall be liable for the costs associated with such breach if caused by CONTRACTOR's negligent or willful acts or omissions, or the negligent or willful acts or omissions of CONTRACTOR's agents, officers, employees or subcontractors.

## APPENDIX A

### Standard Clauses for All New York State Contracts

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, "the contract" or "this contract") agree to be bound by the following clauses which are hereby made a part of the contract (the word "Contractor" herein refers to any party other than the State, whether a contractor, licensor, licensee, lessor, lessee or any other party):

1. **EXECUTORY CLAUSE.** In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.

2. **NON-ASSIGNMENT CLAUSE.** In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred conveyed, sublet or otherwise disposed of without the previous consent, in writing, of the State and any attempts to assign the contract without the State's written consent are null and void. The Contractor may, however, assign its right to receive payment without the State's prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.

3. **COMPTROLLER'S APPROVAL.** In accordance with Section 112 of the State Finance Law (or, if this contract is with the State University or City University of New York, Section 355 or Section 6218 of the Education Law), if this contract exceeds \$50,000 (or the minimum thresholds agreed to by the Office of the State Comptroller for certain S.U.N.Y. and C.U.N.Y. contracts), or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds \$10,000, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office. Comptroller's approval of contracts let by the Office of General Services is required when such contracts exceed \$85,000 (State Finance Law Section 163.6a).

4. **WORKERS' COMPENSATION BENEFITS.** In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.

5. **NON-DISCRIMINATION REQUIREMENTS.** To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, sexual orientation, age, disability or marital status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239

thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex, or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

6. **WAGE AND HOURS PROVISIONS.** If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law.

7. **NON-COLLUSIVE BIDDING REQUIREMENT.** In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor warrants, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further warrants that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.

8. **INTERNATIONAL BOYCOTT PROHIBITION.** In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds \$5,000, the Contractor agrees, as a material condition of the contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contractors execution, such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2NYCRR 105.4).

9. **SET-OFF RIGHTS.** The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto.

The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.

10. **RECORDS.** The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, "the Records"). The Records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the "Statute") provided that: (i) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

**11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION.**

(a) **FEDERAL EMPLOYER IDENTIFICATION NUMBER and/or FEDERAL SOCIAL SECURITY NUMBER.** All invoices or New York State standard vouchers submitted for payment for the sale of goods or services or the lease of real or personal property to a New York State agency must include the payee's identification number, i.e., the seller's or lessor's identification number. The number is either the payee's Federal employer identification number or Federal social security number, or both such numbers when the payee has both such numbers. Failure to include this number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or New York State standard voucher, must give the reason or reasons why the payee does not have such number or numbers.

(b) **PRIVACY NOTIFICATION.** (1) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law.

(2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in New York State's Central Accounting System by the Director of Accounting Operations, Office of the State Comptroller, 110 State Street, Albany, New York 12236.

**12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN.**

In accordance with Section 312 of the Executive Law, if this contract is: (I) a written agreement or purchase order instrument, providing for a total expenditure in excess of \$25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting

agency; or (ii) a written agreement in excess of \$100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of \$100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then:

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

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

(c) the Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of "a", "b", and "c" above, in every subcontract over \$25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (I) work, goods or services unrelated to this contract; or (ii) employment outside New York State; or (iii) banking services, insurance policies or the sale of securities. The State shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this section. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Governor's Office of Minority and Women's Business Development pertaining hereto.

13. **CONFLICTING TERMS.** In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.

14. **GOVERNING LAW.** This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

15. **LATE PAYMENT.** Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article 11-A of the State Finance Law to the extent required by law.

16. **NO ARBITRATION.** Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized), but must, instead, be heard in a court of competent jurisdiction of the State of New York.

17. **SERVICE OF PROCESS.** In addition to the methods of service allowed by the State Civil Practice Law & Rules ("CPLR"), Contractor hereby consents to service of process upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of process or upon the State's receipt of the return thereof by the United States Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30) calendar days after service hereunder is complete in which to respond.

18. **PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS.** The Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of State Finance Law §165. (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification for an exemption under this law will be the responsibility of the contractor to establish to meet with the approval of the State.

In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in §165 State Finance Law. Any such use must meet with the approval of the State, otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

19. **MACBRIDE FAIR EMPLOYMENT PRINCIPLES.** In accordance with the MacBride Fair Employment Principles (Chapter 807 of the Laws of 1992), the Contractor hereby stipulates that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

20. **OMNIBUS PROCUREMENT ACT OF 1992.** It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts.

Information on the availability of New York State subcontractors and suppliers is available from:

NYS Department of Economic Development  
 Division for Small Business  
 30 South Pearl Street, 7<sup>th</sup> floor  
 Albany, New York 12245  
 Telephone: 518-292-5220  
 Fax: 518-292-5884      <http://www.empire.state.ny.us>

A directory of certified minority and women-owned business enterprises is available from:

NYS Department of Economic Development  
 Division of Minority and Women's Business Development Division  
 30 South Pearl Street, 2<sup>nd</sup> floor  
 Albany, New York 12245  
<http://www.empire.state.ny.us>

The Omnibus Procurement Act of 1992 requires that by signing this bid proposal or contract, as applicable, Contractors certify that whenever the total bid amount is greater than \$1 million:

(a) The Contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority and women-owned business enterprises, on this project, and has retained the documentation of these efforts to be provided upon request to the State;

(b) The Contractor has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended;

(c) The Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The Contractor agrees to document these efforts and to provide said documentation to the State upon request; and

(d) The Contractor acknowledges notice that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

21. **RECIPROCITY AND SANCTIONS PROVISIONS.** Bidders are hereby notified that if their principal place of business is located in a country, nation, province, state or political subdivision that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 amendments and 2000 amendments (Chapter 684 and Chapter 383 respectively) require that they be denied contracts which they would otherwise obtain. NOTE: As of May 15, 2002, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii. Contact NYS Department of Economic Development for a current list of jurisdictions subject to this provision.

22. **PURCHASES OF APPAREL.** In accordance with State Finance Law 162 (4-a), the State shall not purchase any apparel from any vendor unable or unwilling to certify that: (i) such apparel was manufactured in compliance with all applicable labor and occupational safety laws, including, but not limited to, child labor laws, wage and hours laws and workplace safety laws, and (ii) vendor will supply, with its bid (or, if not a bid situation, prior to or at the time of signing a contract with the State), if known, the names and addresses of each subcontractor and a list of all manufacturing plants to be utilized by the bidder.

## APPENDIX A1

### Agency-Specific Clauses

#### I. General

- A. For the purposes of this Agreement, the terms "State" and "Department" are inter-changeable, unless the context requires otherwise.
- B. The Contract Period as set forth on the Face Page is the inclusive period within which the provisions of this Agreement shall be performed. Costs incurred for project activities conducted prior to or after the Contract Period will not be reimbursed under this Agreement.
- C. The Contractor and Project (as described in the Legislative Initiative Form provided to the Contractor by the Department and incorporated herein by references and as detailed in the Program Workplan, Appendix D) have been identified to the Department for receipt of a local grant award not to exceed the Funding Amount as set forth on the Contract Face Page.
- D. The Department shall not be liable for expenses of any kind incurred in excess of the Funding Amount, and shall not be responsible for seeking additional appropriations or other sources of funds for the Project.
- E. The Contractor shall perform all services to the satisfaction of the Department. The Contractor shall provide all services and meet the program objectives set forth in Appendix D in accordance with: provisions of this Agreement; relevant laws, rules and regulations, administrative and fiscal guidelines; and where applicable, operating certificates for facilities or licenses for an activity or program.
- F. Pursuant to the provisions set forth in Section V., page 4 of this Agreement, the ownership of all property described therein shall reside with the Contractor unless otherwise specified in writing by the Department at anytime during the term of this Agreement and up to thirty (30) days following the issuance of the final payment.

## II. Funding

- A. Funding for this project has been appropriated in the Community Projects Fund as established by Section 99-d of the State Finance Law (Chapter 474 of the Laws of 1996). Pursuant to Paragraph 6(a) of Section 99-d, "The state shall not be liable for payments pursuant to any contract, grant or agreement made pursuant to an appropriation in any account of this fund if insufficient monies are available for transfer to such account of this fund, after required transfers pursuant to subdivision three of this section."
- B. Notwithstanding the Contract Period set forth on the Face Page, absent reappropriation in the subsequent State budget, funds for this project will cease to be available for payments on September 15, 2007; in that event, to afford reasonable assurance that payment can be made by the Department, final payment requests must be received by the Department's payment office by not later than August 20, 2007.

## III. Terminations

- A. In addition to any other actions authorized by this Agreement, the Department may terminate the Agreement in the best interests of the State of New York by providing written notice to the Contractor as provided in this Agreement.
- B. The Contractor shall complete the project as set forth in this Agreement, and failure to render satisfactory progress or to complete the project to the satisfaction of the State may be deemed an abandonment of the project and may cause the suspension or termination of any obligation of the State. In the event the Contractor should be deemed to have abandoned the project for any reason or cause other than a national emergency or an Act of God, all monies paid to the Contractor by the State and not expended in accordance with this Agreement shall be repaid to the State upon demand. If such monies are not repaid within one year after such demand, the State Comptroller of the State of New York may cause to be withheld from any State assistance to which the Contractor would otherwise be entitled an amount equal to the monies demanded.

- C. In the event that the Department has provided written notice to the Contractor directing that the Contractor correct any failure to comply with this Agreement, the Department reserves the right to direct that the Contractor suspend all work during a period of time to be determined by the Department. If the Contractor does not correct such failures during the period provided for in the notice, this Agreement shall be deemed to be terminated after expiration of such time period. During any such suspension, the Contractor agrees not to incur any new obligations after receipt of the notice without approval by the Department.

#### IV. Vendor (Contractor) Responsibility

- A. The Department is required to conduct a review of a prospective contractor to provide reasonable assurance that the contractor is responsible. To be considered responsible a contractor should have appropriate legal authority to do business in New York State, a satisfactory record of integrity, appropriate financial, organizational and operational capacity and controls and acceptable performance on previous governmental contracts, if any. The State and any of its agencies may use information gathered from whatever resources it deems appropriate to assist in making a responsibility determination.
- B. If the prospective contractor is a non-governmental entity and this contract has a total value in excess of \$50,000 in state-provided funds, a Vendor Responsibility Questionnaire and certification is included with the contract package. This Questionnaire is designed to provide information to assist the contracting agency in assessing a contractor's responsibility prior to entering into a contract and must be completed and returned with the contract.
- C. Contractor hereby acknowledges that, where required, the Vendor Responsibility Questionnaire and certification is made a part of this contract by reference hereto and that any misrepresentation of fact in the Questionnaire and attachments, or in any contractor responsibility information that may be requested by the Department, may result in termination of this contract. During the term of this Contract, any changes in the information provided in the Questionnaire shall be disclosed to the Department, in writing, in a timely manner. Failure to make such disclosure may result in a determination of non-responsibility and termination of the contract.

- D. Should it be determined at any time that a contractor is not responsible, the Department will notify the contractor in writing setting forth the basis for the determination and affording the contractor reasonable time in which to refute the determination, justify why the basis for the determination is not relevant to this contract or to take corrective action to eliminate the responsibility impediment. If the responsibility condition cannot be reconciled to the satisfaction of the Department and the State, the contract, or contract offer will be terminated by written notification.

V. Fully-Executed Agreement or Amendment Thereto

- A. If this Agreement, or amendments thereto, allocates funds totaling \$50,000 or less, it shall be deemed to be fully executed when approved and signed by the Contractor and the Department.
- B. If this Agreement, or amendments thereto, allocates funds totaling more than \$50,000, it shall be deemed to be fully executed when approved by the Office of the State Comptroller.

## Article 15-A of the New York State Executive Law

The Department of State administers a Minority and Women-owned Business Enterprises (MWBE) Program as mandated by Article 15-A of the New York State Executive Law. This law supersedes any other provision in state law authorizing or requiring an equal employment opportunity program or a program for securing participation by minority and women-owned business enterprises. Under this law, all state agencies must, subject to certain exceptions, establish goals for minority and women-owned business participation in certain state contracts and grants. Where MWBE goals are required, even in circumstances where this goal is zero, a Quarterly Contractor Report is required to be submitted to the Minority and Women-owned Business Program of the Department on forms provided by the Department.

Article 15-A requires that rules and regulations be established for contracts entered into by the Department. In accordance with Article 15-A, goals must be set for contracts entered into by the Department in excess of \$25,000 for labor, services, supplies, equipment, and materials, or any combination of the foregoing, and for contracts entered into by the Department in excess of \$100,000 for acquisition, construction, demolition, replacement, major repair, renovation or improvement of real property. In applying these rules and regulations, the Department must consider the availability of certified minority and women-owned businesses in the region in which the state contract will be performed, the total dollar value of the contract, the scope of work to be performed, and the project size and term.

The contractor will, when required as a part of the bid or proposal, submit a Staffing Plan on the form provided by the Department. This Plan will detail the work force anticipated in the performance of the state contract, reported by ethnic background, gender, and Federal Occupational Categories.

After a bid opening and prior to the award of a state contract, the contractor will submit an Equal Employment Opportunity (EEO) Policy Statement to the Department within the time frame established by the Department. The law requires that, as a precondition to entering into a valid and binding state contract, the contractor will agree to the following stipulations and will include them in the EEO Policy Statement:

- The contractor will not discriminate against any employee or applicant for employment because of race, creed, color, national origin, sex, age, disability or marital status.
- The contractor will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status. For these purposes, affirmative action applies in areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation.
- The contractor will make active and conscientious efforts to employ and to utilize minority group members and women at all levels and in all segments of its work force on state contracts, and the contractor will document these efforts.
- The contractor will state in all solicitations and advertisements for employees that, in the performance of the state contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.
- The contractor will, at the request of the Department, request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union, or representative will not discriminate because of race, creed, color, national origin, sex, age, disability or marital status, and that such union or representative will affirmatively cooperate in the implementation of the contractor's obligations herein.
- The contractor will include the provisions regarding the EEO Policy Statement and the Staffing Plan enumerated above in each and every subcontract of a state contract in such a manner that the subcontractor is bound by these requirements.
- Failure to provide an EEO Policy Statement and a Staffing Plan without reasonable written justification or commitment to provide these requirements by a specified date will result in rejection of the contractor's bid or proposal.

- After the award of a state contract, the contractor will submit to the Department a Workforce Employment Utilization Report, on the form supplied by the Department, detailing the work force actually utilized on the state contract, by ethnic background, gender and Federal Occupational Categories, as specified on the form. This Report will be submitted to the Department on a quarterly basis throughout the life of the contract.
- The contractor, and any of its subcontractors, may be required to submit compliance reports relating to their operations and implementation of their affirmative action or equal employment opportunity program in effect as of the date the state contract is executed.

Questions regarding this program should be directed to the Department's Minority and Women-owned Business Program by calling (518) 474-5741. Potential contractors can access the NYS Directory of Certified Minority and Women-owned Business Enterprises on-line through the Empire State Development website at: <http://www.empire.state.ny.us>, double click (left column) on: NY ♥ BIZ (Doing Business in New York); put the curser over: Small and Growing Business and, from that menu, click on: Minority and Women-Owned Business. From the center column, highlighted in blue, click on the bullet: "Search the Directory of Certified Minority-and Women-Owned Business Enterprises." The Department makes no representation with respects to the availability or capability of any business listed in the Directory.

# APPENDIX B

## Budget

### Budget Summary Sheet

A. SALARIES, WAGES AND FRINGE	\$ _____
B. TRAVEL	\$ _____
C. SUPPLIES/MATERIALS	\$ _____
D. EQUIPMENT	\$ _____
E. CONTRACTUAL SERVICES	\$ <u>200,000</u>
F. OTHER	\$ _____
<b>TOTAL</b>	\$ <u>200,000</u>

The TOTAL of your BUDGET must equal the amount of your allocation as shown on the CONTRACT FACE PAGE!

The BUDGET is intended to show the items of expense which will be funded under this Contract. Please do not show the entire cost of the project if it exceeds the amount of funding provided by this Contract.

Questions regarding Budget preparation? Call 518-486-3905



# Budget Detail Sheet

## C. SUPPLIES/MATERIALS

Please use general categories such as office supplies, printing supplies, small tools, building materials and like category descriptions. Indicate the cost of each category.

**TOTAL SUPPLIES/MATERIALS**

\$ 0

## D. EQUIPMENT

Please list each item of equipment that exceeds \$200.00 per item and has a useful life of one year or more. Group items of less than \$200.00 each into general categories indicating total cost per category.

**TOTAL EQUIPMENT**

\$ 0

# Budget Detail Sheet

## E. CONTRACTUAL SERVICES

This category includes items such as telephone, postage, rent, utilities, rental or repairs to equipment, lease of equipment, contracted services and contracted construction costs.

THE TOWN OF RIVERHEAD WILL BID THE RINK UNIT AND INSTALLATION AS A CONSTRUCTION CONTRACT.

**TOTAL CONTRACTUAL SERVICES**

\$ 200,000

## F. OTHER

Please specify what these costs are.

**TOTAL OTHER**

\$ 0

## APPENDIX C

### Payment and Reporting Schedule

- I. This is a cost reimbursement Agreement. The Contractor may claim and be reimbursed for eligible project costs incurred (costs of eligible project activities conducted, and goods and services received and accepted by the Contractor) within the Contract Period. The total of such reimbursement shall not exceed the Funding Amount for this Agreement and shall be claimed by the Contractor in accordance with the payment option selected below.

### PAYMENT OPTIONS

#### Option A: Payment-In-Full For Completed Project

1. In the event that the project has been completed and all eligible project costs incurred within the Contract Period and prior to the submission of this Agreement to the Department for execution, the Contractor may request a one-time payment-in-full with the submission of the Agreement.
2. Complete the contract documents in accordance with the instructions, making sure that the contract budget categories add up to the total Funding Amount regardless of the total costs to be claimed. If the total costs to be claimed are less than the Funding Amount, the claim on the Standard Voucher must reflect actual expenditures.
3. Complete the Program Workplan (Appendix D) making sure it accurately describes the project activities **completed and the dates of completion**. If the project was on-going in nature, specify the time- frame (**start and end dates**) that costs were incurred. If the project was for equipment, supplies or commodities purchases, **specify the delivery date(s)** of the item(s) purchased.
4. Complete the Standard Voucher received with the contract documents in accordance with the instructions, with the exception of Section 6. **Put the following statement in Section 6:**

**“Requesting payment-in-full for eligible project costs incurred pursuant to all terms and conditions of Contract #(insert contract number) submitted herewith.”**

5. Submit the completed contract documents and voucher claiming payment-in-full in accordance with the instructions. Upon full execution of the Agreement, payment will be made pursuant to the schedule set forth in II. below, and a copy of the fully-executed Agreement will be sent to you for your records.

### **Option B: Periodic Progress Payments**

1. Contractor may request periodic progress payments for eligible project costs incurred following full execution of the Agreement by both parties.
2. Complete the contract documents and submit them to the Department in accordance with the instructions. Do not submit a voucher or other payment documents at this time.
3. Upon full execution, a copy of the fully-executed Agreement and payment request documents and instructions for claiming progress payments will be sent to you.
4. Reimbursement for eligible project costs incurred will be made upon receipt and approval of properly completed payment requests submitted in accordance with III. below.

### **Option C: Advance and Progress Payment(s)**

1. Contractor may request an advance equal to twenty-five percent (25%) of the Funding Amount.
2. Complete the contract documents in accordance with the instructions. Complete the Standard Voucher in accordance with the instructions inserting the statement "25 percent advance" in Section 6. Submit the completed contract documents and advance voucher to the Department in accordance with the instructions.
3. Upon full execution of the Agreement, the advance will be issued in accordance with the schedule set forth in II. below and a copy of the fully-executed Agreement and payment request documents and instructions for claiming progress payments will be sent to you.

4. Upon receipt of a progress payment request submitted in accordance with III. below, the Department will determine the total eligible costs, deduct 25 percent of that amount to document advance funds received, and pay the balance to the Contractor.
  5. Upon termination of this contract, the full amount of undocumented advance funds shall become immediately due and owing to the Department.
- II. The payment-in-full provided for in Option A above or the advance provided for in Option C above will be paid by no later than February 20, 2007.

In the event that the Department does not receive a properly completed contract package from the Contractor by December 22, 2006, the payment date will be recalculated to be no later than sixty (60) days following receipt of the properly completed contract package.

- III. Progress payment requests as provided for in Option B and Option C above shall be submitted to the Department's designated payment office at the following address:

New York State Department of State  
Contract Administration Unit - LMI  
41 State Street / 10th Floor  
Albany, New York 12231-0001

- A. Payments shall be made to the Contractor upon the submission by the Contractor of properly executed progress payment requests. Each such request shall contain the following: (1) "Summary Sheet Documentation Forms" as provided by the Department, for documentation of actual and eligible expenditures; (2) a narrative progress report describing in detail all significant project accomplishments for which reimbursement is claimed, with dates of completion (**NOTE: If this agreement is for the purchase of tangible goods, commodities or equipment only, a narrative is not required for payments; however, a listing of all items purchased and dates received must be detailed on the Summary Sheet Documentation Forms.**); and (3) a properly completed Standard Voucher.
- B. Notwithstanding the above requirements, upon written notification by the Department, the Contractor may be required to submit source documentation and additional verification of allowable expenditures.

- C. Payment requests as described in III.A. above shall be certified by a duly authorized representative of the Contractor as accurately representing such accomplishments and expenses as recorded in the Contractor's accounting records, including, where goods or services are provided by third parties not party to this Agreement, a certification that any payment obligations arising from the provision of such goods or services have been paid by the Contractor and do not duplicate reimbursement or costs and services received from other sources.
  - D. Claimed expenditures per cost category may exceed the amounts indicated in the Budget, Appendix B, by ten percent (10%) or \$1,000, whichever is greater, without approval of the Department, provided that the Funding Amount is not exceeded. Any expenditure in excess of such 10% or \$1,000 shall require an amendment to the Project Budget submitted in writing by the Contractor. No expenditures shall be allowed for items not set forth in the Project Budget without prior written approval of the Department.
  - E. Any payment request for any period during which all Project activities shall have been completed shall be submitted as the Contractor's final payment request and shall be clearly labeled FINAL.
    - 1. If a final progress narrative report is required to be submitted, it must describe in reasonable detail, the nature and degree of the Project's completion and results.
    - 2. If the Contractor has received prior payments exceeding total eligible expenditures, Contractor shall remit such excess to the Department with such FINAL request.
- IV. Notwithstanding the submission of timely and properly executed payment requests, the Department shall be under no obligation to make payment for expenditures incurred without the prior Department approvals and/or amendments required under this Agreement and, further, shall have the right to withhold any such payment pending the execution of such approval and/or amendment.
- A. Interest income earned on funds received pursuant to this Agreement shall be used to further the purpose of this Project or shall be deducted from total eligible costs to determine the net eligible costs to be reimbursed by the Department.

- B. The Department shall have the right to conduct on-site progress assessments and reviews of the Project and Contractor's books and records during the life of this Agreement and for a reasonable time following issuance of the FINAL payment.
- C. The Department shall be entitled to disallow any cost or expense, or terminate or suspend this Agreement, if found that the Contractor has misrepresented any expenditures or Project activities in this Agreement, or in any progress reports or payment requests made pursuant hereto.
- D. The Contractor shall maintain separate fiscal books and records for all funds received through the Department and Project activities conducted pursuant to this Agreement, and shall make all such books and records available to the Department, the Office of the State Comptroller, or their designated representatives for inspection and audit for a period of six (6) years following termination of this Agreement.

**APPENDIX D****Program Workplan**

Recipient Organization Name: Town of Riverhead Type: municipal  
Program Contact Person: Andrea Lohneiss  
Daytime Phone: (631) 727-3200 x287  
Fax: (631) 727-5772

**NARRATIVE**

The Town of Riverhead is undergoing a redevelopment project resulting from recommendations developed in the Town of Riverhead Comprehensive Plan (2003) and subsequent zoning code revisions (2004). Inherent in the recommendations are the encouragement of uses that draw visitors and residents to the downtown for experiences which include shopping, recreation and education. Consistent with the principles of smart growth and walkability is the goal of increasing use by the public of the riverfront and its amenities.

The Town of Riverhead proposes to contract for the purchase and installation of an ice rink in downtown Riverhead to increase recreational activities and encourage active use of a town park along the riverfront. Payment will be requested in full upon completion of the project which is being undertaken in conjunction with a park improvement project.

(ATTACH ADDITIONAL PAGES AS NEEDED)

# APPENDIX E

## CHARITIES AND CHARITABLE TRUSTS

Most not-for-profit organizations (including corporations and charitable trusts) are required to file annual financial reports with the Attorney General. This requirement is found in Article 7-A of the Executive Law and Article 8 of the Estates, Powers and Trusts Law (EPTL). Specifically, Section 8-1.4 of the EPTL states:

(a) For the purposes of this section, "trustee" means (1) any individual, group of individuals, corporation or other legal entity holding and administering property for charitable purposes, whether pursuant to any will, other instrument or agreement, court appointment, or otherwise pursuant to law, over which the attorney general has enforcement or supervisory powers, (2) any non-profit corporation organized under the laws of this state for charitable purposes, and (3) any non-profit foreign corporation organized for charitable purposes, doing business or holding property in this state. Neither a foreign corporation nor a trustee acting under the will of, or any agreement executed by, a non-resident of this state shall become subject to the provisions of this section merely by reason of maintaining a bank, custody, investment or similar account in this state.

(s) A trustee shall not be qualified to make application for funds or grants or to receive such funds from any department or agency of the state without certifying compliance with paragraphs (d), (f), and (g) of this section and all applicable registration and reporting requirements of Article 7-A of the Executive Law.

In addition, please note that the new Charities Registration number is a 6-digit number with a hyphen after the second and fourth digits.

Pages E-2 and E-3 contain the inclusive listing of exemptions to the registration and reporting requirements of each article of law cited above.

If the Contractor qualifies for exemption from either article of law, place the complete number, i.e., 2(b), of the exemption in the respective section of Box 4 on the Contract Face Page.

Any questions regarding the statutory requirements or applicability to your organization should be directed to:

Office of the Attorney General  
Charities Registration Bureau  
120 Broadway  
New York, New York 10271  
212-416-8400 / 212-416-8401

# CHARITIES REGISTRATION EXEMPTIONS

## EXECUTIVE LAW, ARTICLE 7-A

1. This article shall not apply to corporations organized under the religious corporations law, and other religious agencies and organizations, and charities, agencies, and organizations operated, supervised, or controlled by or in connection with a religious organization.

2. The following persons shall not be required to register with the attorney general:

(a) An educational institution confining its solicitation of contributions to its student body, alumni, faculty and trustees, and their families.

(b) Fraternal, patriotic, social, alumni, law enforcement support organizations and historical societies chartered by the New York state board of regents when solicitation of contributions is confined to their membership.

(c) Persons requesting any contributions for the relief of any individual, specified by name at the time of solicitation, if all of the contributions collected, without any deductions whatsoever, are paid to or for the benefit of the named beneficiary.

(d) Any charitable organization which does not intend to solicit and receive and does not actually receive contributions in excess of twenty-five thousand dollars during a fiscal year of such organization, provided none of its fund raising functions are carried on by professional fund raisers or commercial co-venturers. However, if the gross contributions received by such charitable organization during any fiscal year of such organization shall be in excess of twenty-five thousand dollars, it shall within thirty days after the date it shall have received total contributions in excess of twenty-five thousand dollars register with the secretary as required by section one hundred seventy-two of this article.

(e) Any charitable organization receiving an allocation from a federated fund, incorporated community appeal or a united way, provided such fund, appeal or united way is complying with the provisions of this article relating to registration and filing of annual reports with the secretary, and provided such organization does not actually receive, in addition to such allocation, contributions in excess of twenty-five thousand dollars during the fiscal year, and provided further that all the fund-raising functions of such organizations are carried on by persons who are unpaid for such services. However, if the gross contributions other than such allocation received by such charitable organization during any fiscal year of such organization shall be in excess of twenty-five thousand dollars, it shall within thirty days after the date it shall have received such contributions in excess of twenty-five thousand dollars register with the secretary as required by section one hundred seventy-two of this article.

(f) A local post, camp, chapter or similarly designated element, or a county unit of such elements, of a bona fide veterans' organization which issues charters to such local elements throughout this state, a bona fide organization of volunteer firemen, an organization providing volunteer ambulance service (as defined in section three thousand one of the public health law) or a bona fide auxiliary or affiliate of such organizations, provided all its fund-raising activities are carried on by members of such an organization or an affiliate thereof and such members receive no compensation, directly or indirectly, thereof.

(g) An educational institution which files annual financial reports with the regents of the university of the state of New York as required by the education law or with an agency having similar jurisdiction in another state or library which files annual financial reports as required by the state education department.

(h) A charitable organization which receives all or substantially all of its funds from a single governmental agency and reports annually to that agency provided such reports contain financial information substantially similar in content to that required by subdivision one of section one hundred seventy-two-b of this article; provided, however, that such organization may receive no more than twenty-five thousand dollars from sources other than the government agency to which it reports.

(I) Any police department, sheriff's department or other governmental law enforcement agency.

(j) The state parent teachers association and any parent teachers association affiliated with an educational institution that is subject to the jurisdiction of the state education department.

3. In addition to the statutory exemptions, the following are also exempt:

(a) Any Municipality.

(b) Fire Districts, School Districts, and Water Districts.

# CHARITABLE TRUSTS REPORTING EXEMPTIONS

## ESTATES, POWERS AND TRUSTS LAWS EXECUTIVE LAW, ARTICLE 8, SECTION 8-1.4(b)

The registration and reporting provisions of this section do not apply to:

1. Contractor is not a Trustee as define in Section 8-1.4(a) set forth in Appendix E.
2. Government entity
3. Entity required by law to complete an annual report to either the United States Congress or the New York State Legislature;
4. Religious organizations;
5. Educational institution incorporated under the Education Law or by special act;
6. Hospital;
7. Fraternal, patriotic, social, student, alumni, veterans, volunteer firefighters, volunteer ambulance workers' organization or historical society chartered by the New York State Board of Regents;
8. Trust or estate for which there is a corporate trustee acting as sole trustee or co-trustee under the will of a decedent who died domiciled outside New York or a trust instrument executed by a nonresident of New York State;
9. Trust or estate in which the charitable interest is delayed or contingent;
10. Officer, director or trustee of an organization exempt from registration who holds property for the religious, educational or charitable purposes of the organization;
11. Cemetery corporation subject to the provisions of Article 15 of the Not-for-Profit Corporation Law;
12. The state parent teachers association ("PTA") and any parent teachers association affiliated with an educational institutional that is subject to the jurisdiction of the State Education Department; and
13. Any corporation organized under Article 43 of the Insurance Law.

APPENDIX X

Agency Code 19000  
Contract Period 4/1/06 - 7/31/07

Contract Number M060683  
Funding for Period \$ 200,000

This is an AGREEMENT between THE STATE OF NEW YORK, acting by and through the New York State Department of State, having its principal office in Albany, New York (hereinafter referred to as the STATE), and Town of Riverhead (hereinafter referred to as the CONTRACTOR), for modification of Contract Number M060683, as amended above.

All other provisions of said AGREEMENT shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT as of the dates appearing under their signatures.

CONTRACTOR SIGNATURE

STATE AGENCY SIGNATURE

By: \_\_\_\_\_  
Phil Cardinale  
(print name)  
Title: Supervisor  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
\_\_\_\_\_  
(print name)  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

State Agency Certification: "In addition to the acceptance of this Contract, I also certify that original copies of this signature page will be attached to all other exact copies of this Contract."

STATE OF NEW YORK )  
COUNTY OF ) ss:

On this \_\_\_\_ day of \_\_\_\_\_, in the year 20\_\_\_\_, before me personally appeared \_\_\_\_\_, to me known, who, being by me duly sworn, did depose and say that (s)he resides at \_\_\_\_\_; that (s)he is the \_\_\_\_\_ of \_\_\_\_\_, the corporation described herein which executed the foregoing instrument; and that (s)he signed (her)his name thereto by order of the board of directors of said corporation.

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF NEW YORK )  
COUNTY OF ) ss:

On this \_\_\_\_ day of \_\_\_\_\_, in the year 20\_\_\_\_, before me personally appeared \_\_\_\_\_, to me known and known to me to be the \_\_\_\_\_ of \_\_\_\_\_, the unincorporated association described in and which executed the above agreement; and who acknowledge to me that (s)he executed the foregoing agreement for and in behalf of said unincorporated association.

\_\_\_\_\_  
NOTARY PUBLIC

ALAN G. HEVESI, STATE COMPTROLLER

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

3/20/07

# Tabled

## TOWN OF RIVERHEAD

Resolution # 259

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE FOR A LOCAL LAW TO CONSIDER THE ADDITION OF A NEW CHAPTER 111 TO THE RIVERHEAD TOWN CODE ENTITLED, "YOUTH BUREAU"**

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

**RESOLVED**, the Town Clerk is hereby authorized to publish the attached public notice once in the March 29, 2007 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law to consider the addition of a new Chapter 111 to the Riverhead Town Code entitled, "Youth Bureau", 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 Donna Lyczkowski, Riverhead Youth Bureau; the Office of the Supervisor and the Office of the Town Attorney.

THE VOTE *absent*

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

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

# Tabled

**TOWN OF RIVERHEAD  
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 4th day of April, 2007 at 2:35 o'clock p.m. to consider a local law to consider the addition of a new Chapter 111 to the Riverhead Town Code entitled, "Youth Bureau" as follows:

**Chapter 111**

**YOUTH BUREAU**

**§111-1. Definitions.**

For the purposes of this chapter, the following words and phrases shall be given the meanings indicated herein:

YOUTH — Any person under 21 years of age.

YOUTH SERVICE PROJECT — Any plan or organized activity, other than a recreation project, which has for its purpose the detection, prevention or treatment of delinquency of youth or other services directed toward youth development, and which is operated by or under the direction of the Town of Riverhead or any governmental subdivision or agency thereof.

**§111-2. Youth Bureau created.**

There is hereby created the Youth Bureau of the Town of Riverhead which shall be comprised of a Youth Board (hereinafter referred to as the "Board") and Director (hereinafter referred to as the "Director"). The Youth Bureau shall be a division within the Department of Human Services.

**§111-3. Director.**

The Director shall be the principal officer and administrative head of the Youth Bureau. The Director shall be appointed by the Town Board and shall be in the competitive class of the Civil Service.

**§111-4. Duties of Director.**

The Director shall be responsible for the administration of the Youth Bureau and shall be responsible for all projects conducted by the Youth Bureau, including but not limited to those projects related to the counseling and guidance of youth, and the public relations, agency coordination, and business activities of the Youth Bureau with the support and guidance of the Director of Human Services. The Director shall be responsible for the preparation of the annual budget of the Youth Bureau.

**§111-5. Youth Board.**

**A. Composition.**

The Board shall be comprised of from 18 to 25 members at the discretion of the Town Board. The members of the Board shall be appointed by the Town Board and serve without compensation. Lay citizens shall comprise at least 50% of the total membership of the Board and be representative of the community both demographically and geographically, including citizens from business, law enforcement, government, education, human services, religious entities, public relations, finance, and at least four youths. Public officials may comprise the remainder of the Board's membership and shall include representatives of disciplines directly concerned with the welfare of youth.

**B. Powers and duties.**

The Board shall be an advisory body and shall cooperate with the Director on the following programs and functions:

- (1) The development of effective policies and programs for the prevention and control of delinquency and crime by youth.
- (2) The encouragement of closer cooperation between employers, labor, schools, churches, recreational agencies, state and local employment programs, service clubs and other public and private agencies, so as to stimulate employment for youth on the basis of community planning
- (3) The review and analysis of federal, state or county grants, or grants from private individuals, corporations or associations, for the purpose of applying for such funds and thereafter allocating such funds to specific youth programs.
- (4) The review, analysis and implementation of plans for the creation or expansion of youth programs.
- (5) The compliance with all laws and rules and regulations adopted by the State of New York with reference to the advancement of

youth, including but not limited to the Youth Commission Law of the Executive Law Editor's Note: See Article 19-A, Youth Commission, of the New York State Executive Law and the General Municipal Law of New York State.

- (6) The gathering, compilation and analysis of statistical records and data, including those that reflect the incidence and trends of delinquency and youthful crime, and the promulgation of guidelines and recommendations for the needs of youth.
- (7) The formulation and adoption of rules and bylaws governing the activities of the Board.
- (8) The implementation of educational programs related to the problems of youth and the correction thereof.
- (9) The performance of such other duties relative to the effective implementation of the intent of this chapter as may from time to time be requested by the Town Board.

C. Terms of appointment

- (1) One-half of the total number of Youth Board members first appointed by the Town Board shall be appointed for a term of one year from the date of their appointments. The remaining 1/2 of the total number of Youth Board members shall be appointed for a term of two years from the date of their appointments.
- (2) The successors to all Youth Board positions shall be appointed for a term of two years after the expiration of their predecessors.
- (3) No member may continue to serve on the Youth Board beyond the expiration of his term unless reappointed for a successive two-year term by the Town Board.

D. Removal of Youth Board members

- (1) Members of the Youth Board may be removed for cause by the Town Board.
- (2) In the event that any Youth Board member is absent from three regularly scheduled, consecutive Youth Board meetings, without previously advising the Director or Youth Board Chairperson of

his intended absence, such member shall be removed from the Youth Board.

- Underscore represents addition(s)

Dated: Riverhead, New York  
March 20, 2007

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

03/20/07

# Adopted

## TOWN OF RIVERHEAD

Resolution # 260

AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS AND MORTGAGEE OF THE PROPERTY LOCATED AT 728 RAYNOR AVENUE, RIVERHEAD, NEW YORK

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

WHEREAS, the Town Board has determined that the property situated at 728 Raynor Avenue, Riverhead, New York is being used and occupied in violation of various sections of the Code of the Town of Riverhead and the New York State Uniform Fire Prevention and Building Code;

NOW, THEREFORE

BE IT HEREBY RESOLVED, that Dawn C. Thomas, Town Attorney for the Town of Riverhead is authorized to institute legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the dwelling situated at 728 Raynor Avenue, Riverhead, New York in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property and the dwelling situated upon such; and be it further

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

RESOLVED, that the Town Clerk is hereby directed to send a copy of this resolution to the Town Attorney's Office.

Z:\Harold Steuerwald\Litigation\TOR v. Meigel\Resolution Authorizing Legal Action - 728 Raynor Avenue.doc

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

03/20/07

# Adopted

## TOWN OF RIVERHEAD

Resolution # 261

AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS AND MORTGAGEE OF THE PROPERTY LOCATED AT 49 EAST SECOND STREET, RIVERHEAD, NEW YORK

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

WHEREAS, the Town Board has determined that the property situated at 49 East Second Street, Riverhead, New York is being used and occupied in violation of various sections of the Code of the Town of Riverhead and the New York State Uniform Fire Prevention and Building Code;

NOW, THEREFORE

BE IT HEREBY RESOLVED, that Dawn C. Thomas, Town Attorney for the Town of Riverhead is authorized to institute legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the dwelling situated at 49 East Second Street, Riverhead, New York in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property and the dwelling situated upon such; and be it further

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

RESOLVED, that the Town Clerk is hereby directed to send a copy of this resolution to the Town Attorney's Office.

Z:\Harold Steuerwald\Litigation\TOR v. Meigel\Resolution Authorizing Legal Action.doc

THE VOTE *absent*

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

THE RESOLUTION  WAS  WAS NOT THEREFORE DULY ADOPTED

03/20/07

# Adopted

## TOWN OF RIVERHEAD

Resolution # 262

AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS AND MORTGAGEE OF THE PROPERTY LOCATED AT 30 ELTON STREET, RIVERHEAD, NEW YORK

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

WHEREAS, the Town Board has determined that the property situated at 30 Elton Street, Riverhead, New York is being used and occupied in violation of various sections of the Code of the Town of Riverhead and the New York State Uniform Fire Prevention and Building Code;

NOW, THEREFORE

BE IT HEREBY RESOLVED, that Dawn C. Thomas, Town Attorney for the Town of Riverhead is authorized to institute legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the dwelling situated at 30 Elton Street, Riverhead, New York in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property and the dwelling situated upon such; and be it further

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

RESOLVED, THAT THE Town Clerk is hereby directed to send a copy of this resolution to the Town Attorney's Office.

Z:\Harold Steuerwald\Litigation\TOR v. Hartman\Resolution Authorizing Legal Action.doc

THE VOTE

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

03/20/07

# Adopted

## TOWN OF RIVERHEAD

Resolution # 263

AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS AND MORTGAGEE OF THE PROPERTY LOCATED AT 24 ELTON STREET, RIVERHEAD, NEW YORK

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

WHEREAS, the Town Board has determined that the property situated at 24 Elton Street, Riverhead, New York is being used and occupied in violation of various sections of the Code of the Town of Riverhead and the New York State Uniform Fire Prevention and Building Code;

NOW, THEREFORE

BE IT HEREBY RESOLVED, that Dawn C. Thomas, Town Attorney for the Town of Riverhead is authorized to institute legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the dwelling situated at 24 Elton Street, Riverhead, New York in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property and the dwelling situated upon such; and be it further

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

RESOLVED, THAT THE Town Clerk is hereby directed to send a copy of this resolution to the Town Attortney's Office.

Z:\Harold Steuerwald\Litigation\TOR v. Panasyuk\Resolution Authorizing Legal Action.doc

THE VOTE

Dunleavy  yes \_\_\_ no Bartunek  yes \_\_\_ no

Blass  yes \_\_\_ no Densieski  yes \_\_\_ no

Cardinale  yes \_\_\_ no

THE RESOLUTION  WAS \_\_\_ WAS NOT

March 20, 2007

# Adopted

**TOWN OF RIVERHEAD**

**AUTHORIZES TOWN CLERK TO PUBLISH & POST  
NOTICE TO BIDDERS FOR CALCIUM HYPOCHLORITE TABS  
FOR USE BY THE RIVERHEAD WATER DISTRICT**

**RESOLUTION # 264**

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

**RESOLVED**, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders for calcium hypochlorite tablets to be used by the Riverhead Water District; and be it further

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

**THE VOTE**

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

*absent*

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

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of **CALCIUM HYPOCHLORITE TABLETS** 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, on **April 9, 2007 until 11:05 a.m.**

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

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

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

All bids are to be submitted in a sealed envelope addressed to: **TOWN CLERK, TOWN OF RIVERHEAD, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK, 11901**, and bear the designation **BIDS FOR CALCIUM HYPOCHLORITE TABLETS - BID #07-21-RWD.**

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

March 20, 2007

TOWN OF RIVERHEAD

Adopted

Resolution # 265

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW TO ADD CHAPTER 20 ENTITLED "RIVERHEAD TOWN TOWING ORDINANCE" TO THE RIVERHEAD TOWN CODE**

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

**WHEREAS**, the Town Board recognizes the importance of establishing an orderly system for the safe and expeditious removal of disabled and damaged motor vehicles and roadway debris from the roads of the Town of Riverhead for the safety and protection of residents and visitors; and

**WHEREAS**, expeditious removal of damaged and disabled motor vehicles, roadway debris and other roadway hazards from the roads and highways will reduce traffic congestion and accidents; and

**WHEREAS**, the removal of disabled and damaged vehicles should be subject to supervision and administrative control for the purpose of safeguarding the public against of fraud, overcharges and similar abuses in connection with towing services.

**NOW THEREFORE BE IT 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 add **Chapter 20** entitled, "**Riverhead Town Towing Ordinance**" to the Riverhead Town Code, once in the **April 12, 2007** issue of the News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall;

**AND BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to the Riverhead Police Department, the Highway Department, the Town Attorney Investigation Unit and the Office of the Town Attorney.

THE VOTE

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

THIS RESOLUTION  WAS  WAS NOT THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE**, that a public hearing will be held on the **17 day of April, 2007**, at **7:10 p.m.** at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to add **Chapter 20** of the Riverhead Town Code entitled, "**Tow Trucks**" as follows:

A copy of the text of the proposed local law may be reviewed at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, beginning **March 21, 2007**, between the hours of 8:30 AM and 4:30 PM, Monday through Friday.

**DATED: March 20, 2007**  
Riverhead, New York  
BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD  
BARBARA GRATTAN, TOWN CLERK

**Chapter 20 Draft (3/20/07)**  
**TOWING ORDINANCE**

**20-1 Title.**

This chapter shall be known and cited as the "Riverhead Town Towing Ordinance"

**20-2 Purpose.**

A. It is the purpose and intent of this local law to establish an orderly system for the safe and expeditious removal of disabled motor vehicles, damaged motor vehicles and roadway debris from the roads of the Town of Riverhead for the safety and protection of residents and visitors alike; expeditious removal of damaged and disabled motor vehicles, roadway debris and other roadway hazards from the roads and highways will reduce traffic congestion and accidents; motorists whose vehicles have become disabled or damaged are frequently confronted with a myriad of issues, including injury such that the removal of the vehicle must be delegated to or assumed by a representative of the Riverhead Town Police Department; the public interest is served by the rotational list and requirement that motor vehicles damaged as the result of accidents be towed to places convenient to the owner and certain locations where the vehicle may be repaired; and consequently, the removal of disabled and damaged vehicles should be subject to supervision and administrative control for the purpose of safeguarding the public against fraud, overcharges and similar abuses in connection with towing services.

**20-3 Definitions.**

A. Unless otherwise expressly provided, the following words, for the purposes of this local law, shall have the meanings herein indicated:

ACCIDENT – Any incident or occurrence in which one or more motor vehicles come in contact with each other or other object, thereby causing damage to a motor vehicle.

APPLICANT – A person who is applying for a towing business license and/or a medallion.

BODY SHOP – A motor vehicle repair shop as defined in, and holding a license as required by, the State Motor Vehicle Repair Shop Registration Act (Vehicle and Traffic Law §398-b or any amendment thereto) and which meets the existing Code requirements of the Town of Riverhead.

DRIVER – Any person driving a tow truck upon the roads in the Town of Riverhead.

FOR HIRE – Any incident where a fee, charge or other consideration is directly or indirectly imposed for towing, including any case where any person makes repairs on a towed vehicle for a consideration, and no charge is expressly imposed for the towing of such vehicle.

GARAGE – Any place other than a private garage, available to the public, operated for gain and which is used for storage, repair, rental, greasing, washing, servicing, adjusting or equipping of automobiles or other motor vehicles.

HEAVY-DUTY TOW TRUCK – A tow truck capable of righting and towing a motor vehicle over three tons, with a minimum fourteen-ton boom capacity.

HOLDING AREA – A leased, owned or operated garage, auto body shop or storage facility consisting of one single or several contiguous parcel(s) of land and comprised of an enclosed fenced area or suitably screened area wherein visual and sound buffers are provided subject to requisite approvals outlined in the Town Code for the storage of motor vehicles.

LICENSE – A certificate issued by the Town Clerk to conduct a towing business.

LICENSEE – A person who is the holder of a valid license.

MEDALLION – Identification plate (number) assigned to a particular tow truck by the Town Clerk.

OPERATE – Includes the control and direction of the use of a vehicle and the use of a vehicle for towing from places within the Town.

PERSON – Includes an individual, a partnership, any unincorporated association, a corporation or any other entity.

TOW TRUCK OPERATOR – A person owning or leasing or controlling one or more tow trucks and driving or operating or causing any such vehicle to be operated upon the public highways for hire.

TOWING – The carrying, lifting or moving of a single motor vehicle by another motor vehicle.

TOWING BUSINESS – The operation of one or more tow trucks for hire.

TOWN – The unincorporated area of the Town of Riverhead whether on private property or on the roads of the Town of Riverhead.

TOW TRUCK – A motor vehicle which is designed or equipped for carrying, lifting or moving another motor vehicle.

B. Terms not defined. Where terms are not defined, they shall have their ordinarily accepted meaning consistent with their content.

#### 20-4. License required; exceptions.

A. No person shall conduct a towing business in the Town without having first obtained a license therefore as hereinafter provided.

B. A person shall be deemed to be conducting a towing business within the Town, and shall be required to obtain a license hereunder, when he or she operates one or more tow trucks for hire, and either has a garage, auto body shop or storage facility within the Town or regularly advertises or solicits towing business, responds to calls or otherwise regularly provides towing services within the Town.

- C. Nothing herein shall be construed to require a license for a tow truck to traverse the Town, with or without a motor vehicle in tow, or to require a license of or otherwise prevent any person not conducting a towing business within the Town from providing towing services at the request of an owner, operator or other person in charge of a motor vehicle.
- D. A person who is towing a vehicle that he or she owns shall not be required to obtain a towing license as provided for in this local law.

**20-5 Medallion required.**

- A. A licensee must obtain a medallion for each tow truck operated in the Town in connection with his or her towing business.
- B. Each medallion must be securely affixed to the driver's door of the tow truck it was assigned to by the Town Clerk, and shall remain there and be clearly visible for inspection at all times the medallion is valid.

**20-6 Application for license and medallion.**

- A. The name and address of the applicant, along with a certified copy of his or her certificate of doing business, specifying, in the case of a partnership or unincorporated association, the name and address of each partner or member thereof and, in the case of a corporation, a certified copy of the certificate of incorporation, including any certificates of amendment thereto, in addition to the name and address of each officer, director and stockholder, except that if the corporation is listed on the stock exchange, the names and addresses of the stockholders owning 5% or more of the stock issued shall be included. In addition, the applicant shall furnish the name and address of all agents and employees who shall be authorized to operate a tow truck under the applicant's license, as well as the operator license number of every such agent or employee issued by the New York State Department of Motor Vehicles.
- B. The date of birth of the applicant or each partner, member, officer, director or stockholder where applicable.
- C. With respect to each tow truck to be operated in the Town by the applicant for which a medallion is requested:
- (1) The vehicle identification number.
  - (2) The license plate number.
  - (3) The make, model and year.
  - (4) The amount of liability and property damage insurance; the name of the insurance company, policy number and expiration date of the policy.
  - (5) The name and address of the owner.
  - (6) Whether each tow truck is equipped as required herein.

(7) Whether each tow truck is a heavy-duty wrecker.

D. The address of any and all depots, garages or auto body shops, whether located inside or outside the Town, that will be used by the applicant in connection with his towing business and which tow trucks will be stationed at each location.

E. The name and address of a single holding area in the Town to which the applicant will tow motor vehicles in connection with applicant's towing business, in the absence of a designation to the contrary, in accordance with §20-9 D by the owner or person in charge of the motor vehicle.

F. Whether the applicant wants to be placed on the accident roster, the nonaccident roster and/or the heavy-duty roster.

G. Statement whether the applicant or, if the applicant is a partnership, an unincorporated association or a corporation, any partner, member, officer, director or stockholder (as defined in Subsection A above):

(1) Has within the last five years, ever been convicted of a crime, and if so, the date, crime, charge and sentence imposed.

(2) Has ever been denied a license for a tow truck or towing business, or a license issued to the applicant has ever been suspended or revoked, and if so, the date, the location and the circumstances thereof.

H. A list of all valid licenses held by the applicant, which authorize him to conduct a towing business and/or a body shop.

I. At least one but not more than two telephone numbers where the applicant, his or her agent or employees can be located at all times.

J. Fingerprints. When the application form has been completed, the applicant shall submit himself or herself to an officer of the Riverhead Police Department to be fingerprinted. A copy of such fingerprints shall be mailed to the Division of Criminal Justice Services, Albany, New York, requesting a fingerprint search. The Town Clerk shall secure from the applicant the required fee in the form of a money order made payable, as required, to the New York State Division of Criminal Justice Services, in the amount of the required fee, to be forwarded with such prints.

K. Temporary license.

(1) The Town Clerk may issue a temporary license to an applicant who is otherwise qualified pending the investigation of the applicant's application for a full towing business license. Such a temporary license should only be issued when the applicant has demonstrated an immediate need and after a full application has been filed.

(2) The holder of a temporary license shall be subject to all the provisions of this local law. The duration of a temporary license shall be determined by the Town

Clerk and, in no event, shall be longer than 45 days, and such license may be revoked by the Town, for cause shown, at any time.

**20-7 Issuance of license.**

Upon receipt of a properly completed application and the fees, the Town Clerk shall issue a license or renewal thereof for a towing business, unless upon investigations by the Riverhead Police Department:

- A. The Police Department determines that the applicant is an undesirable person or incapable of properly conducting a towing business in the Town.
- B. The Police Department determines that an applicant, who has been convicted of a misdemeanor or felony, is unfit or undesirable to carry on a towing business in the Town.
- C. The applicant's garage, depot or auto body shop used in connection with his towing business is in violation of the zoning, building or fire laws, ordinances or regulations in the municipality in which it is located.
- D. The Police Department finds that the applicant has made a materially false statement or misrepresentation in his application.

**20-8 Issuance of medallion.**

Upon receipt of the fees, the Town Clerk shall issue a medallion or renewal thereof, for each tow truck to be operated within the Town by a licensee, if, upon inspection by the Town, it is determined that the tow truck is equipped as provided herein.

**20-9 Conditions for use of license privilege.**

No person shall conduct a towing business within the Town unless he shall comply with the following requirements:

- A. All tow trucks used by such person shall comply with the provisions of § 20-5 of this local law, whether garaged inside or outside the Town, as well as the applicable safety provisions of the Vehicle and Traffic Law.
- B. All tow trucks used by such person shall be insured in accordance with the provisions of the Vehicle and Traffic Law, and, in addition, shall be insured for liability for damage to any vehicle, without regard to negligence, for damage caused to such vehicle during the course of towing or winching said vehicle pursuant to this local law.
- C. Each licensee shall maintain each garage, depot, auto body shop or storage facility used in connection with such towing business in full compliance with all provisions of this chapter, all applicable building and zoning ordinances of the Town Code of the Town of Riverhead, the New York State Building Construction Code and all other applicable statutes, codes, rules and regulations.
- D. Each license shall maintain a garage, depot or body shop in the Town to which all motor vehicles towed pursuant to this local law shall be transported. Unless otherwise directed

in writing by the owner or operator thereof, no such motor vehicle may be transported to any location other than such garage, depot or body shop located in the Town of Riverhead. No such motor vehicle shall thereafter be removed from said garage, depot or body shop without the written consent of the owner of such motor vehicle.

E. For the purposes of this local law, each parcel of real property comprising a single street address shall be deemed a single garage, depot or auto body shop. Only one licensee may operate a towing business from a single street address. Only one license shall be granted to any person operating a towing business within the Town, regardless of the number of tow trucks he may own or operate. No garage, depot or auto body shop shall be designated more than once or by more than one licensee as a holding area under this local law. Each licensee shall be permitted only one position on the accident roster, one position on the non-accident roster and one position on the heavy-duty roster, regardless of the number of tow trucks owned or operated.

**20-10 Equipment and identification for trucks.**

A. Tow trucks used to respond to calls from the non-accident roster must be equipped at all times with:

(1) Emergency flashing yellow lights.

(2) A CO2 or dry powder fire extinguisher with a minimum capacity of 15 pounds.

(3) At least one dozen red railroad-type flares.

(4) A dolly.

(5) Safety chains.

(6) A push bar.

(7) A shovel.

(8) A rigid tow bar.

(9) A lifting boom on the rear of the truck.

(10) A minimum one-and-one-half ton power winch equipped with 150 feet of three-eighths inch steel cable.

B. Tow trucks used to respond to calls from the accident roster and the heavy-duty towing roster must be equipped at all times with:

(1) The equipment specified in Subsection A above.

(2) Dual rear wheels.

(3) A broom.

(4) A crowbar.

(5) A hacksaw.

C. Every tow truck operated in connection with a licensee's towing business in the Town must have inscribed on each side thereof, in legible letters not less than three inches high, the name and address of the licensee.

#### **20-11 Term of license and medallion.**

Every license and medallion issued hereunder shall be for a term of two years beginning on January 1 and expiring on December 31 of the second year unless earlier suspended or revoked by the Town Board as provided herein. Any license or medallion issued mid-term shall expire on the second December 31 thereof, unless earlier suspended or revoked by the Town Board as provided herein.

#### **20-12 Nontransferability of license and medallion.**

A. No license or medallion issued hereunder shall be transferred to another person or vehicle.

B. The licensee shall notify the Town Clerk if any tow truck for which a medallion was issued is destroyed, sold or otherwise transferred, within 10 days thereof, and immediately return the medallion to the Town Clerk.

#### **20-13 Fees.**

The Town Board shall, by resolution, adopt a schedule of license and medallion fees as shall be necessary pursuant to this chapter. Such fees shall be collected by the Town Clerk and shall be the fees required under the chapter until the same shall be amended or modified or repealed by a subsequent resolution of the Town Board.

#### **20-14 Certification of rosters.**

A. The Riverhead Town Police Department or designated representative of the Police Department shall prepare and certify the accident rosters and non-accident rosters, with the names of the licensees in each section listed in the order in which the licensees qualify for such listing.

B. The Town Clerk shall prepare and certify to Riverhead Police Department or designated representative of the Riverhead Police Department the a heavy-duty towing roster, with the names of the licensees listed in the order in which the licensees qualify for such listing. The roster shall be maintained on a Town-wide basis.

C. No person shall qualify for a position on the accident roster, the non-accident roster or the heavy-duty roster unless he or she shall maintain a holding area within the Town to which the applicant will tow all motor vehicles picked up as a result of a call from the accident, non-accident or heavy-duty roster, absent a specific designation to the contrary by the owner or operator of the motor vehicles requiring such a tow. The holding area which shall be used to store all vehicles towed thereto must comply with the regulation of the Town Zoning, Building and Fire Prevention Ordinances. A licensee shall make the holding area accessible to the owners of vehicles towed thereto.

D. Any person who legally qualified for a position on any one of the described rosters prior to the effective date of this revision may continue to hold a position on said roster despite the fact that he may not presently have a holding area of 4,000 square feet, provided that:

(1) He shall not fail to renew his license bi-annually.

(2) He shall comply with all other provisions of this local law.

**20-15 Non-accident roster.**

A. Motor vehicles not involved in an accident, but which are disabled and which must be removed from the road, and where the owner or other person in charge thereof does not request the services of a specific tow truck operator, shall be towed by licensees from the non-accident roster on a rotating basis.

B. In order to qualify for the non-accident roster, the person must:

(1) Hold a valid towing license issued pursuant to this local law.

(3) Maintain a minimum of \$250,000/\$500,000 of automobile liability insurance and \$25,000 of property damage insurance on each tow truck that will be used to respond to calls from the non-accident roster and provide evidence of garage liability insurance covering any depot, garage and body shop specified in the licensee's application.

C. A licensee shall have one turn on the non-accident roster regardless of how many tow trucks he may own or operate.

D. Only tow trucks properly equipped and with medallions that have been issued hereunder may respond to calls from the non-accident roster.

**20-16 Accident roster.**

A. Motor vehicles which are involved in accidents and which are disabled, and whose owners do not request the services of a specific tow truck operator, shall be towed by licensees on the accident roster on a rotating basis.

B. In order to qualify for the accident roster, a person must:

(1) Hold a valid towing business license issued pursuant to this local law.

(2) Have at least one tow truck, equipped as provided herein, with a valid medallion affixed to it.

(3) Maintain twenty-four hour service to answer emergency calls to remove damaged and disabled motor vehicles and must provide business and cellular telephone numbers or beepers for contact at any time during a 24 hour period seven days a week. A beeper call, answering machine or calling service must respond by return

telephone call to the Riverhead Town Police Communications Division within 5 minutes or the tow company will be skipped on the rotational list.

(4) Maintain a minimum of \$250,000/\$500,000 of automobile liability insurance and \$25,000 of property damage insurance on each tow truck that will be used to respond to calls from the accident roster and provide evidence of garage liability insurance covering any depot and body shop specified in the licensee's application.

C. A licensee shall have one turn on the accident roster regardless of how many tow trucks he may own or operate.

D. Only tow trucks properly equipped and with medallions that have been issued hereunder may respond to calls from the accident roster.

**20-17 Heavy-duty towing roster.**

A. In order to qualify for the heavy-duty towing roster, a person must:

(1) Hold a valid towing business license issued pursuant to this local law.

(2) Have at least one heavy-duty tow truck, equipped as provided herein, with a valid medallion affixed to it.

(3) Maintain a minimum of \$1,000,000 of automobile liability insurance and \$50,000 of property damage insurance on each heavy-duty tow truck that will be used to respond to calls from the heavy-duty towing roster and provide evidence of garage liability insurance covering any depot and body shop specified in the licensee's application.

(4) Maintain twenty-four hour service to answer calls to remove damaged and disabled motor vehicles.

B. When the police officer at the scene determines that heavy-duty towing services are required, the licensee shall be called from the heavy-duty towing roster on a rotating basis. However, such licensee shall not lose his turn on any other roster on which his name might appear.

C. A licensee shall have one turn on the heavy-duty towing roster regardless of how many heavy-duty tow trucks he may own or operate.

D. Only heavy-duty tow trucks properly equipped and with medallions that have been issued hereunder may respond to calls from the heavy-duty towing roster.

**20-18 Maximum permitted charges.**

A. No tow truck operator shall charge more than the maximum charges set forth herein for each tow truck used in towing a motor vehicle picked up within the Town and towed to a place within the Town.

B. No licensee shall charge more than the maximum charges set forth herein for each tow truck used in towing a motor vehicle picked up pursuant to §20-15, §20-16 and §20-17 herein, when towed to the licensee's place of business or any location in the Town designated by the owner or person in charge of the motor vehicle.

C. The maximum charges shall be:

(1) For towing of passenger cars, regardless of weight, and all other motor vehicles with a weight of not more than two tons, from the accident roster: \$150.00.

(2) For towing of passenger cars, regardless of weight, and all other motor vehicles with a weight of not more than two tons, from the non-accident roster: \$100.00.

(3) For winching: \$37.50 per ½ hour, not to exceed \$112.50.

(4) The labor to right an overturned passenger car, regardless of weight, and all other motor vehicles with a weight of not more than two tons, may not exceed \$75.00.

(5) Storage, whether inside or outside, may not exceed \$35.00 per day up to 40 days.

(6) Heavy duty: for trucks, buses and all other motor vehicles with a weight of two tons or more: \$300.00.

(7) The labor to right an overturned truck, bus and all other motor vehicles with a weight of more than two tons: \$200.00 per truck per hour.

#### 20-19 Review of maximum charges.

A. The maximum charges set forth herein may be reviewed and revised at any time by the Town Board.

B. Upon receipt of a petition signed by at least 51% of the persons currently holding valid towing business licenses, the Town Board shall conduct a public hearing and review the maximum charges set forth herein; however, the Town Board shall conduct no more than one review based upon such a petition in any calendar year.

#### 20-20 Designation of licensees in rotation; posting of roster.

A. The Riverhead Police Communications Division or a duly authorized representative of the Riverhead Police Department shall designate licenses from the accident, non-accident and heavy-duty towing rosters on a rotating basis unless the owner or other person in charge of the motor vehicle requests the services of a specific tow truck operator and provides the police officer at the scene with the correct name or telephone number of the requested tow truck operator. The tow company designated by the owner or person in charge of the motor vehicle must be able to respond to the scene within 30 minutes of the call. If the tow company designated by the owner or person in charge of the motor vehicle can not respond to the scene within 30 minutes, the Communications Division shall have the discretion to select a tow company from the rosters set forth above.

- B. Notwithstanding the fact that the owner or other person in charge of the motor vehicle has requested the services of a specific tow truck operator, if, in the judgment of the police officer at the scene of an accident or disablement, an emergency exists which requires the immediate removal of a motor vehicle which cannot be provided by the requested tow truck operator, the police officer may call the next tow truck operator from the applicable list for the purpose of removing the vehicle from the roadway. In this event, the tow truck operator requested by the owner or other person in charge of the motor vehicle shall pick up the vehicle from the location to which it was moved by the tow truck operator called by the Police Department. The tow truck operator called by the Riverhead Police Department shall be entitled to charge the owner or operator in accordance with the applicable provisions hereof.
- C. The Riverhead Police Department or its authorized representative shall post the accident, non-accident and heavy-duty towing rosters, which have been certified by the Town Clerk, in a public place selected by the Riverhead Police Department.

**20-21 Location for towing and storing motor vehicles.**

- A. Any motor vehicle picked upon in the Town must be removed to a location designated by the owner or the person in charge of the motor vehicle.
- B. When the owner or other person in charge of the motor vehicle does not designate a place to which the motor vehicle is to be towed, in the case of a motor vehicle involved in an accident, which is damaged or disabled and picked up as a result of a call from the accident or heavy-duty roster, such motor vehicle shall be towed to the holding area designated in the licensee's application pursuant to §20-6 E.
- C. Whenever a motor vehicle is towed to the holding area designated in the licensee's application pursuant to §20-6 E or to the depot, garage or auto body shop used by the licensee in connection with his towing business, as indicated on his or her application for a towing license, that motor vehicle must be made accessible to the owner or the person in charge of the motor vehicle, during storage, for the purposes of inspection to ascertain the extent of damage, if any, to that motor vehicle.

**20-22 Refusal to tow vehicle.**

It shall be unlawful for any licensee on the accident, non-accident and heavy-duty towing roster to refuse to tow away a motor vehicle after having appeared on the scene at the request of the Suffolk County Police Department, provided that his equipment is capable of towing the vehicle.

**20-23 Non-assignability of place on roster.**

It shall be unlawful for a licensee to assign his place on the accident, non-accident or heavy-duty towing roster to any other person or licensee on the accident, non-accident or heavy-duty towing roster.

**20-24 Cleaning up of debris.**

A tow truck operator called to the scene of an accident or disablement must clean up any debris, including glass, metal etc., resulting there from to the satisfaction of the police officer on the

scene. Failure to do so shall result in the tow truck operator being removed from the roster and may result in a summons pursuant to Section 1219 of the New York State Vehicle & Traffic Law.

#### **20-25 Accidents requiring more than one tow-truck.**

If more than one tow truck is required at the scene of an accident, the choice of the damaged motor vehicles to be towed shall be determined by the order in which the licensees arrive at the scene, irrespective of the time each was called. Each licensee that appears on the scene shall, however, if requested, assist the police office in clearing the motor vehicles from the road onto the shoulders or side of the road. No additional charges shall be made for this service. No licensee shall forfeit his right to select any particular damaged motor vehicle by virtue of having assisted the police officer in clearing the road.

#### **20-26 Unauthorized towing prohibited.**

It shall be unlawful for any person who is not designated from the accident, non-accident or heavy-duty towing roster to tow away any motor vehicle which has been disabled or involved in an accident, unless such removal is with the consent and by the direction of the police officer at the scene or the owner or person in charge of the motor vehicle.

#### **20-27 Solicitation of towing or repair work at accident scene.**

It shall be unlawful for any person to solicit towing or repair work at the scene of an accident or a location where a motor vehicle is disabled or damaged, or to go to the scene of such accident or disablement for the purpose of soliciting towing or repair work.

#### **20-28 Loss of turn on roster.**

- A. A licensee who cannot be reached when called by the Riverhead Police Department at the telephone numbers provided by him in his application, or who declines to provide services after answering the call, shall lose his turn on the appropriate roster and must wait for that roster to be called in its entirety before he is eligible to be called again.
- B. In any case where a licensee has not arrived at the scene within 30 minutes from the time he receives a call for service from the Riverhead Police Department, or where a licensee arrives at the scene with equipment which in the opinion of the police office on the scene is not adequate to perform the requested services, he shall lose his turn on the appropriate roster and shall not be entitled to receive any charges for responding.
- C. In any case where a tow truck operator requested pursuant to § 20-20 C does not arrive upon the scene within 30 minutes from the time he or she receives a call for services from the Riverhead Police Department, or where he or she arrives on the scene with equipment which in the opinion of the police officer on the scene is not adequate to perform the requested services, the police officer may call a tow truck operator from the appropriate roster and the requested tow truck operator shall not be entitled to receive any charges for responding.
- D. In responding to a call, the truck or company responding must be the truck or company assigned to that spot on the roster. Tow owners may not subcontract to other tow

companies listed on the accident roaster. There is no informal "swapping of tows between operators and any other vehicle other than the tow vehicle assigned to the call who responds is in violation of the Town Code and therefore subject to a fine and/or suspension.

**20-29 Consideration for delivery of disabled vehicle.**

No tow truck operator shall solicit or receive any consideration, premium or other emolument for the delivery of any damaged or disabled motor vehicle to a body shop.

**20-30 Suspension or revocation of license.**

- A. Any license or medallion issued hereunder may be suspended by the Town Clerk for a period to be determined by the Town Clerk after a hearing at which the licensee shall have an opportunity to be heard.
- B. The Town Board may revoke or suspend any license or medallion issued hereto if the licensee shall have been convicted of a violation of any provision of this local law or any provision of the zoning, building or fire prevention laws, rules or regulations of the Town of Riverhead relating to premises used by the licensee in connection with his or her towing business, or who has made a materially false statement or misrepresentation in his application for a license or medallion, or if the Town Board shall determine that the licensee is for any reason an undependable person or is incapable of properly conducting the towing business.

**20-31 Procedure for hearings.**

- A. The Town Clerk shall notify the licensee by registered mail, return receipt requested, that charges have been made against him/her which may warrant a suspension or revocation of the license. The licensee may respond by letter or in person and explain the circumstances of the allegations. If the Town Attorney determines, after hearing both sides, that there may be cause to suspend or revoke the license, he/she shall schedule a hearing before a hearing officer appointed by him/her at a convenient time and place for all parties. The hearing officer shall make a recommendation to the Town Attorney who shall, in turn, make a recommendation to the Town Board. The Town Board shall consider the recommendation and take such action as it sees fit.
- B. Upon any hearing for the suspension or revocation of a license or medallion, the licensee involved shall be entitled to be represented by legal counsel and to present testimony or other evidence in his own behalf as may be relevant to the subject matter of the hearing.

**20-32 Written authorization to tow.**

- A. No vehicle damaged in an accident or otherwise disabled shall be removed without a written authorization signed by the owner or other person in charge of the motor vehicle or, if no such person is present, by the police officer in charge thereof.

B. Such authorization shall contain the following:

- (1) The make, model, year and vehicle identification number of the motor vehicle.
- (2) The name and address of the owner or person in charge of the motor vehicle, if known.
- (3) The name and badge number of the police officer in charge, if applicable.
- (4) The amount charged for the towing and related services.
- (5) The location to which the vehicle will be towed and stored.

C. The signed authorization must be retained by the tow truck operator for a period of six months from the date the vehicle was towed and shall be exhibited upon demand to the owner or person in charge of the motor vehicle and any official of the Town or member of the Riverhead Police Department investigating violation of this local law.

**20-33 Bill for towing and related services.**

A. A tow truck operator shall prepare a bill, the original of which shall be furnished to the owner or the person in charge of the motor vehicle.

B. The bill shall contain the following information:

- (1) The name and address of the tow truck operator.
- (2) The full name and address of the owner or the person in charge of the motor vehicle.
- (3) The name and badge number of the police officer at the scene, if towed at the request of the Riverhead Police Department.
- (4) The make, model, year and vehicle identification number of the motor vehicle.
- (5) An itemization of the charges for towing and related services, broken down, as follows:
  - (a) Towing.
  - (b) Storage, giving dates.
  - (c) Winching.
  - (d) Up-righting of overturned vehicle.
  - (e) Dollying.
- (6) The tow truck medallion number and the licensee's license number, if applicable.

(7) A schedule of the maximum allowable fees as prescribed by § 20-18.

C. The duplicate of each bill shall be retained by the tow truck operator for a period of six months from the date of towing. The bill shall be exhibited upon demand to the owner or person in charge of the motor vehicle and any official of the Town or member of the Riverhead Police Department investigating violations of this local law.

D. Upon payment of the bill, the licensee shall acknowledge, in writing, receipt of the same.

**20-34 Changes in ownership; other changes.**

A. Upon the sale or other disposition of a tow truck for which a medallion was issued, the licensee shall, within five days thereof, notify the Riverhead Police Department, who in turn will notify the Town Clerk, of such sale or other disposition and surrender the medallion.

B. Where a licensee changes its name, location or telephone number, notification thereof shall be given to the Town Clerk within five days thereof.

**20-35 Penalties for offenses.**

A violation of this local law is hereby declared to be a violation, and any person violating the same may, upon conviction, be punished by a fine of not less than \$250 or greater than \$500.

**20-36 Severability.**

If any section, subsection, sentence, clause, phrase or portion of this local law is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this local law.

**20-37 Effective date.**

This Chapter shall take effect July 1, 2007.

3/20/07

# Adopted

## AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS RIVERHEAD SEWER DISTRICT SUPPLY OF BELT FILTER PRESS SYSTEM AND APPURTENANCES

Adopted \_\_\_\_\_

Resolution #266 \_\_\_\_\_

Councilperson COUNCILMAN DENSIESKI 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 March 29, 2007, edition of the The News Review, with regard to receiving bids for the supply of belt filter press system and appurtenances, 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 PREPARED BY FRANK A. ISLER FOR THE RIVERHEAD SEWER DISTRICT

THE VOTE *absent*

Dunleavy  yes \_\_\_ no \_\_\_ Bartunek \_\_\_  yes \_\_\_ no \_\_\_

Blass  yes \_\_\_ no \_\_\_ Densieski  yes \_\_\_ no \_\_\_

Cardinale  yes \_\_\_ no \_\_\_

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

H2M GROUP  
NOTICE TO BIDDERS

The Town Board of Riverhead will receive bids for the following contracts:

**SUPPLY OF BELT FILTER PRESS SYSTEM AND APPURTENANCES**

for the **Replacement of the Belt Filter Press** for the Riverhead Sewer District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, at 11:00 AM prevailing time, on Thursday, April 12, 2007, at which time and place the bids will be publicly opened and read. A separate construction contract will be let in connection with the installation of the system.

Contract documents, including drawings and technical specifications, are on file at the following offices:

Town Clerk, Town of Riverhead  
Town Hall, 200 Howell Avenue  
Riverhead, New York 11901  
(631) 727-3200

Copies of the contract documents may be obtained at the Riverhead Town Hall (Town Clerk's Office) on or after Thursday, March 29, 2007, upon deposit of One Hundred Dollars (\$100.00) in cash, certified check, bank money order or postal money order, made payable to the TOWN OF RIVERHEAD for each set furnished. Deposits for Plans and Specifications will be refunded to Bidders as described in the Information To Bidders section of the Specifications.

Each proposal must be accompanied by a bid bond in the amount of five percent (5%) of the total bid, or a certified check made payable to the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

The right is reserved to reject any or all bids, to waive any informalities, and to accept the lowest responsible bid.

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

ACTING AS THE GOVERNING BODY  
OF THE RIVERHEAD SEWER DISTRICT

BARBARA GRATTAN, TOWN CLERK

3/20/07

# Adopted

## TOWN OF RIVERHEAD

Resolution # 267

### AUTHORIZING THE TOWN OF RIVERHEAD TO ORDER AN APPRAISAL AND RETAIN THE SERVICES OF A STRUCTURAL ENGINEER FOR PROPERTY LOCATED AT 400 WEST MAIN STREET, RIVERHEAD, NEW YORK

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

**WHEREAS**, the Town of Riverhead and its government has steadily expanded in recent years and, as a result, the space currently being utilized by the Town limits the Town's ability to centralize its offices and expand departments, personnel and services; and

**WHEREAS**, in order to accommodate the Town's growth and the Town's desire to increase services and staff for its citizens, the Town Board is desirous of obtaining information necessary to consider purchase of improved real property located at 400 West Main Street, Riverhead, New York;

**THEREFORE, BE IT RESOLVED**, that the Town of Riverhead is authorized to retain the services of an appraiser and a structural engineer for the purposes of providing professional services regarding fair market value and construction inspection of the subject property.

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

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

THIS RESOLUTION  IS  IS NOT  
DECLARED DULY ADOPTED

3/20/07

# Adopted

## TOWN OF RIVERHEAD

Resolution # 268

**ADOPTS LOCAL LAW TO AMEND CHAPTER 3 ENTITLED, "APPEARANCE TICKETS" OF THE RIVERHEAD TOWN CODE**  
**(§3-1. Authorized issuing officers.)**

**COUNCILMAN DUNLEAVY**

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

**COUNCILMAN DENSIESKI**

**WHEREAS**, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 3 of the Riverhead Town Code entitled, "Appearance Tickets" and to post same on the signboard in Town Hall; and

**WHEREAS**, a public hearing was held on the 6th day of March, 2007 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 3 entitled, "Appearance Tickets" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

**THE VOTE**

Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Densieski	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
			Cardinale	<input type="checkbox"/> yes	<input 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 3 entitled, "Appearance Tickets" of the Riverhead Town Code at its regular meeting held on March 20, 2007. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

Chapter 3  
APPEARANCE TICKETS

**§ 3-1. Authorized issuing officers.**

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

- Underline represents addition(s)

Dated: Riverhead, New York  
March 20, 2007

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

**BARBARA GRATTAN, Town Clerk**

March 20, 2007

TOWN OF RIVERHEAD

Adopted

Resolution # 269

ADOPTS A LOCAL LAW AMENDING CHAPTER 47  
ENTITLED "BAYS AND CREEKS" OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to post and publish public notice to all interested persons to consider a local law amending Chapter 47 entitled, "Bays and Creeks" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 6th day of March, 2007, at 7:05 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 47 "Bays and Creeks" 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 shall provide a certified copy of this resolution to the Building Department, Planning Department, the Riverhead Police Department; Conservation Advisory Council, Town Attorney Investigation Unit and the Office of the Town Attorney.

THE VOTE

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

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

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**TOWN OF RIVERHEAD  
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that The Town Board of the Town of Riverhead adopted a local law amending Chapter 47 entitled, "Bays and Creeks" of the Riverhead Town Code at a regular meeting held on March 20, 2007.

A copy of the text of the adopted local law may be reviewed at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, beginning March 21, 2007, between the hours of 8:30 AM and 4:30 PM, Monday through Friday.

**DATED: March 20, 2007  
Riverhead, New York  
BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD  
BARBARA GRATTAN, TOWN CLERK**

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

Chapter 47, BAYS AND CREEKS

§ 47-1. Definitions.

In this chapter, unless the context requires otherwise, the following terms shall have the meanings indicated:

ABANDONED VESSEL – ~~A vessel which is not used or useful~~ boat or floating structure which has been deemed not seaworthy by a Riverhead Town Police Officer, a Riverhead Town Code Enforcement Officer or a Bay Constable, or which has been abandoned for more than thirty (30) days.

COMMERCIAL PURPOSE - The taking of shellfish or finfish for any use or purpose other than for food consumption by ~~the person so taking a resident/taxpayer~~ or by such person's immediate family or household.

COMMERCIAL DOCKAGE – Any catwalk, fixed dock, floating dock, or mooring intended for use other than residential dockage, as defined in this chapter.

ENFORCEMENT OFFICER -- ~~An peace officer~~ designated by the Town Board to enforce this chapter, including ~~the a~~ a Riverhead Town Police Officer, Riverhead Town Code Enforcement Officers or a Bay Constable.

FINFISH – All marine and fresh water fish species including but not limited to blackfish, blowfish, bluefish, striped bass, silversides, killifish, flounder, fluke, alewife, sea bass, porgy, weakfish, menhaden.

MOORING – A stationary stake or anchor intended to secure a vessel when such vessel is not underway.

RESIDENT -- A person who is domiciled within the Town of Riverhead. Domiciled shall include children of those domiciled while such children live temporarily elsewhere pursuing education or are serving in the armed forces.

RESIDENTIAL DOCKAGE – Any catwalk, fixed dock, or floating dock which provides access to the surface waters from a lot used for residential purpose.

SHELLFISH -- Includes oysters, escallops, hard clams, soft clams, razor clams, crabs, shrimp, all kinds of mussels, skimmer or surf clams, periwinkles and conch.

TAKING -- The actual taking or catching, and all lesser acts such as disturbing, or using of any implement or device commonly used to take shellfish or other products of the waters, whether the result is taking or not, and includes every attempt to take.

TAXPAYER -- A person who owns real property as shown on the assessment rolls of the Town of Riverhead but is not a resident as defined herein.

TEMPORARY RESIDENT -- A person who is temporarily visiting and occupying living quarters within the Town of Riverhead for a minimum of ninety (90) days each year. [Amended 6-15-1993]

TOWN WATERS -- Includes all waters and lands below the mean high-water mark in any harbor, bay, pond, lake, creek or river in the Town of Riverhead, ~~as shown on the Bay Bottoms Map on file with the Town Clerk.~~

VESSEL – Any boat or floating structure, whether or not seaworthy.

ARTICLE II, Shellfish and finfish

§ 47-2. Purpose.

The regulations for and control of the taking of shellfish and finfish from the waters and lands under waters in the Town of Riverhead are deemed necessary to protect the propagation of such shellfish and finfish, to preserve public peace and good order and to protect the public health and welfare. These regulations may be superceded by 6NYCRR Part 44 Lobster and Crabs of Environmental Conservation Law.

§ 47-3. Taking of shellfish and finfish ~~restricted~~ restrictions; permits and fees.

A. No person shall take shellfish from town waters unless such person is a resident/taxpayer, as defined herein, and has obtained a permit as prescribed by this chapter. [Amended 6-15-1993]

B. Shellfish may be taken by a resident upon first applying for and obtaining a shellfish permit from the Town Clerk of the Town of Riverhead. There shall be no fee for such permit, and such permit shall expire on the last day of the ~~third~~ year after of the date of issue. [Amended 6-15-1993]

C. Shellfish may be taken by a temporary resident upon first applying for and obtaining a temporary resident permit from the Town Clerk of the Town of Riverhead. The fee for such permit shall be ~~five dollars (\$5)~~ fifteen dollars (\$15) for up to fifteen (15) days, ~~ten dollars (\$10)~~ thirty dollars (\$30) for up to thirty (30) days, ~~twenty dollars (\$20)~~ sixty dollars (\$60) for up to sixty (60) days or ~~forty dollars (\$40)~~ ninety dollars (\$90) for up to ninety (90) days. Permits shall expire on the date marked thereon.

D. Shellfish and finfish may be taken for commercial purposes by a resident/taxpayer over the age of sixteen (16) years upon first applying for and obtaining a commercial permit from the Town Clerk of the Town of Riverhead. The fee for such permit shall be ~~five dollars (\$5)~~ one hundred dollars (\$100) and shall expire on the 31st day of December in the year of issue. A resident under the age of sixteen (16) years may obtain a commercial permit with parental consent. Commercial resident/taxpayer shellfish permits shall only be issued to persons who have met eligibility requirements and who possess a current Shellfish Digger's Permit from the New York State Department of Environmental Conservation which indicates an address in the Town of Riverhead. The NYSDEC permit number(s) must be legibly indicated on each pot or trap intended for commercial use. [Amended 7-7-1987; 6-15-1993]

E. Shellfish may be taken without obtaining a permit hereunder by a guest of a permittee if accompanied by such permittee or by a child under the age of sixteen (16) years who is a member of the immediate family or a resident. A guest shall be deemed to be one (1) person with the permittee for all purposes hereunder. This subsection shall not apply to a commercial permittee. [Amended 6-15-1993]

F. No person shall take shellfish of any kind from the waters of the Town of Riverhead by means of or with the aid of any device or implement commonly used in the art or practice of scuba diving or by means of or with the aid of any device designed to permit submergence beneath the surface of the water beyond normal human capacity.

G. There shall be no spearfishing of any kind within 500 (five-hundred) ft. of any public swimming area.

§ 47-4. Permit applications.

A. Any person qualified as set forth may obtain a permit for taking shellfish and setting of nets and fykes from the waters or lands under the waters of the Town of Riverhead by making an application therefor and paying the fee as set forth above. [Amended 6-15-1993]

B. Such application shall be made in duplicate, in writing, in the form prescribed by the Town Clerk and shall state:

- (1) The applicant's name.
- (2) The applicant's residence with street and number, if any.
- (3) The length of time of the applicant's resident residence in the Town of Riverhead.
- (4) The applicant's age, sex, height and color of eyes and hair.
- (5) The applicant's domicile outside the Town of Riverhead with street and number, if any.
- (6) The applicant's real property owned in the Town of Riverhead with street and number, if any.
- (7) Any permits issued hereunder shall become void if the holder ceases to be a resident/taxpayer or temporary resident. [Amended 6-15-1993]

C. Permits shall be in the form prescribed by the Town Clerk and shall contain the matters set forth upon the application. The original application shall be filed in the Town Clerk's office and a duplicate application in the office of the Riverhead Town Police and a duplicate application in the office of the Town Supervisor. Permits shall not be transferable, and any person engaged in taking shellfish from the waters and lands under waters of the Town of Riverhead shall be obligated to disclose his name, address and current permit number to any enforcement officer. Failure to do so shall be presumptive evidence that such person has not obtained such permit.

§ 47-5. Hard clams.

A. No clams shall be taken from town waters between the hours of sunset and sunrise.

B. Hard clams measuring less than one (1) inch in thickness shall be returned immediately to the waters of the place where taken.

C. No hard clams shall be taken from the bottom of the waters of the Town of Riverhead by any tool, instrument or device, except the common rake and tongs used and operated by hand alone.

D. No hard clams shall be uncovered or located by any mechanically operated or power-driven propeller or by any other mechanically operated or power-driven device or means, and no cover, whether plant life or bottom material, shall be removed by any such mechanically operated or power-driven propeller or by any such other mechanically operated or power-driven device or means.

§ 47-6. Soft clams.

A. No clams shall be taken from town waters between the hours of sunset and sunrise.

B. Soft clams measuring less than one and one-half (1 1/2) inches in length shall be returned immediately to the waters of the place where taken, except for propagation purposes in town waters, and this may be done only after a written permit therefor has been granted by the Town Board upon written application therefor, subject to the supervision the Town Board or a committee thereof.

§ 47-7. Conch pots. [Amended 6-15-1993]

A. Conch pots shall not interfere with designated channels of navigation.

B. No commercial conch pots or other similar commercial pots shall be set in the waters of the Town of Riverhead without a commercial resident/taxpayer permit.

C. The placement of more than five (5) pots by any single individual

resident/taxpayer in the waters of the Town of Riverhead shall be considered the taking of conchs for commercial purposes.

§ 47-8. Crabs. [Amended 6-15-1993]

A. No person shall take female crabs bearing eggs visible thereon from town waters nor offer for sale or possess the same within the Town of Riverhead.

B. Crab traps shall not interfere with designated channels of navigation.

C. No commercial crab traps or other similar commercial trap shall be set in the waters of the Town of Riverhead without a commercial resident/taxpayer permit.

D. The placement of more than five (5) traps by any single individual resident/taxpayer in the waters of the Town of Riverhead shall be considered the taking of crabs for commercial purposes.

E. Crabs may be taken with a dredge, such dredge having an opening at the mouth not to exceed thirty six (36) inches in width, when towed by a boat operated by mechanical power or other means, provided that such dredge is brought aboard by hand power without the use of mechanical power.

F. Notwithstanding any other provisions of law, no person shall take blue claw crabs less than five (5) inches in length from point to point by any means from the Town waters.

G. A commercial permittee shall have no limit on the number of blue claw crabs that may be taken per day. All other permittees may take up to thirty (30) blue claw crabs per day.

§ 47-9. Escallops.

A. Escallops may be taken with a dredge or scrape, having an opening at the mouth not to exceed thirty-six (36) inches in width, when towed by a boat operated by mechanical power or other means, provided that such dredge or scrape is brought aboard by hand power without the use of a mechanical device, only from the bottom of the following-described waters within the Town of Riverhead. [Amended 6-15-1993]

B. No escallops shall be taken from town waters between the hours of sunset and sunrise.

C. Escallops may be taken from the town waters of the Town of Riverhead during the period ~~from the first Monday in October to March 31, both inclusive, in each year specified by the New York State Department of Environmental Conservation. The Town reserves the right to annually evaluate and modify the period during which escallops may be taken provided that such dates are inclusive of the dates specified by the NYSDEC.~~ Bay escallops shall not be taken on Sundays by use of a dredge or other device operated by power. [Amended 6-15-1993]

D. Only bay escallops having an annual growth line or measuring not less than two and one-fourth (2 1/4) inches from the middle of the hinge to the middle of the bill may be taken. Bay escallops which do not meet the requirements of this subsection shall be returned immediately to the water where taken.

E. The provisions of this section shall not apply to Private Grants or assignments on deeded bay bottom lands in the Town of Riverhead which are used for aquaculture purposes and are permitted by the New York State Department of Environmental Conservation to use mechanical means for harvesting.

§ 47-10. Oysters.

A. No oysters shall be taken from the bottom of the waters of the Town of Riverhead by any dredge or mechanical device operated or powered either by sail or by an engine or motor.

B. No oysters shall be taken from the bottom or from any object affixed or appended to the bottom of the waters of the Town of Riverhead between the hours of sunset and sunrise.

§ 47-11. Shellfish predators.

Starfish, drills, drum fish and moon snails, when taken, shall not be returned alive to the waters of the Town of Riverhead.

§ 47-12. Shrimp.

No shrimp shall be taken from the waters of the Town of Riverhead by the use of any dredge, except by the light shrimp dredge and except by the minnow seine.

§ 47-13. Town Board authorized to amend equipment and limits.

A. The Town Board is hereby authorized, from time to time, to modify, amend or change the method or equipment used in taking shellfish whenever, in its discretion, it deems it necessary to protect shellfish propagation or if shellfish are in short supply or their existence in town waters is endangered, upon giving ten (10) days' notice in the several newspapers in the Town of Riverhead.

B. The Town Board is hereby authorized, from time to time, to increase or decrease the limits on shellfish to be taken in one (1) day whenever, in its discretion, it deems it necessary for the protection of shellfish in town waters, upon giving ten (10) days' notice in the several newspapers in the Town of Riverhead.

§ 47-14. Limits for taking shellfish.

The limits for taking shellfish shall be as follows:

A. Escallops.

(1) Commercial resident/taxpayer permittees may take ~~ten (10)~~ five (5) bushels per day. Two (2) or more such persons occupying the same boat while taking escallops may take, in the aggregate, not more than ~~twenty (20)~~ ten (10) bushels in one (1) day.

~~(3)~~(2) All other permittees may take individually one (1) bushel per day.

B. All other shellfish as defined herein, except escallops.

(1) Commercial residential/taxpayer permittees: ~~no limit of five (5) bushels.~~

(2) All other permittees may take individually one-half (1/2) bushel of combined shellfish, of which no more than one hundred (100) may be hard clams.

C. Whenever the total catch on board a vessel exceeds the authorized limit, all persons on board shall be deemed in violation.

§ 47-15. Enforcement.

This chapter shall be enforced by any duly constituted law enforcement agency having jurisdiction within the Town of Riverhead.

ARTICLE III, General Provisions

§ 47-16. Nets and fykes.

A. No person shall set, draw or cast any nets or seines in any of the freshwater ponds or streams within the Town of Riverhead.

B. No resident shall cast, draw or cast any nets, seines or other devices for the commercial purpose of taking fish from the waters of the Town of Riverhead without first

obtaining a commercial resident/taxpayer permit. [Amended 6-15-1993]

C. A resident may cast, draw or set a seine, limited in size to fifty (50) feet or less, or other device for the purpose of taking nonedible fish from the waters as shown on the official map filed with the Town Clerk. [Amended 6-15-1993EN]

D. No dock, ~~mooring~~, pile, structure, fishpond or fyke shall be placed in the waters of the Town of Riverhead unless duly authorized by a written permit of from the Town Board of Riverhead.

E. No net, seine or other device shall be placed in any channel in the waters of the Town of Riverhead.

F. No fish traps or pounds shall be placed in the waters of the Town of Riverhead at any time, with the exception of fykes, which may be set in any season, and all such fykes shall conform to the following requirements:

(1) Hoops shall be not over five (5) in number or more than approximately three (3) feet in diameter.

(2) Wings shall be straight and not more than twelve (12) feet in length, each.

(3) Leaders shall be not over twenty (20) fathoms in length.

(4) Stakes shall be not over five (5) in number.

G. The number of fykes which may be set by any one (1) person between May 1 and September 30, both inclusive, in each year, shall be no more than two (2), and each fyke shall bear the name of the owner thereof.

H. Commercial resident/taxpayer fishing permit. A commercial resident/taxpayer shellfish permit issued pursuant to the provisions of § 47-3 shall constitute a valid commercial fishing permit. [Added 6-15-1993]

§ 47-17. Dragging or dredging.

A. No person shall, by the use of any trawl, scoop, net or similar device, while the same is attached or fastened in any manner to any boat, float or device, pull, drag, shove or move in any manner so as to disturb, scrape or move any lands or the surface of any lands under any of the waters of the Town of Riverhead. This regulation shall apply whether or not any mechanical power is actually employed to move any such trawl, scoop or net.

B. Nothing herein contained shall be construed to apply to a bona fide dredging service while engaged in any work duly authorized by permit from the Town Board, to any bona fide haul seine not in excess of fifty (50) feet in length or to the taking of eels by a mechanically operated eel spear. [Amended 6-15-1993]

C. No person shall pull, drag, shove or move any device in such manner so as to disturb any lands and the surface thereof under the waters of the Town of Riverhead.

§ 47-18. Eel dredges. [Amended 6-15-1993]

A. Eel pots shall not interfere with designated channels of navigation.

B. No commercial eel pots or other similar commercial trap shall be set in the waters of the Town of Riverhead or eels taken from the waters of the Town of Riverhead without a commercial resident/taxpayer permit.

C. The placement of more than five (5) pots by any single individual resident/taxpayer in the waters of the Town of Riverhead shall be considered the taking of eels for commercial purposes.

D. Between April 1 and November 15, both inclusive, no eels, fluke, flounders or

fish shall be taken from the bottom of or caught from the waters as shown on the Official Map as filed with the Town Clerk by the so-called eel dredge, comb, or by any mechanical device operated either by sail or power gas engine or electric motor.

E. notwithstanding any other provisions of this chapter, no person shall take elvers (juvenile eels) by any means from any Town waters. Size limits for elvers shall be established by the New York State Department of Environmental Conservation.

§ 47-19. Derelicts.

A. No person shall abandon any vessel in any of the waters of the Town of Riverhead.

B. Any abandoned vessel shall be removed ~~by the Town Board~~ at the direction of a Town of Riverhead enforcement officer at the expense of the owners and shall be destroyed or sold to defray any expenses in connection with the removal or salvage of any abandoned vessel.

C. Any deteriorated or unsafe docks, bulk heading or spilings as determined by the Town Engineer, shall be removed ~~at by the Town Board~~ direction of a Town of Riverhead enforcement officer at the expense of the owners.

~~D. The term "vessel," as used herein, shall mean any boat or floating structure, whether seaworthy or wrecked, which shall be left anchored or unattended in the waters of the Town of Riverhead for a period of 90 days.~~

~~E D.~~ Notice of intention to remove or dispose of any abandoned vessel or deteriorated dock shall be given by mail to any known or reputed owner at the last known address of said owner and by publishing a notice of intention to remove and dispose of any abandoned vessel in ~~at least one~~ the official newspaper ~~published in~~ of the Town of Riverhead at least 10 days in advance of such removal and disposition.

E. Manner of assessment of cost of removal or disposal.

In any case where it shall be necessary for the Town Board to have work performed due to the failure of the owner of said abandoned vessel or deteriorated or unsafe dock, bulkheading or spilings to comply with the Town Board's resolution, the Town shall be reimbursed for the cost of the work performed or the services rendered at its direction by assessment or levy upon lots or parcels of land where such work was performed or such services rendered. So much of the actual cost as was actually incurred upon each lot or parcel and the change therefore shall be assessed and collected in the same manner and in the same time as other ad valorem town charges.

§ 47-20. Bays and ponds. [Amended 6-15-1993]

No person shall dam, open up or drain, in any manner whatsoever, any of the bays, ponds or streams within the boundaries of the Town of Riverhead unless duly authorized by written permit, after application and public hearing thereon of the Town Board.

§ 47-21. Docks, moorings, basins and ramps. [Amended 9-3-2003 by L.L. No. 18-2003]  
Purpose.

There has been a significant increase in the applications for and the numbers of fixed and floating piers, and docks accessory to upland residential and other uses. Most of these structures and the uses they support are on and in publicly owned land and waters and always have some effect on physical, biological, ecosystem functions and values, development patterns and the aesthetic character of the area. Therefore it is essential to regulate the type and placement of such structures.

The Town Board declares that it is necessary to regulate the type and placement of fixed and floating piers, moorings and docks, for the protection, preservation, proper maintenance and use of its waters and wetlands. Therefore fixed and floating piers, moorings and docks shall be regulated in order to maintain and contribute to the following resource area values and the attributes and functions they possess: erosion and sedimentation control; storm damage prevention; water pollution control; fisheries; shellfish, including spawner sanctuaries; wildlife habitat; agriculture; aesthetics; and recreation. In addition, the following resource area values also shall be maintained and protected including: protection and enhancement of existing vegetation cover in order to maintain water quality and wildlife habitat; protection of wildlife, waterfowl, and plant habitat and the maintenance of existing populations and species diversity; prevention of loss or degradation of critical life wildlife and plant habitat; navigation; public access to water and land; and the minimization of the impact of new development, reconstruction and/or expansion on the resource area values listed above.

~~A. No dock, basin or ramp owned, controlled or operated by the Conservation Advisory Council shall be used by persons other than residents of the Town of Riverhead.~~

B A. No person shall place any obstructions or place, pile or store any nets, boxes, bait cars or fishing equipment or gear whatsoever upon any dock, wharf or pier or highway owned, controlled or operated by the Conservation Advisory Council Town of Riverhead so as to obstruct pedestrian or vehicular traffic on the public right of way.

C B. It shall be the policy of the Town of Riverhead that all moorings, docks and appurtenant structures shall be designed, constructed, and located so as to reduce potential adverse impacts to natural resources and habitats, navigation, public safety, waterway congestion, and access to public lands and water.

D C. The standards for a residential dock shall be as follows:

(1) In no case shall the length of the dock exceed 150 feet in length or exceed 15% of the width of the waterway, whichever meets the minimum three-foot low water depth;

(2) Only one dock may be constructed on a residential lot that has a riparian right. A waiver to this provision may be granted where a single dock is proposed for common use by a maximum of three adjacent property owners;

(3) A residential dock and associated mooring piles must be configured so that no more than three vessel berths are created for each residential lot with riparian rights;

(4) The dock and any appurtenant structure, or any vessel tied to the dock, may not be located within or impinge upon that area located within 10 feet of the seaward extension of any property line;

(5) The width of a catwalk or dock may not exceed four feet and must be elevated a minimum of four feet above the mean high water mark and a minimum of four feet above grade when traversing any tidal or freshwater wetlands, as identified by the Wetland Inventory Maps for the Town of Riverhead, or those freshwater or tidal wetlands identified on maps prepared for the New York State Department of Environmental Conservation;

(6) The width of any single float may not exceed six feet in width nor 20 feet in length and shall be secured or installed in such a manner that the float shall not rest on the bottom of the water body at any time during the tidal cycle.

E D. The standards for commercial docks shall be as follows:

- (1) In no case shall the dock length, excluding that portion landward of the apparent mean high water mark, be in excess of 150 feet nor exceed 30% of the width of the waterway, whichever is less;
- (2) The width of a catwalk or dock may not exceed eight feet and must be elevated a minimum of four feet above grade when traversing any tidal or freshwater wetlands;
- (3) The width of any single float may not exceed eight feet in width and shall be secured or installed in such a manner that the float shall not rest on the bottom of the water body at any time during the tidal cycle;
- ~~(4) All commercial docking facilities which provide fuel to vessels or provide 75 or more docking slips must also provide pump-out facilities for vessel sanitary waste;~~
- (5)(4) A permit for the commercial operation of docking facilities must be applied for on an annual basis. The fee for this permit shall be \$10 per berth, with a minimum fee for this permit of \$50 and a maximum fee of \$200;
- ~~(6)~~(5) A certificate of insurance indicating a minimum liability coverage of \$1,000,000 must be placed on file with the Town each year of operation.

**F E. Safety requirements for private and commercial docks.**

- (1) All electrical installation must comply with the National Electric Code (NEC) and must be inspected and approved by a representative of the Town of Riverhead Building Department;
- (2) An appropriate fire extinguisher must be permanently affixed to the dock during the boating season and located within 75 feet of any boat;
- (3) The storage of fuel on a dock is prohibited;
- (4) A permit issued by the Fire Marshal or by the Bay Constable is required for the purpose of mobile fueling of a vessel. This permit shall specify the date and the time when the fueling is to be scheduled.
- (5) All commercial or private docking facilities which provide fuel to vessels or provide 75 or more docking slips must also provide pump-out facilities for vessel sanitary waste;

**G F. Standards for boat moorings.**

- (1) No boat mooring or dock shall be located within the lines of any navigation channel, be located within 50 feet of any channel marker or so as to interfere with the full use of such channel, nor shall any mooring or dock be located within 100 feet of any municipal dock.
- (2) No mooring shall be placed within fifty (50) feet of the low tide line of any shore within the Peconic Estuary.
- (3) No mooring, spile, or structure shall be placed in any legally, commercially leased lands dedicated to the purposes of aquaculture.
- (4) No iron post, engine block, cement block, etc. shall be allowed as a mooring anchor. Anchoring for a mooring must be either a wooden stake, a mushroom anchor, or other device designed specifically for boat mooring of a weight prescribed by the Bay Constable. Moorings shall conform in design and shall be installed in accordance with the standards and guidelines outlined in "Chapman's Piloting Seamanship and Small Boat Handling."
- (5) No mooring shall be allowed for any vessel in excess of twenty-six feet (26') in length on any creek, pond, embayment or harbor on the Peconic Bay Estuary.
- (6) No mooring shall be placed so as to interfere with the sweep area of any other moored

boat.

H G. The disturbance of natural vegetation and topography during construction activities shall be minimized to the greatest degree possible. To this end, project-limiting fencing, siltation mesh, straw bales or similar devices for controlling land disturbances and retarding erosion and siltation shall be required during construction and during any clearing or grading of land preparatory to or associated with construction activities.

~~I H.~~ No permit from the ~~Conservation Advisory Council Town Board~~ which is required for projects or activities in tidal waters shall allow the use of wood which has been treated with commercial copper quat (ACQ), pentachlorophenol, or creosote. Wood treated with copper chromated arsenate (CCA) may be used for pilings and framing only. All planking ~~and framing~~ must be constructed of material alternative to CCA-treated wood. In determining whether no reasonable alternative to the proposed construction material exists, the Conservation Advisory Committee shall take into account the cost of alternative materials, their suitability for the intended use (eg., structural integrity) and any environmental benefit to using alternative materials. The provisions of this section are subject to modifications as determined by the New York State Department of Environmental Conservation.

~~J I.~~ Dock flotation billets must be constructed of durable and acceptable material.

~~K J.~~ The Town shall have the right to seek removal of any dock which has been constructed or placed without a permit or is in violation of the standards and/or restrictions set forth in this section.

~~L K.~~ In considering the issue of a permit by the ~~Conservation Advisory Council Town Board~~, the following impacts shall be weighed:

- (1) The effects upon safe navigation;
- (2) The potential for interference with public use of waterways for swimming, boating, fishing, shell fishing, waterskiing and the like;
- (3) The potential for interference with transit by the public along the beaches or foreshore;
- (4) Whether or not the structure will significantly impair the use or value of waterfront property adjacent or near to the dock;
- (5) The potential for degradation of surface water quality;
- (6) The potential for destruction of beds of eel grass (*Zostera marina*) or shellfish;
- (7) The potential for unduly restricting tidal flow or water circulation; and
- (8) The possibility of despoiling views from public parklands or roadways.

~~M L.~~ Any dock which received a DEC permit prior to the filing of the local law amending this chapter shall be grandfathered from the provisions herein.

~~L M.~~ Locations of tidal wetlands, creeks water bodies and bays regulated by this section of the Town Code are as follows, but not to be exclusive of:

- (1) East Creek
- (2) Baiting Hollow Marsh
- (3) Meeting House Creek
- (4) Moose Landing Pond at Pier Avenue
- (5) Reeves Creek
- (6) Sawmill Creek
- (7) Terry's Creek

- (8) Peconic River
- (9) Wading River Creek
- (10) Great Peconic Bay shoreline (fifteen-hundred feet) 1500' seaward from mean high water
- (11) Flanders Bay
- (12) Cases Creek
- (13) Wading River/Mill Creek
- (14) Fresh Pond.

§ 47-22. Leases for bay bottomland.

No leases shall be granted for any bay bottomlands underwater, except upon special permit as provided in Chapter 108 of the Riverhead Town Code granted by the Riverhead Town Board. In addition to the special permit requirements of Chapter 108, the Town Board shall refer each lease application to the Riverhead Conservation Advisory Council for its review and recommendations.

§47-23. Permits and applications.

A. No person shall dig, dredge or change the bottom of any of the waters in the Town of Riverhead nor drive or place therein any bulk heading, dock, mooring or obstruction nor deposit any material whatsoever nor empty any drain or sewage in said waters nor dig any boat channel or ~~basin~~ basin in any upland to afford access to any of said waters nor cause the same to be done unless authorized by a permit issued by the ~~Riverhead Conservation Advisory Council~~ Town Board.

~~B. No permit shall be issued by the Riverhead Conservation Advisory Council for any of the purposes described in Subsection A hereof, except upon a written application in the following general form:~~

~~Instructions: No application will be considered unless accompanied by maps or sketches acceptable to the Town Board of the Town of Riverhead showing exact location and size of property in Riverhead Town at the waterfront and adjoining neighbors as required by the rules of said Town Board.~~

~~C. This application shall be signed by the owner of the property to be benefited, improved or in any manner served by the project for which a permit is sought or by the person, firm or corporation by whom the work is to be performed acting as agent for the owner of the land.~~

~~D. Unless the application is for the purpose of obtaining a permit to dredge, the last paragraph of this application is inapplicable. Applicants are advised that while the permit of this Board to dredge, erect a dock or bulkhead is necessary, a permit must be obtained from the Department of the Army, New York District Corps of Engineers, if in navigable or channel waters. A permit may also have to be obtained from the building department of the local municipality having jurisdiction.~~

§ 47-24. Form of applications.

~~A. The application for a permit shall also contain the following:~~

~~To the Town Board of the Town of Riverhead [complete either (a) or (b)]~~

~~(a) The undersigned owner (name) of (address).~~

~~(b) The undersigned agent (name of agent) of (address of agent), agent for (owner's name) of (owner's address), does hereby make application for a permit to do work as follows: (state character and description of work).~~

~~The undersigned has read the rules of the Town Board as set forth on the reverse side hereof and is familiar with the same and agrees to fully comply with all provisions thereof and has signed the reverse side hereof as part of this application. The undersigned further agrees to promptly place and maintain any signs required by said Town Board's rules and, upon failure to do so, authorizes said trustees, their employees or agents to obtain, place and maintain the same with the right to recover the cost of making, placing and maintaining such signs.~~

~~Date: (date)~~

~~(signature of owner or agent)~~

~~Applicant~~

~~B. Any permit issued by the Riverhead Conservation Advisory Council pursuant to the provisions of this Article shall be in the following form:~~

~~Permit No.: Amount of fee received (amount). Person to whom permit was sent (name).~~

~~An application having been made to this Town Board of the Town of Riverhead by (owner) or (name of individual acting as agent) or (owner) residing at (address) for a permit to (description).~~

~~Permission is hereby granted to perform or install said work subject at all times to the plans of maps filed with this Board and the rules of this Board now in force or hereinafter enacted.~~

~~This permit may be terminated at any time by the Town Board if the holder ceases to be a resident, temporary resident or taxpayer. No work shall be done after the date of termination. This permit is made in duplicate, and, in the event of any discrepancy between the copy and the files of this Board and the copy held by the applicant, the copy so filed shall control. No permit shall be valid unless signed by the authorized officers of this Board and sealed with its Seal.~~

~~Dated: Riverhead, New York, this \_\_\_\_ day of \_\_\_\_\_,~~

~~19\_\_~~

A. The application for a permit shall comply with the directions and standards for a "Chapter 47 and/or Chapter 107 Conservation Advisory Council Application for Permit (CAC-1)."

B. The Director of the Planning Department shall retain the original permit application for his/her files and distribute one copy each to the Town Board, the Conservation Advisory Council and all other involved agencies.

C. The Conservation Advisory Council shall review all completed permit applications and provide a written report decision to the Town Board, other involved agencies, and the applicant stating its findings and conclusions, within thirty-five (35) days of its receipt of said application. However, such thirty-five (35) day time period shall not apply where an environmental impact statement is to be prepared by the applicant, in which case said sixty-day (60) period shall not commence until a final environmental impact statement has been accepted by the lead agency exercising jurisdiction over the project.

D. The Conservation Advisory Council determination(s) shall be binding unless modified by the Town Board within 15 days of submittal by the Conservation Advisory Council to

the Town Board. Such fifteen-day period shall commence upon the lapse of three days from mailing of a copy of the decision of the Conservation Advisory Council to the applicant or service upon the Town Board, whichever shall be later. If either the applicant or the Town Board desires a modification of the determination(s) of the Conservation Advisory Council, a public hearing shall be held upon prior reasonable public notice published in the official newspaper of the Town, and the Town Board shall hold a public hearing on the permit application. The Town Board shall, after the required public hearing, then render a decision to deny, approve or approve with conditions the permit application. In rendering a decision of approval, approval with conditions or denial of a permit, the Town Board shall state, in writing, its findings of fact and conclusions. The decision shall be transmitted to the Town Clerk, who will advise the applicant of such decision by transmitting a copy of the permit application to the applicant, together with the decision and conditions, if any, imposed by the Town Board attached.

E. The decision of the Town Board regarding a permit application shall be judicially reviewable.

F. Based upon the proceedings and decision of the court in the event a taking is declared, the Town may, within the time specified by the court, elect to:

(1) Institute condemnation proceedings to acquire the applicant's land in fee by purchase at the fair market value.

(2) Approve the permit application with lesser restrictions or conditions.

(3) Invalidate all conditions and the application of this chapter to the applicant's land and grant a permit without conditions.

G. The permit holder or his agent shall keep posted, in a conspicuous place on the work site, the permit card and shall keep the same posted until completion of the work.

H. Operations conducted under the permit shall be open to inspection at any time by any agency or agent of Riverhead Town.

I. The location and boundaries of the proposed project must be clearly indicated in the field for the purposes of inspection by any agency or agent of Riverhead Town.

J. The permit application fee is one hundred dollars (\$100); A maximum penalty of three hundred dollars (\$300), in addition to the regular permit fee, may be levied for any applicant who commences construction prior to the issuance of a permit from the Town of Riverhead.

(Seal)

#### ~~TOWN BOARD OF THE TOWN OF RIVERHEAD~~

~~Town Supervisor~~

~~C. All applications for permits and all permits shall contain on the reverse side thereof such rules of the Town Board regulating the purpose or purposes for which any such permits may be issued, as said Town Board shall from time to time adopt and enact.~~

§ 47-25. Termination of permit.

A. The permit is void if not used within one (1) year from the date of issue.

B. Any permits issued hereunder shall become void if the holder ceases to be a resident, temporary resident or taxpayer in the Town of Riverhead.

C. No extension of this permit shall be granted, except for good cause shown and upon written application. All permits are revocable by order of the Town Board.

#### ARTICLE IV, Penalties

§ 47-26. Penalties for offenses. [Amended 6-15-1993]

~~Any person who shall violate any of the above provisions of these regulations shall be liable to a penalty of no more than two hundred fifty dollars (\$250.), and each and every violation of said provisions shall constitute a separate violation for which a separate penalty of two hundred fifty dollars (\$250.), may be recovered in the same action. Nothing herein contained shall prevent, impair or deny the maintenance of any action or proceeding to compel compliance with or restrain by injunction any violation of these rules.~~

A. Any person, association, firm or corporation which violates any provision of this chapter or assists in the violation of any provision of this chapter shall be guilty of a violation, punishable:

(1) By a fine of not less than two hundred fifty dollars (\$250) and not exceeding one thousand dollars (\$1000) or by imprisonment for a period not to exceed fifteen (15) days, or both, for conviction of a first offense.

(2) By a fine of not less than one thousand dollars (\$1000) nor more than three thousand dollars (\$3000) or by imprisonment for a period not to exceed fifteen (15) days, or both, for conviction of the second of two offenses, both of which were committed within a period of five (5) years.

(3) By a fine of not less than two thousand dollars (\$2000) nor more than five thousand dollars (\$5000) or by imprisonment for a period not to exceed fifteen (15) days, or both, for conviction of the third or subsequent offenses of a series of offenses, all of which were committed within a period of five years.

B. Each week's continued violation shall constitute a separate and additional violation.

#### ARTICLE V, Severability

§ 47-27. The provisions of this ordinance are declared to be severable. If any section, sentence, clause or phrase thereof shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

3/20/07

TOWN OF RIVERHEAD

Adopted

Resolution # 270

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

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

**WHEREAS**, on February 22, 2007, Our Redeemer Lutheran Church of Aquebogue had submitted a Chapter 90 Application for the purpose of conducting a carnival and flower sale to be located on their property located at 269 Main Road, Aquebogue, New York, on May 10<sup>th</sup> through and including May 13<sup>th</sup>, 2007, between the hours of 12:00 noon and 11:00 p.m.; and

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

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

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

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

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

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

**RESOLVED**, that the application of Our Redeemer Lutheran Church of Aquebogue for the purpose of conducting a carnival and plant sale to be located on their property located at 269 Main Road, Aquebogue, New York, on May 10<sup>th</sup> through and including May 13<sup>th</sup>, 2007, between the hours of 12:00 noon and 11:00 p.m., is hereby approved; and be it further

Z:\Laura Calamita\chap90\church.res.doc

THE VOTE

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

THE RESOLUTION  WAS  WAS NOT THEREFORE DULY ADOPTED

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

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

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

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

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

3/20/07

# Adopted

Town of Riverhead

Resolution # 271

**GRANTS TIMOTHY HILL CHILDREN'S RANCH AN EXEMPTION FROM REAL PROPERTY TAXES FOR THE 2004-2005 ASSESSMENT ROLL**

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

**WHEREAS**, the Timothy Hill Children's Ranch, which owns Suffolk County Tax Map number 0600-84-2-35 ("Subject Parcel"), is a New York State not-for-profit corporation entitled to certain real property tax exemptions pursuant to New York State Real Property Tax Law Article 4, Section 420-b; and

**WHEREAS**, the New York State Legislature passed an Act known as Chapter 293 of the Laws of 2006 authorizing the Town of Riverhead to accept and review an application for an exemption from real property taxes pursuant to New York State Real Property Tax Law Article 4, Section 420-b for the 2004-2005 assessment roll for the Subject Parcel as if said application had been received on or before the taxable status day for the 2004 tax rolls; and

**WHEREAS**, the Timothy Hill Children's Ranch has submitted the attached Affidavit whereby they establish that they are entitled to an exemption for the 2004-2005 assessment roll, pursuant to New York State Real Property Tax Law Article 4, Section 420-b; and

**WHEREAS**, the Timothy Hill Children's Ranch has not paid their taxes due for the 2004-2005 assessment roll in the amount of \$9,661.40, which does not include interest and fees; and

**WHEREAS**, the granting of said exemption for the 2004-2005 tax roll would result in a chargeback of taxes by the County of Suffolk to the Town of Riverhead.

**NOW THEREFORE BE IT HEREBY RESOLVED**, that pursuant to a special Act of the New York State Legislature, the Board of Assessors is authorized to accept and review an application for an exemption from real property taxes pursuant to New York State Real Property Tax Law Article 4, Section 420-b for the 2004-2005 assessment roll for the Subject Parcel; and be it further

Z:\Laura Calamita\reso\TimHillexempt.reso.doc

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

**RESOLVED**, the Board of Assessors is also authorized to grant exemption from all eligible taxation; and be it further

**RESOLVED**, that the Town of Riverhead accepts a chargeback in taxes from the County of Suffolk for the Subject Premises in the amount not to exceed \$9,661.40 pursuant to New York State Real Property Tax Law Article 4, Section 420-b; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Timothy Hill Foundation Inc., 298 Middle Road, Riverhead, New York, 11901; Diane Stuke, Suffolk County Treasurers Office, 330 Center Drive, Riverhead, New York 11901; the Board of Assessors; the Office of the Town Attorney and the Tax Receiver.

3/20/07

Adopted

ORDER ESTABLISHING  
EXTENSION TO THE RIVERHEAD SEWER DISTRICT  
TO BE KNOWN AS BLACKMAN PLUMBING SUPPLY CO., INC.

Resolution # 272

Adopted \_\_\_\_\_

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

WHEREAS, by letter and report dated January 4, 2007, H2M, consulting engineers to the Riverhead Sewer District did prepare a report detailing the necessary measures and costs associated with extending the district for construction of sewer mains and appurtenances and improvement of the West Main Street pump station, to be known as the Blackman Plumbing Supply Co., Inc. extension, and

WHEREAS, a map and plan detailing the proposed extension has been prepared by H2M, consulting engineers to the Riverhead Sewer District, which is currently on file with the Riverhead Town Clerk, and

WHEREAS, the maximum amount to be expended for the extension is \$\$200,000, to be paid by the applicant, with a no-net nitrogen fee at \$6.50 per gallon calculated on the estimated flow of \$2,500 gallons per day to be paid by the applicant in the amount of \$16,250, and

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

WHEREAS, the Town Board called a public hearing for 6<sup>th</sup> day of March, 2007, which hearing was held and all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board, upon the proceeding and record of the hearing had herein, determines that the extension to the Riverhead Sewer District to be known as the Blackman Extension as shown on Exhibit A attached is in the best interest of the District and will benefit the property to be served, and

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

the environment, and

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

BE IT FURTHER RESOLVED, that the cost of the installation of the extension is \$200,000, all being constructed subject to the following conditions:

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

2. The developer will deposit cash, bank or certified check with the Town of Riverhead prior to the award of the bid covering the cost of construction in the amount of \$200,000, before this resolution shall become a final order. After the deposit of all costs in the aforesaid amount, the Clerk shall certify this resolution as a final order and cause the same to be recorded and filed as set forth below; and

3. No-net nitrogen fee of \$16,250 to be paid by the applicant by bank or certified check to the Town of Riverhead prior to the award of the bid; and

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

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

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

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

THE VOTE

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

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

*absent*

The Blackman property is located on the north side of West Main Street approximately 650 feet west of the intersection with Raynor Avenue. As noted above it presently consists of five (5) tax map parcels. The total size of the property is 3.87 acres. As per the proposed plan (Exhibit I) these parcels will be merged and all but one (1) of the existing structures will be demolished to make room for a new warehouse/office/showroom facility.

The merger of these five parcels will result in the situation where the existing Sewer District Boundary bisects the new lot thru existing lot no. 4. To eliminate this condition, the Sewer District Boundary will be extended approximately 315 feet westerly, along the northern right-of-way of N.Y.S. Route 25, to the southwest corner of lot no. 1; thence, approximately 431 feet northerly along the west property line of lot no. 1, to the north west corner of lot no. 1; and thence, approximately 290 feet easterly along the north property line of lots no. 1 and 4, to the intersection with the existing Sewer District Boundary.

The size of the new facility will be 52,200 S.F. with 2,400 S.F. allocated for office space, 3,000 S.F. for a showroom and 46,793 S.F. allocated for general industrial use (warehouse). An existing 9,483 S.F. warehouse will remain, but will not be connected to the sewers.

3/20/07

TOWN OF RIVERHEAD

Adopted

Resolution # 273

**SETS REGISTRATION FEES FOR THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILMAN DUNLEAVY

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

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

**COUNCILMAN DENSIESKI**

**RESOLVED**, that the Town Board sets the Registration Policy and fees for the 2007 Spring / Summer Recreation Department Program Brochure.

**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 *absent*

Blass  yes \_\_\_ no Densieski  yes \_\_\_ no

Cardinale  yes \_\_\_ no

THE RESOLUTION  WAS \_\_\_ WAS NOT

THEREFORE DULY ADOPTED

<sup>1</sup> Rec. Doris/Resolution -2007 Spring/Summer Brochure

Family Account Name \_\_\_\_\_  
(Main Contact) Last First Date of Birth

Address: \_\_\_\_\_  
\_\_\_\_\_

Home Phone # \_\_\_\_\_ Work # \_\_\_\_\_

Emergency Contact Name \_\_\_\_\_ Phone # \_\_\_\_\_

**Participants Name**

Last	First	DOB	Course/Title	Fee	Medical Alert
------	-------	-----	--------------	-----	---------------

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

MasterCard/Visa/Discover Acct. No. \_\_\_\_\_ Exp. Date \_\_\_\_\_

Waiver: All Participants in Town Parks & Recreation do so at their own risk. Individuals are responsible to check all class descriptions and be sure that they or their child's physical condition and skill dictate that they may safely participate.

Signature: \_\_\_\_\_ Date \_\_\_\_\_  
Parent/Guardian/Participant

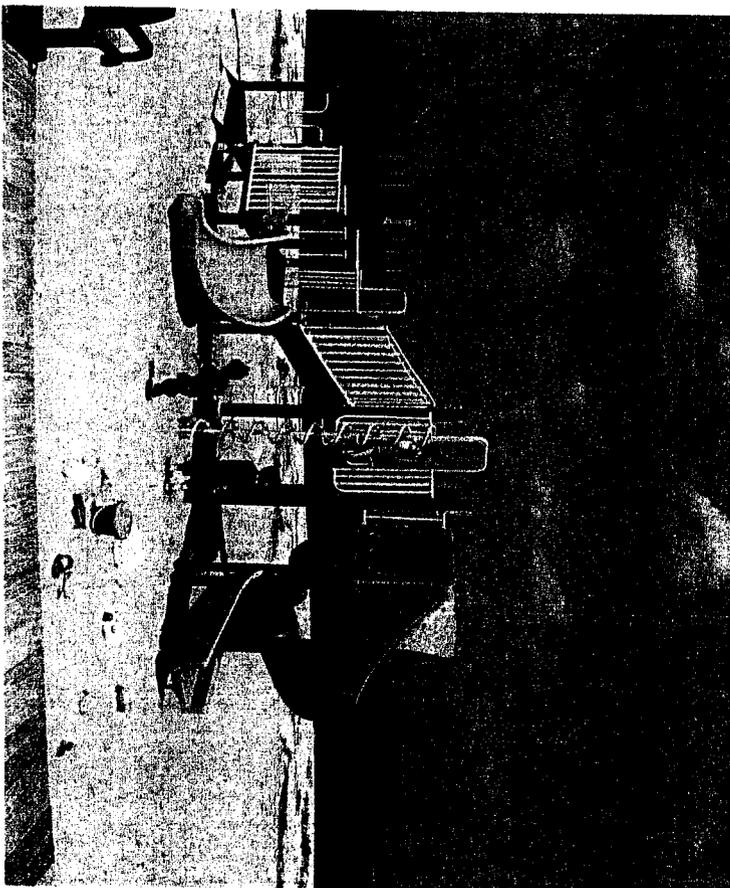
Total \$ \_\_\_\_\_

E-mail address: \_\_\_\_\_



# Town of Riverhead Recreation Department

## 2007 Spring/Summer Brochure



\*\*\*\*\*PLEASE NOTE THAT DUE TO THE CONSTRUCTION OF OUR NEW BUILDING, THE RECREATION OFFICE WILL BE TEMPORARILY LOCATED AT THE RIVERHEAD HUMAN RESOURCE/SENIOR CENTER: 60 SHADE TREE LANE, RIVERHEAD, NY 11901.\*\*\*\*\*

\*\*\*Registration Begins Monday March 26, 2007\*\*\*



# Town of Riverhead

## Town Supervisor

Phil Cardinale

## Town Council

Barbara Blass

Ed Demitski

George Bartunek

John Dunleavy



## Dear Residents:

I am pleased to present to you the Town of Riverhead Recreation Department 2007 Spring/Summer Brochure. The Recreation Department Staff has put together an exceptional array of programs, with something of interest for young and old alike. This year's brochure features several new programs including, Movies in the Park, Special Needs Carnival, Junior Lacrosse, Wrestling, Cheerleading, Cardio Step and Body Sculpt. The Recreation Department also will be offering programs for children with special needs, and a new youth night.

Additional information about our parks and recreational programs can be found on our Town website, [www.riverheadli.com](http://www.riverheadli.com). All Town parks, beaches, community centers, and marina are included with lists of their amenities and directions to each individual location. I urge you to use the website and view our Government and Educational Channel 22 to keep updated with all that is going on around Town.

I encourage you to enroll in programs by contacting the Recreation Department, either in person at the Human Resource/Senior Center: 60 Shade Tree Lane, by phone at 727-5744 or online through the Town's website.

Phil Cardinale

Supervisor

## Recreation News

### Special Needs

The Town of Riverhead is in the process of establishing Special Recreation Programs for Children with Special Needs. Please call 727-5744 ext 27 for more information.

### Riverhead Emergency Management:

Special needs/evacuation applications are available for Riverhead Residents who would require assistance in evacuation in their home in case of a storm or disaster.

Applications may be obtained at anytime by contacting the office of the Chief of Police, Riverhead Police Department

727-4500 ext 315

or call

727-4500 ext 767 (leave a message)

**REMEMBER, BE SAFE AND PREPARE EARLY**

### Employment

The Riverhead Recreation Department has the following openings:

- Water Safety Instructors
- Senior Recreation Leaders
- Beach Attendants
- Park Attendants
- Scorekeepers
- Summer Recreation Aides
- Lifeguards

Applications are available at [www.riverheadli.com](http://www.riverheadli.com). You can fax your application to 727-4555 or mail it to: Riverhead Recreation Department, 200 Howell Avenue, Riverhead, NY 11901



**\*\*\*Register for programs online at [www.riverheadli.com](http://www.riverheadli.com)\*\*\***



### Softball Leagues

Register your team for the following Riverhead Softball Leagues:

- Men's & Women's Slow Pitch
- Men's Modified
- Co-Ed Slow Pitch
- Over 50 Men's Slow Pitch

Please call the Recreation Department for more details: 727-5744

### Lifeguard Training Course

Aimed at those at least 15 years of age to develop skills and knowledge needed to prevent, recognize and effectively respond to aquatic emergencies, prevent drowning and other incidents. A swim test will be given at 9:30a.m. on the first day of class. Certification can be obtained in Lifeguard Training, First Aid/AED/Waterfront Lifeguarding & CPR for the professional rescuer. Course fee includes book and CPR mask. At the completion of the course, a \$6 card fee will be charged for Lifeguard/First Aid, \$6 card fee for Waterfront, and a \$10 card fee for CPR/AED combined. Proof of age is required at registration. 6 classes. \*\*Must attend all classes\*\*

- Ages: 15 & up
- Dates: July 7 - August 25
- Days/Time: Saturdays: 9:30a.m. - 3:30 p.m.
- Location: Iron Pier Beach
- Cost: Residents: \$ 210  
Non-Residents: \$ 220

### The Boating Course

#### Presented by the Peconic Bay Power Squadron

The Peconic Bay Power Squadron will teach a safe boating course at the George Young Community Center in Jamesport beginning April 4. Classes will be held on Wednesday nights from 7:00p.m. to 9:00p.m. The course will cover important safety subjects such as Boat Terms and Types, Marine Radio Telephone, Knots and Lines, Charts, Aids to Navigation, Piloting, Government Regulations, Navigation rules, Adverse Conditions and Personal Watercraft (Jet Skis). Completion of the course will be recognized by issuance of a certificate that will permit individuals to operate Jet Skis and people between the ages of 10 to 18 to operate powered vessels unsupervised.

The cost of the course is \$35 per person. (Payable to instructor on the first night)  
Please contact Ed Lanning (631) 298-8563 or [edlan@optonline.net](mailto:edlan@optonline.net) for more information or to reserve your seat.

**\*\*\*Registration begins Monday March 26, 2007\*\*\***

### Table of Contents:

Recreation Department Information	Page 1
Registration:	Page 2
Community Centers and Beaches:	Page 3
Special Events:	Pages 4-7
Youth Programs:	Pages 8-12
Sports Camps	Pages 13-15
Bus Trips:	Pages 16-17
Adult Programs	Pages 17-23
Recreation News	Page 24

### Special Message from Recreation:

Dear Residents:

Due to the construction of our new building, the *Recreation Department* will be temporarily relocating to the *Human Resource/Senior Center* from *March 5 - May 31*. You can register for all programs and Beach Stickers at this location. The Human Resource/Senior Center is located at:

60 Shade Tree Lane  
Riverhead, NY 11901  
727-5744

#### General Directions:

*Take Main Street (Rte 25) east to Hubbard Avenue. Make a right on Hubbard and take to Shade Tree Lane. Make a left onto Shade Tree and the Human Resource/Senior Center is a few buildings down on the right hand side.*

You can also register for programs online at [www.riverhead1.com](http://www.riverhead1.com). We apologize for any inconvenience and look forward to another great summer season!

Sincerely:

The Recreation Department Staff

## Recreation Department

**Recreation Department:** Temporary Location: Human Resource/Senior Center: 60 Shade Tree Lane, Riverhead, NY 11901  
(631) 727-5744

**Office Hours:**  
Monday-Friday 8:30a.m.-4:30p.m.  
First Saturday of each month 12 noon-2:00p.m.

**The Recreation Office will be closed on the following Holidays:**

Friday, April 6	Good Friday
Monday, May 28	Memorial Day
Wednesday, July 4	Independence Day
Monday, September 3	Labor Day

**Staff:**

**Recreation Superintendent:** Raymond Coyne

James Janacek  
Kelly Tocci  
Colleen Fox  
Diane Beatty  
Doris Strange

**Important Phone Numbers:**

**Program Rainout/Cancellation Hotline:** 727-5744 ext 30  
**Riverhead Skate Park Information** 727-5744 ext 31  
**Riverhead Skate Park** 208-3826  
**George Young Community Center** 722-4637  
**Henry Pfeifer Community Center** 727-6481

\*\*\*Register for programs online at [www.riverheadli.com](http://www.riverheadli.com)\*\*\*

**Morning Yoga**

Hatha Yoga aimed toward increasing flexibility, circulation and strength. Instruction includes back therapy and stress reduction techniques. All levels welcome. 8 classes

**Ages:** Adult  
**Dates:** April 11 - May 30  
**Days/Time:** Wednesdays: 8:00a.m. - 9:30 a.m.  
**Location:** George Young Community Center  
**Cost:** Residents: \$67  
Non-Residents: \$77

**Yogalates**

A total body workout combining Yoga and Pilates. Designed to incorporate the elements of breathing & stretching from Yoga, and strengthening & toning from Pilates. Yoga mat required. 7 classes

<b>Ages:</b>	Adults
<b>Dates:</b>	<b>Spring:</b> April 14 - June 2 Saturdays: Session I: 10:00a.m.-11:00a.m. Session II: 11:00a.m.-12:00noon April 17-May 29 Tuesdays: 7:30p.m.-8:30p.m.
	<b>Summer:</b> July 7 - August 25 Saturdays: Session I: 10:00a.m.-11:00a.m. Session II: 11:00a.m.-12:00noon July 17-August 28 Tuesdays: 7:30p.m.-8:30p.m.
<b>Location:</b>	George Young Community Center
<b>Cost:</b>	Residents: \$36 Non-Residents: \$46

\*\*\*Register for programs online at [www.riverheadli.com](http://www.riverheadli.com)\*\*\*

### Foil Fencing (Introductory Competitive)

A waken your inner Musketeer with a sport that challenges the mental as well as the physical. A game of timing and speed that has been likened to physical chess. Fencing is a sport for all ages and can be enjoyed at all skill levels. The sport of a lifetime! 6 classes

**Ages:** 12&up (see Youth Programs for ages 11 & under)  
**Dates:** Spring Session: April 9 - May 21  
Summer Session: June 25-August 6  
**Days/Time:** Monday: 7:00p.m. - 8:30 p.m.  
**Location:** George Young Community Center  
**Cost:** Residents: \$78  
Non-Residents: \$88

### Golf at Calverton Links

Golf clinics enhance a golfer's performance whether they are a beginner or an advanced player. The course covers fundamentals of all parts of the game including: putting, chipping, pitching and full swing. Students have a chance to improve their game while learning etiquette and rules. The format will start from the green and move out to full swing. Knowledge on how to use different clubs will also be taught. Classes are not overbooked, so the student gets individual instruction as well as group format. Please bring your own clubs. Class size limited. 5 classes

**Ages:** Adult  
**Dates/Time:** Monday & Wednesday April 18 - May 2 5:30p.m.-6:50p.m.  
Tuesday & Thursday June 19- July 3 6:00p.m.-7:20p.m.  
Thursday June 28- July 26 10:10a.m.-11:30 a.m.  
Tuesday & Thursday July 10-July 24 6:00p.m.-7:20p.m.  
**Location:** Calverton Links  
**Cost:** Residents: \$94 Senior Residents: \$84  
Non-Residents: \$104 Senior Non-Residents: \$94

### Adult Swim Lessons

For those who want to learn how to swim or to refine present strokes. All ability levels welcome. Participants meet at 3:30 p.m. ½ hour class time to be assigned.

**Ages:** Adult  
**Dates:** July 23 - August 3  
**Days/Time:** Monday-Friday: 3:30p.m. - 4:00 p.m.  
**Location:** Wading River Beach  
**Cost:** Residents only: \$11

### Registration

### Registration begins Monday March 26, 2007

#### How to Register:

**Online:** You can register for all programs online at [www.riverheadli.com](http://www.riverheadli.com)  
**In Person:** Recreation Office: \*\*\*Temporary Location: Riverhead Human Resource/Senior Center: 60 Shade Tree Lane, Riverhead, NY 11901\*\*\*  
**Mail:** Mail all registration forms to the Recreation Department at: 200 Howell Avenue, Riverhead, NY 11901  
**Phone:** Call 727-5744 to register over the phone. \*\*\*No Phone Registration on the First Day\*\*

#### Registration Policy

**Pre-Registration** with payment is required for all programs  
**Payment Methods:** Cash, Check, Visa/Mastercard or Discover Card

**There will be a \$20 fee for all returned checks**

**Program Fees** will not be prorated  
**In person registration** received prior to Monday March 26<sup>th</sup> will not be processed until 3:00p.m. on the 26<sup>th</sup>. In-person registration will take precedent over early mail-in registrations. Makes all checks payable to Riverhead Recreation Department. Mail to 200 Howell Avenue, Riverhead, NY 11901  
**The deadline for registration** is (5) business days before a program is due to start unless otherwise stated.

**Cancellation:** Minimum class requirement must be reached in all programs in order for them to be offered. Programs are also subject to cancellation based on availability of instructors, facilities, or equipment

**Refund Policy:** Refunds will be given only if the refund request form is made in writing more than 5 business days prior to the start of the program or if we cancel a program. This form can be found on our website at [www.riverheadli.com](http://www.riverheadli.com). **All program fees include a non-refundable \$5 processing fee.**

**All Refunds:** will be mailed to participants approximately (4) weeks after the request is submitted or a class is officially cancelled.

**Health Requirements:** Participants are advised to have a complete physical prior to participating in activities that can be strenuous. Medical and waiver forms may have to be completed for particular activities.

**Parental Permission** required if under 18

**Participant Dismissal:** Some instructors may require parental presence/participation at an activity. If it is deemed that a participant can no longer remain in a class due to behavior problems, the Recreation Department reserves the right to dismiss the participant from the class with no refund.

**Cancellation/Rainout Hotline #:** 727-5744 ext 30

\*\*\*Registration begins Monday March 26, 2007\*\*\*

## Community Centers and Beaches

### Community Centers:

George Young Community Center 446 South Jamesport Avenue. Jamesport, NY 11947 (631) 722-4637	Henry Pfeifer Community Center River Road/Grimman Blvd. Calverton, NY 11933 (631) 727-6481
Human Resource/Senior Center 60 Shade Tree Lane Riverhead, NY 11901 (631) 722-4444	Riverhead Skate Park Pulaski Street (Stotzky Park) Riverhead, NY 11901 (631) 208-3826

### Beaches:

South Jamesport Beach will open weekends beginning Saturday May 26, 2007. Lifeguards and Beach Attendants will be on duty from 10a.m.-5p.m., **Saturdays and Sundays Only. ALL TOWN BEACHES are open seven days a week beginning Saturday, June 23, 2007.**

Reeves Beach End of Park Road Riverhead, NY 11901	Wading River Beach End of East Creek Road Wading River, NY 11792
South Jamesport Beach Town Beach Road (Off Peconic Bay Blvd) Jamesport, NY 11947	Iron Pier Beach End of Pier Avenue Jamesport, NY 11947

### PARKING BY PERMIT ONLY

Parking Permits are available at all Town Beaches, 10a.m. to 5p.m. when beaches are open or in the Recreation Department Office. For more information, please call 727-5744

### Parking Permit Fees:

Resident:	\$15.00	Non-Resident Boat Ramp:	\$15.00
Senior Resident (over 60)	\$5.00	Non Resident Daily:	\$35.00
4X4 Permits:	\$45.00 (office only)	Non-Resident Annual:	\$200.00

\*\*Must present proof of residency at time of purchase. (4x4: License, Insurance and Registration)

### **Canoeing/Kayaking**

Get ready to explore the Peconic. Long Island's largest river. Learn the basics and actually take a look at the pristine wilderness in Riverhead. 1 class plus trip.

Ages:	14 and up
Dates:	Class: May 8
Days/Time:	Tuesday 7:30p.m. - 9:00p.m.
Location:	George Young Community Center.
	Cruise the Peconic River: Saturday May 12: 9:30 a.m.-2:30p.m. (Meet at the Peconic Paddler)
Cost:	Canoe: \$37      Non Residents: \$47 Kayak: \$53      Non-Residents: \$63

### **Dog Obedience- Level I**

The motivational method is used to train your dog to walk on a loose lead, stay, come when called and more. Open to dogs at least (4) months old with a responsible owner. The proper type collar and leash will be demonstrated and will be available for sale at a cost of \$10.00 for the collar and \$10.00 for the leash. Please bring a shot record. One handler per dog. 8 classes

Ages:	Adult
Days/Time:	Tuesdays:
Dates:	Spring: April 10 - May 29
	Session I: 5:30p.m. - 6:30p.m.
	Session II: 6:30pm- 7:30 p.m.
Days/Time:	Summer: June 5-July 31
Location:	Tuesdays: Session I: 5:30p.m. - 6:30p.m. George Young Community Center
Cost:	Residents      \$83 per session Non-Residents: \$93 per session

### **Dog Obedience- Level II**

Designed to be the next step after beginners. Provides distraction training and reinforces the basics to build toward the super pet. All dogs must have shots and license. One handler per dog. 8 classes

Ages:	Adult
Dates:	June 5 - July 31
Days/Time:	Tuesdays: 6:30p.m. - 7:30p.m.
Location:	George Young Community Center
Cost:	Residents      \$83 Non-Residents: \$93

**Jazzercise**

When you love your workout, results come easy. That's why Jazzercise blends Aerobics, Yoga, Pilates and Kickboxing movements into fun dance routines set to fresh music. All fitness levels welcome. Each class includes: warm-up, 30-40 minute aerobic workout, muscle toning & strengthening using weights and full-body stretch. Please bring a towel or mat for floor work, water bottle, & weights (optional). Wear cool, comfortable clothing & sneakers. Participants have a choice for 1 or 2 classes per week. 8 or 16 classes

**Ages:** Adult  
**Dates:** April 12-June 5  
**Class I:** Tuesdays: 10:00a.m. - 11:00a.m.  
**Class II:** Thursdays: 10:00a.m.-11:00a.m.  
**Location:** Henry Pfeifer Community Center  
**Cost:** Residents: \$48 (per class)  
 Non residents: \$58 (per class)  
**\*\*Sign up for both classes and receive a \$10.00 discount.**  
 Childcare available during class time, please call 451-2240

**Birds & Bird Watching**

Topics include the history, biology, behavior and migration of birds: the use of optics, field glasses and how to find and watch birds. Bring your own lunch and a folding seat. Binoculars are available for use. Comfortable, warm clothes and shoes are recommended. 6 classes.

**Ages:** Adult  
**Dates:** May 1-June 5  
**Days/Time:** Tuesdays 9:00a.m. - 2:00p.m.  
**Location:** Henry Pfeifer Community Center  
**Cost:** Residents: \$25 Seniors: \$15  
 Non-Residents: \$35

**Women's Self Defense & Karate**

This class offers an in-depth study of basic self defense techniques to prevent a potential attack or mugging. Walk outside with confidence and assurance that you 'Will have a choice!' Don't be a victim to any predator you might encounter. 8 classes

**Ages:** Adult  
**Dates:** April 10- May 29  
**Days/Time:** Tuesdays: 6:30p.m. - 7:30 p.m.  
**Location:** George Young Community Center  
**Cost:** Residents: \$36  
 Non-Residents: \$46

**Special Events**

**28<sup>th</sup> Annual Easter Egg Hunt**

Children are welcome to join us for a morning of egg hunting and fun! Lucky egg finders will receive additional prizes. Please bring your own basket or bag. OPEN TO RIVERHEAD RESIDENTS/SCHOOL DISTRICT ONLY! Call 727-5744 ext 30 for rainout/cancellation information or 466-0010 (if the cancellation hotline is down due to the Recreation relocation)

Come early and meet the Easter Bunny!  
**Ages:** 9 & under  
**Dates:** Saturday March 31 (Rain date: April 7)  
**Time:** Special Needs Children: 9:00 a.m. (Hockey Rink)  
 Under Age 4 10:00 a.m. (Field #3)  
 Ages 4-6: 10:30 a.m. (Field #2)  
 Ages 7-9: 11:00 a.m. (Field #1)  
**Location:** Stotzky Park  
**Cost:** Free (Residents only)



**Major League Baseball Pitch, Hit and Run Competition**

(Under the lights)

Pitch, Hit & Run is a free program for boys & girls ages 7-14. This program is intended to encourage youth participation in baseball. It allows youngsters to showcase their pitching, hitting and running abilities. Boys & Girls compete together.

**Ages:** 7-14 (Age is determined as of July 17, 2007.)  
**Dates:** Friday, April 13 6:30 p.m. (Rain date: Sunday April 15<sup>th</sup> 1:00 p.m.)  
**Location:** Stotzky Park Field #1  
**Cost:** Free



\*\*\*Please register at the Riverhead Recreation Department by Thursday April 12<sup>th</sup> Copy of Birth Certificate is required Call 727-5744 ext 30 for rainout/cancellation information or 466-0010 if the cancellation hotline is down due to the relocation.



### Junior Olympic Skills

Free program designed to encourage youth participation in sport while promoting sportsmanship. Boys and girls ages 8-13 compete separately in 4 athletic events:

- Tennis
- Basketball
- Soccer
- Track & Field

Participants can choose which sport(s) to participate in. Copy of Birth Certificate and registration are required. Please register at the Recreation Department by Friday May 18. **Call 727-5744 ext 30 for rainout/cancellation information.**

Ages: 8-13 Age is determined as of 8/31/2007  
Date: Saturday May 19

Tennis: 10:00a.m.  
Basketball: 10:30a.m.  
Soccer: 11:30a.m.  
Track & Field: 12:30p.m.  
Location: Pulaski Street School

Cost: Free



### THEATRICKS BY PHIL

*A Theatrical Magician & Puppeteer*

A Stage performance for children and their families. Phil's show is an energetic and interactive magical experience. Phil will tickle your funny bone, as well as astound and astonish. Participation is the standard used to create an atmosphere of laughter & amazement. His assistants are given the opportunity to be the center of attention. As they are costumed at various parts of the show. Sometimes going to clown school, dance class, or even learning the hazards of wizardry.

Ages: 3-10

Dates: Saturday June 9 Time: 10a.m

Location: Human Resource/Senior Center

Cost: Free (Residents only)

\*\*\*Registration begins Monday March 26, 2007\*\*\*

### Ballroom Dancing II

Couples Only! Dances included in this class will be the Rumba, Cha-Cha, Tango and Meringue. Come join us for an evening of fun and exercise. Leather shoes preferred. 8 classes.

Ages: Adult  
Dates: April 13 - June 1  
Days/Time: Fridays: 8:15p.m. - 9:15p.m.  
Location: George Young Community Center

Cost: Residents \$60 per couple  
Non-Residents: \$70 per couple

**\*\*Sign up for both sessions and receive a \$10.00 discount.**

### Body Sculpt

An integral part of any exercise routine. This toning class focuses on strengthening and stretching all of your body's major muscle groups. Bring water and hand weights. 8 classes

Ages: Adult  
Dates: April 18 - June 6  
Days/Time: Wednesdays: 6:30p.m. - 7:15p.m.  
Location: George Young Community Center

Cost: Residents \$41  
Non-Residents: \$51

**\*\*Sign up for both Body Sculpt & Cardio-Step and receive a \$10.00 discount.**

### Cardio Step

A cardiovascular workout with easy to follow choreography. Our goal will be to have lots of fun and burn some serious calories. Bring water and a step. This class is a great compliment to Body Sculpt. 8 classes.

Ages: Adult  
Dates: April 18 - June 6  
Days/Time: Wednesdays: 7:15p.m. - 8:00p.m.  
Location: George Young Community Center

Cost: Residents \$41  
Non-Residents: \$51

**\*\*Sign up for both Body Sculpt & Cardio-Step and receive a \$10.00 discount.**

\*\*\*Register for programs online at [www.riverheadli.com](http://www.riverheadli.com)\*\*\*

## Long Island Ducks



Come find out why everyone is talking about Minor League Baseball. See the hometown Long Island Ducks play the Bridgeport Blue Fish. Price includes ticket and bus transportation. The Town Bus leaves Stotzky Park at 5:30p.m. for a 7:05p.m. game. Under 18 must be accompanied by an adult. (21 or over) Last day to register is June 15th

Date: Friday August 3  
Residents: \$17 Non-Residents: \$22  
Cost:

## Adult Programs

### Acrylic Painting

Beginners to intermediate welcome. Learn to paint and tap into your creativity. You will be taught the fundamentals needed for artistic expression. Everyone can paint! Materials list available at registration. 6 classes

Ages: Adult  
Dates: April 16 - May 21  
Days/Time: Mondays: 6:00p.m. - 9:00p.m.  
Location: George Young Community Center  
Residents: \$73  
Non-Residents: \$83  
Cost:

### ARC Defensive Driving

ARC Defensive Driving is offering the Point/Insurance Reduction Program to NY drivers as incentive for participation in the driver improvement course.

Ages: 16 & up  
Dates: May 7 & 9  
Days/Time: Monday and Wednesday: 6:30p.m. - 9:30p.m.  
Location: Human Resource Center/Senior Center  
Residents: \$46  
Non-Residents: \$56  
Cost:

### Ballroom Dancing I

Couples Only! Ballroom dancing is fun and easy to learn. Learn the basic steps in Fox Trot, Waltz, Swing and more. Leather shoes preferred. 8 classes

Ages: Adult  
Dates: April 13 - June 1  
Days/Time: Fridays: 7:00p.m. - 8:00p.m.  
Location: George Young Community Center  
Residents: \$60 per couple  
Non-Residents: \$70 per couple  
Cost: \*\*Sign up for both sessions and receive a \$10.00 discount.

## Circus Workshop

See it. Do it. See a breathtaking display of circus skills! Try your hand at juggling, balancing, plate spinning and a host of basic circus skills. A unique opportunity for children to experience the traditions and genuine fun of the circus. This is free program but pre-registration is required by calling 727-5744. Call 727-5744 ext 30 for rainout/cancellation information.

Ages: Grades K-7  
Dates: Saturday, July 28 11:00a.m.  
Location: Human Resource Center/Senior Center  
Cost: Free (Residents only)

### Movies in the Park

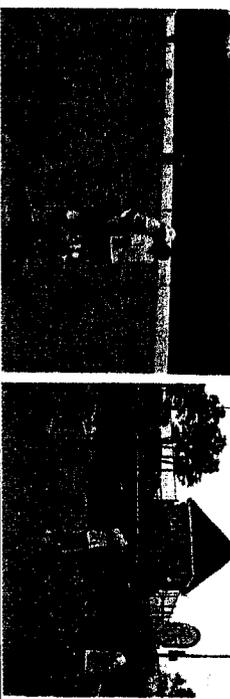
Grab a blanket and/or chair and head out for an unforgettable evening of cinema on a giant inflatable screen (14'x26'). You bring the snacks, we'll bring the stars. Young people under the age of 18 must be accompanied by an adult. If you're interested in sponsoring this event and selecting the movie, please call 727-5744 ext. 28 for more information. Call 727-5744 ext 30 for rainout/cancellation information.

Ages: All ages welcome  
Dates: Friday August 10, 2007  
Movie begins at 8p.m.  
Location: Stotzky Park Field #1  
Cost: Free (Residents only)

### Special Needs Carnival

Mini Sports Clinic/Carnival for children with Special Needs and their families. Children must be accompanied by a parent or guardian. Pre-registration is mandatory. Call the Recreation Department 727-5744 to register. \*\*Rain date will be Wednesday August 29.

Ages: 4 & up  
Dates: Wednesday August 22 Time: 7 p.m.-9 p.m.  
Location: Riverhead Skate Park and Roller Rink.  
Cost: Free



## NFL Pepsi Punt, Pass & Kick Program (under the lights)



The NFL Punt, Pass & Kick is a free program designated to create a lively and engaging forum for boys & girls ages 8-15 to compete separately against their peers in punting, passing and placekicking skills. All contestants must register at Riverhead Recreation Department office at Stotzky Park. A copy of a Birth Certificate is required. Call 727-5744 ext 30 for rainout/cancellation information.

**Ages:** 8-15 (Age is determined as of 12/31/2007)  
**Dates:** Friday September 28 (Rain date Saturday September 29)  
**Days/Time:** 6:30p.m.  
**Location:** Stotzky Park Field #1  
**Cost:** Free

## 10<sup>th</sup> Annual Snapper Tournament

The focus of this tournament is to get youth/adults involved in fishing to raise money for the Riverhead Recreation Department Summer Program Scholarship Fund.

**Adult Division:** 16& over  
**Junior Division:** Under 16

**Prizes:** Rod/Reel will go to the 1<sup>st</sup> place winner in each division. Trophies/awards will be awarded to the top (3) finishers in each division. Free T-shirt to the first 100 registrants. Register in advance at the Recreation Department Office or on the day of the tournament at the Town Dock 10:00 a.m.

**Ages:** Open to all Ages  
**Dates:** Saturday September 15 (Rain date Sunday September 16)  
**Time:** 11:00a.m.-3:00p.m.

**Location:** Peconic River Parking Lot  
**Cost:** \$13 Adults \$7 Juniors



## Bus Trips



**Bronx Zoo**  
 Bring the family to discover the world of adventure, excitement and the fun at the largest urban zoo in the United States. The bus leaves Stotzky promptly at 8:30a.m. and leaves for home at 4:00p.m. (Under 18 years must be accompanied by an adult 21 or over).  
 NON-REFUNDABLE

**Date:** Saturday June 16  
**Cost of bus only:** Residents: \$20 Non-Residents: \$25 \*\*\*  
 \*\*\*Participants to purchase own admission at the Zoo. Fees \$14.00 Adult; \$12.00 Seniors and \$10 Children (2-12); Children under 2 are free.

## Atlantic City

Try your luck in Atlantic City. We will be dropping off & leaving from the Tropicana. Each person will receive a \$5 cash bonus for the Tropicana. There will be raffles and other prizes. Must be 21. Waiver required. Bus leaves Stotzky Park at 7a.m.

**Date:** Wednesday June 27  
**Cost:** Residents: \$22 Non-Residents: \$27

## Circle Line Manhattan Cruise

Come and enjoy a relaxing 3 hour cruise aboard a famous Circle Line ship. You will circumnavigate Manhattan Island and see all (3) rivers, (7) major bridges, (5) boroughs, over (25) renowned landmarks and, of course, a magnificent close-up of the Statue of Liberty. Beverages and food available for purchase on-board the ship. Cruises sail rain or shine.

The Coach Bus leaves Stotzky Park parking lot at 9:30 a.m. and returns home approximately 5:30 p.m. Under 18 must be accompanied by an adult. Deadline to register is July 2.

**Date:** Saturday July 21  
**Cost:** Residents: \$37 Non-Residents: \$42

## New York Yankees



Come out and see the Bronx Bombers take on the Oakland Athletics. Price includes ticket and bus transportation. The Coach bus leaves Stotzky Park at 10:00a.m. for a 1:05p.m. game. Under 18 must be accompanied by an adult. \*\*Seats are in the Bleacher Section\*\*

**Date:** Sunday July 1  
**Cost:** Residents: \$26 Non-Residents: \$31

### Youth Tennis

Course will be geared to ability and will include instruction on various tennis strokes, strategy, rules, etiquette and having fun. Please bring your own racquet. Classes are 50 minutes each. First day testing at 9a.m. Class times will be assigned according to ability. 5 classes.

Ages:	7-17		
Dates:	Session I	July 9-July 13 (Rain date: July 16, 17)	
	Session II	July 23-July 27 (Rain date: July 30, 31)	
	Session III	August 6-August 10 (Rain date: August 13, 14)	
Days/Time:	Monday-Friday 9a.m.-11:50a.m. (Class session is 50 minutes each and will be assigned by the instructor after the first day)		
Location:	Stotzky Park Tennis Courts		
Cost:	Residents \$47 Non-residents \$57		

### Summer Recreation Program

Youth summer programs for ages 5-12 (age as of 12/1/2006). Activities will include arts & crafts, games, sports, field trips and special events.

*A family discount of \$50 will be given to each additional child registered in the same activity. Any withdrawal/refund request must be submitted in writing as follows: June 1, 2007 for the first session and June 29, 2007 for the second session.*

Registration for All Day Summer Recreation Programs will be **one day only on April 28, 2007** at the Riverhead Human Resource Center/Senior Center. Registration is from 8:00 a.m. - 9:30 a.m. **SPACE IS LIMITED! PLEASE NOTE: FULL PAYMENT IS EXPECTED AT THE TIME OF REGISTRATION**

Ages:	5-12 (5 year olds must have completed kindergarten)		
Dates:	Session I	June 25-July 20	
	Session II	July 23-August 17	
Days/Time:	Monday-Friday 9:00a.m.-4:45p.m.		
Location:	Pulaski Street School (Residents and School District) George Young Community Center (Residents Only) Henry Pfeiffer Community Center (Residents Only)		
Cost:	\$470	Session I (Residents only)	
	\$495	Session II (Residents only)	

\*\*\*Tuition Assistance Awards are available for our Summer Recreation Programs. Application can be picked up at the Recreation Department and MUST be submitted by Tuesday April 17.

\*\*\*Registration begins Monday March 26, 2007\*\*\*

### Youth Programs

#### A Time for Kids

A tiny tot discovery program designed for both child and parent/caregiver to participate together and play with other children. Each session will consist of interactive songs, crafts, and movement activities. 6 Classes.

Ages:	2-4	
Dates:	April 18 - May 23	
Days/Time:	Wednesdays: 10:00a.m. - 11:00a.m.	
Location:	George Young Community Center	
Cost:	Residents	\$31
	Non-Residents:	\$41

#### Baton Twirling (Beginner)

Baton Twirling is fun, easy and exciting! Participants will learn basic twirls, dance twirl movement, and a parade marching routine. Baton Twirling develops poise, grace and builds self confidence. Twirling also improves flexibility and coordination. New students can order batons from the instructor. The cost of the baton is \$25. (Cash Only) Students must wear sneakers & comfortable clothing. 8 classes.

Ages:	5 - 11	
Dates:	Spring Session:	April 26 - June 21
Days/Time:	Thursdays: 5:30 p.m. - 6:15 p.m.	
Location:	Aquebogue School Gym	
Cost:	Residents	\$42 (per session)
	Non-Residents	\$52 (per session)

#### Baton Twirling (Intermediate)

Participants need to have taken at least (2) sessions of Beginner Baton Twirling prior to enrolling in the Intermediate class or need approval from the Instructor

Ages:	5 & up	
Dates:	Spring Session:	April 26 - June 21
Days/Time:	Thursdays: 6:30 p.m. - 7:15 p.m. or 7:30p.m. - 8:15p.m.	
Location:	Aquebogue School Gym	
Cost:	Residents	\$42 (per session)
	Non-Residents	\$52 (per session)

\*\*\*Registration begins Monday March 26, 2007\*\*\*

## Foil Fencing (Introductory Competitive)

Barbara Ellen Koch

Awaken your inner Musketeer with a sport that challenges the mental as well as the physical. A game of timing and speed that has been likened to physical chess. Fencing is a sport for all ages and can be enjoyed at all skill levels. The sport of a lifetime! 6 classes



photo by

Ages: 7-11 (12&up see adult section)  
Dates: Spring Session: April 9 - May 21  
Summer Session: June 25-August 6

Days/Time: Monday: 5:30p.m. - 7:00 p.m.  
Location: George Young Community Center

Cost: Residents: \$78  
Non-Residents: \$88

## Golf Clinics

Golf clinics enhance a golfer's performance whether they are a beginner or an advanced player. The course covers fundamentals of all parts of the game including: putting, chipping, pitching and full swing. Students have a chance to improve their game while learning etiquette and rules. The format will start from the green and move out to full swing. Knowledge on how to use different clubs will also be taught. Classes are not overbooked, so the student gets individual instruction as well as group format. Please bring your own clubs. Class size limited. 5 classes

Ages: 8-17  
Dates: June 26 - July 24

Days/Time: Tuesdays:  
Session I: 8:30a.m. - 9:50 a.m.  
Session II: 10:10a.m- 11:30a.m.

Location: Calverton Links  
Residents: \$94  
Non-Residents: \$104

## Gymnastics

An introduction to Gymnastics for those with little or no experience. 6 classes

Ages: 6-10  
Dates: April 11 - May 16  
Days/Time: Wednesdays: 6:30p.m. - 7:30 p.m.  
Location: Riverside Gymnastics Academy

Cost: Residents: \$73  
Non-Residents: \$83

\*\*\*Register for programs online at [www.riverheadli.com](http://www.riverheadli.com)\*\*\*

## Junior Lacrosse

Junior Lacrosse will offer basic fundamental mechanics of this growing youth sport with breakdown drills, teamwork and sportsmanship emphasized. This program is for students entering the 2<sup>nd</sup>-6<sup>th</sup> grade in the fall 2007. Groups broken down by skill. There will be one class for boys and one class for girls. Each participant must provide their own lacrosse equipment for the program. Boy's equipment includes helmet, stick, shoulder pads, arm pads, gloves, athletic supporter w/cup and mouth piece. Girl's equipment includes stick, goggles and mouth piece. Girl's lacrosse is no contact. Boy's equipment is \$175 as listed. Girl's equipment is \$75 as listed. (Prices subject to change). Call 727-5744 Ext. 27 for more information on equipment.

Ages: Grade 2-6  
Dates: August 13-August 17 (Rain Date August 20, 21)  
Days/Time: Monday-Friday Boys 9a.m.-11 a.m.  
Girls 11a.m.-1p.m.

Location: Slotzky Park Field #1  
Cost: Residents \$45 Non-Residents \$55

## Cheerleading

Two sessions will be offered. Session one will be a basic session for those just beginning to cheer. Session two will be for those who completed session one and those who are already involved with cheering. Open to students entering 6<sup>th</sup>-10<sup>th</sup> grade in Fall 2007. Each session will consist of 5 classes.

Ages: Grade 6-10  
Dates: Session I: July 30-August 3  
Session II: August 6-August 10

Days/Time: Monday-Friday 5:30p.m.-7:00p.m.  
Location: Riverhead High School (Back Gym)  
Cost: Residents \$40 Non-Residents \$50

## Wrestling

This course will offer the fundamentals of wrestling. Groups will be broken down by weight and age. Open to students entering 3<sup>rd</sup>-6<sup>th</sup> grade in Fall 2007.

Ages: Grade 3-6  
Dates: July 30-Aug 3

Days/Time: Monday-Friday 9a.m.-11 a.m.  
Location: Riverhead Middle School Gym  
Cost: Residents \$40 Non-Residents \$50

\*\*\*Register for programs online at [www.riverheadli.com](http://www.riverheadli.com)\*\*\*

## Sports Camps

### Sports Instructional Camps

All camps will offer basic fundamental mechanics of their sport with breakdown drills, teamwork and sportsmanship emphasized. Groups will be broken down according to skill. **Call 727-5744 ext 30 for rainout/cancellation information.**

**Ages:** 7-15.

**Time:** Monday - Friday: 9a.m.-12:00 noon

**Cost:** Residents \$57/Non-Residents: \$67

**Volleyball:** June 25-June 29 (Rain date July 2, 3)  
South Jamesport Beach

**Softball:** July 23-July 27 (Rain date July 30, July 31)  
Stotzky Field #1

**Basketball:** July 9-July 13  
Pulaski Street School

**Baseball:** July 16-July 20 (Rain date July 23, 24)  
Stotzky Park Field #2

**Soccer:** August 6-August 10 (Rain date August 13, 14)  
Stotzky Park Soccer Field

**Field Hockey:** August 6-August 10 (rain Date August 13, 14)  
Stotzky Park Field #1

### Family Pee Wee Sports

A fun morning with assorted sports activities featuring proper warm-up and break down drills with individual and team sport concepts introduced. Sports covered in this program include basketball, soccer, softball and baseball. Parent/Guardian to participate. 6 classes  
\*\*Meet at the Stotzky Park Basketball Court the first day\*\*

**Ages:** 4-6

**Dates:** July 23-July 31 (rain date August 1, 2, 3)

**Days/Time:** Monday-Thursday 9 a.m.-10:30a.m.

**Location:** Stotzky Park (Basketball Court, Field #4 and Soccer Field)

**Cost:** Residents: \$31 per session  
Non-Residents: \$41 per session

\*\*\*Registration begins Monday March 26, 2007\*\*\*

### Rowing-Olympic Style

Participants will learn basic small boat skills. Water safety, boat handling methods and rowing technique will be taught. Rowing will be in individual team shells. 10 classes

**Ages:** Grade 7-12

**Dates:** July 30 - August 10

**Days/Time:** Monday-Friday: 5:00p.m. - 6:30 p.m.

**Location:** TBA  
**Residents:** \$60  
**Non-Residents:** \$70

### Hip Hop Dance

Come and dance to the modern Hip Hop beat. These classes will emphasize rhythm, coordination, breathing, musicality and the techniques of this popular modern dance form. Sneakers or comfortable shoes recommended. 7 classes

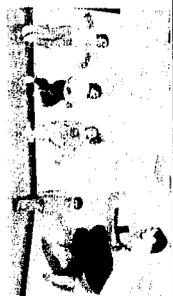


photo by Barbara Ellen Koch

**Ages:** 8-12

**Dates:** Spring Session: April 14 - June 2  
Summer Session: July 7 - August 18

**Days/Time:** Saturdays: 12:00 noon. - 1:00 p.m.  
**Location:** George Young Community Center

**Cost:** Residents: \$36 per session  
Non-Residents: \$46 per session

### Karate

This course is an introduction to Martial Arts. Students will be taught basic self-defense techniques geared towards realistic situations that can occur every day. Safety will be stressed within a fun, yet disciplined environment. 7 classes

**Ages:** 5-12

**Dates:** April 14 - June 2

**Days/Time:** Saturdays:  
Ages 5-7: 10:00p.m-11:00 a.m.  
Ages 8-12: 11:00a.m -12:00 noon  
**Location:** George Young Community Center

**Cost:** Residents: \$36  
Non-Residents: \$46

\*\*\*Registration begins Monday March 26, 2007\*\*\*

### Tap Dance

This beginner tap dance class will include bar work, movement across the floor and small combinations. Tap shoes required. 7 classes.

**Ages:** 6-10  
**Dates:** Session I. April 17 - May 29  
Session II. July 17-August 28

**Days/Time:** Tuesdays: 7:30p.m.-8:30p.m.  
**Location:** George Young Community Center

**Cost:** Residents: \$36  
Non-Residents: \$46



photo by Barbara Ellen Koch

### Rhythm Recreation

An introduction to dance and movement. Emphasizing rhythm, coordination, musicality, creativity, breathing & stretching- all of which are relevant before studying any form of dance. Children will learn in a fun & relaxed atmosphere. 7 classes

**Ages:** 3-8  
**Dates:** Spring Session: April 14 - June 2  
Summer Session: July 7- August 25

**Days/Time:** Saturdays:  
Ages 3: 10:00p.m.-11:00 a.m.  
Ages 4: 11:00a.m.-12:00 noon  
Ages 5-8: 12:00p.m.-1:00p.m.

**Location:** George Young Community Center  
**Cost:** Residents: \$36 per session  
Non-Residents: \$46 per session

### Pee Wee Swim

An introduction to the basic skills needed to swim. Parent participation required. 10 classes

**Ages:** 3-4  
**Dates:** June 25 - July 6

**Days/Time:** Monday-Friday:  
Session I: 11:00a.m. - 11:30 a.m.  
Session II: 11:30a.m. - 12:00noon  
Session III: 12 noon- 12:30p.m.  
**Location:** South Jamesport Beach

**Cost:** Residents only: \$11

### Riverhead Summer Swim Program

#### Youth Lessons

Basic swimming and water safety are offered at Town Beaches throughout the summer. Specific times to be scheduled by the instructor. Birth Certificates required at registration for first time participants only. Must be 5 years of age on the first day of lessons.

**Ages:** 5-18

**Dates:** June 25-July 6  
*Best for students who are timid in the water or have yet to master the front crawl*  
July 9-July 20  
July 23-August 3  
August 6-August 17  
Monday-Friday

**Level 1-3** So. Jamesport  
**Level 1-7** Iron Pier  
**Level 1-7** Wading River  
**Level 1-7** Reeves Beach  
**Cost:** \$11 Residents Only

#### Water Safety Instructor Aide

Swim test will be given on the first day at 10a.m. Upon completion of the course, participants will be certified to assist Water Safety Instructors in conducting American Red Cross swimming and water safety courses. A \$6 card fee will be charged upon successful completion of the course.

**Ages:** 11+  
**Dates:** July 9-July 20  
**Days/Time:** Monday-Friday  
**Location:** Iron Pier Beach  
**Cost:** \$11 Residents Only

#### Youth Night

"Hang Out" at the new Youth Night at the George Young Community Center in Jamesport. The program features Movies, X-box, Ping-Pong, Air Hockey, Board Games, Music and other great activities. \*\*check out our new pool table\*\*

Special Theme Nights include Dances, Pizza Party, Talent Show, Karaoke, Senior/Youth Card Night and much more. Call 727-5744 for dates and times of special theme nights.

**Ages:** Grade 5-8  
**Days/Time:** Thursdays 6p.m.-8:45p.m.

**Location:** George Young Community Center

**Cost:** \*\*Call 727-5744 for Bus Transportation\*\*  
Free (\$5 for theme nights) (Residents/School District only)



**TOWN OF RIVERHEAD**

Resolution # 274

**Adopted**

**Calls Public Hearing on Special Permit of Ottoman Enterprises**

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

**WHEREAS**, the Riverhead Town Board is in receipt of a special permit petition from Ottoman Enterprises, Inc. II pursuant to Article XXVIA and Section 108-51A. of the Riverhead Town Code, for the demolition and reconstruction of an existing gas station and convenience store on a 0.48ac. parcel zoned Industrial C, such property more particularly described as SCTM 0600-124-3-21.1, and

**WHEREAS**, the Riverhead Town Board has by Resolution #512 of 6/6/06 declared the petition a Type II action for the purposes of compliance with the State Environmental Quality Review Act, and

**WHEREAS**, the Riverhead Zoning Board of Appeals has by determination dated 2/14/07 awarded the necessary relief to the project on front, side and rear yard setbacks and impervious coverage, and

**WHEREAS**, the Town Board wishes to proceed with the requisite public hearing,  
now

**THEREFORE, BE IT**

**RESOLVED**, that the Town Clerk be directed and is hereby authorized to forward a certified copy of this resolution to the Planning Department and to the applicant or his agent and to publish and post the following notice of public hearing.

**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

**PLEASE TAKE NOTICE** that a public hearing will be held before the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York on the 17<sup>th</sup> day of April 2007 at 7:05 o'clock PM to consider the special use permit of Ottoman Enterprises to allow the expansion of a pre existing, non conforming gas station and convenience store pursuant to Section 108-51A. of the Riverhead Town Code on a 0.48ac. parcel zoned Industrial C; such real property being located on West Main Street, Riverhead, New York and more particularly described as Suffolk County Tax Map Parcel Number 0600-124-3-21.1.

Dated: Riverhead, New York  
March 29, 2007

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

March 20, 2007

TOWN OF RIVERHEAD  
Resolution # 275

**Adopted**

**APPROVES SPECIAL USE PERMIT APPLICATION OF KAR-MCVEIGH, LLC (JAMESPORT MANOR INN)**

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

**WHEREAS**, the Town Board of the Town of Riverhead is in receipt of a special permit petition from KAR-MCVEIGH, LLC pursuant to Section 108-51A and Article XXVIA of the Riverhead Town Code to expand a nonconforming use by the construction of a restaurant and catering facility on a 3.8 acre parcel within Agricultural Protection (APZ) Zoning Use District located at Manor Lane, Jamesport, New York; such property more particularly described a Suffolk County Tax Map Number 0600-47-2-3, and

**WHEREAS**, the Riverhead Town Board by Resolution #163 of 2006 declared themselves Lead Agency, and

**WHEREAS**, by decision dated October 14, 2004, the Town of Riverhead Zoning Board of Appeals, among other things, did re-establish the lapsed restaurant use, and

**WHEREAS**, by Resolution Number 163 of 2006, the Riverhead Town Board did determine the petition to be an Unlisted Action pursuant to 6NYCRR Part 617, and

**WHEREAS**, the Town Board has referred the petition to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending the granting of the special use permit as specified therein, and

**WHEREAS**, the Town Board has referred the petition to the Suffolk County Planning Commission for its report and recommendation; such Planning Commission determining that the petition be considered a matter one of local determination, and

**WHEREAS**, a public hearing was held by the Riverhead Town Board on the 5<sup>th</sup> day of July, 2006, and

**WHEREAS**, subsequent to the aforementioned hearing, the applicant submitted a revised conceptual site plan supporting the special use permit petition which lessened the intensity of the proposed development, and

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

**WHEREAS**, a second public hearing was held on the 8<sup>th</sup> day of November 2006, and

**WHEREAS**, the Riverhead Town Board has carefully considered the merits of the special use permit petition, the SEQRA record created to date, the report of the Planning Board, the commentary made at the relevant public hearings, as well as all other pertinent planning zoning and environmental information, now

**THEREFORE BE IT**

**RESOLVED**, that, based upon a review of the expanded Environmental Assessment Form submitted in connection with the application, the Town Board of the Town of Riverhead hereby determines that the application will have no significant negative impact upon the natural and social environment pursuant to 6 NYCRR Part 617 and that as such, no environmental impact statement need be prepared, and be it further

**RESOLVED**, that in the matter of the special use permit petition of Kar-McVeigh, LLC, the Riverhead Town Board hereby makes the following findings:

1. That the premises is located within Agricultural Protection Zoning Use District;
2. That the premises is located in one of the most rural areas of the Town and is surrounded on three sides by protected agricultural lands.
3. That the premises are located adjacent to a New York State Agricultural District.
4. That Manor Lane is primarily a residential street.
5. That restaurants are not a permitted use in the Agricultural Protection Zoning Use District;
6. That the Riverhead Zoning Board of Appeals has reestablished the lapsed restaurant use (Jamesport Manor Inn);
7. That the applicant has provided a Traffic Impact Assessment as prepared by Dunn Engineering (dated September 21, 2004) which concludes that the motor vehicle movements generated by the proposed uses can be managed by the existing highway network, proposed access location and the proposed internal circulation plan;
8. That no sight distance restrictions exist at the site access intersection with Manor Lane;
9. That the conceptual site plan attending the special use permit incorrectly provides a wastewater flow analysis using sanitary flows for catering seats (5 gallons per day per seat) rather than the correct flows for restaurant seats (10 gallons per day per seat);
10. That the conceptual site plan attending the special use permit petition depicts ninety-five (95) parking stalls in excess of the parking schedule, 77 of which are landbanked;
11. That the expansion of the of the non-conforming use shall be predicated upon increased restaurant seats and not catering facility seats;
12. That the New York State Building Code requires a minimum of 15 sq. ft. per restaurant seat.

13. That the second floor of the pre-existing structure was never used for restaurant or catering use.
14. That a large expansion of a restaurant in the midst of a agricultural and residential area of town is inconsistent with the Town's obligation to protect the health, safety and welfare of its residents.
15. That a 50% expansion of the existing seating; i.e. and increase from 80 to 120 maximum restaurant seats is the maximum increase that the Town Board deems appropriate given the surrounding residential and agricultural land uses, and

**BE IT FURTHER**

**RESOLVED**, that, subject to a final determination by the Supreme Court of the State of New York sustaining the October 14, 2004 Zoning Board of Appeals determination which continued the pre-existing non-conforming use, the Riverhead Town Board hereby grants the Special Use Permit of KarVcVeigh, LLC to expand a non-conforming restaurant use subject to the following conditions:

1. The number of seats in the restaurant may be expanded from the existing 80 seats to a maximum of 120 seats.
2. The presentation of a revised site plan showing the following:
  - a. The existing structure with a building addition containing a maximum of 600 square feet of additional dining area. The building addition must be connected to the existing building and must utilize the same point of entry.
  - b. No more than 50 parking stalls.
  - c. All other requirements contained in Chapter 108 of the Zoning Code for Site plan review, including but not limited to landscaping and lighting shall be adhered to.
3. No tents, canopies, shelters, awnings or structures of any kind, whether temporary or permanent, shall be used upon the property for restaurant use or catering use or for any other private event.
4. No Accessory structures located on the property shall be utilized for any use other than storage of equipment or supplies.
5. The second floor of the structure may not be used for restaurant or catering use.
6. No further expansion of the restaurant and/or any of its accessory uses shall be permitted

**BE IT FURTHER**

**RESOLVED**, that the applicant is entitled to apply for site plan approval "at its own risk" pending the determinations of the Court as set forth above, but that no site plan approval shall issue for the special permit approved herein until such time as a final, non-appealable

Kar-McVeigh LLC

Resolution

Page 4

determination of the Supreme Court of the State of New York shall be rendered determining that the pre-existing, non-conforming use is a valid, continuing use.

**RESOLVED**, that copies of this resolution be forwarded to the Town Board of the Town of Riverhead, Town Attorney, Peter S. Danowski, Esq. and Kar-McVeigh, LLC or their agent.

3/20/07

Adopted

TOWN OF RIVERHEAD

Resolution # 276

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT FOR  
A MODULAR RECREATION OFFICE BUILDING BETWEEN BEST  
MODULAR HOMES AND THE TOWN OF RIVERHEAD**

COUNCILWOMAN BLASS

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

was seconded by COUNCILMAN DUNLEAVY :

**WHEREAS**, pursuant to resolution #87 (2007) which awarded the bid for the Modular Recreation Office Building to Best Modular Homes, in the amount of Two Hundred Ninety Three Thousand, Six Hundred Fifty Eight dollars and 00/100 (\$293,658.00); and

**WHEREAS**, it is the recommendation of the Town Engineering Department to have the Supervisor execute the attached agreement.

**NOW, THEREFORE, it is hereby**

**RESOLVED** the Town Board of the Town of Riverhead authorizes the Supervisor to execute the attached agreement with Best Modular Homes, and

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

**THE VOTE**

Dunleavy  Yes  No

Blass  Yes  No

Cardinale  Yes  No

*Albert*  
Bartunek  Yes  No

Densieski  Yes  No

ENGINEERING  
DO NOT REMOVE

**TOWN OF RIVERHEAD  
INSTALLATION OF A MODULAR  
RECREATION OFFICE BUILDING  
CONTRACT**

on file in Town  
CLERKS OFFICE. LARGE  
DOCUMENT

March, 2006  
Engineering Department  
Town of Riverhead  
200 Howell Avenue  
Riverhead, NY 11901  
(631)727-3200 Ext. 201

**FORM OF CONTRACT**

THE TOWN OF RIVERHEAD INSTALLATION OF MODULAR RECREATION BUILDING CONTRACT, RIVERHEAD, NEW YORK

CONTRACT DATED \_\_\_\_\_, 20\_\_\_\_ BY AND BETWEEN THE TOWN OF RIVERHEAD (HEREIN CALLED THE "OWNER" AND \_\_\_\_\_ (HEREIN CALLED THE "CONTRACTOR")

WITNESSETH, the Town and the Contractor, in consideration of the premises and of the mutual covenants, considerations and agreements contained, agree as follows:

The Notice to Bidders, Instruction to Bidders, Proposal Form, Form of Bond, Conditions of Contract, General Conditions, Specifications, Form of Contract, Construction Drawings, and Plans, together with any Addenda, shall form part of this contract, and the provisions thereof shall be as binding upon the parties hereto as if they were herein fully set forth. The Table of Contents, title, heading, headlines and marginal notes contained herein are solely to facilitate reference to various provisions of the Contract Documents and in no way affect, limit or case light upon the interpretation of the provisions to which they refer. Whenever the term "Contract Documents" is used, it shall mean and include the Notice to Bidders, Instruction to Bidders, Proposal Form, Form of Bond, Conditions of Contract, General Conditions, Specifications, Form of Contract, Construction Drawings, and any Addenda. In case of any conflict or inconsistency between the provisions of the conditions of this contract shall govern.

IN WITNESS THEROF, the parties hereunto set their hands and seals, and such of them as are corporations have caused these presents to be signed by their duly authorized officers.

NOTE: Quantities of any or all items may be increased, decreased or eliminated in their entirety at the option of the Town prior to or after award of the contract.  
Total Bid

\_\_\_\_\_ Dollars \_\_\_\_\_  
(written in words) (figures)

ATTEST:

TOWN OF RIVERHEAD

\_\_\_\_\_  
SUPERVISOR

*[Handwritten Signature]*  
\_\_\_\_\_  
CONTRACTOR

*[Handwritten Signature]*  
\_\_\_\_\_  
TITLE

3/20/07

TOWN OF RIVERHEAD

Adopted

Resolution # 277

**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 (Industrial C (IC) Zoning Use District - Uses.)**

COUNCILMAN DUNLEAVY

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

COUNCILMAN DENSIESKI

\_\_\_\_\_:

**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 March 29, 2007 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed 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 and the Office of the Town Attorney.

THE VOTE *absent*

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 17th day of April, 2007 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:

**Chapter 108  
Zoning**

**ARTICLE I  
General Provisions**

**§ 108-3. Definitions; word usage.**

B. For the purpose of this chapter, certain terms and words are herewith defined as follows:

MOTOR COACH TERMINAL – a use of land, building or structures upon a parcel which supply and support motor coach services to patrons which may have principal or accessory uses, structures and improvements thereon including, but not limited to: administrative offices, waiting rooms, rest room facilities, outdoor coach storage, parking, maintenance, repair, washing, fuel island, fuel storage facilities, parking for patrons and employees.

**ARTICLE LI  
Industrial C (IC) Zoning Use District**

**§ 108-278. Uses.**

In the IC 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. Special permit uses:**

(1) Outdoor theaters (including bandshell, bandstand, amphitheater).

(2) Sports arena.

(3) Motor Coach terminal.

\* Underline represents addition(s)

Dated: Riverhead, New York  
March 20, 2007

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

**BARBARA GRATTAN, Town Clerk**

3/20/07

# Adopted

## TOWN OF RIVERHEAD

Resolution # 278

### AUTHORIZING COMPROMISE AND SETTLEMENT OF TAX CERTIORARI PROCEEDINGS AGAINST TOWN OF RIVERHEAD

COUNCILMAN DENSIESKI

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

COUNCILWOMAN BLASS  
\_\_\_\_\_:

**WHEREAS**, tax certiorari proceedings were commenced against the Town of Riverhead by certain petitioners seeking reductions in the assessment for certain properties for various tax years as more fully set forth in the attached schedule; and

**WHEREAS**, Scott DeSimone, Special Counsel to the Town of Riverhead Board of Assessors has recommended settlement of these proceedings as set forth in the attached schedule; and

**WHEREAS**, the proposed settlements implementing reductions in assessment appear to be just, reasonable, and in the best interests of the Town of Riverhead;

**NOW THEREFORE BE IT RESOLVED**, the Town Board hereby authorizes Special Counsel and the Board of Assessors to procure any papers necessary to effectuate such settlements and execute the same; and be it further

**RESOLVED**, the Town Clerk be and is hereby directed to forward a copy of this resolution to the Board of Assessors, the Town Attorney and Scott DeSimone, Special Counsel.

THE VOTE

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

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

# SCOTT DESIMONE PLLC

ATTORNEYS AT LAW

41780 ROUTE 25  
P.O. BOX 233  
PECONIC NEW YORK 11958

Internet [www.realpropertytaxlaw.com](http://www.realpropertytaxlaw.com)  
Email [taxcertesq@verizon.net](mailto:taxcertesq@verizon.net)  
Phone 631 765 3535  
Fax 631 765 5148

March 6, 2007

Phil Cardinale, Supervisor  
Town of Riverhead  
Town Hall  
200 Howell Ave.  
Riverhead, New York 11901

Re: Settlement Memo for March 2007

Dear Mr. Supervisor:

Enclosed please find settlement memo outlining proposed settlements for several tax certiorari matters as well as a proposed resolution approving the same. Also please find slightly modified copies of settlement memos from me to the Board of Assessors outlining the specifics of each matter and recommendations as to settlement. Please be kind enough to place this matter on the agenda for the March 20, 2007 meeting, if possible.

Please do not hesitate to contact me with any questions you may have.

Very truly yours,

*Scott DeSimone*

Scott DeSimone,  
Special Counsel

cc: Paul Leszczynski, Assessor ( w/o enclosure )  
Madelyn Sendlewski, Assessor ( w/o enclosure )  
Laverne Tennenberg, Chairman ( w/o enclosure )  
Dawn Thomas, Town Attorney ( w/o enclosure )

**TOWN OF RIVERHEAD  
BOARD OF ASSESSORS**

**INTER- OFFICE MEMORANDUM  
NOT SUBJECT TO FOIL**

To: Supervisor Phil Cardinale  
Councilman George Bartunek  
Councilwoman Barbara Blass  
Councilman Edward Densieski  
Councilwoman John Dunleavy

From: Scott DeSimone, Special Counsel

Re: Tax Certiorari Settlements

Date: March 6, 2007

CC: Paul Leszczynski, Assessor  
Laverne Tennenberg, Chairman  
Dawn C. Thomas, Town Attorney

---

Annexed please find the most recent list of proposed tax certiorari settlements together with settlement memos outlining the basis for said settlements. Please review and advise if you have any questions or comments about the proposed settlements. If not, please approve the settlements at the next Town Board meeting.

Thank you for your attention to this matter.

<u>CASE NAME &amp; TAX MAP NO.</u>	<u>TAX YEARS</u>	<u>ORIGINAL A/V</u>	<u>PROPOSED NEW A/V</u>
Riverhead Professional Building Partners 600-127-7-9.3	2004/05	\$ 1,750,000	\$ 1,350,000
	2005/06	\$ 1,750,000	\$ 1,250,000
	2006/07	\$ 1,750,000	\$ 1,150,000

The proceedings for the 2001/02 through the 2003/04 tax years to be discontinued

Robert Knotoff, et. al. 600-229-1-21	2004/05	\$ 174,185	\$ 159,200
	2005/06	\$ 174,200	\$ 124,200
	2006/07	\$ 174,200	\$ 109,200

The proceedings for the 2001/02 through the 2003/04 tax years to be discontinued

Fairway Associates 600-128-6-75	2003/04	\$ 382,100	\$ 175,000
	2004/05	\$ 382,100	\$ 275,100

The proceedings for the 2001/02 through the 2002/03 tax years to be discontinued

**SCOTT DESIMONE**  
ATTORNEY AT LAW

41780 ROUTE 25  
P.O. BOX 233  
PECONIC NEW YORK 11958

Internet [www.realpropertytaxlaw.com](http://www.realpropertytaxlaw.com)  
Email [taxcertesq@verizon.net](mailto:taxcertesq@verizon.net)  
Phone 631 765 3535  
Fax 631 765 5148

**MEMO**

TO: Paul Leszczynski, Assessor  
Madelyn Sendlewski, Assessor  
Laverne Tennenberg, Chairman

FROM: Scott DeSimone, Special Counsel

DATE: December 15, 2006

RE: Tax certiorari matter pending with Brad Cronin, Esq.

Riverhead Village Associates ( River Pointe Apartments )  
821 East Main Street  
600-127-7-9.3  
2004/05 - present  
A.V.: \$1,750,000  
EMV for yrs. under review: \$10,535,800± ( \$78,625/unit ) to \$15,164,650± ( \$113,200/ unit )

The subject property is a 134 unit apartment building. It is required by a public financing agreement to maintain 40% of its units as low income units and therefore must be assessed in accordance with new adopted RPTL §581-a for the 2006/07 tax year forward. This new statute requires the assessing unit to utilize actual income and expenses. The property is maintained in good condition.

Petitioner's counsel has provided full financial disclosure. Petitioner is seeking a final AV for 2004/05 of \$1,230,000 and for 2005/06 of \$1,000,000.

You had authorized me to extend the following offers:

2006/07       \$ 470,000  
2005/06       \$ 335,000  
2004/05       \$ -0-

Petitioner's counsel has gotten back to me. In further discussions, he has pointed out that the actual expenses for 2004 and 2005 were approximately 52%, which I have confirmed. I had used 36% in my work up. As we are only required to use actual income and expenses for 2006/07 forward, my revised work-up is as follows:

Utilizing \$1,175/unit/mo. @ 134 units less \$25/mo./unit ( \$1,889,400, 1,849,200, 1,809,000 ), 3% vacancy, 45% expenses, and an overall cap rate (9+1.5) of 10.5, value is indicated as follows:

<u>Tax year</u>	<u>IMV</u>	<u>Value/unit</u>	<u>SER</u>	<u>IAV</u>	<u>Ind. Reduction</u>
2006/07	\$9,600,000	\$71,650	11.54	\$1,107,840	\$ 642,160
2005/06	\$9,395,700	\$70,100	13.05	\$1,226,100	\$ 523,900
2004/05	\$8,191,450	\$68,600	16.61	\$1,360,600	\$ 390,000

I would recommend making the following reductions:

2006/07	\$ 600,000
2005/06	\$ 500,000
2004/05	\$ 400,000

Please advise whether you wish to extend revised offers or seek to audit their expenses.

**Details of prior memo dated 11/16/06**

My income approach utilizing actual but stabilized income, vacancy and expenses is as follows:

Utilizing \$1,175/unit/mo. @ 134 units les \$25/mo./unit ( \$1,889,400, 1,849,200, 1,809,000 ), 3% vacancy, 36% expenses, and an overall cap rate (8.75+1.5) of 10.25 for each year, values are indicated as follows:

<u>Tax year</u>	<u>IMV</u>	<u>Value/unit</u>	<u>SER</u>	<u>IAV</u>	<u>Ind. Reduction</u>
2006/07	\$11,085,700	\$82,725	11.54	\$1,280,000	\$ 470,000
2005/06	\$10,849,850	\$80,975	13.05	\$1,416,000	\$ 334,000
2004/05	\$10,613,975	\$79,200	16.61	\$1,763,000	\$ -0-

I would like to offer the following reductions:

2006/07	\$ 470,000
2005/06	\$ 335,000
2004/05	\$ -0-

Please advise.

**SCOTT DESIMONE**  
ATTORNEY AT LAW

41780 ROUTE 25  
P.O. BOX 233  
PECONIC NEW YORK 11958

Internet [www.realpropertytaxlaw.com](http://www.realpropertytaxlaw.com)  
Email [taxcertesq@verizon.net](mailto:taxcertesq@verizon.net)  
Phone 631 765 3535  
Fax 631 765 5148

**MEMO**

TO: Paul Leszczynski, Assessor  
Madelyn Sendlewski, Assessor  
Laverne Tennenberg, Chairman

FROM: Scott DeSimone, Special Counsel

DATE: December 15, 2006

RE: Tax certiorari matter pending with Brad Cronin, Esq.

Fairway Associates (Sweezy's)  
113 East Main Street  
600-129-1-11  
2003/04 & 2004/05  
A.V.: \$382,100  
EMV for yrs. under review: \$2,019,556 to \$2,300,421

The subject property is a 24,000± sq. ft. retail space with 12,000 sq. feet slightly below grade. Sweezy's vacated in and about August 2003 and the building was vacant for all of the years under review.

There was a sale of a 75% interest in the property to the 25% interest holder in January 2005 at \$630,000. amounting to an indicated overall value of \$840,000.

Utilizing \$14/sq/ft., 5% vacancy, 15% expenses and an overall cap rate of 11% for the 2004/05 tax year, value is indicated at \$2,460,000 and decreasing the rent 5% for 2003/04, value is indicated at \$2,337,000. Because the property was completely vacant for both years, applying a 50% vacancy factor for each would indicate values of \$1,230,000. and \$1,168,500. with indicated A.V.'s of \$204,300 and \$221,000. At these reductions the approx. refund would be \$40,000.

You previously authorized me to offer reductions in assessment to \$250,000 or a market value of \$1,500,000 at the 2004/05 SER. There is no filing for 2005/06. I am not certain about 2006/07. At these reductions the approx. refund would be \$35,000.

Petitioner's counsel has currently indicated that he would recommend the following settlement:

<u>Tax Year</u>	<u>Orig. A.V.</u>	<u>Reduction</u>	<u>New A.V.</u>	<u>EMV</u>
2003/04	\$382,100	\$222,100	\$160,000	\$ 845,600
2004/05	\$382,100	\$107,100	\$275,000	\$ 1,655,630

At these reductions the approx. refund would be \$43,000.

This matter has been on the court calendar for some time and the next step is to obtain an appraisal.

I am recommending a revised offer as follows:

<u>Tax Year</u>	<u>Orig. A.V.</u>	<u>Reduction</u>	<u>New A.V.</u>	<u>EMV</u>
2003/04	\$382,100	\$202,100	\$175,000	\$ 925,000
2004/05	\$382,100	\$107,100	\$275,000	\$ 1,655,625

At these reductions the approx. refund would be \$40,000., the same they would be at the values indicated by my valuation analysis.

**SCOTT DESIMONE**  
ATTORNEY AT LAW

41780 ROUTE 25  
P.O. BOX 233  
PECONIC NEW YORK 11958

Internet [www.realpropertytaxlaw.com](http://www.realpropertytaxlaw.com)  
Email [taxcertesq@verizon.net](mailto:taxcertesq@verizon.net)  
Phone 631 765 3535  
Fax 631 765 5148

**MEMO**

TO: Paul Leszczynski, Assessor  
Madelyn Sendlewski, Assessor  
Laverne Tennenberg, Chairman

FROM: Scott DeSimone, Special Counsel

DATE: May 23, 2006

RE: Tax certiorari matter pending with Brad Cronin, Esq.

Robert Knotoff, Nancy Knotoff, and Robert Knotoff, Jr.  
221 Main Street  
600-129-1-21  
2001/02 - present  
A.V.: \$174,185  
EMV for yrs. under review: \$653,602± to \$1,334,750±

The subject property is a 10,000 sq. ft. retail space with a 7,000 sq. ft. basement located on Main Street. For the years 2001/02 to 2003/04, the space was leased to McCabes business products. Since 2004/05, it has been occupied by the Dinosaur Walk Museum.

Petitioner's counsel is seeking reductions in assessment ranging between \$81,000 and \$131,000.

An apparent arms length 5 yr. lease was entered into for the space as McCabes in 2001. The lease provided for a monthly rent of \$5,000. plus tax escalations over 2001/02 as the base year plus additional rent for insurance. Utilizing a monthly rent of \$5,500 plus 4% per year, 5% vacancy, 10% expenses and an overall cap rate of 11.5% for 2001/02 to 2003/04, value is indicated as follows:

<u>Tax year</u>	<u>IMV</u>	<u>Value/sq. ft.</u>	<u>SER</u>	<u>IAV</u>	<u>Ind. Reduction</u>
2001/02	\$491,000	\$ 49	26.65	\$ 130,770	\$ 43,415
2002/03	\$510,325	\$ 51	21.12	\$ 107,780	\$ 66,405

An apparent arms length 5 yr. lease was entered into for the space as the Dinosaur Walk Museum in 2003. The lease provided for a monthly rent of \$8,000. plus tax taxes and insurance. Utilizing a monthly rent of \$10,000 plus 4% per year, 5% vacancy, 20% expenses and an overall cap rate of 10.5% for 2003/04 to 2006/07, value is indicated as follows:

<u>Tax year</u>	<u>IMV</u>	<u>Value/sq. ft.</u>	<u>SER</u>	<u>IAV</u>	<u>Ind. Reduction</u>
2003/04	\$ 868,571	\$ 87	18.92	\$ 164,340	\$ 9,845
2004/05	\$ 903,314	\$ 90	16.61	\$ 150,100	\$ 24,085
2005/06	\$ 939,446	\$ 94	13.05	\$ 122,600	\$ 51,585
2006/07	\$ 977,024	\$ 98	11.54	\$ 112,750	\$ 61,435

I recommend the following offers of reductions:

2003/04: 10,000

2004/05: 15,000

2005/06: 50,000

2006/07: 65,000

# Adopted

RESOLUTION # 279		ABSTRACT #07-10 March 8, 2007 (TBM 3/20/07)		
COUNCILWOMAN BLASS offered the following Resolution which was seconded by				
COUNCILMAN DUNLEAVY				
FUND NAME		CD-3/2/07	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1	\$ 3,500,000.00	\$ 51,903.64	\$ 3,551,903.64
PAL	4	\$ 15,000.00		\$ 15,000.00
TEEN CENTER	5	\$ 7,500.00		\$ 7,500.00
RECREATION PROGRAM FUND	6	\$ 15,000.00	\$ 1,890.00	\$ 16,890.00
TOWN BOARD SPECIAL PROGRAMS	24	\$ 18,000.00		\$ 18,000.00
SRS DAYCARE CENTER	27	\$ 28,000.00		\$ 28,000.00
EDZ	30	\$ 18,000.00		\$ 18,000.00
HIGHWAY FUND	111	\$ 1,500.00	\$ 34,655.62	\$ 36,155.62
WATER DISTRICT	112	\$ 111,000.00	\$ 475,495.48	\$ 586,495.48
REPAIR & MAINTENANCE	113	\$ 550,000.00		\$ 550,000.00
RIVERHEAD SEWER DISTRICT	114	\$ 2,600,000.00	\$ 457,247.30	\$ 3,057,247.30
REFUSE & GARBAGE COLLECTION DI	115	\$ 800,000.00	\$ 285.00	\$ 800,285.00
STREET LIGHTING DISTRICT	116	\$ 70,000.00	\$ 623.12	\$ 70,623.12
PUBLIC PARKING DISTRICT	117	\$ 100,000.00	\$ 19.90	\$ 100,019.90
BUSINESS IMPROVEMENT DIST	118	\$ 80,000.00		\$ 80,000.00
AMBULANCE DISTRICT	120	\$ 65,000.00		\$ 65,000.00
EAST CREEK DOCKING	122	\$ 50,000.00		\$ 50,000.00
CALVERTON SEWER DISTRICT	124	\$ 170,000.00	\$ 19,996.80	\$ 189,996.80
RIVERHEAD SCAVANGER WASTE DIST	128	\$ 35,000.00		\$ 35,000.00
SEWER DISTRICT FUND	130	\$ 155,000.00		\$ 155,000.00
WORKERS' COMPENSATION FUND	173	\$ 1,500,000.00	\$ 4,331.60	\$ 1,504,331.60
RISK RETENTION FUND	175		\$ 18,664.56	\$ 18,664.56
REVOLVING LOAN PROGRAM	178	\$ 55,000.00		\$ 55,000.00
RESIDENTAL REHAB PROGRAM	179	\$ 18,000.00		\$ 18,000.00
CDBG CONSORTIUM ACOUNT	181		\$ 142.60	\$ 142.60
UDC WORKIN	182	\$ 10,000.00		\$ 10,000.00
RESTORE GRANT PROGRAM	184		\$ 3,550.00	\$ 3,550.00
PUBLIC PARKING DEBT	381	\$ 35,000.00		\$ 35,000.00
SEWER DISTRICTS DEBT SERVICE	382	\$ 125,000.00	\$ 18,275.46	\$ 143,275.46
GENERAL FUND DEBT SERVICE	384	\$ 7,000,000.00		\$ 7,000,000.00
SCAVENGER DEBT SERVICE	385	\$ 110,000.00		\$ 110,000.00
SUFFOLK THEATER DEBT SERVICE	386	\$ 100,000.00		\$ 100,000.00
800 SERIES	408	\$ 20,000.00		\$ 20,000.00
TWO BEARS CAPITAL PROJECT	440	\$ 35,000.00		\$ 35,000.00
SENIORS HELP SENIORS CAP PROJECT	453		\$ 25.47	\$ 25.47
EISEP	454	\$ 120,000.00		\$ 120,000.00
MUNICIPAL GARAGE FUND	626		\$ 3,794.80	\$ 3,794.80
TRUST & AGENCY	735		\$ 100,093.30	\$ 100,093.30
SPECIAL TRUST	736	\$ 800,000.00		\$ 800,000.00
COMMUNITY PRESERVATION FUND	737	\$ 3,000,000.00	\$ 2,100.00	\$ 3,002,100.00
CDA-CALVERTON	914	\$ 450,000.00		\$ 450,000.00
CDA	915	\$ 70,000.00		\$ 70,000.00
<b>TOTAL ALL FUNDS</b>		<b>\$ 21,837,000.00</b>	<b>\$ 1,193,094.65</b>	<b>\$ 23,030,094.65</b>

THE VOTE *absent*

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

THE RESOLUTION  WAS  WAS NOT  
 THEREFORE DULY ADOPTED

# Adopted

RESOLUTION # 279		ABSTRACT #07-11 March 15, 2007 (TBM 3/20/07)			
COUNCILWOMAN BLASS offered the following Resolution which was seconded by					
COUNCILMAN DUNLEAVY					
FUND NAME		CD-NONE	CHECKRUN TOTALS		GRAND TOTALS
GENERAL FUND	1		\$ 1,422,607.09	\$	1,422,607.09
POLICE ATHLETIC LEAGUE	4		\$ 2,000.00	\$	2,000.00
RECREATION PROGRAM FUND	6		\$ 1,626.79	\$	1,626.79
CHILD CARE CENTER BUILDING FUN	9		\$ 1,269.99	\$	1,269.99
SENIOR CITIZEN DAY CARE CENTER	27		\$ 458.34	\$	458.34
ECONOMIC DEVELOPMENT ZONE FUND	30		\$ 3,375.16	\$	3,375.16
HIGHWAY FUND	111		\$ 119,912.40	\$	119,912.40
WATER DISTRICT	112		\$ 248,472.77	\$	248,472.77
RIVERHEAD SEWER DISTRICT	114		\$ 207,654.17	\$	207,654.17
REFUSE & GARBAGE COLLECTION DI	115		\$ 8,051.40	\$	8,051.40
STREET LIGHTING DISTRICT	116		\$ 39,638.35	\$	39,638.35
PUBLIC PARKING DISTRICT	117		\$ 3,437.17	\$	3,437.17
BUSINESS IMPROVEMENT DISTRICT	118		\$ 119.19	\$	119.19
AMBULANCE DISTRICT	120		\$ 3,288.67	\$	3,288.67
EAST CREEK DOCKING FACILITY FU	122		\$ 1,084.82	\$	1,084.82
CALVERTON SEWER DISTRICT	124		\$ 4,644.95	\$	4,644.95
RIVERHEAD SCAVANGER WASTE DIST	128		\$ 37,873.96	\$	37,873.96
WORKERS' COMPENSATION FUND	173		\$ 14,972.35	\$	14,972.35
RISK RETENTION FUND	175		\$ 65,632.93	\$	65,632.93
CDBG CONSORTIUM ACOUNT	181		\$ 659.49	\$	659.49
RESTORE GRANT PROGRAM	184		\$ 4,000.76	\$	4,000.76
TOWN HALL CAPITAL PROJECTS	406		\$ 8,937.00	\$	8,937.00
YOUTH SERVICES CAP PROJECT	452		\$ 5,682.73	\$	5,682.73
SENIORS HELP SENIORS CAP PROJE	453		\$ 2,592.60	\$	2,592.60
MUNICIPAL FUEL FUND	625		\$ 30,753.86	\$	30,753.86
MUNICIPAL GARAGE FUND	626		\$ 34,007.00	\$	34,007.00
TRUST & AGENCY	735		\$ 887,350.22	\$	887,350.22
COMMUNITY PRESERVATION FUND	737		\$ 617.20	\$	617.20
CALVERTON PARK - C.D.A.	914		\$ 996.85	\$	996.85
TOTAL ALL FUNDS			\$ 3,161,718.21	\$	3,161,718.21