

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

July 5th , 2006

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

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

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

ELECTED OFFICIALS

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

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

DEPARTMENT HEADS

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

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

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

- #630 Riverhead Sewer District Budget Adjustment
- #631 Calverton Recreational Park Budget Adjustment
- #632 Recreation Department Budget Adjustment
- #633 Rescinds Town Board Resolution #575-2006 (Sewer District Budget Adoption)
- #634 Adopts Policy for Transfer of Funds
- #635 Approves Site Plan of East Main Office Center
- #636 Approves Site Plan of East End Health Corp.
- #637 Amends Resolution of Henry Perkins Concern for Independent Living
- #638 Classifies Action on Special Permit of Brian P. Simonsen
- #639 Rescinds Resolution #510 of June 6, 2006- Determining Significance on Special Permit Application of 1998 Peconic, LLC and Directs Applicant to Fund Analysis for Information Provided as Part of his Application
- #640 Accepts 5% Security Bond of Stoneleigh Woods at Riverhead LLC
- #641 Accepts Cash Security of 1074 Pulaski Street LLC (Richard Gherardi)
- #642 Authorizes the Release of a Bond for Soundview Associates
- #643 Appoints a Lifeguard Level I to the Recreation Department (K. Hudecek)
- #644 Appoints a P/T Recreation Aide/Youth Sports to the Recreation Department (J. Zilnicki)

- #658 Awards Bid for 2006 Dump Truck for Sewer District
- #659 Authorizes Town of Riverhead to Act as Sponsor for Downtown Revitalization Application- Round VI
- #660 Authorizes Town Clerk to Publish and Post Notice of Public Hearing-Special Use Permit of Wulforst Farms (The Baiting Hollow Club)
- #661 Authorizes Town Clerk to Post and Publish Public Notice for Public Hearing to Consider a Local Law to Amend Chapter 108 of the Riverhead Town Code Entitled, "Zoning" (Recreation Fees)
- #662 Pays Bills

July 5, 2006

Adopted

TOWN OF RIVERHEAD

RIVERHEAD SEWER DISTRICT

BUDGET ADJUSTMENT

RESOLUTION # 630

COUNCILMAN DENSIESKI

_____ offered the following resolution,

which was seconded by **COUNCILWOMAN BLASS** _____.

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

	<u>FROM</u>	<u>TO</u>
114.081300.546203 Plant Electric & Gas	\$5,500	
114.081300.524217 Recording Equipment	\$5,500	
114.081300.524175 Trucks		\$11,000

THE VOTE

Dunleavy Yes ___ No

Bartunek Yes ___ No

Blass Yes ___ No

Densieski Yes ___ No

Cardinale Yes ___ No

Adopted

7/5/06

Town of Riverhead

Resolution # 631

CALVERTON RECREATIONAL PARK BUDGET ADJUSTMENT

COUNCILWOMAN BLASS

_____ offered the following resolution, which was

COUNCILMAN BARTUNEK

seconded by _____.

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

	<u>FROM</u>	<u>TO</u>
406.071100.540000.70015 Contractual Services	\$48,000	
406.071100.543650.70015 Engineering/Architectural		\$48,000

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

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

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

July 5, 2006

Adopted

TOWN OF RIVERHEAD

RECREATION DEPARTMENT

BUDGET ADJUSTMENT

RESOLUTION # 632

COUNCILMAN BARTUNEK _____ 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>
006.072089.421042	Instructional Program Fees	\$6,000.00	
006-076204.518700	Programs - Instructors		\$6,000.00

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

JULY 5, 2006

Adopted

TOWN OF RIVERHEAD

RESCINDS TOWN BOARD RESOLUTION 2006-575

SEWER DISTRICT

BUDGET ADOPTION

RESOLUTION # 633

COUNCILMAN DENSIESKI

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

BE IT RESOLVED, that Town Board Resolution 2006-575 is hereby rescinded.

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

		<u>FROM</u>	<u>TO</u>
406.092705.421050.20026	Developer Fees	\$25,000.00	
406.081300.543504.20026	Engineering Expenses		\$25,000.00

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

Adopted

July 5, 2006

TOWN OF RIVERHEAD

ADOPTS POLICY FOR TRANSFER OF FUNDS

RESOLUTION # 634

COUNCILMAN DUNLEAVY

_____ offered the following resolution,

which was seconded by **COUNCILWOMAN BLASS**_____.

WHEREAS, the Town Board wishes to expedite the procurement process and give department heads more control of their budgets, and

WHEREAS, this would be accomplished by allowing Department Heads to submit written requests to the Financial Administrator to transfer funds from within their own cost centers funds excluding Account Balances not to exceed \$2,500 and;

NOW THEREFORE BE IT RESOLVED, that upon approval of the Financial Administrator funds not to exceed \$2,500 from within Department cost centers funds excluding Account Balances may be transferred;

BE IT FURTHER RESOLVED, that the Financial Administrator upon such transfer of funds shall report those transfers monthly to the Town Board by written summary;

BE IT FURTHER RESOLVED, that the Town Clerk shall provide a copy of this resolution to the Accounting Department and all Department Heads.

THE VOTE

Dunleavy yes ___ no ___ Bartunek yes ___ no ___
 Blass yes ___ no ___ Denieski yes ___ no ___
 Cardinale yes ___ no ___

THE RESOLUTION WAS ___ WAS NOT
 THEREFORE DULY ADOPTED

Adopted

July 5th, 2006

TOWN OF RIVERHEAD

Resolution # 635

APPROVES SITE PLAN OF EAST MAIN OFFICE CENTER

COUNCILWOMAN BLASS

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

WHEREAS, a site plan and elevations were submitted by Crystal Harbor Development to construct a one story medical office building and related site improvements, upon real property located at East Main Street, Riverhead, New York known and designated as Suffolk County Tax Map Number 0600-105-1-35; and

WHEREAS, the Planning Department has reviewed the site plan dated May 2, 2006 as prepared by Kenneth H. Beckman, L.S. and elevations dated February 22nd 2006 as prepared by Edward Miller, R.A. and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, the application was reviewed by the Town of Riverhead Architectural Review Board and by Resolution Number 02-2006 dated February 8th, 2006 did recommend approval of said site plan application; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 2004-1116 of the Office of the Financial Administrator of the Town of Riverhead; and

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

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the site plan application of Crystal Harbor Development; the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Unlisted pursuant to 6NYCRR Part 617 without

significant adverse impacts upon either the natural or social environment and that a Draft Environmental Impact Statement need not be prepared.

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Crystal Harbor Development for the construction of a one story medical office building with related site improvements, upon real property located at East Main Street, Riverhead, New York, elevations dated May 2nd, 2006 as prepared by Edward Miller, R.A. and site plan dated February 27th, 2006 as prepared by Kenneth H. Beckman, L.S. be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Crystal Harbor Development, hereby authorizes and consents to the Town of Riverhead to enter premises at the East Main Street, Riverhead, New York, to enforce said handicapped parking regulations;
10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all new utilities shall be constructed underground, if feasible;
12. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Ed Balanger, Crystal Harbor Development, 4992 Express Drive South, Ronkonkoma, New York 11779, the Riverhead Planning Department, Riverhead Building Department, Town Attorney and the Town Engineer.

Planning Dept.

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

July 5th, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 636

APPROVES SITE PLAN OF EAST END HEALTH CORP.

COUNCILMAN BARTUNEK

_____ offered the following resolution,

COUNCILMAN DENSIESKI

which was seconded by _____:

WHEREAS, a site plan was submitted by East End Health Corp. to allow the construction of a 2,300 sq. ft. medical arts building with related site improvements, upon real property located Roanoke Avenue, Riverhead, New York, such real property more particularly described as Suffolk County Tax Map Parcel No. 0600-103-01-04; and

WHEREAS, the Planning Department has reviewed a site plan dated June 6th, 2006, as prepared by Joseph A. Ingegno, LS and elevations dated April 25th, 2006, as prepared by James DeLucca, R.A. and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, the application was reviewed by the Town of Riverhead Architectural Review Board and by Resolution Number 02-2006 dated February 8th, 2006 did recommend approval of said site plan application; and

WHEREAS, the application was reviewed by the Town of Riverhead Architectural Review Board and by Resolution Number 05-2006 dated May 14th, 2006 did recommend approval of said site plan application; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 2005-1004 of the Office of the Financial Administrator of the Town of Riverhead; and

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

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the site plan application of East End Health Corp.; the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the action to be Type II pursuant to 6NYCRR Part 617.

BE IT FURTHER

RESOLVED, that the site plan was submitted by East End Health Corp., to allow the construction of a 2,300 sq. ft. medical arts building with related site improvements, upon real property located at the Roanoke Avenue, Riverhead, New York, such site plan prepared by Joseph A. Ingegno, L.S., dated June 6th, 2006 and elevations dated April 25th, 2006 as prepared by James DeLucca, R.A. are hereby approved by the Town Board subject to the following:

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

9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, East End Health Corp., hereby authorizes and consents to the Town of Riverhead to enter premises at Roanoke Avenue, Riverhead, New York, to enforce said handicapped parking regulations;
10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all new utilities shall be constructed underground if feasible;
12. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That the Topsoil conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;
15. That no Building Permit shall issue prior to recording the depicted cross easement to the satisfaction of the Town Attorney; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to, East End Health Corp., 44 Whippoorwill Lane, PO Box 1292, Quogue, New York 11959, the Riverhead Planning Department, Riverhead Building Department, Town Attorney and the Town Engineer.

THE VOTE

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

July 5th, 2005

Adopted

AMENDS RESOLUTION OF HENRY PERKINS
CONCERN FOR INDEPENDENT LIVING

Town of Riverhead
Resolution # 637

COUNCILMAN DENSIESKI

_____ offered the following

COUNCILMAN DUNLEAVY

resolution, which was seconded by _____.

WHEREAS, by resolution number 440 dated May 16th, 2006, the Riverhead Town Board did grant site plan approval to Concern for Independent Living to allow the conversion of an existing building into a 50 unit assisted living facility, upon real property located at 260 West Main Street, Riverhead, New York, known and designated as Suffolk County Tax Map #0600-128-3-26 & 27; and

WHEREAS, Concern for Independent Living has requested that a modification of said resolution be approved by the Riverhead Town Board to change "*assisted living facility*" to "*community residence facility*" where applicable; and

WHEREAS, the Riverhead Town Board has reviewed the amendment aforementioned; and

NOW, THEREFORE BE IT,

RESOLVED, that the Riverhead Town Board does hereby approve the amendment of Concern for Independent Living.

BE IT FURTHER

RESOLVED, that copies of this resolution be forwarded to the Town Attorney, Building Department, Planning Department and Concern for Independent Living, 260 West Main Street, Riverhead, New York 11901.

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

July 5, 2006

TOWN OF RIVERHEAD

Resolution # 638

Adopted

Classifies Action on Special Permit of Brian P. Simonsen

COUNCILMAN DUNLEAVY

_____ offered the following resolution which

was seconded by **COUNCILWOMAN BLASS**

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Brian P. Simonsen pursuant to Article XXVIA and Section 108-12B.(1) of the Riverhead Town Code, for an addition to an existing single family dwelling to convert it to a two family use on a 1.7ac. parcel zoned Residence B-40, such property more particularly described as SCTM 0600-91-1-22.6, and

WHEREAS, a Full Environmental Assessment Form and supporting documentation was submitted as part of the petition, and

WHEREAS, the Riverhead Planning Department has reviewed these materials and has determined the petition to be a Type II action pursuant to 6NYCRR Part 617.5(c)(9) as the construction of a single, two or three family dwelling on an approved lot, and

WHEREAS, pursuant to 617.3(f), 617.5(a) and 617.6(a)(1)(i), agency SEQR responsibilities end with this designation with no significance determination being necessary, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declares the special permit application of Brian P. Simonsen to be a Type II action for the purposes of SEQR compliance, and

BE IT FURTHER

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.

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**

July 5, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 639

Rescinds Resolution #510 of 6/6/06 Determining Significance on Special Permit Application of 1998 Peconic, LLC and Directs Applicant to Fund Analysis of Information Provided as Part of His Application

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

WHEREAS, the Riverhead Town Board received a special permit petition including a full EAF and a subsequent traffic study from 1998 Peconic, LLC. to construct a 3,600sq.ft. gasoline station and convenience store, 1,000sq.ft. car wash and related improvements upon a 1.8ac. parcel zoned Industrial A; such property more particularly described as SCTM 0600-99-2-30 (formerly 117-2-p/o2.5), and

WHEREAS, the Town Board by resolution #433 of 5/3/05 classified the action as Unlisted, declared themselves lead agency in the action's SEQR review and referred the matter to the Riverhead Planning Board for their review and recommendation which Board recommended denial of the petition for reasons set down in their resolution dated 7/11/05, and

WHEREAS, the Town Board held a public hearing on the special permit on 3/7/06 and by resolution #510 of 6/6/06 determined that the action held the potential for significant impact and that an Environmental Impact Statement be prepared which would have impact upon area roads and traffic patterns as its sole topic of interest, and

WHEREAS, the ability to charge the applicant under Part 617.13 of SEQR law for independent technical review of his traffic analysis was key to the Town Board's rationale in requiring an EIS and the Board now recognizes it has a similar ability under Section 108-133.3 of the special permit code to achieve the desired result, and

WHEREAS, the Town Board believes that in view of the overall size and scope of the project, the lone significant issue and the alternative means for exploratory, mitigative and discretionary authority as noted and otherwise provided by the special permit ordinance, that an EIS is an excessive and unnecessary exercise to address project impact, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby rescinds resolution #510 of 6/6/06, and

BE IT FURTHER

RESOLVED, that the applicant provide three additional copies of his traffic analysis by Schneider Engineering, dated 2/10/06 for technical review by independent expertise of the Town Board's choosing to determine if the study accurately portrays existing traffic conditions and explore possible conditions or alternatives to the applicant's project for mitigation of its traffic impact which would include:

- i. should the convenience store be made smaller;
- ii. should the number of pumps be reduced;
- iii. should the car wash be removed (unless applicant has previously and formally deleted the car wash from the application);
- iv. should the through street to the cul de sac be utilized or blocked to alleviate traffic congestion;
- v. should left turns exiting be prohibited;
- vi. should a turn lane be added to State Route 25;
- vii. should hours of operation be limited;
- viii. are there other fuel stations in Suffolk County that are located adjacent to a school;
- ix. traffic impact on the subject property resulting from permitted uses as compared to the anticipated traffic impact of the specially permitted use sought, and

BE IT FURTHER

RESOLVED, that independent expertise also explore any and all potential safety concerns resulting from the proposed special permit use to the surrounding area including the adjacent Riverhead Charter school, and

BE IT FURTHER

RESOLVED, that the applicant be charged to pay for this review pursuant to Section 108-133.3H., and

BE IT FURTHER

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Planning Department, the Town Attorney and to the applicant or his agent.

THE VOTE

Dunleavy yes no Bartunek yes no
abstain yes no Densieski yes no
Cardinale yes no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

7/05/06

Adopted

TOWN OF RIVERHEAD

Resolution # 640

ACCEPTS 5% SECURITY BOND OF STONELEIGH WOODS AT RIVERHEAD LLC

COUNCILMAN BARTUNEK offered the following resolution,

which was seconded by **COUNCILMAN DENSIESKI**

WHEREAS, Stoneleigh Woods at Riverhead LLC has posted a security bond (#41060477 Platte River Insurance Company) in the sum of Four Hundred Sixty Seven Thousand Six Hundred Twenty Five Dollars (\$467,625) representing the 5% site plan security bond as noted in the approved site plan dated May 2, 2006, Resolution #390, for work located at Middle Road, Riverhead, New York, known and designated as Suffolk County Tax Map #600-082.00-04-221.5 and 221 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said security bond and deems it to be sufficient in its form.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% performance bond in the sum of Four Hundred Sixty Seven Thousand Six Hundred Twenty Five Dollars (\$467,625) issued to the Town of Riverhead; and

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Blue & Gold Homes, PO Box 1442, Riverhead, New York, 11901; the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

The Resolution Is Is Not
Declared Duly Adopted

TOWN OF RIVERHEAD

Adopted

Resolution # 641

ACCEPTS CASH SECURITY OF 1074 PULASKI STREET LLC (RICHARD GHERARDI)

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILMAN DUNLEAVY

WHEREAS, New Riverhead Realty Holding LLC, for 1074 Pulaski Street LLC, has posted a certified check #1021 in the sum of Thirty Seven Thousand Five Hundred Sixty Dollars (\$37,560) representing the 5% bond as per the approved site plan dated September 7, 2005 Resolution #853 for two (2) new industrial buildings with related site improvements located at 1074 Pulaski Street, Riverhead, New York, known and designated as Suffolk County Tax Map # 600-125.-1-11, pursuant to Section 108-133 (I) of the Riverhead Town Code.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% cash security in the sum of Thirty Seven Thousand Five Hundred Sixty Dollars (\$37,560); and

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to 1074 Pulaski Street LLC, Mr. Richard Gherardi, 1074 Pulaski Street, Riverhead, New York, 11901; New Riverhead Realty Holding LLC, 110 East 55th Street, New York, New York 10022; the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Bartunek Yes No

Dunleavy Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

7/5/06

Adopted

TOWN OF RIVERHEAD

Resolution # 642

AUTHORIZES THE RELEASE OF A BOND FOR SOUNDVIEW ASSOCIATES

COUNCILMAN DUNLEAVY offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

WHEREAS, Soundview Associates (Georgio's Restaurant/Clubhouse) posted a cash bond in the amount of Four Thousand One Hundred Seventy Eight Dollars (\$4,178) for work at the Restaurant/Clubhouse at Oakleigh Avenue, Baiting Hollow, New York (Resolution #538 dated June 6, 2000) known and designated as Suffolk County Tax Map Number 0600-40.-2-6.3 pursuant to Section 108-133(I) of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the cash bond in the sum of Four Thousand One Hundred Seventy Eight Dollars (\$4,178); and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Soundview Associates, 100 Flagg Hill Drive, Baiting Hollow, New York, 11933; the Building Department; the Accounting Department and the Town Attorney's Office.

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

The Resolution Is Is Not
Declared Duly Adopted

7/5/06

Adopted

TOWN OF RIVERHEAD

Resolution # 643

APPOINTS A LIFEGUARD LEVEL I TO THE RIVERHEAD RECREATION DEPARTMENT COUNCILWOMAN BLASS

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

RESOLVED, that the Kimberli Hudecek is hereby appointed to serve as a Lifeguard Level I effective July 7, 2006 to and including September 4, 2006, to be paid at the rate of \$10.50 per hour, and to serve at the pleasure of the Town Board; and

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

1. All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date.
2. Subject to Suffolk County Lifeguard Certifications.
3. Current CPR Certifications

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

1

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

¹ Rec. Doris/ Res Lifeguard 2006 Kimberli Hudecek

7/5/06

Adopted

TOWN OF RIVERHEAD

Resolution # 644

**APPOINTS A P/ T RECREATION AIDE / YOUTH SPORTS
TO THE RIVERHEAD RECREATION DEPARTMENT**

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

RESOLVED, that Jacqueline Zilnicki is hereby appointed to serve as a P/T Recreation Aide/ Youth Sports effective July 6, 2006 to serve as needed on an at-will basis and to be paid at the rate of \$7.50 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

1

THE VOTE

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

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

¹ Rec.Doris/ Res Jacqueline Zilnicki Rec Aide/ Youth Sports

JULY 5, 2006

~~Tabled~~

TOWN OF RIVERHEAD

Resolution # 645

**REINSTATEMENT TO GRAPHICS MAPPING SPECIALIST
IN THE ENGINEERING DEPARTMENT**

COUNCILMAN DENSIESKI

_____ offered the following

resolution, which was seconded by _____

COUNCILMAN DUNLEAVY

WHEREAS, the position of Computer Graphics Mapping Specialist was eliminated from the Engineering Department with the establishment of an additional position of Assistant Civil Engineer; and

WHEREAS, Mark Heppner was holding the provisional position of Assistant Civil Engineer until a Suffolk County Department of Civil Service list of eligibles would be established and he would be reachable; and

WHEREAS, since the Suffolk County Department of Civil Service list of eligibles for the position of Assistant Civil Engineer has been established and Mark Heppner fails to appear on such list, the Town Engineer wishes to restore the position of Computer Graphics Mapping Specialist.

NOW, THEREFORE, BE IT RESOLVED, that effective July 10, 2006 the Town Board hereby reinstate Mark Heppner to the position of Computer Graphics Mapping Specialist at Group 6 Step 11A of the Salary Administration Schedule; and

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

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

July 5, 2006

TOWN OF RIVERHEAD

Adopted

RESOLUTION #646

AMENDS TOWN BOARD RESOLUTION 2006-591

COUNCILMAN DUNLEAVY
_____ offered the following resolutions, which was seconded
by **COUNCILWOMAN BLASS**
_____.

WHEREAS, Resolution 2006-591 was adopted by the Town Board on June 20, 2006; and

WHEREAS, it is necessary to amend the resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the resignation of Mary C. Hartill effective July 1, 2006; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Mary C. Hartill, the Town Attorney and the Office of Accounting.

THE VOTE

Dunleavy ~~Yes~~ No

Bartunek ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Cardinale ~~Yes~~ No

Z:/Peggy

July 5, 2006

TOWN OF RIVERHEAD

Adopted

Resolution No. 647

ADOPTS THE RIVERHEAD DOWNTOWN HISTORIC DISTRICT

COUNCILWOMAN BLASS

offered the following resolution, which was seconded by

COUNCILMAN DUNLEAVY

WHEREAS, pursuant to Article IV of Chapter 73 of the Riverhead Town Code, a procedure exists for Designation of Landmarks; and

WHEREAS, the Landmarks Preservation Commission approved the creation of a Riverhead Downtown Historic District by the attached resolution and map dated November 7, 2005; and

WHEREAS, pursuant to Chapter 73 of the Code of the Town of Riverhead, the Town Board may call a public hearing on the creation of the proposed Downtown Historic District; and

WHEREAS, a public hearing was held on December 28, 2005, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York at the date, time and place specified in said public notice of public hearing, and all persons wishing to be heard were heard.

NOW THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby adopts the Riverhead Downtown Historic District as depicted on the attached map.

BE IT FURTHER RESOLVED, that the Town Clerk shall hereby forward a certified copy of this resolution to members of the Landmarks Preservation Commission, the Building Department, the Office of the Assessor, the Planning Department and the Office of the Town Attorney.

THE VOTE

DUNLEAVY YES ___ NO BARTUNEK YES ___ NO

BLASS ___ YES ___ NO DENSIESKI YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

November 7, 2005

LANDMARKS PRESERVATION COMMISSION
Downtown Historic District Approval

Whereas the Riverhead Landmarks Preservation Commission has determined that a portion of downtown Riverhead contains over 220 buildings with special historic value that may be eligible for Federal Restoration Tax Credits, as determined by U.S. Department of the Interior criteria, and is thus eligible to be a historic district as defined by Chapter 73 of Riverhead Town Code; and

Whereas parcels containing these historic structures constitute approximately 63% of all the parcels in the proposed district, excluding publicly owned parking lots and open space; and

Whereas this dense concentration of historic structures gives the downtown area a special historic and architectural character that would be destroyed if these historic structures were to be lost or their historic architecture compromised by inappropriate modifications; and

Whereas the special historic and architectural character of the area would be enhanced by the new construction adjacent and between the historic structures that is consistent with the special historic and architectural characteristics of the proposed district; and

Whereas, the Commission believes that creation of a historic district in the downtown area will significantly enhance the quality of life for residents in the area, encourage tourism and other business in the area, result in increased real estate values and otherwise benefit the people of Riverhead; and

Whereas, the revitalization of the downtown is a priority of the administration and an historic district will serve to better position the Commission to be involved in this process; and

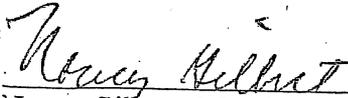
Whereas, the Commission has notified all property owners within the proposed district and within 250 feet of the boundaries of the proposed district regarding the proceedings for designation of the district, and the Commission has held a public hearing on October 24, 2005 and the Commission has considered the comments of the public at the hearing.

Now be it therefore resolved, under the provisions of Chapter 73 of Riverhead Town Code, the Commission approves the designation of a Downtown Historic District, with boundaries as shown on the Proposed Historic District Map, dated August 19, 2005 attached hereto; be it further

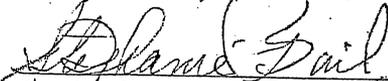
Resolved, the Commission hereby requests that the Town Clerk send notification to all affected property owners that it has approved the designation of said district; be it further.

Resolved, the Commission hereby recommends that the Town Board, under its discretion in Chapter 73-7 of Town Code, call a public hearing on the district the Commission has approved and that notice of such hearing be posted in a newspaper of general circulation and sent to all property owners within the proposed district and within 250 feet of the boundaries of the proposed district, at least fourteen days prior to such hearing.

Adopted: November 7, 2005



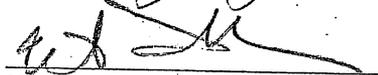
Nancy Gilbert, Member



Stephanie Bail, Member



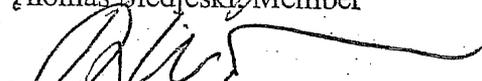
Peter Lucas, Vice Chairman



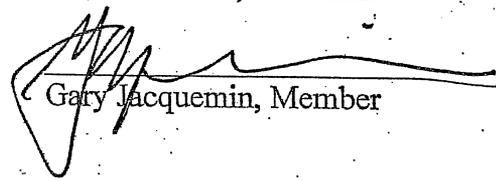
Vincent Taldone, Member



Thomas Sledjeski, Member



Richard Wines, Chairman



Gary Jacquemin, Member

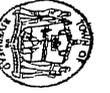
**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 28th day of December, 2005 at 2:05 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the creation of the proposed Riverhead Downtown Historic District as defined by the attached Riverhead Downtown Riverhead Historic District Map.

DATED: December 6, 2005

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK



Town of Riverhead
Proposed Historic District



19 August 2005

historiclandmarks.mxd

Adopted

07/05/06

TOWN OF RIVERHEAD
Resolution # 648

APPROVES AMENDED FINANCIAL DISCLOSURE
AND ADDS ADDITIONAL ENTITIES REQUIRED TO FILE
FINANCIAL DISCLOSURE

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

WHEREAS, the Town Board has adopted an Ethics Code (Article 18 of the Town Code of the Town of Riverhead) which requires certain individuals to complete and file a financial disclosure form with the Town Clerk of the Town of Riverhead, and

WHEREAS, the Ethics Board and the Town Board have recommended modifications to the existing financial disclosure form, and

WHEREAS, the Town Board has determined that it is appropriate for the Ethics Board, Architectural Review Board, Board of Assessment Review, Industrial Development Agency, Conservation Advisory Council and the Purchasing Agent for the Town to file financial disclosure forms in accordance with the Town's Ethics Code,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the attached modified financial disclosure form, and be it further

RESOLVED, that the members of the Boards and the individuals sets forth below shall be required to file financial disclosure forms as set forth in Article 18 of the Town Code of the Town of Riverhead:

Ethics Board, Architectural Review Board, Board of Assessment Review, Industrial Development Agency, Conservation Advisory Council, Purchasing Agent

And be it further,

RESOLVED, that the Town Clerk is directed to forward a copy of this resolution to the Town Attorney, Financial Administrator, Architectural Review Board, Board of Assessment Review, Industrial Development Agency, Conservation Advisory Council and Purchasing Agent.

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

**ANNUAL FINANCIAL DISCLOSURE STATEMENT FOR RIVERHEAD ELECTED OFFICIALS AND CERTAIN
OTHER EMPLOYEES FOR CALENDAR YEAR 2006**

Name: _____

Please answer each of the following questions completely. If a question is not applicable, please write N.A. If additional space is needed, please attach additional pages.

- 1.) a. Title of position: _____
- b. Department, Agency or Board: _____
- c. Date first elected/appointed to said position: _____
- d. Daytime telephone number: _____
- e. Home telephone number: _____

- 2.) a. Marital status. If married, please give spouse's full name including birth name where applicable.

- b. List names of all unemancipated (over 14) children:

- 3.) Real estate ownership. List the address, Tax Map Number (section, block, lot) and use of each piece of property that you, your spouse and/or your unemancipated (over 14) children own in which such person has a financial interest including corporate or partnership interest.

Tax Map Number and Street Address	State Use: Owner(s), (Self, Spouse, Child)	(Vacant/Commercial Residential/Industrial/ Other)	Acreage
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Attach separate list, if necessary.

4.) If you or anyone who is your tenant receives a subsidy from or through the Town of Riverhead, such as but not limited to the HUD Section 8 Rental Assistance Program, Community Development Home Improvement Program or New York State Affordable Housing Corporation Programs on any of the property mentioned in 4 above, please provide the following information.

Tax Map Number and Street Address	Title of Subsidized Program	Name of Program Participant

5.) Employment. List the name, address and description of any occupation, employment, trade business or profession engaged in by you or your spouse. Include town position and self-employment from which you and your spouse have earned gross income in excess of \$2,000.00 during the calendar year.

a. Name and Address of Employment	Your Position	Description

b. Name and Address of Employment	Spouse's Position	Description

6.) List any office, trusteeship, directorship, partnership or position of any nature, including honorary positions, whether compensated or not, held by you or your spouse in any corporation, association, partnership, proprietary or not-for-profit organization. Do not include membership positions in any of the above.

a. Position _____ Organization _____ Address _____

b. Spouse's Position _____ Organization _____ Address _____

7.) List any position you hold as an officer of any political party or political organization, as a member of any political party committee, or as a political party district leader. The term "party" shall have the same meaning as "party" in the Election Law. The term "political organization" means any party or independent body as defined in the election law or any organization that is affiliated with or a subsidiary of a party or independent body.

8.) Business interests. List the name, principal address, names of partners and general description of the nature of any business activity of a limited partnership, corporation or other business in which you or your spouse individually or jointly owns or controls more than a five-percent interest.

Name of Business	Partner(s)	Nature of Business	Address of Business
a. Your ownership:	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
b. Spouse's ownership	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

c. List any pending litigation or matters pending against or before any Town agency involving you, your spouse or any individual with whom you or your spouse has a business interest.

9.) Other business relationships. List the name, principal address and general description or the nature of the business activity of any entity in which you or your spouse has an investment in excess of \$1,000, excluding investments in securities and mutual funds.

	Entity	Address	Nature of Business
a. Your ownership:	_____	_____	_____
	_____	_____	_____
b. Spouse's ownership:	_____	_____	_____
	_____	_____	_____

10.) Financial interest in contracts. List any contract(s) made between the town and one (1) or more of the following: you; your spouse; your child; any partnership in which you, your spouse or your child is a member; and/or any corporation in which five percent (5%) or more of the stock is owned or controlled by you, your spouse or your child. Indicate if you, your spouse or your child receive any direct or indirect pecuniary or material benefit from such contract(s).

Self/Spouse Child or Partner	Entity in Which Interest is Held (Self/ Spouse/Child/Partnership or Corporation	Relationship To Entity	Interest in Contract Corporation (Yes or No)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

11.) Licensed professionals. If you or your spouse practice law or are licensed by the Department of State as a real estate broker or agent or practice a professions licensed by the Department of Education*, provide a general description of the principal subject areas of your practice. If you or your spouse practice with a firm or corporation and you are a partner or shareholder of the firm or corporation, provide a general description of the principal subject areas of matter undertaken by such firm or corporation. Do not list the name of the individual clients, customers or patients.

a. Your position	Description of Principal Subject Areas
b. Spouse's position	Description of Principal Subject Area

*The following professions are licensed by the Department of Education: Medicine; Physical Therapy and Physical Therapist Assistants; Physician's Assistants and Special Assistants; Chiropractic; Dentistry and Dental Hygiene; Veterinary Medicine and Animal Health Technology; Pharmacy; Nursing; Podiatry; Ophthalmic Dispensing; Engineering and Land Surveys; Architecture; Landscape Architecture; Public Accountancy; Shorthand Reporting; Psychology; Social Work, Massage; Occupational Therapy; and Speech-Language Pathologists and Audiologists; describe in general terms the principal subject areas of your practice.

12.) a. To the best of your knowledge, list the names of any relatives, clients or customers who have applications currently pending before any of the elected or appointed boards within the Town of Riverhead or who have had applications pending before any boards within the last twelve (12) months.

b. With regard to the persons listed in 12.a., please describe the services rendered by you to said persons.

13.) List any appearance you or your spouse or any individual you or your spouse has a business interest with, made before a town agency or Board, representing a private interest, or any appearance made by you in any litigation brought against the town in the past year.

a. List for yourself:

Name of Board Agency or Court Appeared Before	Name of Litigation, Application or Topic Regarding Your Appearance	Type of Work Performed
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b. List for your spouse:

Name of Board Agency or Court Appeared Before	Name of Litigation, Application or Topic Regarding Your Appearance	Type of Work Performed
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14.) List any financial interest of yours or your spouse's in the sale of a service or the sale of personal property or real property to the town.

a. List for yourself:

Name of Service or Property (list map number if applicable)	Description of Transaction

15.) EXCLUDING campaign contributions, list each source of gifts, which aggregate more than \$75 from each source, received during the reporting period for which this statement is filed by the reporting individual or such individual's spouse or unemancipated child from the same donor, EXCLUDING gifts from a relative. INCLUDE the name and address of the donor.

I have read the foregoing and swear under penalty of perjury that, to the best of my knowledge and belief, the information I have given and the conditions to which I have agreed are true.

Signature

Please Print Name

Sworn to before me this day
of ____, 200__.

July 5, 2006

TOWN OF RIVERHEAD

Adopted

Resolution # 649

ACCEPTS OFFER OF SALE OF DEVELOPMENT RIGHTS
(Property Owners: JAMES P. SHARKEY AND MONIQUE MOLFETTA)

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

WHEREAS, the Riverhead Farmland Preservation Committee (“the Committee”) has received an offer for the sale of development rights from James P. Sharkey and Monique Molfetta on approximately 17.2 acres of his agricultural lands located on the South side of Middle Road, Calverton, New York, at \$87,000.00 per acre, further described as Suffolk County Tax Map # 0600-100-3- p/o 10.5, to the Town of Riverhead, which parcel falls with the Agricultural Protection Zone “APZ” zoning district; and

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

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

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

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

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby accepts the offer of sale of development rights from the subject real property of James P. Sharkey and Monique Molfetta pursuant to Chapter 14 and Chapter 44, Section 44-5 B(2) of the Code of the Town of Riverhead; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a contract, deed and other closing documents necessary for purchase of development rights from the subject property in an amount not to exceed Eight-seven thousand, dollars per acre (\$87,000.00) and authorizes the Town Attorney to order a survey and title report for the subject real property and directs the Accounting Department to set up a budget; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Patricia C. Moore, Attorney at Law, 51020 Main Road, Southold, New York 11952; the Farmland Select Committee; Peconic Land Trust, Attn: Marian Sumner, 296 Hampton Road, P.O.

Box 1776, Southampton, New York, 11969 ; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office and the Office of the Town Attorney.

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

July 5, 2006

TOWN OF RIVERHEAD

Adopted

Resolution # 650

ACCEPTS OFFER OF SALE OF DEVELOPMENT RIGHTS
(Property Owners: Jeffrey S. Batch)

COUNCILMAN BARTUNEK offered the following resolution, which was seconded

by COUNCILMAN DENSIESKI:

WHEREAS, the Riverhead Farmland Preservation Committee ("the Committee") has received an offer for the sale of development rights from Jeffrey S. Batch on approximately 4.36 acres of his agricultural lands located on the Easterly side of Horton Avenue, North of Reeves Avenue, Riverhead, New York, at \$90,000.00 per acre, further described as Suffolk County Tax Map # 0600-63-1- p/o 11, to the Town of Riverhead, which parcel falls with the Agricultural Protection Zone "APZ" zoning district; and

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

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

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

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

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

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

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

THE VOTE
Dunleavy yes no Bartunek yes no
Blass yes no Densieski yes no
Cardinale yes no *abtain*

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

Mary Hartill

July 5, 2006

TOWN OF RIVERHEAD

Adopted

Resolution # 651

ACCEPTS OFFER OF SALE OF DEVELOPMENT RIGHTS
(Property Owners: Louis and Ottavia Caracciolo)

COUNCILMAN DENSIESKI

_____ offered the following resolution, which was seconded

by COUNCILMAN DUNLEAVY _____:

WHEREAS, the Riverhead Farmland Preservation Committee ("the Committee") has received an offer for the sale of development rights from Louis and Ottavia Caracciolo on approximately 20.4 acres of his agricultural lands located on the Easterly side of Herricks Lane, south of Stoll Drive, Jamesport, New York, at \$90,000.00 per acre, further described as Suffolk County Tax Map # 0600-9-1- p/o 6.6 and 0600-22-3-p/o 4, to the Town of Riverhead, which parcel falls with the Agricultural Protection Zone "APZ" zoning district; and

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

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

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

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

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

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Louis and Ottavia Caracciolo, Herricks Lane, Jamesport, NY 11947; the Farmland Select Committee; Peconic Land Trust, Attn: Marian Sumner, 296 Hampton Road, P.O. Box 1776,

Southampton, New York, 11969 ; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office and the Office of the Town Attorney.

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

July 5, 2006

TOWN OF RIVERHEAD

Adopted

Resolution # 652

ACCEPTS OFFER OF SALE OF DEVELOPMENT RIGHTS

(Property Owners: Richard and Eileen Jarzombek)

COUNCILMAN DUNLEAVY

_____ offered the following resolution, which was seconded

COUNCILWOMAN BLASS

by _____:

WHEREAS, the Riverhead Farmland Preservation Committee ("the Committee") has received an offer for the sale of development rights from Richard and Eileen Jarzombek on approximately 37.5 acres of his agricultural lands located on the Easterly side of Osborn Avenue, Baiting Hollow, New York, at \$90,000.00 per acre, further described as Suffolk County Tax Map # 0600-62-2- p/o 3, to the Town of Riverhead, which parcel falls with the Agricultural Protection Zone "APZ" zoning district; and

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

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

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

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

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

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Richard and Eileen Jarzombek, 2143 Osborn Avenue, Baiting Hollow, New York 11933; the Farmland Select Committee; Peconic Land Trust, Attn: Marian Sumner, 296 Hampton

Mary Hartill

Road, P.O. Box 1776, Southampton, New York, 11969; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office and the Office of the Town Attorney.

THE VOTE

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

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

Adopted

7/5/06

TOWN OF RIVERHEAD

Resolution # 653

AMENDS RESOLUTION #608 OF 2006
(APPROVES FIREWORKS PERMIT OF RIVERHEAD RACEWAY – AUGUST 26
2006)

COUNCILWOMAN BLASS

_____ offered the following resolution, was seconded by

COUNCILMAN BARTUNEK

WHEREAS, on June 20, 2006, the Riverhead Town Board approved a Fireworks Permit of Riverhead Raceway for the purpose of conducting a fireworks display to be held on Sunday, August 27, 2006 at the Riverhead Raceway located on Route 58, Riverhead, New York; and

WHEREAS, the resolution incorrectly approved the fireworks display to take place on August 27, 2006.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby amends Resolution #608 adopted by the Riverhead Town Board on June 20, 2006 to approve the Fireworks Permit to allow the fireworks display to take place on Saturday, August 26, 2006; and be it further

RESOLVED, that all other terms and conditions of Resolution #608 shall remain in full force and effect; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Barbara Cromarty, 175 E. 62nd Street, Apartment 18B, New York, New York, 10021; Bruce Johnson, Fire Marshal; Chief Hegermiller, Police Department; the Riverhead Fire Department and the Office of the Town Attorney.

THE VOTE

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

THE RESOLUTION ___ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

7/5/06

Adopted

TOWN OF RIVERHEAD

Resolution # 654

APPROVES CHAPTER 90 APPLICATION OF CHURCH OF THE HARVEST

COUNCILMAN BARTUNEK

_____ offered the following resolution, was seconded by

COUNCILMAN DENSIESKI
_____:

WHEREAS, on June 8, 2006, Church of the Harvest had submitted a Chapter 90 Application or the purpose of conducting a "Three on Three Basketball Tournament", to include a bar-b-que with music, to be located at the park on Lewis Street in Millbrook Gables, Riverhead, New York, to be held on August 5, 2006, between the hours of 11:00 a.m. and 5:00 p.m.; and

WHEREAS, Church of the Harvest has completed and filed a Short Form Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

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

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

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

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

RESOLVED, that the Chapter 90 Application of the Church of the Harvest to conduct a "Three on Three Basketball Tournament", to include a bar-b-que with music, to be located at the park on Lewis Street in Millbrook Gables, Riverhead, New York, to be held on August 5, 2006, between the hours of 11:00 a.m. and 5:00 p.m., is hereby approved; and be it further

RESOLVED, that the Town Board hereby waives the Chapter 90 Application fee in connection with this event; and be it further

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

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

RESOLVED, that this approval is subject to a fire safety inspection by the Town Fire Marshal 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-event" 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 Church of the Harvest, P.O. Box 1086, Riverhead, New York, 11901; the Riverhead Fire Marshal; Chief Hegermiller, Riverhead Police Department and the Office of the Town Attorney.

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

7/5/06

TOWN OF RIVERHEAD

Adopted

Resolution # 655

**APPROVES CHAPTER 90 APPLICATION OF DOUGLAS DEY
(FREE CAMP FOR AT-RISK CHILDREN)**

COUNCILMAN DENSIESKI

_____ offered the following resolution, was seconded by
COUNCILMAN BARTUNEK

WHEREAS, on June 16, 2006, Douglas Dey had submitted a Chapter 90 Application for the purpose of conducting a free camp for at-risk children (to play soccer, lacrosse, basketball and baseball) to be held at 4062-652 Grumman Boulevard, Calverton, New York, from July 17, 2006 through August 26, 2006 between the hours of 10:00 a.m. and 3:00 p.m.; and

WHEREAS, Douglas Dey has completed and filed a Short Form Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

WHEREAS, the required Chapter 90 Application fee has been paid; and

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

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

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

RESOLVED, that the Chapter 90 Application of Douglas Dey for the purpose of conducting a free camp for at-risk children (to play soccer, lacrosse, basketball and baseball) to be held at 4062-652 Grumman Boulevard, Calverton, New York on the aforementioned dates and times, is hereby approved; and be it further

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

RESOLVED, that 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 Douglas Dey; Kenneth Testa, P.E.; the Riverhead Fire Marshal; the Riverhead Police 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	Dansieski	<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

July 5, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 656

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW TO ADD CHAPTER 102 ENTITLED "TAXICABS AND VEHICLES FOR HIRE" TO THE RIVERHEAD TOWN CODE

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

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a proposed local law to add Chapter 102 entitled "Taxis and Vehicles for Hire" to the Riverhead Town Code once in the July 13, 2006 issue of the News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Riverhead Police Department, the Division of Code Enforcement and the Office of the Town Attorney.

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

Townboard.taxi

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 18th day of July at 7:40 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to add Chapter 102 entitled "Taxis and Vehicles for Hire" to the Riverhead Town Code (as attached).

Dated: Riverhead, New York
July 5, 2006

BY ORDER OF THE BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

THE VOTE

DUNLEAVY ___ YES ___ NO BARTUNEK ___ YES ___ NO

BLASS ___ YES ___ NO DENSIESKI ___ YES ___ NO

CARDINALE ___ YES ___ NO

THIS RESOLUTION ___ IS ___ IS NOT
DECLARED DULY ADOPTED

D R A F T

Chapter 102: TAXICABS AND VEHICLES FOR HIRE

§ 102-1. Purpose.

It is the purpose and intent of this chapter to control and regulate the activities of taxicabs, limousines and any other vehicles for hire in the Town of Riverhead. History has shown that there is a need for investigation and review of the past conduct of applicants in the interest of promoting public safety and morals, child welfare, economic well-being and highway safety and usage. Indeed one of the Town Board's highest priorities is to protect the peace and security of our citizens on the highways in our community. Thus, this chapter is intended to enhance and safeguard consumers against fraud and inferior services; and to prevent congestion and unsafe conditions on the streets and highways of the Town. It has been made with reasonable consideration of the character of our community and with a view to preserving that character, among other considerations.

§ 102-2. Word usage; definitions.

A. Word usage. Words used in the singular in this chapter shall include the plural and vice versa. The word "shall" is always mandatory.

B. Definitions. The following definitions shall govern the interpretation of this chapter unless otherwise expressly defined herein:

BUSINESS - Includes any single act of transporting a passenger or passengers in a motor vehicle for hire or for compensation of any kind upon the public streets, roads and highways within the Town of Riverhead.

FARE - A transportation charge on the price of passage or sum paid for conveying a person by taxicab or vehicle for hire.

LICENSE - Due authorization in writing, as provided herein, which permits a person to engage in the business of transportation for hire or to employ others for said purpose.

LIMOUSINE - Includes any motor vehicle engaged in transportation for hire in connection with funerals, weddings, proms and other events or functions of a similar nature or in connection with general transportation for hire when, at the prior request of the passenger(s), an unmarked livery is used and pickup is made by prior arrangement, whether hired by the hour, by the day or for a fixed fare, and/or so licensed by the New York State Department of Motor Vehicles.

OPERATOR - Includes a natural person who is entitled to obtain in his or her own name proper New York State licensing for the operation of a motor vehicle for the purpose of transportation for hire.

OWNER - Includes a person, as defined herein, who is a business owner, principal, director and/or officer of a business, a purchaser under a reserve title contract, conditional sales contract or vendor's lien agreement and a lessee who is entitled to obtain in his or her own name proper New York State registration of the vehicles engaged in the business of transportation for hire.

and/or a person owning or controlling one or more taxicabs or limousines and operating/driving or causing to be operated/driven any such vehicle for hire.

PASSENGER - Includes any person other than the operator/driver who is an occupant of a taxicab or limousine upon the public streets, roads and highways within the Town of Riverhead.

PERMIT - Due authorization in writing, as provided herein, which permits a natural person to operate a motor vehicle engaged in transportation for hire.

PERSON - Includes natural persons, corporations, partnerships, unincorporated associations or any other organizations of two or more persons.

STREET - Any street, avenue, bridge, highway, public way or public place within the confines of the Town of Riverhead.

TAXICAB - Includes any motor vehicle engaged in the business of transportation for hire, other than a limousine.

TAXICAB LICENSE - Due authorization in writing, as provided herein, which permits a person to operate a motor vehicle engaged in the business of transportation for hire, from point to point within the confines of the Town of Riverhead

TOWN - Includes all areas within the Town of Riverhead exclusive of areas wholly within any incorporated village.

TRANSPORTATION FOR HIRE — Includes the transporting of a passenger or passengers in a motor vehicle, for hire or for compensation of any kind, upon the public streets, roads and highways within the unincorporated areas of the Town of Riverhead.

VEHICLE FOR HIRE — Includes any motor vehicle used in the transporting of a passenger or passengers, for hire or for compensation of any kind, upon the public streets, roads and highways within the unincorporated areas of the Town of Riverhead.

§ 102-3. Application of provisions.

Nothing proposed by this chapter shall apply to persons or taxicabs engaged in the business of transporting persons, for hire or pay, from a point outside the Town of Riverhead to a point within the Town nor from a point within the Town to a point outside the Town of Riverhead nor from a point outside the Town to another point outside the Town and passing through the Town of Riverhead.

§ 102-4. Business license.

A. It shall be unlawful for any person to engage in the business of transporting people for hire by a taxicab, from point to point within the confines of the Town of Riverhead, without having first obtained a license to conduct such business from the Town Clerk.

B. Application.

(1) To obtain a business license required by this section, or any renewal thereof, a verified application shall be made to the Town Clerk, upon a form to be furnished by the Town Clerk, which application shall set forth the following information:

(a) The name and resident address of the applicant and of all officers, partners, directors and stockholders of the applicant.

(b) The make, model, year, seating capacity, vehicle identification number and license plate number of each vehicle to be used in said taxicab business.

(c) The registered owner of each vehicle to be used in said taxicab business. No business license shall be issued to any person unless he is the owner of each taxicab operated in his name.

(d) The names and addresses of all vehicle operators.

(e) The name, address, telephone number and title of the person designated to accept process or other legal notices on behalf of the licensee. The licensee is required to designate an agent who resides in the County of Suffolk for the service of process of any notices set forth in this chapter or for the service of process of a violation of this chapter.

C. Form. A business license shall state the name and address of the licensee and a listing of all the taxicabs used in said business by license plate numbers and the date of the issuance and expiration of said business license.

D. Term. The term of the business license shall be from August 1 to the following July 31.

E. Posting and business office. A business license shall be conspicuously posted, in full public view, in the main office of the licensee. Each applicant for a business license shall maintain a taxi office within the Town of Riverhead. A taxi office shall obtain all of the required use permits as described in Chapter-108, "Zoning" and shall obtain a proper certificate of occupancy for any premises prior to the issuance of a business license. The proper certificate of occupancy shall be presented to the Town Clerk as part of the application to obtain a business license

F. Renewal. Application for the renewal of a business license shall be filed no later than June 1 of each year. The application shall be verified and shall set forth the information listed in § 102-4(A) of this chapter. Forms for the renewal application shall be supplied by the Town Clerk and shall be requested by the licensee, in writing, no later than May 1 of each year.

G. Modification. Any change in circumstance with regard to the information required hereinabove shall be reported to the Town Clerk within thirty (30) days of occurrence.

§ 102-5. Taxicab license.

A. It shall be unlawful for any person to operate or permit to be operated a taxicab, from point to point within the confines of the Town of Riverhead, without having first obtained therefor a taxicab license from the Town Clerk. All taxicabs licensed by the Town of Riverhead shall have T- or taxicab license plates as issued by the New York State Department of Motor Vehicles.

B. Application. To obtain a taxicab license as required by this section, or any renewal thereof, a verified application shall be made to the Town Clerk, which application shall set forth the following information:

(1) The name and resident address of the applicant and the registered owner of the vehicle.

(2) The business address from which the taxicab will be used and the business license under which it will be used.

(3) The make, model, year, seating capacity, vehicle identification number and the license plate number.

(4) If the vehicle has been previously used as a taxicab and where.

(5) A certificate of inspection pertaining to the vehicle.

C. Form. The taxicab license shall state the name and address of the registered owner; if the vehicle is leased, the name and address of the party to which it is leased; the seating capacity; the year, make and model; the license plate number; and the business license number under which the taxicab is being operated.

D. Term. The term of the taxicab license shall be from August 1 to the following July 31.

E. Posting. The taxicab license shall be conspicuously posted and securely fastened on the interior of such vehicle in such a manner as to be readily visible to a passenger in the rear seat.

F. Identification sticker.

(1) When issuing a taxicab license, the Town Clerk shall also deliver to the licensee a sticker bearing the taxicab license number, the vehicle license plate number and the expiration date of the taxicab license. Each such sticker must be securely affixed to the left front quarter panel near the driver's door. The sticker is to remain there and shall be kept clearly visible at all times.

(2) Should this sticker become lost, stolen or destroyed through no fault of the licensee, the Town Clerk shall issue a duplicate sticker at a fee as set by the Town Board.

G. Renewal. An application for the renewal of a taxicab license shall be filed no later than June 1 of each year. The application shall be verified and shall set forth the information listed in § 102-5(B) of this chapter. Forms for the renewal applications shall be supplied by the Town Clerk and shall be requested by the licensee, in writing, no later than May 1 of each year.

H. Modification. Any change in circumstance with regard to the information required hereinabove shall be reported to the Town Clerk within thirty (30) days of occurrence.

§ 102-6. Driver's permit.

A. It shall be unlawful for any person to drive or operate or, as an owner, to allow any person to drive or operate a taxicab or other motor vehicle engaged in transportation of persons, for hire,

from point to point within the confines of the Town of Riverhead, without having first obtained a permit to drive or operate a taxicab from the Town Clerk.

B. Application. To obtain a permit required by this section, or any renewal thereof, a verified application shall be made to the Town Clerk, upon a form to be furnished by the Town Clerk, which application shall set forth the following information:

(1) The name and resident address of the applicant.

(2) Any other names ever used by the applicant.

(3) The applicant's place of residence for the past five-year period.

(4) The applicant's age, date of birth, color, height, weight, color of eyes, color of hair, place of birth and citizenship.

(5) Whether or not the applicant has ever been convicted of a crime and, if so, the details of such conviction. Any conviction for a felony or any conviction for a violation of § 1192 or § 1190 of the New York State Vehicle and Traffic Law or of any conviction under Articles 120, 125, 130, 135, 155 or 160 of the New York State Penal Law may act as a bar to the granting of a permit to drive or operate a taxicab.

(6) The applicant's chauffeur's license classification and license number.

(7) Whether or not the applicant has been previously licensed in such occupation and, if so, the details of where, when and for what period. If such license was ever suspended or revoked, the reason therefor and the date thereof.

C. Driver's photographs and fingerprints.

(1) Photograph. All permit applications shall be accompanied by four (4) unmounted, unretouched photographs of the applicant, showing head and shoulders, taken within thirty (30) days of the date of the application. Said photographs shall be two by two (2 x 2) inches in size.

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

D. Physical examination; drug test.

(1) The applicant must submit to a physical examination and drug test by an authorized New York State Board-certified medical doctor. Said medical doctor shall issue a written medical opinion regarding whether there is any affliction of any physical or mental disease or infirmity which might make the applicant an unsafe or unsatisfactory permit holder and whether the applicant has any drug or alcohol dependency or drug use other than by prescription. The results

of blood testing must be submitted to the Town Clerk with results of the physical examination and written medical opinion. Fees shall be paid by applicant.

(2) The applicant must submit to an annual drug test prior to being issued a renewal permit. The fee shall be paid by the applicant.

E. Form. The permit shall contain the name, address, date of birth, signature and photograph of the applicant. It shall state the dates of issuance and expiration of the permit. In addition there shall be sufficient blank spaces to record any suspension or revocation of the permit.

F. Term. The term of the permit shall be from August 1 to the following July 31.

G. Posting. The permit shall be conspicuously posted and securely fastened on the visor on the driver's side of the taxicab.

H. Renewal. Application for the renewal of a permit shall be filed no later than June 1 of each year. The application shall be verified on a form furnished by the Town Clerk and shall contain the information required by § 102-6(B) and all its subsections. If a person wants to renew a permit he shall request a renewal form from the Town Clerk, in writing, no later than May 1 of each year. Upon every annual renewal, the applicant for such permit renewal shall execute a written affidavit, sworn to under oath, before an officer empowered to administer such oath, that the applicant has not been charged with, nor convicted of, any crime. Upon the applicant's disclosure of such charge or conviction, the Town Clerk shall have the discretion to issue, renew or not to renew the permit. The affidavit to be executed by said applicant shall be preceded by a written warning that knowingly making a false sworn statement constitutes the separate crime of perjury and that the discovery of any false statement will result in the immediate revocation of the permit. Any person having been issued a permit is required to notify the Town Clerk within twenty-four (24) hours of their being charged or convicted of a crime. Upon learning that a person who has been issued a permit has been charged with, or convicted of, a crime, the Town Clerk shall have the discretionary power to suspend or revoke the subject permit. Upon every third annual renewal for such permit the applicant shall again undertake the fingerprint check procedure set forth in § 102-6(C)(2).

I. Temporary permit.

(1) The Town Clerk may issue a temporary permit to an applicant, who is otherwise qualified, pending the investigation of the applicant's application for a full permit. Such a temporary permit 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 permit shall be subject to all the provisions of this chapter. The duration of a temporary permit shall be determined by the Town Clerk and in no event shall it be longer than forty-five (45) days, and such permit may be revoked by the Town Clerk, for cause shown, at any time.

J. Modification. Any change in circumstance with regard to the information required hereinabove shall be reported in writing to the Town Clerk within thirty (30) days of occurrence.

§ 102-7. Duties of drivers.

It shall be the duty of every driver subject to the provisions of this chapter to:

- A. Keep the interior and exterior of his taxicab clean at all times.
- B. Transport all orderly persons upon request, unless already under hire.
- C. Inform the Town Clerk, in writing, of any change in address within seventy-two (72) hours.
- D. Thoroughly search his taxicab for lost or misplaced items after the discharge of each fare.
- E. Inform the Town Clerk, in writing, within twenty-four (24) hours of the loss or theft of his driver's permit.
- F. Not transport persons without payment of a fare, except the owner of the taxicab or a fellow employee.
- G. Not transport a greater number of persons than the rated capacity of the taxicab as listed on the taxicab license.
- H. After having accepted a person for transportation, refuse to accept any other passengers without the consent of the person first accepted for transportation.
- I. At the request of any passenger, enforce no smoking in their vehicle by all occupants, including the driver, during the presence of the passenger making said request.
- J. Not allow any other person to use their driver's permit.
- K. Maintain a written record of all trips, showing the time and place each passenger engages the taxicab and the time and place he leaves the taxicab, as well as the fare charged. The driver shall deliver a copy of this record to the owner of the taxicab. This record shall be retained by the driver for a period of one (1) month.
- L. Not conduct himself in any manner or way that is either dangerous or offensive to the general public.

§ 102-8. Duties of owners.

It shall be the duty of every owner or lessee of a taxicab subject to the provisions of this chapter to:

- A. Inspect and repair all damage or malfunction to or in the vehicle or equipment each week. All said repairs and maintenance to the vehicles shall not be made while the vehicle is on the public street, public way or public place.
- B. Not allow the taxicab to be used in business if not in proper working condition.

C. Equip and maintain each taxicab with:

(1) Snow tires or chains when there is snow or ice on the streets.

(2) Interior lights, under the control of the driver, which shall fully illuminate the passenger area when a passenger is boarding or alighting from the vehicle.

D. Not allow any person to operate the taxicab without a driver's permit as required by this chapter.

E. Maintain the driver's fare record, which has been delivered to him for a period of one (1) year and which must be available for inspection by the Town, upon request, at all times during said period. If the driver fails to deliver the fare record to the owner, the owner shall request the record from the driver and, if still not delivered, shall inform the Town Clerk of the driver's failure to provide the fare record.

F. Report to the Town Clerk the loss or the theft of the taxicab license, in writing, within twenty-four (24) hours.

G. Conspicuously and securely post and maintain a fare schedule within the taxicab and forward a copy thereof to the Town Clerk.

§ 102-9. License and permit record and seal.

A. Each license and permit issued pursuant to the provisions of this chapter shall be stamped with the Seal of the Town of Riverhead.

B. In addition, the Town Clerk shall keep a record of all licenses and permits issued pursuant to this chapter. Such record shall list the complaints, suspensions and revocations recorded against each licensee and permit holder and such record shall be open to view by the public during regular business hours.

§ 102-10. Transfer or assignment of licenses or permits.

It shall be a violation of this chapter for any person to transfer or assign, or to accept transfer or assignment, of any license or permit issued under this chapter from person to person or from vehicle to vehicle.

§ 102-11. Loss of license or permit.

Should any license or permit issued pursuant to this chapter be lost or stolen through no fault of the licensee or permit holder, the Town Clerk shall issue a duplicate license or permit for a fee to be set by the Town Board.

§ 102-12. Lost and found articles.

All property which is lost or misplaced in the taxicab shall be kept at the address listed on the business license under which the taxicab is operated for a period of twenty-four (24) hours. After

this period, if the property is still not claimed, it shall be brought to the Riverhead Town Police Department and a receipt obtained.

§ 102-13. Filing, posting and contents of schedules of fares.

A. Filing. Owners must file with the Town Clerk a copy of the current, valid schedule of fares to be charged for the transportation of passengers for hire in their vehicles.

B. It shall be a violation of this chapter to operate or permit to be operated a taxicab, from point to point within the confines of the Town of Riverhead, unless there is conspicuously posted in the interior of the taxicab a schedule of the fares to be charged for the hire of such vehicle. Such schedule shall be legibly printed on white cardboard or similar material, in easy view of the passenger riding in the back seat and not less than six (6) inches by eight (8) inches in size.

C. This fare schedule shall contain the following information:

(1) The minimum and the maximum fare to be charged within the Town of Riverhead.

(2) The fare per mile.

(3) Any fare for transportation outside of the Town should be checked with the office.

(4) Cost for waiting time.

(5) Fare for exclusive, one-passenger service.

(6) Cost for packages.

D. The owner or operator of such taxicab will not be allowed to collect a fare greater than that which is posted.

§ 102-14. Inspection.

A. Each and every taxicab licensed pursuant to the provisions of this chapter shall be subject to inspection by the Town of Riverhead Department of Fire Protection and Code Enforcement Division. Said inspection shall concern the cleanliness of the taxicab, the required safety equipment, the proper posting of licenses and other items required by this chapter and that the taxicab is in proper working condition.

B. Should the taxicab be found to be operating while in an unclean or unsafe condition or without the equipment and posted items required by this chapter, the driver shall be issued a warning summons by the Town of Riverhead Department of Fire Protection and Code Enforcement Division. Such summons shall state the violation that has been discovered, and the summons shall further state that corrective measures shall be taken within forty-eight (48) hours. Proof that the violation has been corrected or repaired shall be presented to the Town of Riverhead Department of Fire Protection and Code Enforcement Division within the forty-eight (48) hour period.

C. If such proof is not received, the Town of Riverhead Department of Fire Protection and Code Enforcement Division shall promptly notify the Town Clerk. The Town Clerk shall mail to the registered owner of the taxicab by registered mail, to the business address listed on the application, notice of a suspension hearing regarding the taxicab license and the date of that hearing, along with notice that the taxicab license has been temporarily suspended pending the hearing.

§ 102-15. Police inspections.

Nothing in this chapter shall prevent the Riverhead Town Police Department from making further routine inspections of said taxicabs and reporting its findings to the Town of Riverhead Department of Fire Protection and Code Enforcement Division and the Town Clerk.

§ 102-16. Suspension or revocation of license or permit.

A. A license or permit issued pursuant to the provisions of this chapter may be suspended or revoked for cause after a hearing, notice of which, stating the charges alleged, shall be mailed to the licensee or permit holder by registered mail, at the address listed on the license or permit application, at least seven (7) days prior to the hearing.

B. Said hearing shall be held before a hearing officer appointed by the Town Clerk. At the close of the hearing, the hearing officer may suspend or revoke the license or permit or dismiss the charges alleged. The hearing officer must state the facts upon which the ruling is based.

C. Failure to comply with the provisions of this chapter shall be seen as sufficient cause for the revocation or suspension of such license or permit.

D. Conviction of a violation of the New York State Vehicle and Traffic Law in a court of competent jurisdiction regarding the equipment or working condition of the taxicab shall be grounds for the suspension or revocation of the taxicab license.

§ 102-17. Vehicle regulations.

A. Taxicab identification. Each vehicle used as a cab, as defined hereinabove, must be equipped with a permanent raised dome light affixed to the roof, with "taxi," "taxicab" or the business name imprinted thereon, and must have "taxi" or "taxicab" and the business telephone number permanently affixed to each side of the exterior, not less than four inches in height, and the business name and address must be permanently affixed to the lower portion of the front door, on each side of the exterior, not less than two (2) inches in height.

B. Inspections. Each vehicle and its equipment must be inspected at least once during each week, the results of which must be noted in the written log maintained for that vehicle, and must pass all Town, state and police inspections.

C. Maintenance. Each vehicle must be kept clean, sanitary, fit, of good appearance and in a safe condition for the transportation of passengers, including repair of all malfunctions and/or damages and must comply with all alterations and/or additions that may be required.

D. Signs and/or displays. No vehicle licensed pursuant to the provisions of this chapter shall carry any advertising on the exterior of such vehicle, unless the owner thereof shall have first obtained from the Town Clerk a permit to carry such advertising pursuant to § 102-18 of this chapter.

§ 102-18. Permits for advertising.

A. No vehicle licensed pursuant to the provisions of this chapter shall carry any advertising on the exterior of such vehicle, unless the owner thereof shall first have obtained from the Town Clerk a sign permit to carry such advertising.

B. Such sign permits that have been issued shall expire on the anniversary date of issuance in the next succeeding year unless sooner surrendered, suspended, revoked or terminated.

C. The fee for the issuance of such sign permit shall not exceed \$50.00 annually. If the sign permit so issued is surrendered to the Town Clerk by the permit holder within six (6) months of its date of issuance, one half (1/2) of the fee paid shall be refunded to the sign permit holder.

D. Applications for such sign permits shall be filed with the Town Clerk upon forms, which shall be provided by the Town Clerk.

E. The Town Clerk shall promulgate such rules and regulations as are necessary to carry out the provisions of this section, including but not limited to the type, content and size of any advertising matter.

F. Notwithstanding any other provision of law to the contrary, the Town Clerk may revoke any individual sign permit or the sign permits of any one person, issued pursuant to this section for advertising, if advertising showed in the display is offensive to public morals, and is not removed from public display within a period of fifteen (15) days upon specific request for such action from the Town Clerk.

G. Advertising shall be limited to a maximum of two exterior printed panels not exceeding fourteen (14) inches in height and forty-eight (48) inches in width.

H. No sign permit issued under this section shall be transferred or assigned.

§ 102-19. Issuance, posting and contents of passenger regulations, rights and complaints.

A. Issuance. Upon approval of an application for a taxicab license, the Town Clerk shall issue a placard for each vehicle bearing the title: "Passenger Regulations, Rights and Complaints."

B. Posting. Owners, at all times, and operators, while in possession of a vehicle, are responsible for keeping said placard conspicuously posted and securely fastened in the interior of each vehicle, in a clear and readable manner.

C. Contents. The placard shall set forth the activities by passengers that are prohibited, their rights and where to file complaints, as prescribed by this chapter.

§ 102-20. Surrender of license or permit.

A. Disapproval, suspension or revocation. Holders of licenses and/or permits issued pursuant to this chapter must surrender same to the Town Clerk immediately upon demand after the disapproval, suspension or revocation thereof.

B. Sales. Holders of a license issued pursuant to this chapter, must surrender same to the Town Clerk immediately upon, and in no case later than seven (7) days from, the sale or other disposition of a business or any vehicle.

C. State actions. Holders of licenses and/or permits, issued pursuant to this chapter, must surrender same to the Town Clerk immediately upon, and in no case later than seven (7) days from, suspension or revocation by the State of New York of any relevant license, permit or registration.

§ 102-21. Sale or disposition of vehicle.

Each person licensed pursuant to this chapter shall, upon the sale or other disposition of a licensed taxicab or limousine, within twenty-four (24) hours, notify the Town Clerk of the sale or other disposition, surrender the taxicab license issued for the vehicle and submit proof that the license plates have been surrendered to the Department of Motor Vehicles.

§ 102-22. Prohibited activities by passengers.

The activities by passengers set forth herein are unlawful, are therefore prohibited and are the responsibility of the passenger while occupying, engaging or in any way using a vehicle for hire:

A. Nonpayment. Passengers must pay the agreed or established fare, as indicated on the schedule of fares posted in the vehicle.

B. Disorderly conduct. Passengers must conduct themselves in an orderly manner.

C. Attention-seeking devices. Passengers may not use loudspeakers, noisemaking devices, signs, displays or other attention-seeking devices.

D. Peddling. Passengers may not peddle any goods or property from the vehicle for hire.

E. Improper use. Passengers may not solicit the use of a vehicle for hire in violation of Chapter 102 of the Code of the Town of Riverhead or for any purpose other than transportation for hire.

§ 102-23. Passengers' rights and complaints.

A. Rights. Passengers in vehicles for hire are entitled to quiet, safe, orderly, timely, comfortable transportation, at a price stated on a Schedule of Fares, posted in the vehicle in a clear and readable manner.

B. Complaints. Passengers who wish to file complaints regarding poor service, poor vehicle conditions, improper conduct or any other reason should do so by completing a complaint form obtained from the Town Clerk and shall file with the Town Clerk the completed complaint form.

§ 102-24. Fees.

A. Regular fees. The following fees shall be collected by the Town Clerk at the time applications are presented for issuance, replacement, substitution, processing or hearing:

(1) For a business owner's license: \$200.00.

(2) For a taxicab license: \$125.00 for each motor vehicle.

(3) For an operator's permit: \$100.00.

(4) For processing fingerprints by the New York State Division of Criminal Justice Service: prevailing fee of that agency.

(5) For a revocation hearing: \$100.00.

(6) For an appeal of disapproval, suspension hearing or revocation hearing: \$100.00.

B. Late fees. The following additional fees shall be collected by the Town Clerk at the time applications are presented for renewal when said applications are made in excess of thirty (30) days after the expiration date thereof:

(1) For a business owner's license: \$50.00.

(2) For a taxicab license: \$15.00 for each motor vehicle.

(3) For an operator's permit: \$15.00.

C. Refunds. Fees shall not be refunded in the event that an application is denied.

D. Reductions. There shall be no reduction in fees for licenses or permits issued for a fractional part of the year.

§ 102-25. Penalties for offenses.

A. Any person or persons committing an offense against this chapter or any section or provision thereof is guilty of a violation punishable by a fine as indicated herein below or imprisonment for a period not to exceed fifteen (15) days, or by both fine and imprisonment, and each day's continued violation shall constitute a separate offense:

(1) First offense: not less than \$250.00.

(2) Second offense: not less than \$500.00.

(3) Third offense: not less than \$1,000.00, and additionally, in the case of vehicle operators, revocation of the driver's permit for a minimum of one (1) year, after which reinstatement shall be based on a complete new application process, including fingerprints.

B. In addition to any other remedy provided by law, the Town may bring an injunction proceeding to enforce this chapter.

C. Notwithstanding conviction for a violation hereunder, and imposition of a fine and/or imprisonment therefor, any license or permit holder shall also be liable for suspension, revocation or future disapproval of any license or permit held by him or her in his or her own or any business or corporate name for offense against this chapter. The provisions contained in this chapter regarding disapproval, suspension and revocation shall be controlling to effectuate any disapproval, suspension or revocation provided for herein.

§ 102-26. Severability.

If any part of or provision of this chapter or the application thereof to any person or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of or provision of or application directly involved in the controversy in which the judgment shall have been rendered and shall not affect or impair the validity of the remainder of this chapter or the application thereof to other persons or circumstances.

§ 102-27. When effective.

The provisions of this chapter shall take effect immediately.

Adopted

JULY 5, 2006

TOWN OF RIVERHEAD

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST A HELP WANTED AD FOR FULL TIME AUTOMOTIVE EQUIPMENT OPERATOR IN THE HIGHWAY DEPARTMENT

RESOLUTION # 657

COUNCILMAN BARTUNEK

_____ offered the following resolution,

which was seconded by _____

COUNCILWOMAN BLASS

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

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

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking qualified individuals to serve in the position of F/T Automotive Equipment Operator in the Highway Department. Applications The Town requests that all applicants have a clean, valid CDL. Applications can be downloaded at www.Riverheadli.com and submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY. No applications will be accepted after 4:30pm on July 21, 2006. EOE

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

DATE: July 5, 2006

Adopted

TOWN OF RIVERHEAD

AWARDS BID FOR 2006 DUMP TRUCK FOR SEWER DISTRICT

RESOLUTION # 658

COUNCILWOMAN BLASS

offered the following resolution,

COUNCILMAN DUNLEAVY

which was seconded by _____.

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for 2006 OR 2007 DUMP TRUCK WITH POWER LIFT GATE & SNOWPLOW PACKAGE and;

WHEREAS, bids were received, opened and read aloud on the 22nd day of June, 2006 at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders.

NOW THEREFORE BE IT

RESOLVED, that the bid for 2006 OR 2007 DUMP TRUCK WITH POWER LIFT GATE & SNOWPLOW PACKAGE be and hereby is, awarded to LUCAS FORD TRUCK SALES, INC. for \$50,777.00.

RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to LUCAS FORD TRUCK SALES, INC., MUNICIPAL GARAGE, SEWER DISTRICT and the PURCHASING DEPARTMENT.

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

Adopted

7/5/06

Town of Riverhead

Resolution # 659

AUTHORIZES TOWN OF RIVERHEAD TO ACT AS SPONSOR FOR DOWNTOWN REVITALIZATION APPLICATION - ROUND VI

COUNCILMAN DUNLEAVY

_____ offered the following resolution, which was

seconded by _____

COUNCILMAN DENSIESKI

WHEREAS, the County of Suffolk has provided funding for Downtown Revitalization since 1999; and

WHEREAS, the Town of Riverhead has sponsored five (5) previous applications for either the Riverhead Business Improvement District or the Riverhead Chamber of Commerce, as applicants; and

WHEREAS, the Suffolk County Community College has requested the Riverhead Chamber of Commerce to act as applicant for an application for equipment to support the SCCC Culinary Arts facility proposed to be constructed and operated on East Main Street in downtown Riverhead; and

WHEREAS, the Riverhead Chamber of Commerce has authorized the submission of an application on behalf of the SCCC in the amount of \$41,600.

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby agrees to serve as sponsor for the submission of an application by the Riverhead Chamber of Commerce for \$41,600 to provide video, audio and filming equipment to support the SCCC Culinary Arts Facility Demonstration Theatre on East Main Street in downtown Riverhead and to administer said funding, as awarded, with the cooperation and full compliance by SCCC with procurement and expenditure procedures required under this program; 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**

BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Riverhead Chamber of Commerce, Lori Taggart (Intergovernmental Relations Coordinator, SCCC, 533 College Rd., NFL #230, Selden, NY 11784), Hon. Ed Romaine (423 Griffing Ave. Riverhead, NY 11901), and Andrea Lohneiss, Community Development Director.

DUNLEAVY ___ YES ___ NO BARTUNEK ___ YES ___ NO

BLASS ___ YES ___ NO DENSIESKI ___ YES ___ NO

CARDINALE ___ YES ___ NO

THIS RESOLUTION ___ IS ___ IS NOT
DECLARED DULY ADOPTED

July 5, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 660

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING – SPECIAL USE PERMIT OF WULFORST FARMS (THE BAITING HOLLOW CLUB)

COUNCILMAN DENSIESKI

_____ offered the following resolution which

was seconded by _____ **COUNCILMAN BARTUNEK**

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit petition from Wulforst Farms, LLC (The Baiting Hollow Club) pursuant to Section 108-20.2 (B)(5) and Article XXVIA of the Riverhead Town Code to construct a clubhouse and related improvements in support of an existing golf course on a 143.23 acre parcel zoned Residence A-80 located at Sound Avenue and Warner Drive, Baiting Hollow; such property more particularly described as Suffolk County Tax Map Number 0600-40-2-6./3 & p/o 10, and

WHEREAS, the Riverhead Town Board by resolution #109 of 2006 declared themselves Lead Agency, 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 permit with conditions, and

WHEREAS, the Town Board held a public hearing on the matter on July 5, 2006, and

WHEREAS, the applicant has requested that the Town Board schedule another public hearing on the matter,

THEREFORE BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the attached notice of public hearing in the official newspaper of the Town of Riverhead.

RH/planning

THE VOTE

Dunleavy yes no Bartunek yes no

Blass yes no Densieski yes no

Cardinale yes no

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 1st of August, 2006 at 2:25 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the special use permit petition of Wulforst Farms, LLC (Baiting Hollow Club) to allow the construction of a golf clubhouse and related improvements upon real property located at Sound Avenue, Baiting Hollow, New York; such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-0600-40-2-6.3 and p/o 10.

DATED: July 5, 2006
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

July 5, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 661

AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE FOR PUBLIC HEARING TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 OF THE RIVERHEAD TOWN CODE ENTITLED "ZONING" (RECREATION FEES)

COUNCILMAN BARTUNEK

_____ offered the following resolution which was seconded by COUNCILWOMAN BLASS _____:

WHEREAS, a study conducted by the Planning Department indicates that the ongoing cost of recreational facilities within the Town of Riverhead is exceeds the subdivision and condominium fees collected and expected to be collected pursuant to section 277 of the Town Law of the State of New York,

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 local law to amend Chapter 108 entitled, "Zoning " (Recreation Fees) of the Riverhead Town Code once in the July 13th, 2006 issue of News Review, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Board is in receipt of a Short Environmental Assessment Form describing the proposed changes has determined that the action is an "unlisted" action pursuant to 6 NYCRR Part 617 and hereby assumes lead agency status.

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Recreation Department, Recreation Committee, Planning 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	DeSieski	<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

PLEASE TAKE NOTICE, that a public hearing will be held on the 1st day of August, 2006 at 2:20 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider a amendment to Chapter 108 of Code of the Town of Riverhead, entitled "Zoning" (Recreation Fees) as follows:

Major Subdivision
108-97(b)(14)(c)

Where the Planning Board deems it to be in the best interest to require the developer to deposit a payment, the amount to be paid shall be at the rate of ~~\$3,000~~ \$5,000.00 per each lot in the subdivision effective immediately. In lieu of a cash payment, the subdivider may post certificate of deposit or pass book in the name of the Town of Riverhead equal to the total fee as required herein. Where such cash, certificate of deposit or pass book is deposited, the fee of ~~\$3,000~~ \$5,000.00 shall be paid to the Town of Riverhead prior to the issuance of each certificate of occupancy of residential structures with the subdivision by the Building Inspector. The balance shall be payable in full on the second anniversary date on which this certificate of deposit or passbook was deposited and shall be withdrawn from such account by order to the Town Board. Such interest as may accrue on the certificate of deposit or passbook shall be returned and taxable to the depositor.

Minor Subdivision
108-96(D)(5)

Where the Planning Board deems it to be in the best interest of the residents of the Town of Riverhead to require the developer establish recreational facilities to serve the residences created by the minor subdivision, and if the minor subdivision shall have insufficient or unsuitable land available within which to create recreational facilities, it shall require the developer to deposit a payment in the amount of \$5,000.00 per each lot in the subdivision effective immediately. In lieu of a cash payment, the subdivider may post certificate of deposit or pass book in the name of the Town of Riverhead equal to the total fee as required herein. Where such cash, certificate of deposit or pass book is deposited, the fee of \$5,000.00 shall be paid to the Town of Riverhead prior to the issuance of each certificate of occupancy of residential structures with the subdivision by the Building Inspector. The balance shall be payable in full on the second anniversary date on which this certificate of deposit or passbook was deposited and shall be withdrawn from such account by order to the Town Board. Such interest as may

accrue on the certificate of deposit or passbook shall be returned and taxable to the depositor.

Adopted

RESOLUTION # 662 ABSTRACT #06-25 June 22, 2006 (TBM 7/05/06)				
COUNCILWOMAN BLASS		offered the following Resolution which was seconded by		
COUNCILMAN DUNLEAVY				
FUND NAME		CD - None	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1		\$ 1,598,539.08	\$ 1,598,539.08
RECREATION PROGRAM FUND	6		\$ 820.61	\$ 820.61
SENIOR CITIZEN DAY CARE CENTER	27		\$ 334.44	\$ 334.44
ANIMAL SPAY & NEUTERING PROGRA	29		\$ 40.00	\$ 40.00
ECONOMIC DEVELOPMENT ZONE FUND	30		\$ 3,110.95	\$ 3,110.95
HIGHWAY FUND	111		\$ 109,126.19	\$ 109,126.19
WATER DISTRICT	112		\$ 82,062.50	\$ 82,062.50
RIVERHEAD SEWER DISTRICT	114		\$ 47,213.58	\$ 47,213.58
REFUSE & GARBAGE COLLECTION DI	115		\$ 318,233.99	\$ 318,233.99
STREET LIGHTING DISTRICT	116		\$ 11,124.54	\$ 11,124.54
PUBLIC PARKING DISTRICT	117		\$ 543.58	\$ 543.58
AMBULANCE DISTRICT	120		\$ 3,838.41	\$ 3,838.41
EAST CREEK DOCKING FACILITY FU	122		\$ 1,260.98	\$ 1,260.98
CALVERTON SEWER DISTRICT	124		\$ 7,707.85	\$ 7,707.85
RIVERHEAD SCAVANGER WASTE DIST	128		\$ 18,381.68	\$ 18,381.68
WORKERS' COMPENSATION FUND	173		\$ 19,221.56	\$ 19,221.56
RISK RETENTION FUND	175		\$ 44,721.55	\$ 44,721.55
CDBG CONSORTIUM ACOUNT	181		\$ 2,104.07	\$ 2,104.07
RESTORE GRANT PROGRAM	184		\$ 3,035.00	\$ 3,035.00
GENERAL FUND DEBT SERVICE	384		\$ 664.08	\$ 664.08
TOWN HALL CAPITAL PROJECTS	406		\$ 969,107.19	\$ 969,107.19
YOUTH SERVICES CAP PROJECT	452		\$ 3,640.54	\$ 3,640.54
SENIORS HELP SENIORS CAP PROJE	453		\$ 2,688.02	\$ 2,688.02
MUNICIPAL FUEL FUND	625		\$ 12,825.76	\$ 12,825.76
MUNICIPAL GARAGE FUND	626		\$ 29,640.42	\$ 29,640.42
TRUST & AGENCY	735		\$ 3,620,773.69	\$ 3,620,773.69
COMMUNITY PRESERVATION FUND	737		\$ 2,015.67	\$ 2,015.67
CALVERTON PARK - C.D.A.	914		\$ 511.63	\$ 511.63
TOTAL ALL FUNDS			\$ 6,913,287.56	\$ 6,913,287.56

THE VOTE

Dunleavy yes ___ no Bartunek yes ___ no

Blass yes ___ no Densieski yes ___ no

Cardinale yes ___ no

THE RESOLUTION WAS ___ WAS NOT

THEREFORE DULY ADOPTED

RESOLUTION # 662 ABSTRACT #06-26 June 29, 2006 (TBM 7/05/06)				
COUNCILWOMAN BLASS				
COUNCILMAN DUNLEAVY		Approved the following Resolution which was seconded by		
FUND NAME		CD - 6/23/06	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1		\$ 163,298.99	\$ 163,298.99
RECREATION PROGRAM FUND	6		\$ 9,484.56	\$ 9,484.56
HIGHWAY FUND	111		\$ 82,856.47	\$ 82,856.47
WATER DISTRICT	112		\$ 26,537.13	\$ 26,537.13
RIVERHEAD SEWER DISTRICT	114		\$ 5,013.68	\$ 5,013.68
STREET LIGHTING DISTRICT	116		\$ 2,526.88	\$ 2,526.88
AMBULANCE DISTRICT	120		\$ 2,428.31	\$ 2,428.31
EAST CREEK DOCKING FACILITY FU	122		\$ 1,383.85	\$ 1,383.85
RIVERHEAD SCAVANGER WASTE DIST	128		\$ 4,953.74	\$ 4,953.74
RISK RETENTION FUND	175	\$ 400,000.00	\$ -	\$ 400,000.00
GENERAL FUND DEBT SERVICE	384		\$ 1,000,000.00	\$ 1,000,000.00
TOWN HALL CAPITAL PROJECTS	406		\$ 1,684,259.34	\$ 1,684,259.34
SENIORS HELP SENIORS CAP PROJE	453		\$ 87.02	\$ 87.02
MUNICIPAL FUEL FUND	625		\$ 6,981.47	\$ 6,981.47
MUNICIPAL GARAGE FUND	626		\$ 14,525.08	\$ 14,525.08
TRUST & AGENCY	735		\$ 50,000.00	\$ 50,000.00
COMMUNITY PRESERVATION FUND	737		\$ 1,002,697.66	\$ 1,002,697.66
TOTAL ALL FUNDS		\$ 400,000.00	\$ 4,057,034.18	\$ 4,457,034.18

THE VOTE

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

THE RESOLUTION ___ WAS ___ WAS NOT
 THEREFORE DULY ADOPTED

Adopted

7/5/2006

TOWN OF RIVERHEAD

Resolution # 663

RESCINDS RESOLUTION #616 OF 2006
(AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE OF
PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN
AMENDMENT TO CHAPTER 101 "VEHICLES & TRAFFIC" OF THE RIVERHEAD
TOWN CODE (101-10 Parking Prohibited, and 101-18 Seasonal parking permitted)

COUNCILMAN BARTUNEK

_____ offered the following resolution, was seconded by

COUNCILMAN DUNLEAVY

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead hereby rescinds Resolution #616 of 2006; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Riverhead Police Department, the Riverhead Building Department and the Office of the Town Attorney.

THE VOTE

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

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

7/5/2006

Adopted

TOWN OF RIVERHEAD

Resolution # 664

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF
PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN
AMENDMENT TO CHAPTER 101 "VEHICLES & TRAFFIC" OF THE RIVERHEAD
TOWN CODE**

(101-10 Parking prohibited, and 101-18 Seasonal parking permitted.)

COUNCILMAN BARTUNEK

_____ offered the following resolution,

COUNCILMAN DUNLEAVY

which was seconded by _____:

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a proposed local law to consider the amendment to Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code, once in the July 13, 2006 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Chief Hegermiller, Riverhead Police Department; Code Enforcement; Mark Kwasna, Highway Superintendent and the Office of the Town Attorney.

THE VOTE

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

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

TOWN OF RIVERHEAD
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 18th day of July, 2006 at 7:35 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101.10 entitled, "Parking Prohibited" and Chapter 101.18 entitled, "Seasonal Parking Permitted" as follows:

§101-10

Park Road	East	From its intersection with Sound Avenue to a point 150 feet north of the northern terminus of Longview drive and Park Road
Park Road	West <u>Both</u>	From its intersection with Sound Avenue To its terminus with Reeves Beach parking area
<u>Sea Breeze Drive</u>	<u>East</u>	<u>From its intersection with Crows Nest Drive southerly to its intersection with Hornpipe Drive</u>
<u>Long View Drive</u>	<u>Both</u>	<u>From its northerly intersection with Park Road extending 200 feet easterly</u>

§101-18

Park Road	East	Beginning at 150 feet from the northern terminus of Longview Drive and Park Road to its terminus at Reeves Beach parking lot
Sea Breeze Drive	East	Beginning from Crows Nest Drive running southerly to Hornpipe Drive