

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

May 1st, 2007

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

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

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

ELECTED OFFICIALS

**Laverne Tennenberg
Assessors**

Paul Leszczynski

Mark Kwasna

Maryann Wowak Heilbrunn

Richard Ehlers

Allen M. Smith

Chairwoman Board of

Board of Assessors

Highway Superintendent

Receiver of Taxes

Town Justice

Town Justice

DEPARTMENT HEADS

William Rothaar (Financial Administrator)

Leroy E. Barnes, Jr.

Andrea Lohneiss

Ken Testa

Richard Hanley

Chief David Hegermiller

Ray Coyne

Judy Doll

John Reeve

Michael Reichel

Gary Pendzick

Accounting Department

Building Department

Community Development

Engineering Department

Planning Department

Police Department

Recreation Department

Senior Services

Sanitation Department

Sewer District

Water Department

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

- #5 Accepts Annual Report and Annual Financial Report for 2006
- #6 Omnibus Resolutions Relating to Requirements of the Public Authorities Accountability Act of 2005

REGULAR TOWN BOARD MEETING:

- #392 CDBG Consortium 2007 Budget Adoption
- #393 Sanitation Truck Budget Adoption
- #394 Highway Truck Budget Adoption
- #395 BioSolids Reuse Program Feasibility Study Budget Adoption
- #396 Authorization to Junk Fixed Assets
- #397 Appoints a P/T Park Attendant II Level II to the Riverhead Recreation Department (J. Blass)
- #398 Appoints a Detention Attendant in the Police Department (V. Masia)
- #399 Ratifies Appointment of a Homemaker in the Seniors Program (O. Turner)
- #400 Reassign Computer Operator II (L. Pipczynski)
- #401 Accepts Resignation of a Homemaker (V. Lugo)
- #402 Amends Resolution #346-2007 (Setting Terms and Conditions of William Welsh)
- #403 Accepts Resignation of an Assistant Recreation Leader (P. Ponte)

- #404 Accepts Resignation of an Assistant Recreation Leader (R. Gatz)
- #405 Approve 2007 Contract of the Deputy Superintendent of Highways
- #406 Authorizes the Town Clerk to Publish and Post a Help Wanted Ad for Pump Out Boat Personnel
- #407 Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagee of the Property Located at 725 Main Road, Aquebogue, New York
- #408 Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagee of the Property Located at 357 Laurel Lane, Laurel, New York
- #409 Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagee of the Property Located at 18 Northville Turnpike, Riverhead, New York
- #410 Rescinds Resolution #355 of 2007 (Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 12 Entitled, "Coastal Erosion Hazard Areas" of the Riverhead Town Code
- #411 Authorizes the Town Clerk to Publish and Post Public Notice to Consider a Proposed Local Law to Amend Chapter 12 Entitled, "Costal Erosion Hazard Areas" of the Riverhead Town Code
- #412 Authorizes the Supervisor to Execute Easement Agreement with Cablevision
- #413 Authorizes the Town Clerk to Publish and Post Public Notice to Consider a Proposed Local Law to Amend Chapter 86, Rental Dwelling Units, §86-6 Entitled, "Fees" of the Riverhead Town Code
- #414 Grants Special Use Permit of Ric Stott (Suffolk Theater) for Increased Lot Coverage

- #415 Accepts Cash Security of Sound Housing LLC (Storage Building)
- #416 Approves Chapter 90 Application of Peconic Bay medical Center (12th Annual East End Garden Festival)
- #417 Amends Resolution #362 of 2007 (Authorizes Town Clerk to Publish and Post Public Notice for a Local Law to Consider an Amendment to Chapter 52 Entitled, “Building Construction” of the Riverhead Town Code-§52-6 Application for Building permit)
- #418 Amends Resolution #133-2007 (Approves Chapter 90 Application of Wading River Civic Association-Duck Pond Day)
- #419 Authorizes Supervisor to Enter into an Agreement with the Riverhead Business Improvement Association, Inc.
- #420 Designates May as “Lyme Disease Awareness Month” in the Town of Riverhead
- #421 Approves Chapter 90 Application of Larry’s Lighthouse Marina (Boat Show)
- #422 Calls Public Hearing on Special Permit of Carpet One Floor and Home Corp.
- #423 Ratifies the Authorization of the Supervisor to Execute a Non-Binding Intermunicipal Memorandum of Understanding Regarding Land Use and Transportation
- #424 RE: Appointment and Approval of the Fee Schedule for The Raynor Group, P.E. & L.S. PLLC as Consulting Engineers and Land Surveyors
- #425 Consents to the Town Justices Serving in the Riverhead Justice Court When Sitting as the East End Regional Intervention Court
- #426 Appoints Temporary Clerks to the Tax Receiver’s Office (P. Flammia, D. Mondello)

- #427 Authorizes the Designation of a Certain Structure/Cemetery as a Landmark Pursuant to Chapter 73 Entitled, "Landmarks Preservation" of the Riverhead Town Code
- #428 Authorizes Release of Developer Money-Sunken Pond Estates, Inc.
- #429 Authorizes the Supervisor to Execute an Agreement with Suffolk 87 Associates (County Seat Plaza) and Accepts a Performance Bond in Connection with the Completion of the Parking Area
- #430 Designates North Fork Audobon Society for Beach Dependent Species Management Responsibilities and Authorizes Supervisor to Execute a Contract
- #431 Authorizes the Town Clerk to Republish and Repost Notice to Bidders for Precast Concrete Drainage Rings & Associated Items
- #432 Authorizes the Town Clerk to Republish and Repost Notice to Bidders for Traffic Line Striping
- #433 Rejects Bid and Authorizes Town Clerk to Republish and RePost Notice to Bidders for Traffic Paint
- #434 Authorizes Publication of Notice (2007 CDBG program Amendment)
- #435 Authorizes Town Clerk to Publish and Post Notice of Public Hearing-Special Use Permit of Ira Chernoff
- #436 Authorizes the Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Definitions-Outdoor Recreation Facility)
- #437 Authorizes the Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108

Entitled, "Zoning" of the Riverhead Town Code (Planned Industrial Park (PIP) District)

#438 Authorizes the Town Clerk to Publish and Post Public Notice fro Public hearing Regarding a Local Law to Amend Chapter 52, Entitled, "Building Construction" of the Riverhead Town Code (§52-22 Safe and Code Compliant Construction for Town Construction Contracts)

#439 Pays Bills

5/1/07

TOWN OF RIVERHEAD

Adopted

COMMUNITY DEVELOPMENT AGENCY

RESOLUTION # 5

ACCEPTS ANNUAL REPORT AND ANNUAL FINANCIAL REPORT FOR 2006

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

WHEREAS, the Public Authorities Accountability Act of 2005 includes the Town of Riverhead Community Development Agency in its definition of local authority; and

WHEREAS, the PAAA requires the preparation and submission of an Annual Report and an Annual Financial Report to the State Comptroller.

THEREFORE, BE IT RESOLVED, that the board of directors of the Community Development Agency hereby accepts the 2006 Annual Report and 2006 Annual Financial Report (attached) of the Town of Riverhead Community Development Agency.

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

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

CDA ANNUAL REPORT for FY 2006

March 30, 2007

As required by the Bylaws of the Town of Riverhead Community Development Agency (CDA), the following information is provided for consideration and review by the Members of the CDA.

Membership- The Members of the Corporation shall be the members of the Riverhead Town Board, comprised of the following persons during FY 2006: Phil Cardinale, Barbara Blass, George Bartunek, Edward Densieski and John Dunleavy. In addition, the CDA is served by: Executive Director Andrea Lohneiss, Chief Finance Officer Bill Rothaar and Contracting Officer Dawn Thomas. Neither members nor staff receive any compensation for their duties and responsibilities to the CDA.

Background

The five member Riverhead Town Board is the governing legislative body and consists of a supervisor and four council members, all of whom are elected at large. The Town Board acts separately in its capacity as the CDA Board, which is empowered under New York State General Municipal Law to foster economic development. The CDA, established in 1982, has been proactive in fostering economic revitalization in the downtown business district and was a major impetus in the establishment of a 3.2 acre waterfront aquarium. In addition, the CDA took title to the former Naval Weapons Industrial Reserve Plant at Calverton in 1998 as the result of special federal legislation, and as such is charged with the task of overseeing economic development at the 2,900 acre site. Using powers granted under New York State Urban Renewal Law, pursuant to Section 505 of Article 15, the Community Development Agency has played a critical role in economic development at Calverton Enterprise Park, as well as downtown. Since 1998, this real property, improved with buildings and infrastructure, has been leased and sold pursuant to the disposition of property procedures of Section 507 of the Urban Renewal Law.

In its capacity as the economic development agency of the Town of Riverhead, the CDA also procures grant funds and administers numerous downtown revitalization projects and public improvement projects. The Community Development Agency has designated several additional Urban Renewal Areas for the purpose of encouraging neighborhood revitalization and economic development. The other

designated Urban Renewal Areas include: Millbrook Gables residential community, East Main Street Downtown Business District and Railroad Avenue. Within the designated boundaries of the urban renewal areas, available incentives are provided where feasible to attract investment and assist owners and businesses in improving their properties. Portions of the Calverton Enterprise Park and East Main Street Urban renewal Areas are designated Empire Zones. This designation was initiated and administered by the CDA for its economic development benefits. Low interest loans and grants have also been made available to increase investment in these targeted areas. For instance, within the East Main Street Urban Renewal Area, the CDA has successfully developed an aquarium as a major tourist attraction, recently sold the 1930s art deco Suffolk Theatre for reuse, has completed restoration of an 1881 historic opera house and invested \$500,000 in historic restoration of properties occupied by the East End Arts Council, as well as making possible new retail development on Peconic Avenue in a currently deteriorated structure.

Downtown Activity in 2006

In June 2005, the Town of Riverhead sought expressions of interest and qualifications (RFIQ) from experienced developers for a high-quality mixed-use development along the waterfront in downtown Riverhead, east of Peconic Avenue. Four responses were received a full Request for Proposals (RFP) was sent to the three short-listed proposers in October 2005.

The overall goal of this RFIQ and RFP process was to encourage the development community to assess the potential for revitalization of this currently underutilized area by providing retail/commercial, residential, and/or recreational/entertainment opportunities. Specifically, the RFP targeted the area comprising the Town of Riverhead East Main Street Urban Renewal Area (1993) with primary focus on the area south of Main Street, Riverhead, bordered on the east by Atlantis Marine World and on the west by Peconic Avenue. Emphasis was placed on the creation of public space, maximizing green space while maintaining vehicular access behind the storefronts and improving the appeal of the retailer by developing secondary front façades. The redevelopment area is characterized by numerous vacant buildings, public parking areas and underutilized properties.

Proposals were received from three developers in early 2006 and, following public presentations, the CDA Board selected Apollo Real Estate Advisors as the preferred project developer. In March 2006, the CDA authorized the Chairman to negotiate a contract with Apollo Real Estate Advisors and a Master Developer

Agreement was signed in August 2006. Apollo Real Estate Advisors created Riverhead Renaissance, LLC, for the Riverhead project and the CDA Board conducted a public hearing to consider the designation of Riverhead Renaissance, LLC, as a Qualified and Eligible Sponsor for the redevelopment project on October 3, 2006. Riverhead Renaissance, LLC, was designated as a qualified and eligible sponsor for downtown redevelopment on October 17, 2006.

The CDA Board also authorized town staff to undertake and update the 1993 East Main Street Urban Renewal Plan and to prepare a generic Environmental Impact Statement in conjunction the comprehensive planning process in September 2006. The Final Scope of Issues on the Generic Environmental Impact Statement in support of the Urban Renewal Plan update was accepted in November 2006. The Urban Renewal Plan and final GEIS will be completed in 2007.

Calverton Enterprise Park Activity in 2006

In October 2006, the CDA Board issued a Request for Proposals to select an experienced developer(s) for the redevelopment of approximately 600 acres of land zoned for industrial and office uses at Calverton Enterprise Park.

Several proposals were received and had been presented at public meetings by year-end.

Agreements with regard to Calverton Enterprise Park entered into by the CDA in 2006 include:

- 1) a license agreement with the Eastern Long Island Audubon Society, Inc. allowing use of the Calverton Enterprise Park site for a five-year period for the purpose of monitoring, counting and documenting birds;
- 2) an agreement with New York State Department of Economic Development for the administration of the Empire Zone Program; and
- 3) a runway use agreement with South Bay Apparel for periodic use of the CDA-owned runway.

Grant Funding

In October 2006, the CDA applied for and received a \$100,000 grant from the New York State Office of Parks, Recreation and Historic Preservation for funding under the Recreational Trails Program towards the development of an 8.9 mile multi-sport athletic trail. No funds were received or expended by year-end. This project

will augment a town park permit initiated by the CDA in 2001 involving \$600,000 in grant funds from the New York State Office of Parks Recreation and Historic Preservation for public recreational improvements. Phase I was designed and engineered in 2006 for construction in 2007.

All numbers in this Report
Have Been Rounded To
The Nearest Dollar

ANNUAL FINANCIAL REPORT
UPDATE DOCUMENT
For The
RIVERHEAD COMMUNITY DEVELOPMENT AGENCY
County of Suffolk
For The Year Ended 12/31/2006

AUTHORIZATION

ARTICLE 3, SECTION 30 of the GENERAL MUNICIPAL LAW:

1. ***Every Municipal Corporation***shall annually make a report of its financial condition to the Comptroller. Such report shall be made by the Chief Fiscal Officer of such Municipal Corporation.***

5. All reports shall be certified by the officer making the same and shall be filed with the Comptroller within sixty days after the close of the fiscal year of such Municipal Corporation.*** It shall be the duty of the incumbent officer at the time such reports are required to be filed with the Comptroller to file such report.***

STATE of NEW YORK
Office of The State Comptroller
Division of Local Government Services and Economic Development
Albany, NY 12236

*** FINANCIAL SECTION ***

Financial information for the following funds and account groups was included in the Annual Financial Report filed by your government for the fiscal year ended 2005 and had been used by the OCS as the basis for preparing this update document for your fiscal year ended 2006:

(A) GENERAL

All amounts included in this update document for 2006 represent the data filed by your government with the OSC as reviewed and adjusted where necessary.

*** SUPPLEMENTAL SECTION ***

The Supplemental Section includes the following sections:

All numbers in this report must be rounded to the nearest dollar.

**RIVERHEAD COMMUNITY DEVELOPMENT AGENCY
ANNUAL UPDATE DOCUMENT
FOR THE FISCAL YEAR ENDED 2006**

General Fund (A) Balance Sheet			
Code Description	FOR THE FISCAL YEAR ENDED 2005	EDP CODE	FOR THE FISCAL YEAR ENDED 2006
Assets			
Cash	\$ 74,985	A 200	\$ (20,498)
Cash - Time Certificates	<u>\$ 1,150,000</u>	A 201	<u>\$ 1,210,000</u>
TOTAL Cash	<u><u>\$ 1,224,985</u></u>		<u><u>\$ 1,189,502</u></u>
Accounts Receivable	\$ -	A 380	\$ -
Accrued Interest Receivable	\$ 416	A 381	\$ 4,835
Allowance for Uncollected Receivable	\$ -		\$ -
TOTAL Other Receivables	<u><u>\$ 416</u></u>		<u><u>\$ 4,835</u></u>
Due from Other Governments	<u>\$ -</u>	A 440	<u>\$ -</u>
TOTAL Due from Other Governments	<u><u>\$ -</u></u>		<u><u>\$ -</u></u>
	<u>\$ -</u>		<u>\$ -</u>
TOTAL Assets	<u><u>\$ 1,225,401</u></u>		<u><u>\$ 1,194,337</u></u>

**RIVERHEAD COMMUNITY DEVELOPMENT AGENCY
ANNUAL UPDATE DOCUMENT
FOR THE FISCAL YEAR ENDED 2006**

General Fund (A)
Balance Sheet

Code Description	FOR THE FISCAL YEAR ENDED 2005	EDP CODE	FOR THE FISCAL YEAR ENDED 2006
Liabilities & Fund Equity			
Due to Other Funds	\$ -	A 489	\$ 415,000
Due to Other Governments	\$ 125,000	A 631	\$ -
Deferred Rental Revenue	\$ -	A 691	\$ -
TOTAL Due to Other Governments	<u>\$ 125,000</u>		<u>\$ 415,000</u>
TOTAL LIABILITIES	<u>\$ 125,000</u>		<u>\$ 415,000</u>
Reserve for Encumbrances	\$ 13,080	A 821	\$ 288
TOTAL Reserve for Encumbrances	<u>\$ 13,080</u>		<u>\$ 288</u>
Fund Balance - Unreserved	\$ 1,087,321	A 911	\$ 779,049
TOTAL Fund Balance - Unreserved	<u>\$ 1,087,321</u>		<u>\$ 779,049</u>
TOTAL Fund Equity	<u>\$ 1,100,401</u>		<u>\$ 779,337</u>
TOTAL Liabilities and Fund Equity	<u>\$ 1,225,401</u>		<u>\$ 1,194,337</u>

**RIVERHEAD COMMUNITY DEVELOPMENT AGENCY
ANNUAL UPDATE DOCUMENT
FOR THE FISCAL YEAR ENDED 2006**

General Fund (A)
Results of Operation

Code Description	FOR THE FISCAL YEAR ENDED 2005	EDP CODE	FOR THE FISCAL YEAR ENDED 2006
Detail Revenues and Other Sources			
Agency Fees	\$ -	A 2170	\$ 100,000
TOTAL Departmental Income	<u>\$ -</u>		<u>\$ 100,000</u>
Interest and Earnings			
Lease Payments	\$ 45,783	A 2401	\$ 62,196
Sale of Real Property	\$ 26,021	A 2410	\$ 25,737
Sale of Equipment	\$ -	A 2660	\$ -
TOTAL Use of Money and Property	<u>\$ 71,804</u>	A 2665	<u>\$ 87,933</u>
Refund of Prior Years Expenses	\$ -		\$ -
TOTAL Miscellaneous Income	<u>\$ -</u>		<u>\$ -</u>
State Aid			
Federal Aid	\$ -	A3789	\$ -
TOTAL Federal/State Aid	<u>\$ -</u>	A4789	<u>\$ -</u>
TOTAL REVENUES	<u>\$ 71,804</u>		<u>\$ 187,933</u>
Interfund Transfers - Other Gov't	\$ -	A4789	\$ -
TOTAL Other Sources	<u>\$ -</u>		<u>\$ -</u>
TOTAL Revenues & Other Sources	<u>\$ 71,804</u>		<u>\$ 187,933</u>

**RIVERHEAD COMMUNITY DEVELOPMENT AGENCY
ANNUAL UPDATE DOCUMENT
FOR THE FISCAL YEAR ENDED 2006**

General Fund (A)
Results of Operation

Code Description	FOR THE FISCAL YEAR ENDED 2005	EDP CODE	FOR THE FISCAL YEAR ENDED 2006
Detail Revenues and Other Sources			
Planning & Management Development - Equipment	\$ 38,758	A8684.2	\$ 450
Planning & Management Development - Contr Expen.	<u>\$ 409,392</u>	A8684.4	<u>\$ 508,547</u>
TOTAL Planning and Management Development	<u><u>\$ 448,150</u></u>	A8684.0	<u><u>\$ 508,997</u></u>
CDA Administration, Contr Expen.	<u>\$ -</u>	A8686.4	<u>\$ -</u>
TOTAL CDA Administrator	<u><u>\$ -</u></u>	A8686.0	<u><u>\$ -</u></u>
TOTAL Home and Community Service	<u><u>\$ 448,150</u></u>		<u><u>\$ 508,997</u></u>
TOTAL Expenditures	<u><u>\$ 448,150</u></u>		<u><u>\$ 508,997</u></u>
Other Uses			
Transfer to Other Governments	<u>\$ -</u>		<u>\$ -</u>
TOTAL Other Uses	<u><u>\$ -</u></u>		<u><u>\$ -</u></u>
TOTAL Detail Expenditures and Other Uses	<u><u>\$ 448,150</u></u>		<u><u>\$ 508,997</u></u>

**RIVERHEAD COMMUNITY DEVELOPMENT AGENCY
ANNUAL UPDATE DOCUMENT
FOR THE FISCAL YEAR ENDED 2006**

General Fund (A)
Results of Operation

Code Description	FOR THE FISCAL YEAR ENDED 2005	EDP CODE	FOR THE FISCAL YEAR ENDED 2006
ANALYSIS OF CHANGES IN FUND EQUITY			
FUND EQUITY-BEGINNING OF YEAR*	\$ 1,476,747	A8021	\$ 1,100,401
ADD-REVENUES AND OTHER SOURCES	\$ 71,804		\$ 187,933
DEDUCT-EXPENDITURES AND OTHER USES	\$ 448,150		\$ 508,997
FUND EQUITY-END OF YEAR*	<u>\$ 1,100,401</u>	A8029	<u>\$ 779,337</u>

* TOTAL INCLUDES RESERVED AND UNRESERVED FUND BALANCE IN GOVERNMENTAL FUNDS, OR RETAINED EARNINGS OR FUND EQUITY FOR PROPRIETARY FUNDS. ADJUSTMENTS TO BEGINNING FUND EQUITY RESULTING FROM A CORRECTION OF A PRIOR YEAR'S ACCOUNTING ERROR SHOULD BE REPORTED AS A PRIOR PERIOD ADJUSTMENT.

PLEASE EXPLAIN ALL PRIOR PERIOD ADJUSTMENTS BELOW.

CORRECTED 2005 REVENUES, REDUCED BY \$416, RESULTED IN REDUCED 12/31/05 FUND BALANCE.

DOUBLE ENTRY UNITS ** FUND EQUITY-END OF YEAR MUST AGREE WITH TOTAL FUND EQUITY AS SHOWN ON THE BALANCE SHEET.

SINGLE ENTRY FIRE DISTRICTS ** FUND EQUITY-BEGINNING OF YEAR PLUS TOTAL REVENUES MUST AGREE WITH FUND EQUITY-END OF YEAR PLUS TOTAL EXPENDITURES.

The Town of Riverhead Community Development Agency
Notes to the Financial Statements
For the Fiscal Year Ended December 31, 2006

I. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the Town of Riverhead Community Development Agency have been prepared in conformity with Generally Accepted Accounting Principles (GAAP) as applied to government units. The Governmental Accounting Standards Board (GASB) is the accepted standard setting body for establishing governmental accounting and financial reporting principles. The more significant of the government's accounting policies are described below.

A. FINANCIAL REPORTING ENTITY

The Town of Riverhead Community Development Agency was created by Chapter 480 of the Laws of 1982, a special act of the New York State Legislature. The Community Development Agency is an independent governmental agency and instrumentality of the State of New York and is a Corporate Governmental Agency constituting a public benefit corporation of the State of New York. The Community Development Agency can enter into contracts, sue and be sued, and acquire and own real and personal property, each on its own behalf and in its own name. The Community Development Agency can incur debt and issue bonds and notes in its own name and, unless the Town of Riverhead elects to guarantee principle of and interest on, or only interest on, indebtedness issued by the Community Development Agency, all indebtedness of the Community Development agency is a liability only of the Community Development Agency and not of the Town of Riverhead.

Inclusion of the Community Development Agency as a component unit of the Town of Riverhead reported as a special revenue fund type is required by GASB Statement No. 14 solely because the members of the Community Development Agency are the same as the members of the Town Board of the Town of Riverhead. When acting as a member of the Community Development Agency, however, a member has a fiduciary responsibility to the Community Development Agency and not to the Town of Riverhead. Inclusion of the Community development agency as a component unit of the Town of Riverhead reported as a special revenue fund type is not intended to state or imply, and should not give rise to any impression or inference, either that the Town of Riverhead is legally responsible for the indebtedness and other liabilities of the Community Development Agency or that the Town of Riverhead has any legal claim to the assets of the Community Development Agency.

B. BASIS OF PRESENTATION

The accounts of the Community Development Agency are organized on the basis of funds, each of which is considered a separate accounting entity. The operations of each fund are accounted for within a separate set of self-balancing accounts that comprise its assets, liabilities, fund balance, revenues and expenditures/expenses which are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions or limitations. The various funds are summarized by type in the financial statements. The following fund types are used:

1. FUND CATEGORIES

a. **GOVERNMENTAL FUNDS** - Governmental funds are those through which most governmental functions are financed. The acquisition, use and balances of expendable financial resources and the related liabilities are accounted for through governmental funds. The measurement focus of the governmental funds is based upon determination of financial position and changes in financial position. The following are the Community Development Agency's governmental fund types.

Special Reserve Fund - The principal operating fund includes all operations not required to be recorded in other funds. This fund is used to account for the proceeds of specific revenue sources that are legally restricted to expenditures for specified purposes.

C. BASIS OF ACCOUNTING/MEASUREMENT FOCUS

Basis of accounting refers to revenues and expenditures/expenses and the related assets and liabilities are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of the measurements made, regardless of the measurement focus. Measurement focus is the determination of what is measured, i.e. expenditures or expense.

Modified Accrual Basis - All Governmental Funds are accounted for using the modified accrual basis of accounting.

Under this basis of accounting, revenues are recorded when measurable and available. Available means collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period. Revenues are considered to be available if collected within sixty days after the close of the fiscal year.

Material revenues that are accrued include state and federal aid and certain user charges.

Expenditures are recorded when the fund liability is incurred except that:

- a) Expenditures for prepaid expenses and inventory-type items are recognized at the time of the disbursements.
- b) Principal and Interest and indebtedness are not recognized as an expenditure until due.

D. PROPERTY TAXES

There are no real property taxes levied by the Community Development Agency.

E. BUDGETARY DATA

1. BUDGET POLICIES - The budget policies are as follows:

a) No later than Sept. 30, the budget officer submits a tentative budget to the Member of the Community Development Agency for the fiscal year commencing the following January 1st. The tentative budget includes proposed expenditures and the proposed means of financing for all funds.

b) The Members of the Community Development Agency formulates the Preliminary Budget which becomes the subject of public hearings.

c) After a public hearing is conducted to obtain taxpayer comments, no later than November 20th, the Members of the Community Development Agency adopts the budget.

d) All modifications of the budget must be approved by the Members of the Community Development Agency.

2. ENCUMBRANCES

Encumbrance accounting, under which purchase orders, contracts and other commitments for the expenditure of monies are recorded for budgetary control purposes to reserve that portion of the applicable appropriations, is employed in the governmental funds. Encumbrances are reported as reservations of fund balances since they do not constitute expenditures or liabilities. Expenditures for such commitments are recorded in the period in which the liability is incurred.

3. BUDGET BASIS OF ACCOUNTING

Budgets are adopted annually on a basis consistent with Generally Accepted Accounting Principles. Appropriations authorized for the current year are increased by the amount of encumbrances carried forward from the prior period.

F. CHANGES IN ACCOUNTING POLICIES

During the 2006 fiscal year, the Community Development Agency did not adopt any changes in accounting policies.

G. PROPERTY, PLANT AND EQUIPMENT - GENERAL

Fixed assets purchased for general governmental purposes are recorded as expenditures in the governmental funds and are capitalized at costs in the General Fixed Assets Account Groups.

Fixed assets consisting of certain infrastructure type improvements, other than buildings,

including roads, bridges, curbs and gutters, street & sidewalks, drainage and lighting systems, have not been capitalized. Such assets normally are immovable and of value only to the Agency. Therefore, the purposes of stewardship for capital expenditures can be satisfied without recording these assets.

No depreciation has been provided on general fixed assets.

H. INSURANCE

The Agency assumes the liability for most risk including but not limited to, property damage and personal injury liability. In 1987, the Riverhead Town Board elected to self insure for all liability claims. As such, the Agency joined with the Town of Riverhead and all claims are processed through the Town of Riverhead Self-Insurance Fund. In October 1993, the Town of Riverhead obtained catastrophic loss insurance coverage.

I. VACATION, PERSONAL LEAVE AND SICK LEAVE

There are currently no paid employees of the Agency.

J. POST RETIREMENT BENEFITS

There are currently no paid employees of the Agency.

K. TOTAL COLUMNS OF THE GENERAL PURPOSE FINANCIAL STATEMENTS

Total columns on the general purpose financial statements are captioned "Memorandum Only" to indicate that they are presented only to facilitate financial analysis. Data in these columns do not present financial position, result of operations or changes in financial position in conformity with Generally Accepted Accounting Principle, nor is such data comparable to a consolidation. Inter-fund eliminations have not been made in the aggregation of this data.

II. STEWARDSHIP, COMPLIANCE, ACCOUNTABILITY

A. MATERIAL VIOLATIONS OF FINANCE - RELATED PROVISIONS

There are no material violations of finance - related provisions.

B. DEFICIT FUND BALANCES

There are no deficit fund balances as of 12/31/06.

C. OVERDRAWN APPROPRIATIONS

There were no overdrawn appropriations.

III. DETAIL NOTES ON ALL FUNDS AND ACCOUNT GROUPS

A. ASSETS

1. CASH & INVESTMENTS

The Agency's investment policies are governed by state statutes. Agency monies must be deposited in FDIC-insured commercial banks or trust companies located within the state. The Chairman of the Agency is authorized to use demand accounts and certificates of deposit. Permissible investments include obligations of the U.S. Treasury and U.S. Agencies, repurchase agreements, and obligations of NYS or its localities.

Collateral is required for demand deposits and certificates of deposits at 105 percent of all deposits not covered by federal deposit insurance. Obligations that may be pledged as collateral are obligations of the U.S. and its Agencies and obligations of the state and its municipalities and school agencies.

2. CHANGES IN FIXED ASSETS

A summary of changes in general fixed assets follows:

TYPE	BALANCE			BALANCE
	JAN 1, 2006	ADDITIONS	DELETIONS	
Land	\$ 31,644,781.	\$.00	\$.00	\$31,644,781.
Building	\$45,200.	\$.00		\$45,200.
Improvements other than Buildings	\$60,529,825.	\$.00	\$.00	\$60,529,825
Machinery and Equip	\$.00	\$.00	\$.00	\$.00
Total	\$92,219,806.	\$.00	\$.00	\$ 92,219,806

B. LIABILITIES

1. PENSION PLANS

There are currently no paid employees of the Agency.

2. Short-Term Debt

There are no outstanding BAN's as of December 31, 2006.

3. Long-Term Debt

a) Serial Bonds and Capital Notes

There are no outstanding serial bonds and capital notes as of December 31, 2006.

C. DEFERRED COMPENSATION PLAN

There are no paid Employees of the Agency.

IV. CONTINGENCIES

There are no contingency items to disclose.

V. SUBSEQUENT EVENTS

There are no subsequent events.

5/1/07

Adopted

TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY
RESOLUTION # 6

OMNIBUS RESOLUTIONS
RELATING TO REQUIREMENTS OF THE
PUBLIC AUTHORITIES ACCOUNTABILITY ACT OF 2005

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

WHEREAS, the Public Authorities Accountability Act of 2005 (the "PAAA") includes Town of Riverhead Community Development Agency (the "CDA") in its definition of a local authority; and

WHEREAS, the PAAA requires each Board of Directors (the "Board") of a local authority to have a Governance Committee and an Audit Committee and to adopt various policies, guidelines and procedures and to take various actions;

NOW, THEREFORE, BE IT RESOLVED that there is hereby established a Governance Committee, as described in the Charter of the Governance Committee attached hereto as Attachment A, the responsibility of the members of which shall be primarily, to keep the Board informed of current best governance practices, to review corporate governance trends, to update the CDA's corporate governance principles and to advise appointing persons on the skills and experiences required of potential Board members; and

Further RESOLVED that there is hereby established an Audit Committee, as described in the Charter of the Audit Committee attached hereto as Attachment B, the responsibility of the members of which shall be primarily to become familiar with corporate financial and accounting practices to the extent practicable, to recommend to the Board the hiring of an independent certified public accounting firm ("Independent Auditor"), to establish the compensation to be paid to the Independent Auditor and to provide direct oversight of the performance of the independent annual audit performed by the Independent Auditor; and

Further RESOLVED that each member of the Governance Committee and each member of the Audit Committee shall be "independent" as defined by the PAAA, which means that the member (for purposes of the following, an "affiliate" is any person that controls, is controlled by, or is under common control with the CDA):

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

- (a) is not, and in the past two years has not been, employed by the CDA or an affiliate of the CDA in an executive capacity;
- (b) is not, and in the past two years has not been, employed by an entity that received remuneration valued at more than \$15,000 for goods and services provided to the CDA or an affiliate or received any other form of financial assistance valued at more than \$15,000 from the CDA or an affiliate;
- (c) is not a relative of an executive officer or employee in an executive position of the CDA or an affiliate; and
- (d) is not, and in the past two years has not been, a lobbyist registered under a state or local law and paid by a client to influence the management decisions, contract awards, rate determinations or other similar actions of the CDA or an affiliate; and

Further RESOLVED that Phil Cardinale and Barbara Blass are appointed to the Governance Committee and shall serve at the pleasure of the Board; and

Further RESOLVED that Phil Cardinale, Bill Thompson and George Bartunek are appointed to the Audit Committee and shall serve at the pleasure of the Board; and

Further RESOLVED that the Town Attorney is hereby appointed as the CDA's Contracting Officer for real property dispositions; and

Further RESOLVED that the Deputy Supervisor is hereby appointed as the CDA's Contracting Officer for personal property dispositions; and

Further RESOLVED that the Board adopts the following:

- The comprehensive investment policies, procedures and guidelines, attached hereto as **Attachment C**;
- Policies regarding the payment of salary, compensation and reimbursements to, and rules for the time and attendance of, the President and senior management, attached hereto as **Attachment D**;
- CDA whistleblowing policies and procedures, attached hereto as **Attachment E**;
- Policies and procedures related to the acquisition and disposition of real property, attached hereto as **Attachment F**;
- Policies and procedures related to the disposition of personal property, attached hereto as **Attachment G**;

- Policies and procedures related to the procurement of goods and services, attached hereto as **Attachment H**;
- The defense and indemnification policy for Directors, attached hereto as **Attachment I**;
- The code of ethics for Directors and non-salaried officers, attached hereto as **Attachment J**;
- CDA travel policies and procedures, attached hereto as **Attachment K**; and

Further RESOLVED that the CDA's salaried officers and employees shall be subject to the restrictions and standards set forth in Section 74 of the Public Officers Law, which restrictions shall serve as the code of ethics for the CDA's salaried officers and employees; and

Further RESOLVED that the CDA shall not, directly or indirectly, including through any subsidiary, extend or maintain credit, arrange for the extension of credit, or renew an extension of credit, in the form of a personal loan to or for any officer, Board member or employee (or equivalent thereof) of the CDA.

RESOLVED, THAT THE Town Clerk is hereby authorized to forward a certified copy of this resolution to the New York State Office of State Controller, the Accounting Department, the Community Development Agency, and the Town Attorney.

THE VOTE

Dunleavy Yes No Bartunek Yes No

Blass Yes No Densieski Yes No

Cardinale Yes No

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

**TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY
BOARD OF DIRECTORS
CORPORATE GOVERNANCE COMMITTEE CHARTER
As Per Town Board Resolution # _____
Adopted _____, 2007**

THIS CHARTER is the Charter for the Corporate Governance Committee of the Board of Directors of the Town of Riverhead Community Development Agency (respectively, the "**Committee**" and the "**CDA**").

1. **The Purpose of the Committee.** The purpose of the Committee is to assist the Board of Directors of the CDA (the "**Board of Directors**" or the "**Board**") to:
 - a. Develop and recommend to the Board, policies to promote honest and ethical conduct by Board members, officers, and employees, and enhance public confidence in the CDA;
 - b. Develop and recommend to the Board, and oversee implementation of CDA policies relating to corporate governance, including the CDA Corporate Governance Principles; and
 - c. Review on a regular basis the overall corporate governance of the CDA and recommend improvements when necessary.

2. **The Objectives of the Committee.** The Committee's objectives, in support of its purpose, shall be the following:
 - a. To assure for the CDA an internal system of corporate governance that will accomplish the following:
 - i. Keep the Board informed of current best governance practices;
 - ii. Review on a regular basis, corporate governance trends;
 - iii. Update on a regular basis the CDA's corporate governance principles.
 - b. To maintain free and open communication and productive working relationships with or among:
 - i. the members of the Committee;
 - ii. the members of the Board of Directors;
 - iii. Management.

3. **Authority and Powers of the Committee.** The Committee shall have the following authority and may exercise the following powers in discharging its role:
 - a. To perform all activities within the scope of this Charter;
 - b. To report directly to the Board of Directors;
 - c. To investigate any matter brought to the Committee's attention. To facilitate any such investigation, the chairperson of the Committee shall have access to all books, records, facilities and staff of the CDA;

- d. Any member of the Committee shall have the right to propose to his or her co-members and to Management changes and amendments to this Charter.
4. **Required Credentials for Members of the Committee.** The Committee shall consist of two (2) members of the Board and shall include the CDA Chair. Any other members of the Committee shall be appointed by the CDA Chair and shall have the following credentials:
- a. A working knowledge of concepts commonly used in corporate governance;
 - b. The absence of any conflict-of-interest that would impair the individual's ability to faithfully and impartially pursue the purpose of this Committee and to perform its objectives, all as set forth in this Charter;
 - c. Independence in accordance with the standards set forth in **Appendix 1** annexed hereto.
5. **Standards to which the Committee must adhere.** In performing its responsibilities, the Committee shall adhere to the following:
- a. Law, both statute and contract;
 - b. Authorization provided by the Board of Directors and by the CDA's Certificate of Incorporation and By-Laws;
 - c. The CDA's mission and purpose;
 - d. Commonly recognized principles of good corporate governance, including prudence, integrity and impartiality.
6. **Key Responsibilities of the Committee.** The following is a non-exclusive list of the responsibilities of the Committee set forth with the understanding that the Committee may diverge as appropriate given the circumstances. Committee members must consider this list as a partial guide, to be supplemented by common sense and prevailing professional norms:
- a. **Meetings.** In addition to other meetings required by this **Section 6**, the Committee shall meet at least two times per annum, and more frequently as circumstances dictate, to discuss issues arising within the purview of the Committee's responsibilities.
 - i. The Committee shall cause adequate minutes to be prepared for all of its proceedings and records of any action taken, and shall review such minutes and records for accuracy and thereafter shall approve same.
 - ii. The Committee shall be governed by the same rules regarding meetings, notice, quorum, and voting requirements as are applicable to meetings of the Board, including without limitations any applicable provisions set forth in the Public Authorities Law and Article 7 of the Public Officers Law. The Committee may form and assign responsibilities to subcommittees when appropriate.

- iii. The Committee may request that any member of the Board, any officer or staff of the CDA, or any other person whose advice and counsel are sought by the Committee, attend any meeting of the Committee to provide such pertinent information as the Committee requests.
- b. **Reports, Recommendations and Policy Revisions.** The Committee shall report at least annually to the Board of Directors. To fulfill its purposes, the Committee shall:
 - i. coordinate and oversee an annual self-evaluation of the role and performance of the Board, its committees, and management in the governance of the CDA;
 - ii. consider corporate governance issues that arise from time to time, and develop appropriate recommendations for the Board regarding such matters;
 - iii. review any policies or other documents relating to the governance of the CDA, including but not limited to those relating to whistleblower protection and the procurement of goods and services, and recommend CDA policy revisions to the Board as necessary;
 - iv. report to the CDA Board on Committee findings and recommendations and any other matters the Committee deems appropriate or the CDA Chair or Board requests.
- c. **Member Guidance.** The Committee members shall be reasonably available to provide guidance and advice to the employees of the CDA.
- d. **Charter Revisions.** When it deems advisable, the Committee shall recommend to Management and the Board changes to this Charter, all in accordance with best practices and corporate governance standards.

APPENDIX 1 – REQUIREMENTS

Appendix 1 – Requirements as to the independence of Governance Committee members.

An “independent member” shall mean a person who:

- (a) is not, and in the past two years has not been, employed by the CDA or an affiliate of the CDA in an executive capacity;
- (b) is not, and in the past two years has not been, employed by an entity that received remuneration valued at more than \$15,000 for goods and services provided to the CDA or an affiliate or received any other form of financial assistance valued at more than \$15,000 from the CDA or an affiliate;
- (c) is not a relative of an executive officer or employee in an executive position of the CDA or an affiliate; and
- (d) is not, and in the past two years has not been, a lobbyist registered under a state or local law and paid by a client to influence the management decisions, contract awards, rate determinations or other similar actions of the CDA or an affiliate.

For purposes of the foregoing, an “affiliate” is any person that controls, is controlled by, or is under common control with the CDA.

TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY
BOARD OF DIRECTORS
AUDIT COMMITTEE CHARTER
As Per Town Board Resolution # _____
Adopted _____, 2007

THIS CHARTER is the Charter for the Audit Committee of the Board of Directors of the Town of Riverhead Community Development Agency (respectively, the "**Committee**" and the "**CDA**"). For purposes of this Charter, an "**Independent Auditor**" shall mean a certified public accounting firm, nationally recognized, that is independent and superior in its response to the procurement process pursuant to which it was retained by the Board of Directors of the CDA (the "**Board of Directors**" or the "**Board**").

1. **The Purpose of the Committee.** The purpose of the Committee is to:
 - Oversee and assess the effectiveness of the CDA's reporting process to insure that the reporting process is credible, controlled and reliable, and its reporting is transparent, comparable, consistent and of high quality.
 - Oversee the accounting and reporting of the CDA to insure that the financial statements of the CDA fairly and accurately present the financial position of the CDA.
 - Oversee the internal audit activities of the CDA.

2. **The Objectives of the Committee.** The Committee's objectives, in support of its purpose, shall be the following:
 - To assure for the CDA a system of internal financial control that will accomplish the following:
 - safeguard the assets of the CDA against loss from unauthorized use or disposition;
 - cause transactions to be executed in accordance with authorization by the Board of Directors or authorized committees of the Board of Directors and the CDA's management ("**Management**");
 - properly record and account for all financial transactions;
 - insure that all actions of an accounting nature are in accordance with the promulgations of the Government Accounting Standards Board; and
 - prepare financial statements that fairly present the financial position of the CDA in accordance with Generally Accepted Accounting Principles ("**GAAP**").

 - To assure for the CDA an external audit process that satisfies the following conditions:
 - independence;

- impartiality; and
- execution in accordance with Generally Accepted Auditing Standards.
- To assure the CDA's compliance with all financial reporting obligations to third parties, whether required by statute or contract.
- To maintain free and open communication and productive working relationships with or among:
 - the members of the Committee;
 - the members of the Board of Directors;
 - Management;
 - the Independent Auditor;
 - contract parties;
 - the internal Town of Riverhead accounting staff ("TORAS"); and
 - other governmental entities.

3. **Authority and Powers of the Committee.** For purposes of this Charter, the term "**Professional Contract(s)**" shall mean contracts in which the CDA engages professional services, related to the purpose and objectives of the Committee as described in this Charter, in the following areas: independent audit services, legal services and other consultant services. The Committee shall have the following authority and may exercise the following powers:

- To perform all activities within the scope of this Charter.
- To report directly to the Board of Directors.
- To recommend to the Board of Directors for its approval, that the CDA enter into a Professional Contract with an Independent Auditor for the purpose of obtaining independent audit services for the CDA.
- To prescribe the compensation for the Independent Auditor.
- To authorize and cause the CDA to enter into Professional Contracts, other than the Professional Contract with the Independent Auditor, and to prescribe the compensation to be paid thereunder.
- To supervise and review the work, services and counsel provided under Professional Contracts, including but not limited to the work and services provided by the Independent Auditor. In particular, the Committee shall monitor the work of the Independent Auditor so that such work is in conformity with the requirements set forth in **Appendix 1** attached hereto.
- To have unrestricted access to (i) Management, (ii) employees of the CDA, (iii) the CDA's facilities, real and personal, (iv) the books and records of the CDA, and (v) the TORAS and its books and records.
- To oversee the TORAS and to approve its audit plan.
- To review for adequacy, reliability and clarity, and to monitor conformity with GAAP, the CDA's accounting practices, including but not limited to: (i) the procedures for internal financial control; (ii) the accounting of all transactions; (iii) the audit procedures employed by the Independent Auditor; and (iv) the dissemination of the financial position and performance information of the CDA.

- To review from time to time the fees, compensation and expenses paid under Professional Contracts.
- Any member of the Committee shall have the right to propose to his or her co-members and to Management changes and amendments to this Charter.

4. **Required Credentials for Members of the Committee.** The Committee shall consist of two (2) members of the Board and shall include the CDA Chair. Any other members of the Committee shall be appointed by the CDA Chair and shall have the following credentials:

- The ability to read and understand financial statements.
- A working knowledge of GAAP.
- A working knowledge of concepts commonly used in corporate finance.
- Employment or professional experience that involves (or involved) finance and/or accounting.
- The absence of any conflict-of-interest that would impair the individual's ability to faithfully and impartially pursue the purpose of this Committee and to perform its objectives, all as set forth in this Charter. In particular (and without limiting the generality of the foregoing), any individual to be appointed a Committee member shall not have a conflict-of-interest that would interfere with that individual's impartial selection or impartial oversight of the Independent Auditor, including but not limited to determinations as to appropriate compensation.
- Independence in accordance with the standards set forth in **Appendix 2** annexed hereto.

5. **Standards to which the Committee must adhere.** In performing its responsibilities, the Committee shall adhere to the following:

- Law, both statute and contract.
- GAAP.
- Authorization provided by the Board of Directors and by the CDA's Certificate of Incorporation and By-Laws.
- The CDA's mission and purpose.
- Commonly recognized principles of prudence, integrity and impartiality.

6. **Specific Responsibilities of the Committee.** The following is a non-exclusive list of the responsibilities of the Committee. Committee members must consider this list as a partial guide, to be supplemented by common sense and prevailing professional norms:

- In addition to other meetings required by this **Section 6**, the Committee shall meet three times per annum with the Independent Auditor and Management, including the Chief Financial Officer, to discuss issues arising within the purview of the Committee's responsibilities. The three meetings

shall occur as follows and, in addition to any other relevant topics, must include the following substantive discussions:

- The first meeting shall occur before commencement of the annual audit. At such meeting the Independent Auditor shall report, in connection with the audit that is to occur, as follows: (i) an overview of the audit process; (ii) the deliverables; (iii) the timetable; and (iv) all significant auditing policies and practices to be used by the Independent Auditor in the course of the audit;
- The second meeting shall occur at the end of the annual audit. The purpose of the meeting will be to: (i) review the draft financial statements; and (ii) discuss (a) issues raised by the Independent Auditor (including adjustments required by the Independent Auditor), (b) the report of the Independent Auditor, (c) all alternative treatments of financial information (within GAAP) that the Independent Auditor has discussed with Management and the treatment preferred by the Independent Auditor, (d) ramifications of such alternative treatments, and (e) other material written communications between the Independent Auditor and Management, including the report of the Independent Auditor.
- The third meeting shall occur prior to finalization of the Independent Auditor's report on internal control to Management (the "**Management Letter**"). The purpose of the meeting is to review the draft Management Letter (including, where applicable, internal control matters, material corrections, and any unadjusted differences), and Management's response to the draft.
- The Committee and the Independent Auditor shall annually obtain from Management written representations regarding Management's responsibility for the integrity of the control and financial reporting systems and processes of the CDA, and Management's belief about the quality of such controls and financial reports.
- The Committee shall report at least annually to the Board of Directors and, in general, shall act as a liaison between the Board of Directors and the Independent Auditor.
- The Committee members shall be reasonably available to provide guidance to the Independent Auditor and the TORAS, and to provide advice to the employees and officers of the CDA.
- Every four years, the Committee shall recommend to the Board of Directors for its approval the selection of an Independent Auditor. The Independent Auditor so recommended shall meet the criteria for independence as set forth in **Appendix 3** attached hereto. The Committee, with the help of the CDA's employees, will be responsible for carrying out the procurement process and such process shall conform to the CDA's procurement requirements.
- The Committee shall from time to time look into the industry norm for appropriate compensation for independent auditors and shall regularly

review the compensation of the Independent Auditor to ascertain whether or not it is reasonable.

- The Committee shall review all “management internal control letters” addressed to the CDA, including but not limited to the Management Letter. The Committee shall review all interim financials, the annual financials presented for audit, and the audited annual financials.
- The Committee, at least once annually, shall review with Management, including the Chief Financial Officer, and the Independent Auditor, the adequacy of the CDA’s internal control procedures and accounting and auditing procedures generally. The Committee shall review Management’s response to the comments, if any, of the Independent Auditor with respect to these procedures and practices.
- The Committee shall meet at least annually with the Independent Auditor, at a location designated by the Committee and outside the presence of Management, to discuss any issues arising within the purview of the Committee’s responsibilities.
- The Committee shall meet at least annually with Management, outside of the presence of the Independent Auditor, to discuss Management’s evaluation of the work performed by the Independent Auditor and the appropriateness of its fees.
- The Committee, when it deems necessary, shall investigate suspected or potential improprieties in bookkeeping, record retention or disclosure of financial information of the CDA. The Committee shall do the foregoing in consultation with counsel, as appropriate.
- The Committee shall review changes in accounting principles or auditing practices that had or are expected to have a significant impact on the preparation of financial statements.
- The Committee shall meet with the TORAS as required in order to discharge its responsibility to oversee the TORAS and shall review any report and recommendation by the TORAS.
- When it deems advisable, the Committee shall recommend to the Board of Directors or authorized committee of the Board of Directors, the following:
 - entering into Professional Contracts for the purpose of securing specific studies and reports, including non-audit services from the Independent Auditor, and
 - including audited financials in any required public financial disclosures or regulatory filings.
- When it deems advisable, the Committee shall recommend to Management and the Board changes to this Charter and to the charter of the TORAS, all in accordance with best practices and accounting standards. From time to time the Committee shall also review the adequacy of the internal staffing of the TORAS and recommend to Management and the Board of Directors any changes that it may deem necessary as a result of such review.
- The Committee shall cause minutes to be prepared for all of its meetings and shall review such minutes for accuracy and thereafter shall approve such minutes.

APPENDICES – REQUIREMENTS

Appendix 1 – Requirements as to the work of the Independent Auditor.

The Independent Auditor may not, while acting in the role of external auditor, provide non-audit services to the CDA without the previous written consent of the Committee. Examples of non-audit services are: bookkeeping or other services related to the accounting records or financial statements of the CDA; financial information systems design and implementation; appraisal or valuation services, fairness opinions or contribution-in-kind reports; actuarial services; internal audit outsourcing services; management functions or human services; broker or dealer, investment advisor, or investment banking services; and legal services and expert services unrelated to the audit.

Appendix 2 – Requirements as to the independence of members of the Audit Committee.

An “independent member” shall mean a person who:

- (a) is not, and in the past two years has not been, employed by the CDA or an affiliate of the CDA in an executive capacity;
- (b) is not, and in the past two years has not been, employed by an entity that received remuneration valued at more than \$15,000 for goods and services provided to the CDA or an affiliate or received any other form of financial assistance valued at more than \$15,000 from the CDA or an affiliate;
- (c) is not a relative of an executive officer or employee in an executive position of the CDA or an affiliate; and
- (d) is not, and in the past two years has not been, a lobbyist registered under a state or local law and paid by a client to influence the management decisions, contract awards, rate determinations or other similar actions of the CDA or an affiliate.

For purposes of the foregoing, an “affiliate” is any person that controls, is controlled by, or is under common control with the CDA.

Appendix 3 – Requirements as to the independence of the Independent Auditor.

The Independent Auditor must satisfy the following conditions: (i) an “audit partner” shall not have performed, for each of the previous five fiscal years preceding the audit year, audit services to the CDA; and (ii) an “executive” of the CDA shall not have been employed, for the twelve months preceding commencement of the audit, by the Independent Auditor if he/she participated in any capacity in the audit of the CDA during

the one year period preceding the initiation of the audit. As used herein: "audit Partner" shall mean the lead (or coordinating) audit partner (having responsibility for the audit), and the audit partner responsible for reviewing the audit; "executive" shall mean the chief executive officer, chief financial officer, controller, chief accounting officer, and any other person serving in an equivalent position for the CDA.

**TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY:
INVESTMENT POLICIES, PROCEDURES AND GUIDELINES**

As Per Town Board Resolution # _____
Adopted _____, 2007

I. SCOPE

The investment policy applies to all moneys and other financial resources available for investment on behalf of The Town of Riverhead Community Development Agency ("**CDA**").

II. OBJECTIVES

The primary objectives of the CDA's investment activities are, in primary order:

- to conform with all applicable federal, state and other legal requirement (legal);
- to adequately safeguard principal (safety);
- to provide sufficient liquidity to meet all operating requirements (liquidity); and
- to obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY

The CDA's responsibility for administration of the investment program is delegated to the CDA Chair who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a database or records incorporating description and amounts of investments, transaction dates and other relevant information and regulate the activities of subordinate employees.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the CDA to govern CDA assets effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the CDA to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

VI. INTERNAL CONTROLS

It is the policy of the CDA for all moneys collected by any officer or employee of the CDA to transfer those funds to the CDA Chair within ten days of deposit, or within the time period specified in law, whichever is shorter.

The CDA Chair is responsible for establishing and maintaining an internal control structure, in accordance with the provisions of General Municipal Law, Section 561-a, to provide reasonable but not absolute assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITORIES

The banks and trust companies authorized for the deposit of CDA funds:

Depository Name

Suffolk County National Bank

Citibank

Fleet Bank

North Fork Bank & Trust Co.

JP Morgan Chase

The Bank of New York

VIII. COLLATERALIZATION OF DEPOSITS

In accordance with the provisions of General Municipal Law, Section 10, all deposits of the CDA, including certificates of deposits and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

- 1) By a pledge of "eligible securities" with an aggregate "market value", or provided by General Municipal Law, Section 10, equal to the aggregate amount of deposits from the categories designated APPENDIX A to this policy.

- 2) By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed ninety (90) days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
- 3) By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

IX. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure the CDA's deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collections of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the CDA to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the CDA, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the CDA or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for the CDA, will be kept separate and apart from the general assets of the custodian bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitute of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the CDA a perfected interest in the securities.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law, Section 10, the CDA Board authorizes the CDA Chair to invest moneys not required for immediate expenditure for terms not to exceed CDA's projected cash flow needs in the following types of investment:

- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL Section 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district cooperation other than the CDA or the Town of Riverhead;
- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general state statutes governing such entities or whose specific enabling legislation authorizes such investments;
- Certificates of Participation (COPs) issued pursuant to GML, Section 109-b;
- Obligations of the CDA, but only with any moneys in a reserve fund established pursuant to GML, Section 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the CDA within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the CDA within two (2) years of the date of purchase.

XI. AUTHORIZED FINANCIAL INSTITUTES AND DEALERS

The CDA shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the CDA conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition at the request of the CDA. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The CDA Chair is responsible for evaluating the financial

position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENT

The CDA Chair is authorized to contract for the purposes of investment:

- 1) Directly, including through a repurchase agreement, from an authorized trading partner.
- 2) By participating in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion #88-46, and the specific program has been authorized by the CDA Board of Directors.
- 3) By utilizing an ongoing investment program with an authorized tracking partner pursuant to a contract authorized by the CDA Board.

All purchased obligations, unless registered or inscribed in the name of the CDA, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank in trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the CDA by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Section 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the CDA, will be kept separate and apart from the general assets of the custodian bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the CDA a perfected interest in the securities.

XIII. REPURCHASE AGREEMENT

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.

- Obligations shall be limited to obligations of the United States of America and obligations of agencies of the United States of America where principal and interest are guaranteed by the United States of America.
- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner.

Appendix A

Schedule of Eligible Securities

- (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- (ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.
- (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.
- (iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.
- (v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (vii) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- (ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
- (x) Commercial paper and bankers' acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.
- (xi) Zero coupon obligations of the United States government marketed as "Treasury strips".

**TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY:
SALARY, COMPENSATION, REIMBURSEMENT, TIME AND ATTENDANCE
POLICY AND PROCEDURES FOR BOARD AND SENIOR MANAGEMENT**

As Per Town Board Resolution # _____
Adopted _____, 2007

The Town of Riverhead Community Development Agency ("CDA") Board of Directors receives no compensation for services rendered in their capacity as directors of the urban renewal agency. (General Municipal Law – Article 15A, Sect. 553.)

No compensation is paid to anyone serving on any committee of the CDA Board of Directors.

No compensation is paid to the Chief Executive Officer, Chief Financial Officer, or any other person providing services to the CDA Board of Directors.

**TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY:
PROTECTION FOR WHISTLEBLOWERS
POLICY AND PROCEDURES**

As Per Town Board Resolution # _____
Adopted _____, 2007

No officer, employee, director or member of Town of Riverhead Community Development Agency: ("**CDA**") may retaliate against any employee or officer of CDA who makes a good faith report of wrongdoing, misconduct, malfeasance or other inappropriate behavior, such as fraud, criminal activity or conflict of interest, by an officer, employee, director or member of CDA by taking an adverse personnel action against the "whistleblower". Therefore, the "whistleblower" cannot be fired, demoted or disciplined as a result of his/her having reported behavior of a type described above to the Town of Riverhead, any employee, officer, director or member of CDA or any governmental body or official.

Complaints may be made during regular business hours to:

Contact:	Dawn Thomas, Town Attorney
Telephone:	631-727-3200 x216
Fax:	631-727-6152
Email:	thomas@riverheadli.com
Mail / In person	200 Howell Avenue, Riverhead, New York 11901

**TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY:
ACQUISITION AND DISPOSITION OF REAL PROPERTY
POLICY, PROCEDURES AND GUIDELINES**

As Per Town Board Resolution # _____
Adopted _____, 2007

I. INTRODUCTION

In accordance with the requirements of Title 5-A of Article 9 and Section 2824(1)(e) of the Public Authorities Law, added to such law by the Public Authorities Accountability Act of 2005 ("**PAAA**"), the following comprehensive guidelines ("**Guidelines**") set forth the Town of Riverhead Community Development Agency's (the "**CDA**") (i) operative policy and instructions regarding the use, awarding, monitoring and reporting of contracts for the disposal of property through means of real property sale, ground lease, space lease and roof top lease, (ii) guidelines relating to the acquisition of real property, and (iii) related policies and procedures.

II. METHODS OF DISPOSING OF REAL PROPERTY

The CDA shall dispose of real property in accordance with Title 5-A and other applicable laws in a manner so as to permit such full and free competition as is appropriate under the circumstances and shall award contracts to parties offering the most advantageous terms, financial and/or otherwise. All dispositions of real property shall further comply with Article 15 (Urban Renewal) and Article 15A (Municipal Urban Renewal Agencies, Organization and Powers) of the New York State General Municipal Law (GML), as amended and to be amended, and such other requirements as may from this time be imposed by the Town of Riverhead. The CDA's contracting officer for real property dispositions (the "**Contracting Officer**"), appointed by the CDA's Board of Directors, shall supervise and direct all dispositions of CDA real property. The real property must be disposed of at fair market value for cash, credit, or other property, with or without warranty, upon such terms and conditions as the Contracting Officer or his/her designee deems proper, except as otherwise permitted herein. No disposition of real property shall be made unless an appraisal has been made by an independent appraiser and included in the CDA file.

Under the Contracting Officer's or his/her designee's direction, the CDA primarily uses two methods of disposition: A) Request for Proposals; and B) negotiated disposition.

A. Request for Proposals ("RFP")

1. *Real Property Sales and Leases*

The RFP process is a process whereby the development community and other entities and individuals are invited to submit proposals for one or more properties. In an effort to create full and free competition consistent with the value and nature of the property, RFP

notices shall be printed a minimum of once in a newspaper published in the Town of Riverhead, if any, or in any such newspaper published in the County of Suffolk, having a circulation in the Town of Riverhead, and posted on the CDA's web-site. In addition, RFPs may be advertised in appropriate local newspapers and/or appropriate trade publications, depending on the nature of the property, and, on occasion, distributed to a direct mailing list. All advertisements shall list when and where proposals shall be disclosed, except that if the disposition falls within one of the criteria for a negotiated disposition described below, at the discretion of the Contracting Officer or his/her designee, the advertisement may omit such disclosure information and/or the disclosure may or may not be made.

RFPs may, but are not required to, include an introduction and sections on site description, development strategy, objectives, disposition process, proposal requirements, selection conditions, public review process, general conditions and, where appropriate, economic development benefits.

Although the selection criteria for each RFP varies, as appropriate, the CDA may include selection criteria such as the following in reviewing submissions and selecting a proposal:

- Economic Impact on/ Spending in the Town of Riverhead - projected expenditures, including purchase price, construction costs and annual operating costs; temporary (construction) and permanent on-site employment and payroll; and applicable Town of Riverhead revenues such as real property taxes or other income.
- Development Team Qualifications - experience and development skills to complete the project on time and within budget.
- Financial Viability - developer's financial means to complete the project, availability of funding sources to finance the project, and sufficient revenues to support operating expenses, capital costs and any debt service.
- Integration into Surrounding Community - such as pedestrian access, vehicular access and circulation, building mass, parking availability, landscaping and overall integration into surrounding community.
- Design - architectural design, urban design, environmental development techniques, and compliance with applicable zoning, environmental and other regulatory controls.

Depending on the nature of the real property, RFPs may or may not include all of the above and may include additional selection criteria.

The contract will be awarded to the candidate presenting the most advantageous terms, price and other factors considered. The CDA may reject any and/or all proposals when the minimum terms and conditions have not been met, competition is insufficient and/or it is in the public interest to do so. The award/designation will be made by notice within a reasonable time of the original advertisement, all circumstances considered.

**B. Negotiated Disposition:
Real Property Sales and Leases**

RFP by advertisement is not always the most appropriate and effective means of disposal of real property. In certain instances, including when the disposition is for less than fair market value but is intended to further the Town of Riverhead's economic development or the disposition is otherwise authorized by law, Title 5-A permits a negotiated disposition subject to obtaining such competition as is feasible under the circumstances. In some circumstances, the disposition will involve a sole source disposition. Title 5-A, Section 2897 (6)(c)(ii)-(vi) sets forth that real property may be disposed of through a negotiated disposition when:

- (ii) the fair market value of the property does not exceed fifteen thousand dollars (\$15,000);
- (iii) bid prices, after advertising, are not reasonable, either as to all or some part of the property, or have not been independently arrived at in open competition;
- (iv) the disposal will be to the state or any political subdivision, and the estimated fair market value of the property and other satisfactory terms of disposal are obtained by negotiation;
- (v) the disposal is for an amount less than the estimated fair market value of the property, the terms of such disposal are obtained by public auction or negotiation, the disposal of the property is intended to further the public health, safety or welfare or an economic development interest of the state or a political subdivision . . . , the purpose and the terms of such disposal are documented in writing and approved by resolution of the board of the public authority; or
- (vi) such action is otherwise authorized by law.

Item (vi) includes, without limitation, sales and leases of real property where the property has been acquired for purposes of disposal under Article 15 (Urban Renewal) and Article 15A (Municipal Urban Renewal Agencies, Organization and Powers) of the New York State General Municipal Law (GML).

If an RFP involves a disposition that meets one of the criteria described above, the Contracting Officer or his/her designee may direct that the disposition of the real property be considered a negotiated disposition. In such circumstance, a public disclosure of the proposals would not be necessary unless otherwise required, however, an explanatory statement and ninety (90) days notice (or such other period as the statute may be amended to require) would be required as detailed below.

Upon meeting Title 5-A's requirements, the decision to proceed with a negotiated disposition rather than an RFP is based on an analysis of the facts and nature of the

project. In such instance, a negotiated disposition may be undertaken without limitation under the following circumstances where appropriate:

- Risk of business relocation or expansion outside the Town of Riverhead exists;
- To permit expansion of business in the Town of Riverhead;
- Impact of the number of jobs to be created or retained for the Town of Riverhead;
- Development of sites which lack private sector interest (as demonstrated by a failed RFP or other competitive means within the past two years);
- Proximity of real property to a business' existing location; or
- Other important public purpose.

Regardless of the reason the negotiated disposition is deemed permissible, such competition as is "feasible" under the circumstances is still required. In some instances where advertisement is not used, the CDA might notify neighboring businesses of an available parcel to give them the opportunity to submit a proposal, thereby effecting competition. However, in other instances, even such notification might not be feasible. Realistically, in certain situations a sole source disposition or little competition will be the only feasible alternative. For example, if a lease is for a sum below fair market value and failure to renew could threaten relocation outside the Town of Riverhead, loss of jobs within the Town of Riverhead, or business failure, a sole source negotiated disposition will be permissible under Title 5-A Section 2897(6)(c)(v). So too, if a space is leased at fair market value to a tenant that provides many jobs and services to the Town of Riverhead as well as promises of future economic development to the community, a sole source negotiated disposition might also be appropriate to preserve the jobs in the Town of Riverhead. Similarly, if a tenant requires an adjacent available space to expand his/her business and such expansion would create new jobs and prevent the business from leaving the Town of Riverhead, a sole source negotiated disposition at fair market value might also be appropriate. In such instances, a negotiated disposition would be permissible pursuant to Title 5-A Section 2897(6)(c)(vi) in conjunction with Article 15 and Article 15A of the New York State GML or other statutory provisions.

If a negotiated disposition is undertaken, not less than ninety (90) days (or such other period as the statute may later require) prior to the disposal of the property, an explanatory statement must be submitted to the state comptroller, state director of the budget, state commissioner of general services and state legislature, a copy of the same to be maintained in the CDA's files.

III. ACQUISITIONS

Real property may be purchased by the CDA for purposes of use, resale, leasing or otherwise permitting the use of the property or space therein, and may be leased by the CDA for purposes of use, subleasing or assignment of lease or otherwise permitting the use of the leased property or space. The purpose of such acquisition shall be to further a purpose of the CDA under Article 15 and Article 15A of the New York State GML. The Contracting Officer or his/her designee shall approve the terms of the acquisition and obtain the approval of the CDA's Board of Directors for the same. Further, at the

discretion of the Chairman of the CDA or his/her designees, where the CDA has a right of reacquisition of previously disposed of property, it may exercise this right.

IV. APPROVALS

All purchases, sales and leases of real property by the CDA must be approved by its Board of Directors. Approvals may be obtained for specific purchases, sales or leases or the Board of Directors may grant approval for purchases, sales or leases so long as specified guidelines are met. Generally, purchases, sales and leases are first reviewed by the CDA's Board.

When Town of Riverhead property is being leased or purchased by the CDA, all Town of Riverhead required approvals must also be obtained, e.g. relevant permits.

V. MONITORING AND REPORTING CONTRACTS FOR DISPOSAL

Prior to the disposal of the real property, the project manager involved in the disposition shall be the primary person responsible for monitoring compliance with the terms of the contract or other agreement or memorandum for the disposal and shall keep the Contracting Officer or his/her designee informed of all major issues that arise and of the status of the disposition.

The Contracting Officer shall cause a record to be maintained of all real property disposed of and shall cause to be prepared and transmitted all reports relating to the disposition of real property required by Title 5-A.

**TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY:
THE DISPOSITION OF PERSONAL PROPERTY
POLICY, PROCEDURES AND GUIDELINES**

As Per Town Board Resolution # _____
Adopted _____, 2007

**I. DISPOSITION OF PERSONAL PROPERTY VALUED AT
FIVE THOUSAND DOLLARS (\$5,000) OR LESS**

Whenever the Town of Riverhead Community Development Agency (the "**CDA**") wishes to transfer title to or a beneficial interest in an item of personal property or an interest therein with an estimated value of Five Thousand Dollars (\$5,000) or less, it shall obtain offers from one or more persons or entities as the CDA's contracting officer for personal property dispositions (the "**Contracting Officer**"), appointed by the CDA's Board of Directors, or his or her designee deems appropriate. The CDA shall maintain a record of the persons or entities approached and their responses. The CDA may conduct discussions with some or all of the persons and entities. The property may be disposed of to whichever person or entity the Contracting Officer or his or her designee selects based on the proposed price and any other factors that the Contracting Officer or his or her designee deems appropriate.

All personal property that the Contracting Officer or his or her designee considers to be of no sale value and no use to the CDA may be destroyed or otherwise disposed of in such manner as is determined by the Contracting Officer or his or her designee. Notwithstanding the foregoing, records may only be destroyed or disposed of at a time and in a manner not in conflict with applicable law, regulation or contract.

No approval of a disposition of a type described above is required from the Board of Directors or any committee thereof. All disposal documents must be approved and executed by an officer who is an authorized signatory of all agreements of the CDA.

**II. DISPOSITION OF PERSONAL PROPERTY VALUED IN
EXCESS OF FIVE THOUSAND DOLLARS (\$5,000)**

Whenever the CDA wishes to transfer title to or a beneficial interest in an item of personal property or an interest therein with an estimated value in excess of Five Thousand Dollars (\$5,000), it shall first obtain an appraisal of the property if, because of its unique nature, the property is not subject to fair market pricing. However, an appraisal of the property will not be required if an appraisal of the property or similar property has been made within the past two years.

The person or entity to which the property shall be disposed of shall be determined through a procurement conducted in accordance with Title 5-A of the Public Authorities

Attachment G

Board Item - Dispsn Personal Property 2007
4/26/2007

Law, added to such law by the Public Accountability Act of 2005, and any amendments thereto. The CDA shall publicly advertise for proposals for the disposal of the property in accordance with Title 5-A, provided that it may dispose of the property without public advertising, obtaining such competition as is feasible under the circumstances, when permitted to do so under Title 5-A. All dispositions shall comply with all relevant requirements of Title 5-A, Article 15 (Urban Renewal) and Article 15A (Municipal Urban Renewal Agencies, Organization and Powers) of the New York State General Municipal Law (GML), as amended and to be amended, and such other requirements as may from this time be imposed by the Town of Riverhead or other applicable laws, if any.

Prior to the disposal of the property, the project manager involved in the disposition shall be the primary person responsible for the monitoring of compliance with the terms of the contract for the disposal, and shall keep the Contracting Officer or his or her designee informed of all major issues that arise and of the status of the disposition.

The disposal must be approved by the Board of Directors or Executive Committee of the Board if the disposal is on a sole source basis for an amount in excess of Twenty Thousand Dollars (\$20,000) or is for an amount in excess of One Hundred Thousand (\$100,000) and has been competitively procured. For disposals for less than those amounts, no approval is required of the Board of Directors or a committee thereof. In all cases, the disposal must be approved by the Contracting Officer or his or her designee and disposal documents must be approved and executed by an officer who is an authorized signatory of all agreements of the CDA.

The Contracting Officer shall cause a record to be maintained of all personal property disposed of for an amount in excess of Five Thousand Dollars (\$5,000) and shall cause to be prepared and transmitted all reports relating to the disposition of personal property required by Title 5-A.

**TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY
PROCUREMENT POLICY AND PROCEDURES**

As Per Town Board Resolution # _____
Adopted _____, 2007

This procurement policy sets forth the guidelines and procedures for purchase of goods and services (hereinafter, the "**Guideline**") by the Town of Riverhead Community Development Agency ("**CDA**").

GUIDELINE 1

Every prospective purchase of goods or services shall be evaluated to determine the applicability of General Municipal Law (GML), Section 103. Every personnel with the requisite purchasing authority on behalf of the CDA (hereinafter "**Purchaser**") shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year by, for example, reviewing previous annual values and canvassing other Town Departments to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

GUIDELINE 2

All purchases of a) supplies or equipment, which will exceed \$10,000 in the fiscal year or b) public works contracts over \$20,000, shall be formally bid pursuant to GML, Section 103.

GUIDELINE 3

All estimated purchases of goods or services:

- less than \$10,000 but greater than \$3,000 require a written request for a proposal (RFP) and written/fax quotes from three (3) vendors.
- less than \$3,000 but greater than \$1,000 require a written RFP and written/fax quotes from two (2) vendors.
- less than \$1,000 but greater than \$250 are left to the discretion of the Purchaser.

All estimated public works contracts of:

- less than \$20,000 but greater than \$10,000 require a written RFP and written/fax proposals from three (3) contractors.
- less than \$10,000 but greater than \$3,000 require a written RFP and written/fax proposals from two (2) contractors.
- less than \$3,000 but greater than \$500 are left to the discretion of the Purchaser.

Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

All information gathered in the process of complying with the applicable Guideline shall be preserved and filed with the documentation supporting the subsequent purchase of public works contract.

GUIDELINE 4

The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the CDA and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

GUIDELINE 5

A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

GUIDELINE 6

Except when directed by the CDA Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- Acquisition of professional services;
- Emergencies;
- Sole source situations (verification letter from vendor required);
- Goods purchased from agencies for the blind or severely handicapped;
- Goods purchased from correctional facilities;
- Goods purchased from another governmental agency;
- Goods purchased at auction;
- Goods purchased for less than \$250;
- Public works contracts for less than \$500.

GUIDELINE 7

This policy shall be reviewed by the CDA Governance Committee annually or as soon thereafter as is reasonably practicable.

**TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY:-
DEFENSE AND INDEMNIFICATION POLICY FOR DIRECTORS**

As Per Town Board Resolution # _____
Adopted _____, 2007

The CDA Directors and Officers are covered by the Directors and Officers Liability Insurance Policy of the Town of Riverhead with such limits as it may deem reasonable for the purpose of protecting its officers and employees against liability for claims arising from their acts while exercising or performing or in good faith purporting to exercise or perform their powers and duties. The directors and officers of the corporation and any person acting on its behalf while acting within the scope of their authority shall not be subject to any personal liability resulting from carrying out any of the powers given in this title.

**TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY:
CODE OF ETHICS FOR DIRECTORS AND OFFICERS**

As Per Town Board Resolution # _____
Adopted _____, 2007

I. INTRODUCTION AND PURPOSE

The Board of Directors ("**Board**") of Town of Riverhead Community Development Agency (the "**CDA**") has adopted this code of ethics and practices ("**Code**") with respect to its directors and officers (individually, a "**Director**", or collectively, the "**Directors**"). The CDA believes a commonly held set of principles can assist in the individual exercise of professional judgment. This Code speaks to the core values of public accountability and transparency. The purpose of having a code of ethics and practices is to protect the credibility of the CDA by ensuring high standards of honesty, integrity, and conduct of staff.

To that end, this Code is intended to promote (a) honest and ethical conduct, including the proper handling of actual or apparent conflicts of interest between personal and professional relationships, and (b) full, fair and understandable disclosure in the periodic reports required to be filed under this Code. This Code (a) provides examples of situations involving conflicts of interest; (b) establishes disclosure procedures; and (c) outlines corrective action for violations. It is vitally important to the public trust that both the fact and the appearance of conflicting interests and improper corporate conduct be avoided. Each Director will be expected to read and understand this Code and to review it periodically in order to be alert to situations that could create a conflict of interest or otherwise be contrary to the established policies of the CDA.

II. GUIDELINES

A. Prohibition. A Director may not make personal investments in enterprises that he or she has reason to believe may be directly involved in decisions to be made by him or her, in his or her capacity as a Director of the CDA, or that will otherwise create substantial conflict between his or her duty in the public interest and his or her private interest. Additionally, a Director is prohibited from accepting employment that impairs his or her independence of judgment in the exercise of his or her official duties.

B. Personal Interest. A Director shall be deemed to be "interested" in cases in which the Director's personal interest conflicts with the interest of the CDA. The following are situations in which a Director would be deemed to be "interested", which list is not intended to be exhaustive:

- Where a Director or a member of his or her immediate family¹ is a member, director,

¹ Immediate family means a spouse, domestic partner, unemancipated child, and if they live with the Director, parent or sibling.

owner² or officer of an entity from which the CDA purchases services or supplies.

- Where a Director or a member of his or her immediate family is a member, director, owner or officer of an organization with which the CDA contracts.
- Where a Director or a member of his or her immediate family is a member, director, owner or officer of an entity with which the CDA negotiates or effects a transaction or an entity that substantially benefits from a transaction that the CDA negotiates or effects.

A Director shall not be deemed to be "interested" by virtue of his or her status as an official or employee of the Town of Riverhead.

When a Director is "interested" in a matter: (a) the Director must disclose the nature and extent of his or her interest to the Board or committee of the Board, whichever will be considering the matter; and (b) the Director, acting as a Director, must take no part in the consideration, determination or approval of the matter on the part of the CDA.³

C. Confidential and Inside Information. Confidential information acquired by a Director in the course of his or her duties as a Director must be held in confidence and may not be used as a basis for personal gain by the Director, his or her immediate family or others. Information relating to transactions pending with the CDA is not to be given to any person unless it has been published or otherwise made generally available to the public by the CDA.

A Director must refrain from transmitting any information about the CDA or its deliberations or decisions or any other information the Director obtained from the CDA that might be prejudicial to the interests of the CDA to any person other than in connection with the discharge of the Director's responsibilities, except to the extent the information is publicly available.

A Director must not accept employment or engage in any business or professional activity that will require him or her to disclose confidential information that he or she has gained by reason of his or her official position of authority.

D. Gratuities/Conduct. A Director must not be placed under actual or apparent obligation to anyone by accepting, or permitting his or her immediate family to accept, gifts or other favors where it might appear that they were given for the purpose of improperly influencing the Director in the performance of his or her corporate duties. In addition, a Director should never use his or her official position to secure unwarranted privileges or exemptions; nor should a Director, by his or her conduct, give any reasonable basis for the impression that any person can improperly influence him or her or unduly enjoy his or her favor in the performance of his or her official duties or that he or she is affected by the kinship, rank, position or influence of any party

² Owner means a person having an interest in an entity that exceeds 5% of the entity or an investment of \$35,000 in cash or other form of commitment, whichever is less, or 5% or \$35,000 of the entity's indebtedness, whichever is less, and any lesser interest in a entity when the person exercises managerial control or responsibility regarding any such entity, but shall not include interests held in any pension plan, deferred compensation plan or mutual fund, the investments of which are not controlled by the person, or in any blind trust that holds or acquires an ownership interest.

³ All persons acting as Members of the CDA may take part in the consideration, and determination or approval, of any matter.

or person. Instead, a Director should endeavor to pursue a course of conduct that will not raise suspicion that he or she is likely to be engaged in acts that are in violation of his or her trust.

III. DISCLOSURE PROCEDURE

A. If at any time a Director is in doubt as to the proper application of this Code, the Director should immediately make all the facts known to the Ethics Board of the Town of Riverhead and be guided by the instructions he or she receives. Except as otherwise directed by those instructions, the Director should refrain from exercising responsibility with regard to the CDA in any matter that might reasonably be thought to be affected by his or her interest.

B. Each Director must complete a disclosure statement in the form attached hereto promptly after appointment and annually thereafter at the time required for the filing by the Director of an annual financial disclosure statement pursuant to N.Y. Pub. Auth. Law § 2825(3).

C. Each Director shall make the annual filings required of Directors under N.Y. Pub. Auth. Law § 2825(3).

IV. VIOLATIONS

If a Director violates any of the provisions of this Code, such Director shall be subject to an appropriate remedy under the circumstances. In addition to any penalty contained in any provision of law, the Director may be subject, at the Board's discretion, to removal for cause.

V. OFFICERS WHO ARE EMPLOYEES OF THE CDA

Notwithstanding anything contained herein, if an officer is also an employee of the Town of Riverhead, that officer shall be subject to the restrictions set forth in the Ethics Policy of the Town of Riverhead.

**TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY:
TRAVEL POLICY AND PROCEDURES**

As Per Town Board Resolution # _____
Adopted _____, 2007

Directors and Officers of the Town of Riverhead Community Development Agency ("**CDA**") shall adhere to the travel policy and procedures of the Town of Riverhead as administered by the Contracting Officer.

The CDA may authorize the payment of actual and necessary travel expenses, including meals and lodging, of officers and directors for travel necessary and appropriate for fulfillment of the goals and objectives of the CDA. The CDA shall adhere to the travel policy and procedures of the Town of Riverhead as administered by the Purchasing Department. Overnight travel is permitted only with advance authorization by resolution of the CDA Board with estimated costs and basis for the expenditure as well as the source of funds identified. The annual IRS mileage rates are followed by the CDA for vehicular travel and all expenditures must be supported by receipts submitted for reimbursement.

May 1, 2007

Adopted

TOWN OF RIVERHEAD

RESOLUTION #³⁹²

CDBG CONSORTIUM 2007

BUDGET ADOPTION

COUNCILMAN BARTUNEK

_____ offered the following resolution,

which was seconded by COUNCILMAN DUNLEAVY

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

		<u>FROM</u>	<u>TO</u>
181.084910.493000.06907	Federal Aid	\$165,000	
181.086680.540000.06907	Home Improvement Program		\$50,000
181.086760.542200.06907	Soup Kitchen Supplies		\$10,000
181.086760.543401.06907	Family Service – Training & Education		\$ 5,000
181.086760.543408.06907	Drug Abuse Prevention Education		\$ 5,000
181.086760.543409.06907	Literacy Education Program		\$ 5,000
181.086660.541162.06907	East End Arts Council Carriage House		\$75,000
181.086860.540000.06907	Administration		\$15,000

BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to CDD Director Andrea Lohneiss and the Accounting Department.

THE VOTE

Dunleavy ~~Yes~~ No

Bartunek ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Cardinale ~~Yes~~ No

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

May 1, 2007

Adopted

TOWN OF RIVERHEAD

SANITATION TRUCK

BUDGET ADOPTION

RESOLUTION # 393

COUNCILMAN DUNLEAVY

offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

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

	<u>FROM</u>	<u>TO</u>
406.081600.494200.40190 Serial Bond Proceeds	\$90,000.00	
406.081600.524175.40190 Sanitation Trucks		\$90,000.00

THE VOTE

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

May 1, 2007

Adopted

TOWN OF RIVERHEAD

HIGHWAY TRUCK

BUDGET ADOPTION

RESOLUTION # 394

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

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

	<u>FROM</u>	<u>TO</u>
406.095710.494200.40191 Serial Bond Proceeds	\$107,000.00	
406.051300.524175.40191 Highway Trucks		\$107,000.00

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

May 1, 2007

Adopted

TOWN OF RIVERHEAD

BIOSOLIDS REUSE PROGRAM FEASIBILITY STUDY

BUDGET ADOPTION

RESOLUTION # 395

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

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

		<u>FROM</u>	<u>TO</u>
114.000000.390599	APPROPRIATED FUND BALANCE	\$15,000	
114.081300.543504.80076	ENGINEERING EXPENSE		\$15,000

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

MAY 1, 2007

Adopted

TOWN OF RIVERHEAD

AUTHORIZATION TO JUNK FIXED ASSETS

RESOLUTION # 396

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

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

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

<u>Tag #</u>	<u>Description</u>
25140	Calculator
23296	Calculator
5835	Lamp
3870	Lamp
2079	Rolodexes
8098	Rolodexes
272	Chairs
273	Chairs
4514	Chairs
25048	Fan

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

5/1/07

Adopted

TOWN OF RIVERHEAD

Resolution # 397

APPOINTS A P/T PARK ATTENDANT II LEVEL II TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN DUNLEAVY

offered the following resolution,

COUNCILMAN DENSIESKI

which was seconded by _____

RESOLVED, that Justin Blass is hereby appointed as a Park Attendant II, Level II effective, May 3rd, 2007 to serve as needed on an at will basis to be paid at the rate of \$10.75 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; and

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to Justin Blass, 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/ Resolution. Park Attend II Level II Justin Blass

May 1, 2007

TOWN OF RIVERHEAD

Adopted

Resolution # 398

APPOINTS A DETENTION ATTENDANT IN THE POLICE DEPARTMENT

COUNCILMAN DENSIESKI

_____ offered the following

resolution, which was seconded by COUNCILWOMAN BLASS

WHEREAS, the need for call-in Detention Attendants exists in the Police Department, and

WHEREAS, this position was duly advertised for, interviews were conducted, and

WHEREAS, pursuant to a completed background investigation, the recommendation of the Chief of Police and the Personnel Committee has been received.

NOW, THEREFORE, BE IT RESOLVED, that effective May 7, 2007 Victoria Masia is hereby appointed to the position of call-in Detention Attendant at the hourly rate of \$11.20.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Victoria Masia, the Police Department, and the Personnel Officer.

The Vote

Dunleavy ~~Yes~~ No

Bartunek ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Cardinale ~~Yes~~ No

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

May 1, 2007

Adopted

TOWN OF RIVERHEAD

Resolution # 399

RATIFIES APPOINTMENT OF A HOMEMAKER IN THE SENIORS PROGRAM

COUNCILWOMAN BLASS

_____ offered the following

resolution, which was seconded by _____

COUNCILMAN BARTUNEK

WHEREAS, a vacancy exists in the Seniors Programs for a part-time Homemaker, and

WHEREAS, this position was duly posted, posting #11, and interviews were conducted, and

WHEREAS, pursuant to a completed background investigation, the recommendation of the Department Head and the Personnel Committee has been received.

NOW, THEREFORE, BE IT RESOLVED, that effective April 30, 2007 Olga Turner is hereby appointed to the position of part-time Homemaker at the hourly rate of \$11.5741.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Olga Turner, the Seniors Program, and the Personnel Officer.

The Vote

Dunleavy ~~Yes~~ No

Bartunek ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Cardinale ~~Yes~~ No

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

May 1, 2007

Adopted

TOWN OF RIVERHEAD

Resolution # 400

REASSIGN COMPUTER OPERATOR II

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

WHEREAS, a stipulation of agreement dated April 17, 2007 has been conditionally agreed to by the CSEA and the Town reassigning the position of the Civil Service title of Computer Operator II on the Administrative Salary Schedule.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to said stipulation Lori Pipczynski is hereby reassigned to Group 9, Step 11 on the Administrative Salary Schedule effective March 6, 2007, and

BE IT FURTHER RESOLVED, that the terms of Resolution #1145, dated December 19, 2006, shall continue through June 30, 2007.

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

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

STIPULATION OF AGREEMENT

This Stipulation of Agreement is made and entered into this 17th day of April 2007 by and between the Town of Riverhead ("the Town") and the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Riverhead Unit ("CSEA").

WHEREAS, the Town and the CSEA are currently parties to a collective bargaining agreement effective January 1, 2004 through December 31, 2007; and

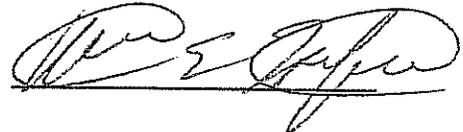
WHEREAS, it is the desire of both parties to re-evaluate the positioning of the Civil Service title of Computer Operator II.

NOW THEREFORE, it is hereby agreed as follows:

1. The Civil Service title of Computer Operator II which is currently found on the Administrative Salary Schedule in Group 5 and shall be reassigned to Group 9 on the Administrative Salary Schedule effective retroactive to March 6, 2007.
2. This Stipulation of Agreement is subject to ratification by the Town Board and if the Town Board fails to ratify, this agreement is hereby null and void.

Town of Riverhead

CSEA



MAY 1, 2007

Adopted

TOWN OF RIVERHEAD

ACCEPTS RESIGNATION OF A HOMEMAKER

RESOLUTION # 401

COUNCILMAN DUNLEAVY

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

WHEREAS, the Town has received a letter from Virginia Lugo, a Homemaker in the Senior Citizen Programs, indicating her intent to resign effective April 2, 2007.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the resignation of Virginia Lugo effective April 2, 2007.

BE IT FURTHER, RESOLVED, that the Town Clerk be, and is hereby, directed to forward a certified copy of this Resolution to the Senior Citizen Programs, Virginia Lugo, and the Personnel Officer.

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

May 1, 2007

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 402

AMENDS RESOLUTION #346

Councilman Densieski offered the following resolution,
which was seconded by Councilwoman Blass.

WHEREAS, Resolution #346 was adopted April 17, 2007 setting terms and conditions of employment of William Welsh, and

WHEREAS, the total annual salary was stated as \$78,000.00, and

WHEREAS, the total annual salary should have been stated as \$85,964.00.

THEREFORE, BE IT RESOLVED, that resolution #346 be amended to reflect that the total annual salary of William Welsh be set at \$85,964.00 effective May 7, 2007.

BE IT FURTHER RESOLVED, That the Town Clerk be and is hereby authorized to forward a copy of this resolution to William Welsh, the Town Supervisor's Office and the Personnel Officer.

The Vote

<i>abstain</i>	
Dunleavy Yes No	Bartunek Yes No
Blass Yes No	Densieski Yes No
Cardinale Yes No	

THE RESOLUTION X WAS WAS NOT THEREFORE DULY ADOPTED

MAY 1, 2007

Adopted

TOWN OF RIVERHEAD

ACCEPTS RESIGNATION OF AN ASSISTANT RECREATION LEADER

RESOLUTION # 403

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

WHEREAS, the Town has received a letter from Philip Ponte, an Assistant Recreation Leader in the Recreation Department, indicating his intent to resign effective April 12, 2007.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the resignation of Philip Ponte.

BE IT FURTHER, RESOLVED, that the Town Clerk be, and is hereby, directed to send notification of this Resolution to the Recreation Department and the Personnel Officer, and to forward a certified copy of this Resolution to Philip Ponte.

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

MAY 1, 2007

Adopted

TOWN OF RIVERHEAD

ACCEPTS RESIGNATION OF AN ASSISTANT RECREATION LEADER

RESOLUTION # 404

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

WHEREAS, the Town has received a letter from Renee Gatz, an Assistant Recreation Leader in the Recreation Department, indicating her intent to resign effective April 12, 2007.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the resignation of Renee Gatz.

BE IT FURTHER, RESOLVED, that the Town Clerk be, and is hereby, directed to send notification of this Resolution to the Recreation Department and the Personnel Officer, and to forward a certified copy of this Resolution to Renee Gatz.

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

May 1, 2007

Adopted

TOWN OF RIVERHEAD

APPROVE 2007 CONTRACT OF THE DEPUTY SUPERINTNEDENT OF HIGHWAY

RESOLUTION# 405

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

WHEREAS, Ronald Caffrey has been appointed to the position of Deputy Superintendent of Highway, and

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

NOW, THEREFORE, BE IT RESOLVED, the Supervisor is hereby authorized to execute a department head contract with Mr. Caffrey for the year 2007.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Ronald Caffrey and the Personnel Officer.

THE VOTE

Dunleavy ~~Yes~~ No

Bartunek ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Cardinale ~~Yes~~ No

THE RESOLUTION X WAS WAS NOT THEREFORE DULY ADOPTED

Agreement made and entered into this ____ day of March 2007, between THE TOWN OF RIVERHEAD, County of Suffolk, State of New York, hereinafter referred to as the "Town," and Ronald Caffrey, Deputy Highway Superintendent for the Town of Riverhead, New York, hereinafter referred to as "Caffrey."

WITNESSETH:

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

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

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

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

NOW THEREFORE, in exchange of the mutual covenants and considerations, it is agreed that the terms and conditions of employment of Caffrey in his position as Deputy Highway Superintendent, shall, effective January 1, 2007, be as follows:

ARTICLE I - DURATION

1. This Agreement shall be effective as of January 1, 2007 and shall continue in full force and effect until and including the 31st day of December 2007; provided, however, that pursuant to New York State Law, Caffrey serves at the pleasure of the Town's Highway Superintendent and Caffrey may therefore be terminated at any time for any reason at the sole discretion of the Highway Superintendent, in which event this Agreement and the parties' obligations and rights thereunder shall be terminated effective on the date of Caffrey's termination.

ARTICLE II - RECOGNITION

1. The Town recognizes Caffrey's right to bargain for the terms and conditions of his employment with the Town. Both parties acknowledge that this Agreement is personal to Caffrey and shall not inure to his successor. Such recognition is for the period of this Agreement or extensions hereof.

2. Caffrey affirms that he does not assert the right to strike against the Town, or to assist or participate in any such strike, picket, job action or any work slowdown.

3. The Town recognizes Caffrey's right to designate a representative to appear on his behalf to discuss salaries, working conditions, grievances and disputes relative to the terms and conditions of this Agreement and to confer with Caffrey during working hours. The representative's activities shall not disrupt the orderly and smooth operation of Town government.

ARTICLE III - HOURS OF WORK

1. Caffrey's minimum basic work week shall be 40 hours per week. There shall be no maximum number of hours of work per week. Caffrey shall not receive additional compensation for holiday pay. Caffrey is not entitled to earn, accrue, or be paid for overtime or compensatory time.

2. Caffrey shall be entitled to the same paid holidays as the employees under his supervision.

3. (a) Five (5) days personal leave will be granted.

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

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

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

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

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

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

ARTICLE IV - VACATIONS

1. Caffrey shall be entitled to 30 working days' vacation (January 1 to December 31).
2. Caffrey, upon request, shall be paid his vacation pay prior to the vacation, providing he shall have given three (3) weeks' notice to the Supervisor.
3. Upon retirement or termination of service, except for cause, Caffrey shall be compensated, in cash, for any accumulated vacation.
4. With the written approval of the Supervisor, prior to December 31st, Caffrey may carry over any unused vacation days from one (1) year into the following year, but in no event shall Caffrey carry over more than sixty (60) vacation days from one year to the next.
5. Caffrey, at his option, shall be entitled to make an election to work the current year's allotted vacation time. Caffrey must provide written notification to the Supervisor of the exercising of this option not fewer than thirty (30) days prior to the date of which payment is requested. The Supervisor is to acknowledge receipt of this notification to the payroll personnel prior to payment. Payment is to be processed during the next overtime run. Payment will be the same method as outlined in the 2002-2004 Superior Officers' Contract, Article IX, Section C.

ARTICLE V - SICK LEAVE

1. Sick leave is absence necessitated by Caffrey's illness or other physical disability. Sick leave will be accumulated at the rate of one and one-half (1 ½) days per month (eighteen (18) days per year), total accumulated sick leave of three hundred (300) days. After three hundred (300) days, additional paid sick leave may be granted in the sole discretion of the Town Board. In order to receive sick leave, Caffrey shall, when absent because of sickness for more than three (3) days, furnish the Supervisor, when requested by him, with a medical certificate. Failure to furnish a medical certificate will result in loss of pay for absent days. The Town Board, in its discretion, may request a physical examination Caffrey before his return to work.

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

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

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

ARTICLE VI - SENIORITY

The parties agree that Caffrey shall be entitled to retreat back into an existing or to be created Highway Maintenance Crew Leader position in the event he is removed from his position as Deputy Highway Superintendent. In this event, he shall receive Department-wide seniority in the Highway Department based upon continuous service commencing on August 31, 1981.

ARTICLE VII - GRIEVANCE PROCEDURE

1. Consideration of Grievance.

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

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

2. Time of Hearings.

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

3. Representation.

Caffrey shall have the right at all times to representation of his choosing.

4. Limitations.

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

5. Withdrawn Grievances.

Caffrey may withdraw a grievance at any point in the grievance procedure.

ARTICLE VIII - PENSION AND LONGEVITY

Caffrey represents that he is a member of the New York State Employees Retirement System. As a Tier III employee, he is a participant in either the Article 14 or Article 15 Coordinated Retirement Plan.

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

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

ARTICLE IX - HEALTH INSURANCE

1. The Town shall pay, on Caffrey's behalf, one hundred (100%) percent of the cost of either the individual or family coverage for hospitalization under the Town Health Insurance Program, which shall be at least equal to the January 1, 1991 NYS Empire Core Plan Plus Medical and Psychiatric Enhancements. These plans shall also provide that the Town pays for one hundred (100%) percent coverage for Caffrey if he retires from the Town and the Town shall also pay to the extent of fifty (50%) percent coverage on the premiums for his family.

In the event that Caffrey's employment with the Town should terminate, he shall have the option, at his own expense, to participate in the Town Health Insurance Program.

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

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

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

5. The Town will offer a Universal Life Insurance policy, a disability insurance policy or participation in the New York State deferred compensation program. Caffrey may, at his option, choose the life insurance, the disability insurance or the deferred compensation program, or any combination thereof. The cost of these policies to the Town may not exceed \$2,500.00. Any additional cost may be supplemented by Caffrey via a payroll deduction. The cost will be adjusted yearly based on the Consumer Price Index for New York and Northeastern New Jersey area for all Urban Consumers as produced by the U.S. Department of Labor, Bureau of Labor Statistics. The Base Year to be used will be 1989.

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

ARTICLE X - MANAGEMENT RIGHTS

1. Caffrey recognizes that all of the functions, rights, powers, responsibilities and authority of the Town which the Town has not specifically abridged, deleted, delegated, granted or modified by this Agreement are, and shall remain, exclusively those of the Town. Caffrey recognizes that the Town has the responsibility to manage the Town, direct its employees, determine the number of employees it will employ, has the right to hire, suspend, discharge,

discipline, promote, demote, or transfer its employees, subject, however, to the provisions of the Civil Service Law.

Caffrey agrees, in recognition of management's rights, not to request the Town to bargain with respect to the preceding paragraph during the term of this Agreement, except as otherwise specifically provided for herein, either as to the basic decision or as to the effect of that decision upon wages, hours and other terms and conditions of employment. Any violation of the Agreement is subject to the Grievance procedure.

2. Caffrey and the Town Board recognize that strikes and other forms of work stoppages by Civil Service employees are contrary to law and public policy. Caffrey and the Town Board subscribe to the principle that differences shall be resolved by peaceful and appropriate means without interruption of the normal duties necessary to the operation of the Town.

Caffrey, therefore, agrees that he will not engage in a strike, work stoppage, job action or concerted refusal to perform work.

ARTICLE XI - GENERAL PROVISIONS

1. The Town agrees to provide legal counsel to defend Caffrey in any action arising out of an assault on Caffrey on Town business, and the Town hereby agrees to defend, indemnify, and hold Caffrey harmless for any and all acts performed for the Town, its agents and employees, including but not limited to preparation, certification and sealing of plans prepared exclusively for the Town, its agents and employees, provided Caffrey was acting within the scope of his employment.

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

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

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

ARTICLE XII - WAGES

Caffrey shall receive the following annual salary:

Jan. 1, 2007 - \$70,168.80

Caffrey's salary in any year of any successor Agreement shall not be less than that set forth above.

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

BY: _____
PHIL CARDINALE, Town Supervisor

RONALD CAFFREY

May 1, 2007

TOWN OF RIVERHEAD

Adopted

Resolution # 406

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

COUNCILMAN DENSIESKI

_____ 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 May 10, 2007 issue of The News Review.

The Vote

Dunleavy ~~Yes~~ No

Bartunek ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Cardinale ~~Yes~~ No

THE RESOLUTION X WAS WAS NOT
THEREFORE DULY ADOPTED

HELP WANTED

PLEASE TAKE NOTICE that the Town of Riverhead is seeking qualified individuals to serve in the position of Pump Out Boat Personnel from May – September, 2007. Applications are to be submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY. No applications will be accepted after 4:00pm on May 18, 2007. EOE.

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

05/01/07

Adopted

TOWN OF RIVERHEAD

Resolution # 407

AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS AND MORTGAGEE OF THE PROPERTY LOCATED AT 725 MAIN ROAD, AQUEBOGUE, NEW YORK

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

WHEREAS, the Town Board has determined that the property situated at 725 Main Road, Aquebogue, New York is being used and occupied in violation of various sections of the Code of the Town of Riverhead and the New York State Uniform Fire Prevention and Building Code;

NOW, THEREFORE

BE IT HEREBY RESOLVED, that Dawn C. Thomas, Town Attorney for the Town of Riverhead is authorized to institute legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the structures situated at 725 Main Road, Aquebogue, New York in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property and the structures situated upon such; and be it further

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

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

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

05/01/07

Adopted

TOWN OF RIVERHEAD

Resolution # 408

AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS AND MORTGAGEE OF THE PROPERTY LOCATED AT 357 LAUREL LANE, LAUREL, NEW YORK

COUNCILMAN BARTUNEK

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

WHEREAS, the Town Board has determined that the property situated at 357 Laurel Lane, Laurel, New York is being used and occupied in violation of various sections of the Code of the Town of Riverhead and the New York State Uniform Fire Prevention and Building Code;

NOW, THEREFORE

BE IT HEREBY RESOLVED, that Dawn C. Thomas, Town Attorney for the Town of Riverhead is authorized to institute legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the dwelling situated at 357 Laurel Lane, Laurel, New York in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property and the dwelling situated upon such; and be it further

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

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

05/01/07

Adopted

TOWN OF RIVERHEAD

Resolution # 0409

AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS AND MORTGAGEE OF THE PROPERTY LOCATED AT 18 NORTHVILLE TURNPIKE, RIVERHEAD, NEW YORK

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

WHEREAS, the Town Board has determined that the property situated at 18 Northville Turnpike, Riverhead, New York is being used and occupied in violation of various sections of the Code of the Town of Riverhead and the New York State Uniform Fire Prevention and Building Code;

NOW, THEREFORE

BE IT HEREBY RESOLVED, that Dawn C. Thomas, Town Attorney for the Town of Riverhead is authorized to institute legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the dwelling situated at 18 Northville Turnpike, Riverhead, New York in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property and the dwelling situated upon such; and be it further

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

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

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

5/1/07

Adopted

TOWN OF RIVERHEAD

Resolution # 410

RESCINDS RESOLUTION #355 OF 2007
(AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE TO
CONSIDER A LOCAL LAW TO AMEND CHAPTER 12 ENTITLED "COASTAL
EROSION HAZARD AREAS" OF THE RIVERHEAD TOWN CODE

COUNCILMAN DENSIESKI

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

WHEREAS, pursuant to Resolution #355 adopted by the Town Board on April 17, 2007, 2007, the Town Clerk was authorized to publish and post a public notice to consider a local law to amend Chapter 12 entitled "Coastal Erosion Hazard Areas" of the Riverhead Town Code in the April 26, 2007 issue of the News Review; and

WHEREAS, it has been determined that there are changes to be made in the contents of the public hearing notice before said public notice is to be published.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead hereby rescinds Resolution #355 of 2007; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Riverhead Planning Board; the Riverhead Planning Department, the Riverhead Building Department; the Riverhead Police Department; the Conservation Advisory Council; the Town Attorney Investigation Unit 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 ~~X~~ WAS _____ WAS NOT
THEREFORE DULY ADOPTED**

5/1/07

Adopted

TOWN OF RIVERHEAD

Resolution # 411

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW TO AMEND CHAPTER 12 ENTITLED, "COASTAL EROSION HAZARD AREAS" OF THE RIVERHEAD TOWN CODE

Councilman Bartunek offered the following resolution, was seconded by Councilwoman Blass.

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 amend Chapter 12 entitled, "Coastal Erosion Hazard Areas" of the Riverhead Town Code, once in the May 1, 2007 issue of the News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Building Department, Planning Department, the Riverhead Police Department; the Conservation Advisory Council, the Town Attorney Investigation Unit 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

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 16th day of May, 2007, at 7:20 p.m. at Senior Citizen Human Resource Center, 60 Shade Tree Lane, Aquebogue, New York, to consider a proposed local law to amend Chapter 12 of the Riverhead Town Code entitled, "Coastal Erosion Hazard Areas" as follows:

Chapter 12
COASTAL EROSION HAZARD AREAS

§ 12-6. Definitions.

GROSS FLOOR AREA – The sum of the horizontal areas of all floors of a building including interior and exterior balconies, mezzanines and attached decks and porches. Horizontal floor dimensions are to be measured from the exterior faces of the walls of each such floor or from the center line of party walls with any adjoining building.

GROUND AREA COVERAGE – The horizontal area of a structure's footprint.

~~MAJOR ADDITION~~ — ~~An addition to a structure resulting in an increase of 25% or greater in the ground area coverage of the structure, other than an erosion protection structure or a pier, dock or wharf. The increase will be calculated as the ground area coverage to be added, including any additions previously constructed under a coastal erosion management permit, divided by the ground area coverage of the existing structure, as defined in "existing structure."~~

MEAN HIGH WATER – The approximate average high water level for a given body of water at a given location, determined by reference to hydrological information concerning water levels or other appropriate tests.

PRIMARY DUNE — The most waterward major dune where there are two or more parallel dunes within a coastal area. Where there is only one dune present, it is the "primary" one. Occasionally one or more relatively small dune formations exist waterward of the primary dune. These smaller formations will ~~h~~be considered to be part of the primary dune for the purposes of this chapter. The waterward limit of a primary dune is the landward limit of its fronting beach. The landward limit of the primary dune is 25 feet landward of its landward toe.

REGULATED ACTIVITY — The construction, modification, restoration or placement of a structure ~~or major addition to a structure~~ or any action or use of land which materially alters the condition of land, including grading, excavating, dumping, mining, dredging, filling or other disturbance of soil or any activity which alters or disturbs the existing natural protective features, which includes trimming and clearing of vegetation. "Regulated activity" does not include routine agricultural operations involving cultivation and harvesting or the implementation of practices recommended in a soil and water conservation plan, as defined in § 3(12) of the Soil and Water Conservation Districts Law, provided that such agricultural operations and implementation of practices will not be construed to include any activity that involves the construction or placement of a structure. ~~"Regulated activity" does not include the restoration of a preexisting, nonconforming structure which is damaged or destroyed by events not related to coastal flooding or erosion.~~

RESTORATION — The in kind in place reconstruction of a structure without modification, of a structure, the cost of which equals or exceeds 50% of the estimated full replacement cost of the structure at the time of restoration. Without modification shall mean reconstruction to pre-existing dimensions of gross floor area and ground area coverage. Modifications may be allowed, however, if they do not exceed those preexisting dimensions and are intended to mitigate impacts to natural protective features and other natural resources. ~~Modifications, however, may be allowed if they do not exceed preexisting size limits and are intended to mitigate impacts to natural protective features and other natural resources.~~

UNREGULATED ACTIVITY — Excepted activities that are not regulated by this chapter include but are not limited to: docks, piers, wharves or structures built on floats, columns, open timber piles or other similar openwork supports with a top surface area of less than 200 square feet ~~or~~ and which are removed in the fall of each year; normal beach grooming or cleanup; maintenance of structures when normal and customary and/or in compliance with an approved maintenance program; planting vegetation and sand fencing so as to stabilize or entrap sand in primary dune and secondary dune areas in order to maintain or increase the height and width of dunes; routine agricultural operations, including cultivation or harvesting, and the implementation of practices recommended in a soil and water conservation plan as defined in § 3(12) of the Soil and Water Conservation Districts Law; provided, however, that agricultural operations and implementation of practices will not be construed to include any activity that involves the construction or placement of a structure. ~~In addition, the restoration (as defined in this chapter) of a preexisting, nonconforming structure damaged or destroyed by events not related to coastal flooding or erosion is considered an unregulated activity.~~

§12-10. Structural hazard area restrictions.

The following restrictions apply to regulated activities within a structural hazard area:

- C. Permanent foundations may not be attached to movable structures, and any temporary foundations are to be removed at the time the structure is moved. Below grade footings will be allowed if satisfactory provisions are made for their removal.

F. Plans for landward relocation of movable structures must be included with each application for a permit. Movable structures which have been located within a structural hazard area pursuant to a coastal erosion management permit must be removed before any part of the structure is within 10 feet of the receding edge. The last owner of record, as shown on the latest assessment roll- is responsible for removing that structure and its foundation, unless a removal agreement was attached to the original coastal erosion management permit. With the attachment of a removal agreement to the coastal erosion management permit, the landowner or the signator is responsible for the landward relocation of movable structures. Removal agreements may be made when the last owner of record and the owner of the structure are different, with the approval of the Town at the time the permit is issued.

§12-13. Dune area restrictions.

A. In primary dune areas:

(5) ~~Nonmajor additions to existing structures are allowed on primary dunes pursuant to a coastal erosion management permit and subject to permit conditions concerning the location, design and potential impact of the structure on the primary dune.~~ New construction, modification or restoration of walkways or stairways must be done in accordance with conditions of a coastal erosion management permit.

B. In secondary dune areas:

(3) ~~Nonmajor additions to existing structures are allowed on secondary dunes pursuant to a coastal erosion management permit.~~ New construction, modification or restoration of walkways or stairways must be done in accordance with conditions of a coastal erosion management permit.

D. ~~The restoration of existing structures on dune areas that are damaged or destroyed by events not related to coastal flooding or erosion may be undertaken without a coastal erosion management permit.~~ Restoration of pre-existing structures that are damaged or destroyed by events not related to coastal flooding or erosion may be undertaken pursuant to a coastal erosion management permit provided the cost of the restoration is less than (fifty) 50% of the estimated full replacement cost of the structure at the time of restoration.

§12-14. Bluff area restrictions.

B. Activities specifically allowed under this section are:

(4) ~~Nonmajor additions to existing structures pursuant to a coastal erosion management permit.~~ Restoration of pre-existing structures that are damaged or destroyed by events not related to coastal flooding or erosion may be undertaken pursuant to a coastal

erosion management permit provided the cost of the restoration is less than (fifty) 50% of the estimated full replacement cost of the structure at the time of restoration.

- C. ~~The restoration of existing structures on bluff areas that are damaged or destroyed by events not related to coastal flooding or erosion may be undertaken without a coastal erosion management permit.~~

§12-20. Variances.

- B. All responsible means and measures to mitigate adverse impacts on natural systems and their functions and values have been incorporated into the activity's design at the property owner's expense.

§12-27. Fees for permits and appeals.

- A. ~~\$90.~~ 100.

- D. Construction or modification of docks, piers or wharves:

(1) Fixed docks: ~~\$70.~~ 100.

(2) Solid-fill docks: ~~\$100.~~ 200.

(3) Floating docks on piles or fixed dock, ramp and float combination: ~~\$50.~~ 100.

Dated: Riverhead, New York
May 1, 2007

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

BARBARA GRATTAN, Town Clerk

05/01/07

TOWN OF RIVERHEAD

Adopted

Resolution # 412

**AUTHORIZES THE SUPERVISOR TO EXECUTE EASEMENT
AGREEMENT WITH CABLEVISION**

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

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

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

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

NOW, THEREFORE, be it

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

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

THE VOTE

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

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

AGREEMENT

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

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

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

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

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

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

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

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

WHEREAS, the Grantee has represented that it anticipates that by June 13, 2013, the cable service presently given to the individuals using the east end of the bulkhead located on the

Peconic River, Riverhead, New York will be switched to digital cable and when the switch is made, the Grantee may no longer be able to provide said cable service free of charge;

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

IT IS FURTHER AGREED by the parties that the Grantee shall extend its facilities to the west end of the bulkhead located on the Peconic River, Riverhead, New York by July 1, 2007, at a cost to Grantee of approximately \$18,000 and that Grantee shall thereafter provide basic cable service to individuals using said bulkhead area through to and including June 13, 2013, except as otherwise set forth below; and

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

IT IS FURTHER AGREED that the first year that said free cable services to the individuals situated on the east and west end of the bulkhead located on the Peconic River, Riverhead, New York are terminated by the Grantee that said \$2,000.00 payment shall be made to the Grantor within thirty (30) days of said termination and that for each year thereafter payment shall be made by the Grantee to the Grantor no later than January 10th of each year thereafter until the year 2013; and

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

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

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

IT IS FURTHER AGREED that after the completion of the survey, metes and bounds description set forth above that the parties herein shall execute the "Cable Easement" annexed

hereto as **Exhibit "C"** which constitutes the easement to be granted by the Grantor to the Grantee as set forth herein.

GRANTOR:

Town of Riverhead

By: _____

Name: _____

Title: _____

Date: _____

GRANTEE:

CSC Acquisition-NY, Inc.

By: Wayne Richardson

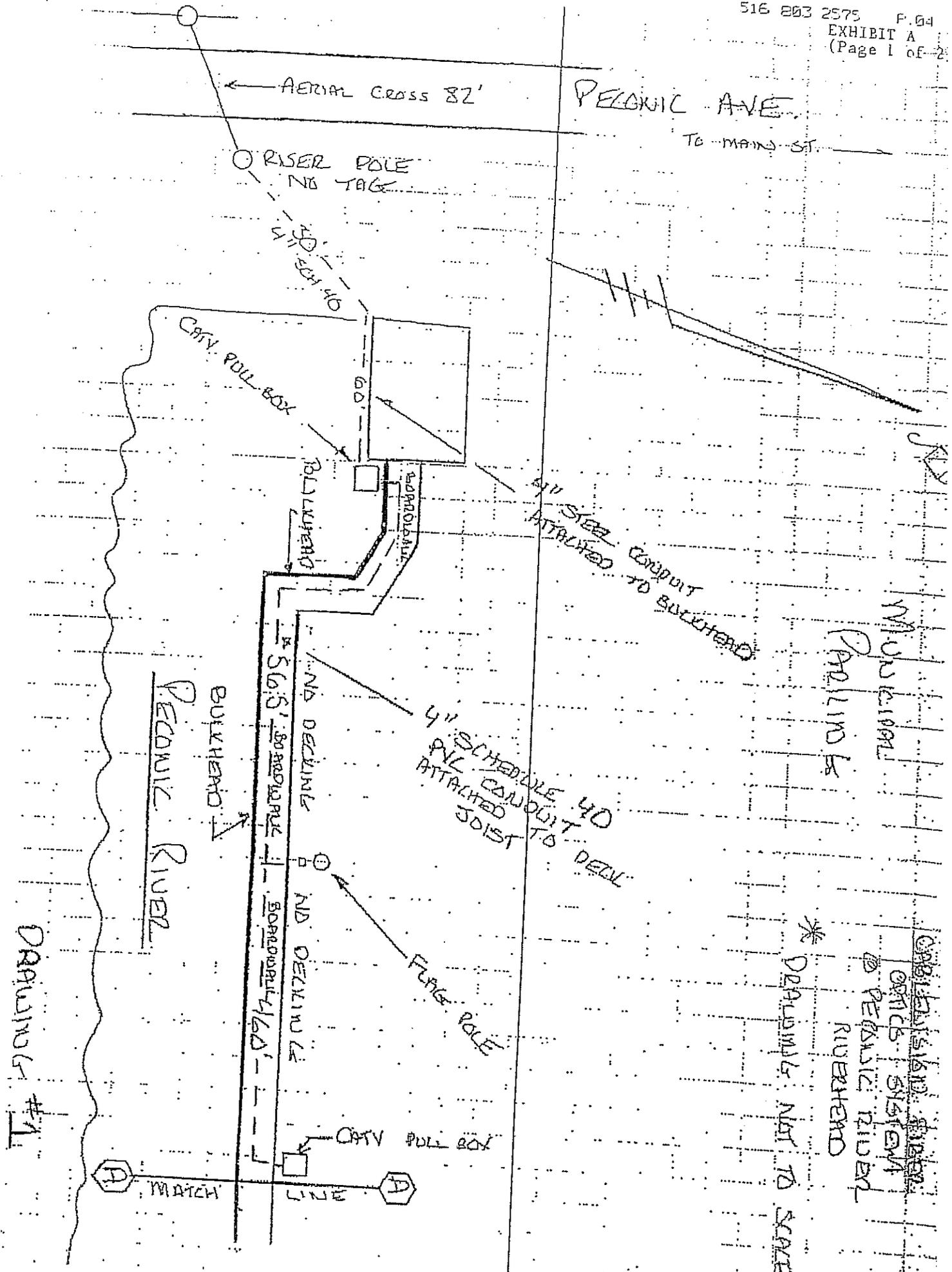
Name: Wayne Richardson

Title: S.V.P., Contract/Infrastructure

Management -NWM

Date: 4/27/07

EXHIBIT "A"



← AERIAL CROSS 82'

PELONVIC AVE.

TO MAIN ST →

○ RISER POLE
NO TAG

30' - 40'
4" SCHED 40

CATV PULL BOX

BULKHEAD

ADAPTOR

4" STEEL CONDUIT
ATTACHED TO BULKHEAD

PELONVIC RIVER

BULKHEAD

AND DECKING

56.5' BOARDWALK

4" SCHEDULE 40
PVC CONDUIT
ATTACHED TO DECK

AND DECKING

FLANG. POLE

CATV PULL BOX

LINE

MATCH

DRAWING #1

* DRAWINGS NOT TO SCALE

CABLEVISION SYSTEMS
OFFICE SYSTEM
PELONVIC RIVER
RIVERHEAD

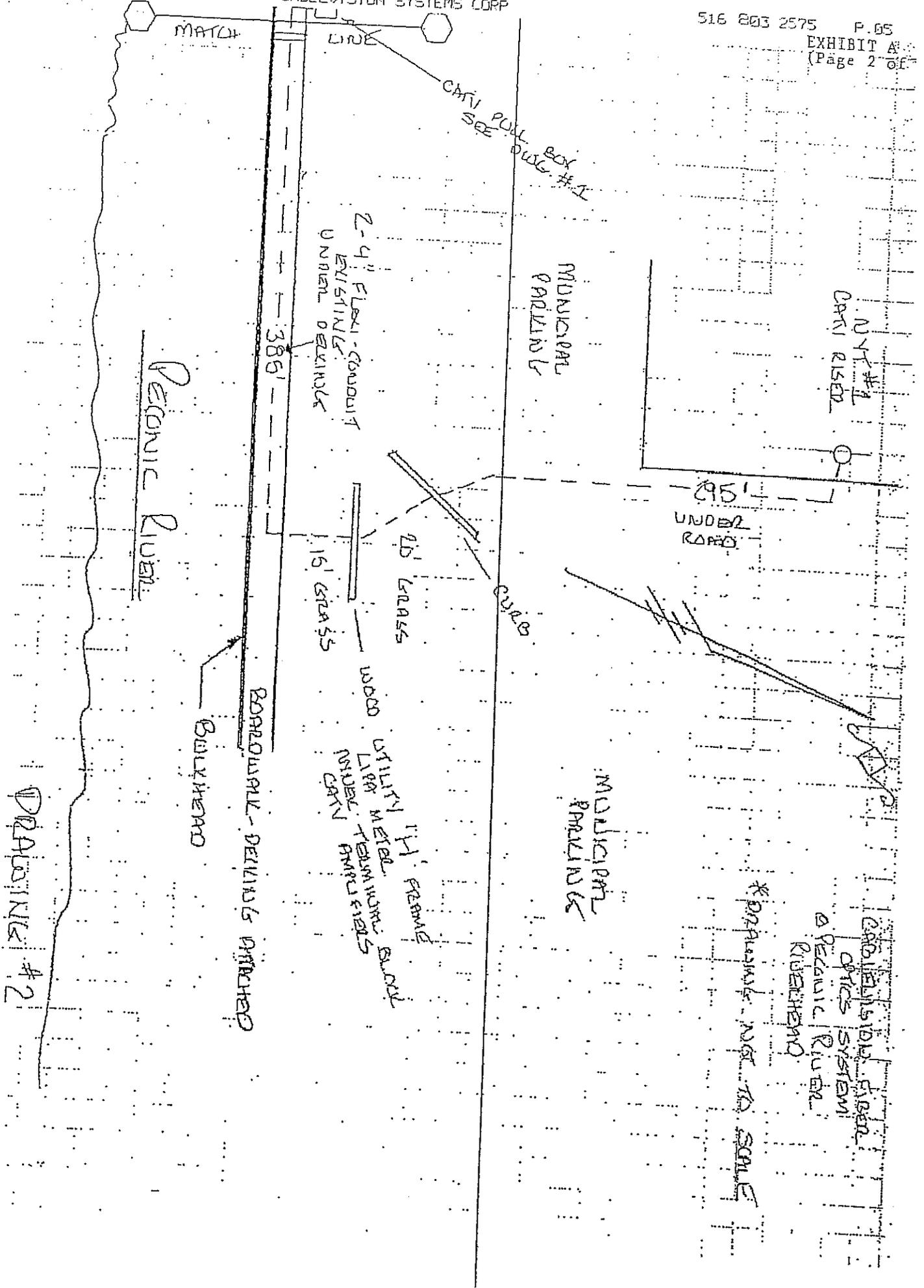
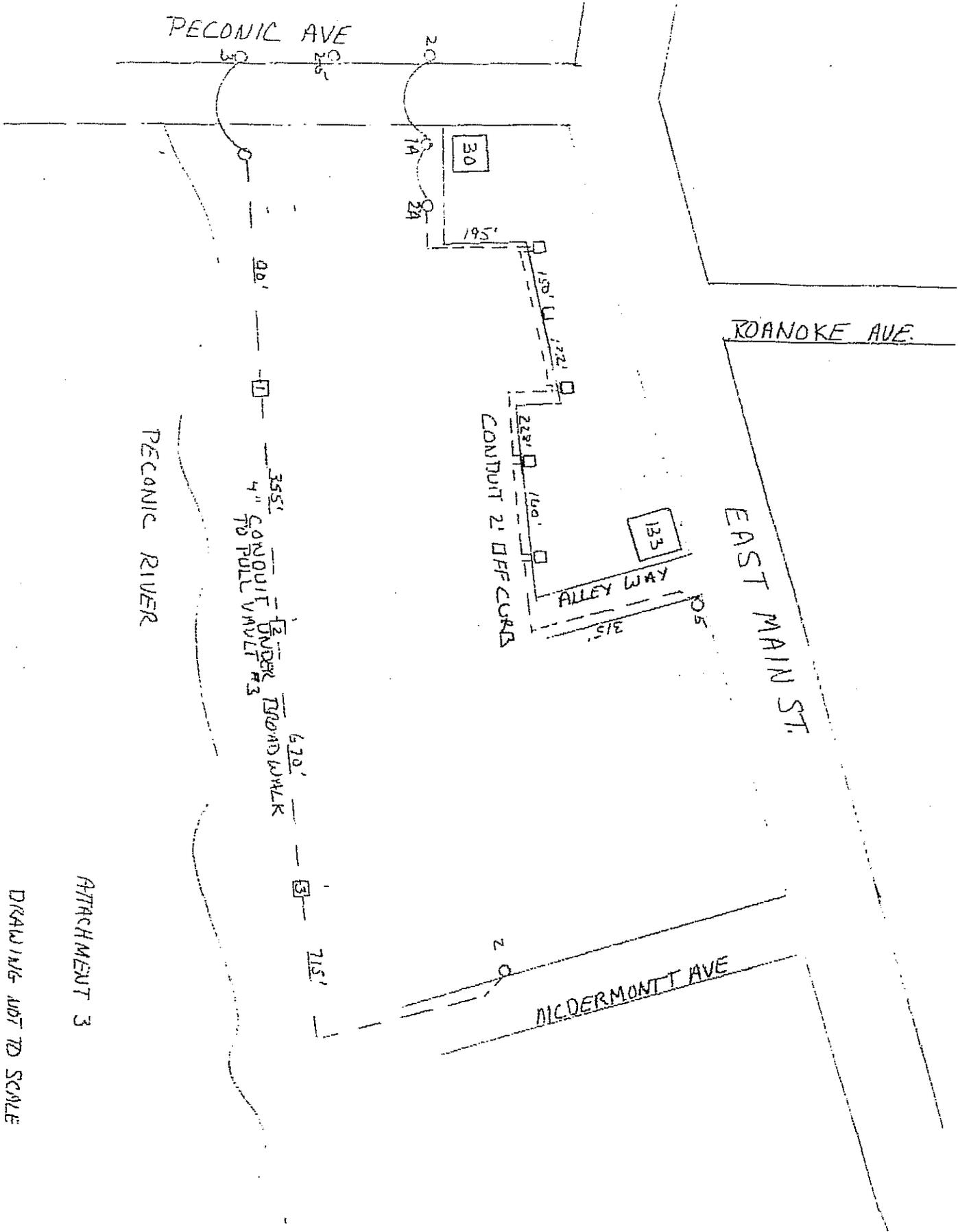


EXHIBIT "B"



ATTACHMENT 3

DRAWING NOT TO SCALE

EXHIBIT "C"

CABLE EASEMENT

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

WITNESSETH:

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

{ metes and bounds description to be inserted }

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

GRANTOR:

Town of Riverhead

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

GRANTEE:

CSC Acquisition-NY, Inc.

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

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

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

Notary Public – State of New York

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

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

Notary Public – State of New York

05/01/07

TOWN OF RIVERHEAD

Adopted

Resolution # 413

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW TO AMEND CHAPTER 86, RENTAL DWELLING UNITS, § 86-6 ENTITLED "FEES" OF THE RIVERHEAD TOWN CODE

Councilman COUNCILMAN BARTUNEK offered the following resolution, which was

seconded by COUNCILMAN DUNLEAVY :

NOW THEREFORE BE IT RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a proposed local law to amend Chapter 86, Rental Dwelling Units, § 86-6 Entitled "Fees" of the Riverhead Town Code, once in the May 10, 2007 issue of the News-Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and

BE IT FURTHER RESOLVED, that the Town Clerk shall provide a copy of this resolution to the Building Department, Planning Department, 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

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 16th day of May at 7:40 p.m. at Riverhead Town Hall, Riverhead, New York, to consider a proposed local law to amend Chapter 86, Rental Dwelling Units, § 86-6 Entitled “Fees” of the Riverhead Town Code, as follows:

§ 86-6. Fees.

A. A nonrefundable biannual permit application fee shall be paid, upon filing an application for a rental occupancy permit or for a renewal rental occupancy permit, in accordance with the following schedule of rental dwelling units per structure:

Type of Dwelling	Fee
One unit	\$150
Two unit	\$200
Three unit	\$250
Four unit	\$325
More than four units	\$500, plus \$5 <u>\$50.00</u> for each unit in excess of four

B. The fee required by this section shall be waived for any applicant which demonstrates that the dwelling unit is occupied by the immediate family of the owner of the dwelling unit as defined in this chapter.

C. Any commercial hotel/motel business operating exclusively and catering to transient clientele, that is, customers who customarily reside at these establishments for short durations for the purpose of vacationing, travel, business, recreational activities, conventions, emergencies and other activities that are customary to a commercial hotel/motel operation, shall pay a biannual fee of \$500 per application, plus ~~\$5~~ \$50.00 for each unit. For the purposes of this chapter, a

"short duration" shall be defined as not more than 21 consecutive days. This section shall not apply to any commercial hotel/motel whose primary purpose is to provide permanent residences to their customers. For the purposes of this chapter, "permanent residence" shall be defined as more than 21 consecutive days.

D. Any rental dwelling unit that only operates during a one-hundred-fifty-day period in the months of May, June, July, August and September, only, shall pay a biannual fee of \$25 per unit.

Dated: Riverhead, New York
May 1, 2007

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

May 1, 2007
Adopted
@ Special Board Meeting
on May 3rd, 2007

TOWN OF RIVERHEAD

Tabled

Resolution # 414

Grants Special Use Permit of Ric Stott (Suffolk Theatre)
For Increased Lot Coverage

COUNCILMAN DUNLEAVY

WHEREAS Councilman _____ offered the following resolution
COUNCILMAN DENSIESKI
which was seconded by Councilman _____

WHEREAS, the Riverhead Town Board is in receipt of a special use permit from Ric Stott pursuant to Section 108-69 of the Riverhead Town Code to allow a lot coverage of percent 84 rather than the allowed 80 percent upon a property within the Riverhead Parking District located at Main Street, Riverhead, such real property more particularly described as Suffolk county Tax Map Parcel Number 0600-129-1-8.4, and

WHEREAS, by Resolution No. 156 dated February 21, 2007, the Riverhead Town Board declared itself to be the lead agency in the matter and further determined the action to be unlisted pursuant to 6NYCRR Part 617, and a draft environmental impact statement need not be prepared, and

WHEREAS, the Town Board held a public hearing on this matter on the 20th day of March 2007 pursuant to Section 108-133.4 B of the Town of Riverhead Zoning ordinance, and

WHEREAS, the petition was referred to the Suffolk County Planning Commission pursuant to General Municipal Law §239-m for its report and recommendation; such Planning Commission concluding the matter was one of local determination, and

WHEREAS, the Town Board of the Town of Riverhead has carefully considered the merits of the special use permit petition, the SEQRA record created to date, the report of the Planning Department, the commentary made at the relevant public hearing, as well as all other planning, zoning and environmental information, and

WHEREAS, the property lies within the Riverhead Parking District No. 1, and

WHEREAS, the Town of Riverhead Planning Staff has reviewed prepared a report on the application and the FEAF, and completed a independent review of the parking available within the immediate vicinity of the proposed Culinary Arts school, and

WHEREAS, on March 20, 2006 a public hearing was held on the special permit petition of Ric Stott (Suffolk Theatre) before the Town Board at which all testimony was given under oath, and

WHEREAS, the Town Board has carefully considered the merits of the petition, the Planning Staff report the SEQRA record created to date, the sworn testimony given

Councilwoman Blass offered the resolution to be TABLED, which was seconded by Councilman Bartunek. All in favor to TABLE.

Suffolk Theatre
Resolution

at the public hearing, as well as all relevant planning, zoning and environmental information, and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby makes findings as follows:

FIRST: That the subject premises lies within the DC-1 Use District;

SECOND: That §108-69 of the Riverhead Town Code provides the Town Board may, by special permit, allow within the Riverhead Public Parking District No. 1 a minimum front yard depth of zero feet and/or a total building area of up to 100% of the area of a parcel of land held in one ownership, either by erection of a new building or by alteration or extension of an existing building.

THIRD: That the property lies within the Town of Riverhead Public Parking District No. 1,

FOURTH: That the Town of Riverhead Public Parking District No. 1 has sufficient capacity to contain all of the parking expected to be generated by the Suffolk Theatre and the addition thereto that will be constructed on the site,

FIFTH: That the applicant has met the requirements of Town Law §274-b for the issuance of the special permit in that the proposed special permit use is in harmony with the existing zoning and that it will not adversely affect the neighborhood.

RESOLVED, that the matter of the special use permit of Ric Stott, the Riverhead Town Board hereby finds that the subject property is particularly suitable for the increased lot coverage proposed, and

RESOLVED, that based upon its findings, the Riverhead Town Board hereby grants the special use permit of Ric Stott (Suffolk Theatre) subject to the following conditions:

1. That theatre construction be completed and the use begin before February 18, 2008, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Rick Stott as agent for the applicant.

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
© Special Board
Meeting of May 3, 2007
Page 2

Tabled

05/01/07

TOWN OF RIVERHEAD

Adopted

Resolution # 415

ACCEPTS CASH SECURITY OF SOUND HOUSING LLC (STORAGE BUILDING)

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

WHEREAS, Sound Housing LLC, has posted a cash security (check #5207 dated April 11, 2007) in the sum of Two Thousand Seven Hundred Twenty Dollars (\$2,720) representing the 5% site plan security as noted in the approved site plan dated September 6, 2006, Resolution #816, for a storage building located at Sound Avenue, Riverhead, New York, 11901, further described as Suffolk County Tax Map #0600-18.-1-12, pursuant to Section 108-133 (I) of the Riverhead Town Code.

NOW THEREFORE BE IT RESOLVED, that the Riverhead Building Department has accepted and deposited this 5% cash security in the sum of Two Thousand Seven Hundred Twenty Dollars (\$2,720); 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 Sound Housing LLC, 888 Veterans Memorial Highway, Bldg #430, Hauppauge, New York, 11788, 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 Was Was Not
Thereupon Duly Adopted

5/1/07

TOWN OF RIVERHEAD

Adopted

Resolution # 416

APPROVES CHAPTER 90 APPLICATION OF PECONIC BAY MEDICAL CENTER
(12TH Annual East End Garden Festival)

COUNCILWOMAN BLASS

offered the following resolution, was seconded by

COUNCILMAN BARTUNEK :

WHEREAS, on April 13, 2007, Peconic Bay Medical Center, formerly known as Central Suffolk Hospital, had submitted a Chapter 90 Application for the purpose of conducting a Garden Festival and Plant Sale to be held in the Peconic Bay Medical Center parking lot located at 1300 Roanoke Avenue, Riverhead, New York, on May 10th, 2007 through May 15th, 2007 between the hours of 9:00 a.m. and 6:00 p.m.; and

WHEREAS, Peconic Bay Medical Center has requested the applicable Chapter 90 Application fee be waived due to its not-for-profit status; and

WHEREAS, Peconic Bay Medical Center 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, 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 Peconic Bay Medical Center for the purpose of conducting a Garden Festival and Plant Sale to be held in the Peconic Bay Medical Center parking lot located at 1300 Roanoke Avenue, Riverhead, New York, on May 10th, 2007 through May 15th, 2007 between the hours of 9:00 a.m. and 6:00 p.m. is hereby approved; and be it further

RESOLVED, that due to their federally exempt status, the applicable Chapter 90 Application fee is hereby waived; and be it further

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

RESOLVED, that traffic cones shall be placed along the east curb of Roanoke Avenue from the traffic circle, north, to the traffic light (hospital entrance) to prevent parking on the east (northbound) lane of Roanoke Avenue; 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 tent installation shall be ready for inspection no later than 1:00 p.m. on Monday, May 14th, 2007; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peconic Bay Medical Center, Attn: Maureen Brady, Director of Annual Giving, 1300 Roanoke Avenue, Riverhead, New York 11901; 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	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

5/1/07

TOWN OF RIVERHEAD

Adopted

Resolution # 417

AMENDS RESOLUTION #362 OF 2007
(AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE FOR A
LOCAL LAW TO CONSIDER AN AMENDMENT TO CHAPTER 52 ENTITLED,
“BUILDING CONSTRUCTION” OF THE RIVERHEAD TOWN CODE -
§52-6. Application for building permit.)

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

WHEREAS, by Resolution #362 dated April 17, 2007, the Riverhead Town Board authorized the Town Clerk to publish and post public notice for a local law to consider an amendment to Chapter 52 entitled, “Building Construction” of the Riverhead Town Code (§52-6. Application for building permit.); and

WHEREAS, said public hearing incorrectly noticed the location of the public hearing to be at Riverhead Town Hall; and

WHEREAS, the correct location for said public hearing shall be at the Senior Citizen Human Resource Center, 60 Shade Tree Lane, Aquebogue, New York; and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby amends Resolution #362 dated April 17, 2007 to reflect the aforementioned change of the location of the public hearing; and be it further

RESOLVED, that all other terms and conditions of Resolution #362 shall remain in full force and effect; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Building Department; the Zoning Board of Appeals 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

5/1/07

TOWN OF RIVERHEAD

Adopted

Resolution # 418

AMENDS RESOLUTION #133 OF 2007
(APPROVES CHAPTER 90 APPLICATION OF WADING RIVER CIVIC ASSOCIATION – DUCK POND DAY)

COUNCILMAN DUNLEAVY

offered the following resolution, was seconded by

COUNCILMAN DENSIESKI

WHEREAS, on February 6, 2007, the Riverhead Town Board approved the Chapter 90 Application of Wading River Civic Association, for the purpose of conducting their annual Duck Pond Day to be held on North Country Road, Wading River, New York, on May 6, 2007, between the hours of 12:00 noon and 4:00 p.m.; and

WHEREAS, on March 15, 2007, the Wading River Shoreham Chamber of Commerce, Inc. had submitted a Chapter 90 Application for this same event and on the same date and times.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby amends Resolution #133 dated February 6, 2007 to reflect a change of the applicant from the Wading River Civic Association to the Wading River Shoreham Chamber of Commerce, Inc.; and be it further

RESOLVED, that all other terms and conditions of Resolution #133 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 Wading River Shoreham Chamber of Commerce, Inc., P.O. Box 348, Wading River, New York, 11792; Bruce Johnson, Riverhead Fire Marshal; Chief David 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 ~~X~~ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

5/1/07

Adopted

TOWN OF RIVERHEAD

Resolution # 419

AUTHORIZES SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE RIVERHEAD BUSINESS IMPROVEMENT DISTRICT MANAGEMENT ASSOCIATION, INC.

COUNCILMAN DENSIESKI

_____ offered the following resolution,

which was seconded by COUNCILWOMAN BLASS _____:

WHEREAS, the Town wishes to enter into an Agreement with the Riverhead Business Improvement District Management Association, Inc. for the calendar year 2007.

NOW THEREFORE BE IT RESOLVED, that the Supervisor be, and hereby authorized to enter into an agreement (copy attached) with the Riverhead Business Improvement District Management Association, Inc.; and be it further

RESOLVED, that the Town Clerk be, and is hereby directed to forward a Certified Copy of this Resolution to the Riverhead Business Improvement District Management Association, Inc. and the Office of Accounting.

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

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

AGREEMENT

-made between-

TOWN OF RIVERHEAD
(Business Improvement District)

-and-

RIVERHEAD BUSINESS IMPROVEMENT DISTRICT
MANAGEMENT ASSOCIATION, INC.

This agreement, made the _____ day of May 2007, between the Town of Riverhead Business Improvement District, with principal offices located at 200 Howell Avenue, Riverhead, New York, 11901 and the Riverhead Business Improvement District Management Association, Inc. ("BIDMA"), a not for profit corporation organized under the laws of the State of New York, having its principal offices at 112 West Main Street, Riverhead, New York, 11901.

WHEREAS, the parties hereto entered into an Agreement dated December 21, 1999, wherein the Town of Riverhead and the BIDMA agreed that the BIDMA would provide the administrative services necessary to carry out the Business Improvement District Plan; and

WHEREAS, the parties hereto wish to enter into a new Agreement;

WHEREAS, the RDMA has requested that the Town of Riverhead Community Development Department has agreed administer the NYMS program on its behalf; and

Now therefore, the parties mutually agree that:

1. The BIDMA shall act as administrator of the Business Improvement District. BIDMA shall provide all administrative services necessary to carry out the District Plan as adopted by the Town of Riverhead pursuant to Local Law #2 of 1991. Administrative services as specified herein include, but are not limited to, payment of employee salaries and the associated payroll expenses, and the purchases of incidental office supplies.
2. In consideration of the foregoing, the Business Improvement District shall make payments to the BIDMA in the following schedule of monthly amounts included herein, subject to the terms and conditions enumerated herein.

3. The BIDMA agrees that the purchase of incidental supplies in carrying out its obligations under this contract shall be made in accordance with the Town's procurement policy as may be amended from time to time.
4. The BIDMA agrees that funds transferred to it by the Town together with any interest earned and realized thereon by the BIDMA, shall not be used for any purpose other than those enumerated in the District Plan, and further agrees to maintain, and upon request, make available to the Town's Financial Administrator and/or Chief Fiscal Officer, its accounting, financial and other records regarding the funds received from and the services performed on behalf of the District.
5. The BIDMA agrees to account for the expenditure of funds and to furnish verified accounts of any disbursements made hereunder, together with certified or verified invoices attached thereto, at such times and in such form and detail as may be required by the Town's Chief Fiscal Officer. The BIDMA further agrees to furnish the Town's Financial Administrator a final accounting of the BIDMA's disbursements hereunder within one hundred twenty (120) days after the close of the BIDMA's fiscal year. The BIDMA agrees to fulfill its obligations to any governmental agency governing a not-for-profit corporation and to furnish the Town's Financial Administrator with a copy of any of its findings.
6. The parties hereby agree that any special events sponsored by the District and administered by the BIDMA on behalf of the District shall be insured by the Town of Riverhead and a final accounting of said event and proceeds from said special event shall be delivered to the Town's Financial Administrator within sixty (60) days of the close of said special event. Any events sponsored by the BIDMA for the benefit of the BIDMA or its members shall be insured by the BIDMA by a separate policy of insurance which shall be procured by the BIDMA and which shall name the Town of Riverhead as an additional insured.
7. This Agreement may not be assigned by the BIDMA without the express written consent of the Town of Riverhead Business Improvement District.
8. The schedule of payments to the BIDMA from the Town of Riverhead Business Improvement District shall be \$4,548.75 per month from January through December, 2007, with five months payable upon execution of this agreement.
9. This Agreement shall expire on December 31st, 2007

IN WITNESS HEREOF, this agreement has been duly executed by the respective parties on the date herein set forth.

RIVERHEAD BUSINESS IMPROVEMENT
DISTRICT MANAGEMENT ASSOCIATION, INC.

By: Bill London, President

TOWN OF RIVERHEAD

BY: Philip J. Cardinale, Supervisor

May 1, 2007

TOWN OF RIVERHEAD

Adopted

Resolution No. 420

DESIGNATES MAY AS "LYME DISEASE AWARENESS MONTH" IN THE TOWN OF RIVERHEAD

Councilwoman Blass offered the following resolution which was seconded by COUNCILMAN BARTUNEK.

WHEREAS, Lyme disease is a serious tick-borne illness which is endemic throughout all of New York State, including the Town of Riverhead; and

WHEREAS, Lyme disease is caused by the bite of an infected deer tick and any contact with vegetation can result in exposure to ticks; and

WHEREAS, Lyme disease can cause serious health complications if not identified and treated early; and

WHEREAS, the Town Board recognizes the need to educate the public on the identification, early detection, symptoms, prevention and treatment of Lyme disease.

NOW THEREFORE BE IT RESOLVED, that beginning May 2007 and continuing every year thereafter, the month of May shall be designated as "Lyme Disease Awareness Month" in the Town of Riverhead, and

BE IT FURTHER RESOLVED, Town Clerk is hereby directed to forward a copy of this resolution to all Riverhead Town departments.

THE VOTE

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

THIS RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

5/1/07

Adopted

TOWN OF RIVERHEAD

Resolution #21

APPROVES CHAPTER 90 APPLICATION OF LARRY'S LIGHTHOUSE MARINA (BOAT SHOW)

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

WHEREAS, on April 18, 2007, Larry's Lighthouse Marina had submitted a Chapter 90 Application for the purpose of conducting a Boat Show, to be held in the Vinland Commons parking lot located on the corner of Tuthill Lane and Main Road, Aquebogue, New York, on June 8th, 9th, and 10th, 2007 between the hours of 10:00 a.m. and 6:00 p.m.; and

WHEREAS, Larry's Lighthouse Marina has completed and filed a Short Form Environmental Assessment Form in accordance with 6 NYCRR 617; and

WHEREAS, Larry's Lighthouse Marina has paid the required Chapter 90 Application fee for this event; and

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

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

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

RESOLVED, that the Chapter 90 Application of Larry's Lighthouse Marina for the purpose of conducting a Boat Show, to be held in the Vinland Commons parking lot located on the corner of Tuthill Lane and Main Road, Aquebogue, New York, on June 8th, 9th, and 10th, 2007 between the hours of 10:00 a.m. and 6:00 p.m., is hereby approved; and be it further

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

Z:\Laura Calamita\chap90\Larry'sboatshow.res.doc

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

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

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Larry's Lighthouse Marina, Meetinghouse Creek Road, P.O. Box 1250, Aquebogue, New York, 11931; the Riverhead Fire Marshal; the Riverhead Police Department and the Office of the Town Attorney.

May 1, 2007

Adoptec

TOWN OF RIVERHEAD

Resolution # 422

**Calls Public Hearing on Special Permit
of Carpet One Floor and Home Corp.**

COUNCILMAN DUNLEAVY

_____ offered the following resolution which

was seconded by COUNCILMAN DENSIESKI

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Carpet One Floor and Home Corp. pursuant to Article XXVIA and Section 108-274B.(2) of the Riverhead Town Code, for the operation of a wholesale business on 6.1ac. of land zoned Industrial A, such property more particularly described as SCTM 0600-119-1-28.7, and

WHEREAS, the Riverhead Town Board has by Resolution #141 of 2/6/07 classified the petition as an Unlisted action, declared themselves lead agency for the purposes of compliance with the State Environmental Quality Review Act and referred the petition to the Riverhead Planning Board for their review and recommendations, and

WHEREAS, the Riverhead Planning Board has by Resolution #31 of 4/5/07 transmitted their findings on the special permit to the Town Board, and

WHEREAS, the Town Board wishes to proceed with the requisite public hearing, now

THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed and is hereby authorized to forward a certified copy of this resolution to the Planning Department and to the applicant or his agent and to publish and post the following notice of public hearing in the May 10th issue of the News Review.

THE VOTE

Dunleavy ~~Yes~~ No

Bartunek ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Cardinale ~~Yes~~ No

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

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at the Senior Citizen Human Resource Center, 60 Shade Tree Lane, Aquebogue, New York on the 16th day of May 2007 at 7:35 o'clock PM to consider the special use permit of Carpet One Floor and Home Corp. to allow the operation of a wholesale business pursuant to Section 108-274B.(2) of the Riverhead Town Code on 6.1 ac. of land zoned Industrial A; such real property being located on Kroemer Avenue, Riverhead, New York and more particularly described as Suffolk County Tax Map Parcel Number 0600-119-1-28.7.

Dated: Riverhead, New York
May 10th, 2007

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

5/1/07

TOWN OF RIVERHEAD

Adopted

Resolution # 423

RATIFIES THE AUTHORIZATION OF THE SUPERVISOR TO EXECUTE A NON-BINDING INTERMUNICIPAL MEMORANDUM OF UNDERSTANDING REGARDING LAND USE AND TRANSPORTATION

COUNCILMAN DENSIESKI

_____ offered the following resolution, was seconded by

~~COUNCILWOMAN BLASS~~ _____ :

WHEREAS, in 2001, the East End Supervisors and Mayors Association authorized the New York Metropolitan Transportation Council (NYMTC), working with the East End Transportation Council, to undertake a process designed to develop strategic recommendations that would assist in solving the growing transportation problem on the East End; and

WHEREAS, the Sustainable East Ends Development Strategies (SEEDS) report and implementation recommendations that resulted from this process were presented to over 80 elected officials, transportation related agency representatives and members of the public at the December 8th, 2005 Transportation Summit; and

WHEREAS, a complete written report of the findings and recommendations, along with a series of suggested next steps to be pursued have been presented to the Town Board; and

WHEREAS, one of the recommendations is that the Five East End Towns and participating Villages sign a non-binding Intermunicipal Memorandum of Understanding (MOU) in order to pursue common goals and strategies of regional interest, as detailed in the attached MOU; and

WHEREAS, the Riverhead Town Board has expressed support for this on-going effort and the signing of the Memorandum.

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute the Memorandum of Understanding on behalf of the Town of Riverhead, subject to the approval of the Office of Contracts Administration; and be it further

RESOLVED, that this resolution shall take effect immediately.

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

MEMORANDUM OF UNDERSTANDING AMONG THE FIVE EAST END TOWNS AND SUPPORTING VILLAGES TO FURTHER THE PROCESS OF ADDRESSING REGIONAL LAND USE AND TRANSPORTATION ISSUES

RECITALS

WHEREAS, municipal corporations are authorized, pursuant to Article 9 Section 1, of the New York State Constitution and General Municipal Law Section 5 (g) to enter into intergovernmental agreements; and

WHEREAS, General Municipal Law Section 5 (g) promotes and encourages municipal corporations to enter into agreements with other municipalities to facilitate the increased coordination and effectiveness of local land use planning and regulation, to enhance the protection of the region's natural resources, and to encourage the more efficient use of infrastructure and municipal revenues; and

WHEREAS, the five Towns and supporting Villages of Eastern Long Island acknowledge that no single municipality acting alone can effectively control or resolve intricate regional issues since the jurisdiction of each municipality's land use approval agencies ends at its municipal borders, therefore, the East End Towns and supporting villages should coordinate their efforts to address and ameliorate some of these issues; and

WHEREAS, the five East End Towns and supporting Villages recognize the need to coordinate regional land use and transportation principles in order to preserve the quality of life and community character on the East End; and

WHEREAS, the East End Transportation Council ("the Council") was formed by the East End Supervisors and Mayors Association in 1996 to address regional transportation issues; and

WHEREAS, in 2001, the East End Supervisors and Mayors Association authorized the undertaking of the Sustainable East End Development Strategies (SEEDS) initiative to help provide insight and consensus on how to address land use and transportation issues; and

WHEREAS, the Council was assigned the task of managing the SEEDS initiative on behalf of the East End Towns and Villages; and

WHEREAS, the five East End Towns and supporting Villages recognize that the SEEDS public consensus process has identified preferred future land use development patterns

and transportation scenarios that would optimize transportation improvements on the East End; and

WHEREAS, community input has identified the specific land use principles that form the basis of the SEEDS scenarios as:

- Preserve and enhance the historic villages and hamlets that make the East End unique.
- Provide for a mix and variety of housing types (rental, affordable, ownership, etc.), enabling current residents to have more choices and workers to live in the community, and providing economic diversity.
- Redevelop and reclaim land before converting undeveloped land.
- Protect agricultural and open space resources that help define the character of the East End and are primary drivers of the local economy. Reinforce traditional industries, such as farming, fishing, and tourism.

and the Council has determined that that these principles are consistent with each of the Town's master plans and the five East End Towns and supporting Villages support these principles; and

WHEREAS, the preferred scenarios identified through the SEEDS regional public consensus process are:

Land use:

- The towns and villages should reduce the overall future development potential in their communities.
- Efforts to protect agricultural and open space should continue. The Towns and Villages should incorporate this vision into their land use plans by delineating large tracts where future development should be strictly limited.
- Development should be focused-in and around village/hamlet centers in the form of mixed-use development which does not increase overall build-out potential and that reflects each municipality's master plans.

Transportation:

- The region should pursue implementation of an intermodal hub system that would coordinate and integrate expanded rail, bus, and demand responsive feeder/distributor services, shuttle bus service, park-and-ride facilities, bicycle and pedestrian facilities and a range of passenger amenities.

- Transportation management strategies should be employed by all agencies and levels of government to maximize the efficiency, safety, and accessibility of the existing roadway system, rather than significantly expanding its physical capacity.

WHEREAS, the Council has identified additional areas worthy of intermunicipal cooperation as follows:

- Improve the quality and efficiency of transportation services provided to the elderly, youth, and individuals with special/medical needs.
- Incorporate the delivery of emergency services and emergency plan preparedness into the list of regional transportation issues of concern, in order to further assist emergency service providers in their pursuit of general public safety.

THEREFORE, BE IT RESOLVED that this Memorandum of Understanding amongst the five Towns and supporting Villages of Eastern Long Island empowers the Council as follows:

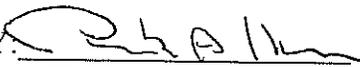
- To work with the Towns and supporting Villages in this the effort to facilitate coordination of local land use and transportation initiatives.
- To work with funding and service provider organizations in both the public and private sector, in order to pursue transportation system improvements consistent with the aforementioned regional goals, as summarized above and detailed in the final SEEDS Summary Report of June, 2006.
- To pursue cooperative human service, emergency service and emergency preparedness opportunities identified.
- To continue to provide regular updates to, and take guidance from, the East End Supervisors and Mayors Association.

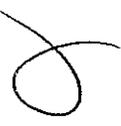
THEREFORE, BE IT RESOLVED that the five Towns and supporting Villages agree to reference land use principles consistent with SEEDS and their individual master plans, as guidance for future land use policy decisions on the East End, understanding that development consistent with these principles will optimize opportunities to improve the region's transportation system; and

THEREFORE, BE IT RESOLVED that the five Towns and supporting Villages agree to form a committee, to consist of a delegate to be appointed by the Town and Village Boards, to work with the EETC in developing recommendations regarding land use policies, in support of the transportation improvements initiatives.

IN WITNESS WHEREOF, the following municipalities have caused its corporate seal to be affixed hereto and to be attested to by the day and year written below.

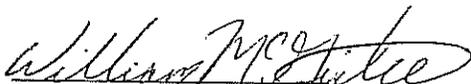
TOWN OF SOUTHAMPTON

BY: 
PATRICK A. HEANEY
SUPERVISOR



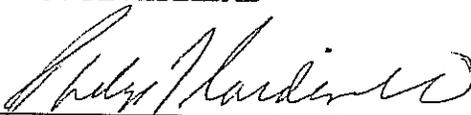
DATE:

TOWN OF EAST HAMPTON

BY: 
WILLIAM MCGINTEE
SUPERVISOR

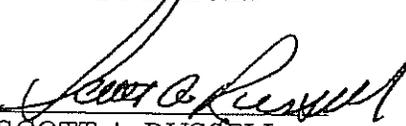
DATE:

TOWN OF RIVERHEAD

BY: 
PHILIP J. CARDINALE
SUPERVISOR 4/20/07

DATE:

TOWN OF SOUTHOLD

BY: 
SCOTT A. RUSSELL
SUPERVISOR

DATE: 4/11/07

TOWN OF SHELTER ISLAND

BY: _____
ALFRED J. KILB, JR.
SUPERVISOR

DATE:

VILLAGE OF SOUTHAMPTON

BY: _____
MARK EPLEY
MAYOR

DATE:

VILLAGE OF QUOGUE

BY: _____
GEORGE M. MOTZ
MAYOR

DATE:

VILLAGE OF SAG HARBOR

BY: _____
GREGORY N. FERRARIS
MAYOR

DATE:

VILLAGE OF SAGAPONACK

BY: _____
WILLIAM TILLOTSON
MAYOR

DATE:

VILLAGE OF EAST HAMPTON

BY: _____
PAUL F. RICKENBACH, JR.
MAYOR

DATE:

VILLAGE OF GREENPORT

BY: _____
DAVID NYCE
MAYOR

DATE:

VILLAGE OF WEST HAMPTON DUNES

VILLAGE OF NORTH HAVEN

BY: GARY VEGLIANTE
MAYOR

BY: LAURA NOLAN
MAYOR

DATE:

DATE:

VILLAGE OF WESTHAMPTON BEACH

BY: CONRAD TELLER
MAYOR

DATE:

MoU Rev. 03-12-07

May 1, 2007

TOWN OF RIVERHEAD

Adopted

Resolution # 424

RE: Appointment and Approval of the Fee Schedule for The Raynor Group, P.E. & L.S. PLLC as Consulting Engineers and Land Surveyors

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

WHEREAS, by Resolution No. 55 of 2007 the Riverhead Town Board reappointed John J. Raynor, P.E. & L.S., P.C., as consulting civil engineer to the Riverhead Planning Board, and

WHEREAS, John J. Raynor, P.E. & L.S., P.C. is to be purchased by Vincent A. Gaudiello, P.E. and Michael J. Raynor, L.S. on or about May 4, 2007, and

WHEREAS, Vincent A. Gaudiello, P.E. and Michael J. Raynor, L.S. are the principle owners of The Raynor Group, P.E. & L.S. PLLC, civil engineers and land surveyors, and

WHEREAS, The Raynor, Group, P.E. & L.S. PLLC has submitted a fee schedule for consulting engineering and land surveying services to the Riverhead Town Board and Riverhead Planning Board for the year 2007, and

WHEREAS, the fee schedule submitted by The Raynor Group, P.E. & L.S. PLLC is identical to the fee schedule of John J. Raynor, P.E. & L.S., P.C. approved by the Riverhead Town Board (Resolution 177, dated February 21, 2007) for the year 2007, and

WHEREAS, the fee schedule submitted by The Raynor Group, P.E. & L.S. PLLC is determined to be acceptable, now

THEREFORE BE IT

RESOLVED, that The Raynor, Group, P.E. & L.S. PLLC is hereby appointed by the Town Board as consulting engineers and land surveyors to the Riverhead Planning Board, and

BE IT FURTHER

RESOLVED, that the attached fee schedule of The Raynor, Group, P.E. & L.S. PLLC is hereby approved for the year 2007, and

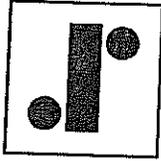
BE IT FURTHER

RESOLVED, that copies of this resolution be forwarded to Planning Department, Accounting Department and The Raynor, Group, P.E. & L.S. PLLC, P.O. Box 720, Water Mill, New York, 11976.

THE VOTE

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

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED



John J. Raynor, P.E. & L.S., p.c.
Civil Engineer and Land Surveyor

Reports
Design
Environmental Planning

Deerfield Green
860 Montauk Highway

P.O. Box 720
Water Mill, New York 11976
Phone: (631) 726-7600
Fax: (631) 726-4378

April 25, 2007

Town of Board
Town of Riverhead
200 Howell Avenue
Riverhead, NY 11901-2596

Attn. Phil Cardinale, Supervisor

Re: Purchase of John J. Raynor, P.E. & L.S., P.C.

Dear Board Members,

On May 4, 2007, I along with Michael J. Raynor, L.S. will be purchasing the company from Joe Raynor.

The functions, staffing and location of the firm are to remain the same and Joe will be retained as a consultant. However, the name of the company will be changed to The Raynor Group, P.E. & L.S., PLLC.

At this time, we request that the Town Board consider our appointment as consulting engineers and land surveyors.

Enclosed is our proposed fee schedule for your acceptance. The Raynor Group fee schedule is identical to the 2007 fee schedule previously approved by the Town Board for John J. Raynor, P.E & L.S., P.C. (Resolution 177, dated February 21, 2007).

Should the Town Board have any questions concerning this matter feel free to contact me.

Very truly yours,

Vincent A. Gaudiello, P.E.

VAG
Enc.
pc: Richard Hanley, Planning Director

2007 FEE SCHEDULE

for the

TOWN of RIVERHEAD

Engineering fees will be charged in accordance with the following schedule:

For the services of Principals:	\$165/hour
For the services of Professional Engineers:	\$165/hour
For the services of Professional Land Surveyors	\$150/hour
For the services of Sr. Technicians	\$125/hour
For the services of Technicians	\$100/hour
For the services of Draftsmen	\$90/hour
For the services of Field Crew Chiefs	\$100/hour
For the services of Field Technicians	\$90/hour

Travel time to and from our office during the normal working day and travel time in excess of one hour beyond the normal working day will be charged in accordance with the foregoing rates.

All subcontractors (test pit excavations, test wells, materials analysts, biologists, etc.) engaged by us on behalf of this project will be billed at cost, plus ten percent (10%).

All other out-of-pocket expenses incurred in connection with this project will be billed at cost (with the exception of subcontractors, as noted above). These expenses may include travel & subsistence (when applicable), telephone charges, reproductions, shipping charges, rental equipment (including repair), etc. Ordinary incidental photocopying shall not be charged separately.

This fee schedule is valid for the current calendar year. Fees will be charged in accordance with the fee schedule in effect at the time the service is rendered.

METHOD OF PAYMENT

Invoices and vouchers will be submitted monthly during the performance of the work, and/or on completion of our services.

5/1/07

Adopted

TOWN OF RIVERHEAD

Resolution # 425

**CONSENTS TO TOWN JUSTICES SERVING IN THE RIVERHEAD JUSTICE COURT
WHEN SITTING AS THE EAST END REGIONAL INTERVENTION COURT**

COUNCILMAN BARTUNEK

_____ offered the following resolution, was seconded by
COUNCILMAN DUNLEAVY

WHEREAS, pursuant to Section 170.15 of the Criminal Procedure Law, then acting Deputy Chief Administrative Judge Joseph J. Traficanti, Jr., on February 19, 2004, created a Drug Court Hub consisting of the Town and Village Courts for the Towns of East Hampton, Shelter Island, Southold, Southampton and Riverhead; and

WHEREAS, said Drug Court Hub has been designated as the East End Regional Intervention Court; and

WHEREAS, H. Patrick Leis III, District Administrative Judge, has assigned Town Justices Deborah Kooperstein, Helen Rosenblum and Allen M. Smith to serve the East End Regional Intervention Court; and

WHEREAS, pursuant to Section 106 of the Uniform Justice Court Act, the Towns of Southampton and Riverhead should designate the Town Justices to serve in those jurisdictions.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town of Riverhead hereby consent to Town Justices Deborah Kooperstein and Helen Rosenblum serving in the Riverhead Justice Court when sitting as the East End Regional Intervention Court at no additional compensation; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Hon. Deborah E. Kooperstein, Southampton Town Court, 116 Hampton Road, Southampton, New York, 11968; Hon. Helen Rosenblum, 1287 East Main Street, Riverhead, New York, 11901; Hon. Allen M. Smith, 210 Howell Avenue, Riverhead, New York, 11901 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

5/01/07

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 426

APPOINTS TEMPORARY CLERKS TO THE TAX RECEIVER'S OFFICE

COUNCILMAN DUNLEAVY

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

WHEREAS, this Town Board recognizes the need to provide additional clerical personnel to the Office of the Receiver of Taxes to assist in the processing of tax money.

NOW, THEREFORE, BE IT RESOLVED, that Patrick Flammia and Dina Mondello be and are hereby appointed as temporary clerks effective May 14, 2007 at an hourly rate of compensation of

Patrick Flammia	\$10.00 per hour
Dina Mondello	\$10.00 per hour

and

BE IT FURTHER RESOLVED that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Patrick Flammia; Dina Mondello; Maryann Wowak Heilbrunn, Receiver of Taxes; and the Office of Accounting.

THE VOTE

Dunleavy yes no Bartonek yes no

Blass yes no Densieski yes no

Cardinale yes no

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

5/1/07

Adopted

TOWN OF RIVERHEAD

Resolution # 427

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

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

WHEREAS, the Riverhead Landmarks Preservation Commission had held a public hearing at a regularly scheduled Riverhead Town Board meeting on April 17, 2007 at 7:20 o'clock p.m. to consider the designation of the following structure as a landmark:

Fletcher Booker Homestead 1185 Northville Turnpike, Riverhead; and

WHEREAS, the Riverhead Landmarks Preservation Commission had sent notification by registered mail to the owner of this property at least 10 days prior to the date of the hearing.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby designates the aforementioned structure as a landmark pursuant to Chapter 73, entitled, "Landmarks Preservation", of the Riverhead Town Code as specified in the attached notice of adoption; and be it further

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

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Riverhead Landmarks Preservation Commission; Riverhead Planning Board; the Riverhead Planning Department; the Riverhead Assessor's Office; the Riverhead Building Department and the Office of the Town Attorney.

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

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a resolution pursuant to Chapter 73 entitled, "Landmarks Preservation" of the Riverhead Town Code at its regular meeting held on May 1, 2007 designating the following structure as a landmark:

Fletcher Booker Homestead, 1185 Northville Turnpike, Riverhead

Tax Map #0600-84-3-1.7

Owner: Carol E. Joynes

247 Doctors Path, Riverhead, New York 11901

Dated: Riverhead, New York
May 1, 2007

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

BARBARA GRATTAN, Town Clerk

May 1, 2007

Adopted

TOWN OF RIVERHEAD

AUTHORIZES RELEASE OF DEVELOPER MONEY
SUNKEN POND ESTATES, INC.

RESOLUTION # 428

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

WHEREAS, Sunken Pond Estates, Inc. deposited monies for expansion of the Riverhead Water District (ext. 56B) Capital Project 60103, with the Town of Riverhead on October 18, 2001 and September 12, 2003 totaling One Hundred and Twenty One Thousand Dollars (\$121,000)

WHEREAS, Holzmacher, McLendon & Murrell, P.C. (H2M) and the Riverhead Water District has determined that all work for this extension has been completed and the developer is due back a refund of Seventeen Thousand Two Hundred Ninety Eight Dollars and Ninety Seven Cents (\$17,298.97).

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Accounting Department to release said monies in the sum of Seventeen Thousand Two Hundred Ninety Eight Dollars and Ninety Seven Cents (\$17,298.97) to Sunken Pond Estates, Inc. ; and

BE IT FURTHER RESOLVED, that the Town Clerk be, and is hereby, authorized to forward a Certified Copy of this Resolution to Sunken Pond Estates, Inc., PO Box 1442, Riverhead, NY 11901; H2M Group, 575 Broad Hollow Road, Melville, NY 11747; Riverhead Water District and the Accounting Department.

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

5/1/07

Adopted

TOWN OF RIVERHEAD

Resolution # 429

AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH SUFFOLK 87 ASSOCIATES (COUNTY SEAT PLAZA) AND ACCEPTS A PERFORMANCE BOND IN CONNECTION WITH THE COMPLETION OF THE PARKING AREA

COUNCILMAN BARTUNEK

offered the following resolution, was seconded by

COUNCILMAN DUNLEAVY

WHEREAS, by Riverhead Town Board Resolution #427 dated May 3, 2005 and Riverhead Town Board Resolution #641, dated July 6, 2005, the Riverhead Town Board did approve the site plan of County Seat Plaza at Riverhead Phase I and Phase II, respectively, a/k/a Suffolk 87 Associates; and

WHEREAS, by memorandum dated November 15, 2006, Vincent Gaudiello, P.E. has advised that the striping and paving of the parking area are unacceptable and further recommends that Suffolk 87 Associates enter into an agreement and post a performance bond in the amount of \$35,000.00 to ensure the satisfactory completion of the striping and paving area in said shopping center.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the acceptance of Colonial Surety Company Performance Bond Number CSC-214202 in the amount of \$35,000.00; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute the attached agreement in connection with the striping and paving of the parking area in the shopping center; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Robert F. Kozakiewicz, Esq., 431 Griffing Avenue, P.O. Box 341, Riverhead, New York, 11901; the Building Department; 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
THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

AGREEMENT

This AGREEMENT made as of this ____ day of April 2007, between **1099 ROYAL LLC C/O ROYAL OF AMERICA MANAGEMENT CO. LLC**, a New York Limited Liability Company ("Royal"), having an address at 1001 Avenue of the Americas, 7th Floor, New York, New York 10018, and **THE TOWN OF RIVERHEAD**, a Municipal Corporation ("Riverhead"), having an address at 200 Howell Avenue, Riverhead, New York 11901 and **KJB INDUSTRIES, INC.**, a New York Corporation ("KJB"), having an address of 14 Center Drive, Riverhead, New York 11901.

WITNESSETH:

WHEREAS, Royal is the owner of a certain parcel of land located at Old Country Road, Riverhead (SCTM #0600-108-4-14.5), which parcel is also known as the Staples Plaza (the "Premises"); and

WHEREAS, Riverhead has in its possession a letter of credit in the amount of \$150,000.00 posted in accordance site plan application granted by Riverhead on May 3rd, 2005 by resolution number 427, which letter of credit assures completion of all the site plan improvements upon the premises said; and

WHEREAS, Riverhead has determined that all site plans improvements have not been fully completed as more fully set forth in Site Plan Memo from Vincent A. Guadiello, P.E. dated October 27, 2006 and November 15, 2006, and

WHEREAS, KJB has agreed to posting of a performance bond in the sum of \$35,000.00 (the "bond") to assure the completion of bituminous emulsion seal coat and new 10' by 20' standard parking stall striping in conformance with the site plan; and

WHEREAS, Royal consents to the entry of KJB upon the premises as set forth above to complete the site plan improvements.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each party hereto, and intending to be legally bound hereby, Royal, Riverhead and KJB agree as follows:

1. Performance of Work. KJB agrees to complete in a workmanlike manner all the site plan improvements on or before July 31, 2007.
2. Insurance. KJB shall not commence any work, or permit any subcontractor to commence operation on the site until satisfactory proof of insurance has been posted with the Owner.

In the event same is required by law, KJB shall take out and maintain, Workers' Compensation Insurance for all his employees employed at the site of the project, and in case of any of the work being sublet, the Contractor shall require all

subcontractors similarly to provide Workers' Compensation Insurance for all the latter's employees unless such employees are covered by the protection afforded by the KJB.

Owner's Protective Public Liability and Property Damage Insurance: KJB shall furnish to Royal, with respect to the operations he or any of his subcontractors perform, a regular Protective Public Liability Insurance policy for, and in behalf of the Owner, providing for a limit of not less than One Million Dollars (\$1,000,000.00) for all damages arising out of bodily injuries to, or death of, one person and subject to that limit for each person, a total limit of One Million Dollars (\$1,000,000.00) for all damages arising out of bodily injuries to, or death of, two or more persons in any one accident; and regular Protective Property Damage Insurance providing for a limit of not less than One Million Dollars (\$1,000,000.00) for damages arising out of injury to, or destruction of, property during the liability of Royal.

3. Default. In the event that Eagle fails or neglects to complete all the site plan improvements on or before July 31, 2007, Riverhead may elect to draw upon the bond to have the work performed.

4. Consent to Entry of Work. Royal consents to KJB entering upon the premises to perform the site plan improvements described above upon KJB giving Royal proof of insurance as set forth herein.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

1099 ROYAL LLC

By: _____
Name: Ben Hakimian
Title: Member

TOWN OF RIVERHEAD

By: _____
Name: Philip J. Cardinale
Title: Town Supervisor

KJB INDUSTRIES, INC.

By: _____
Name: Robert Panchak
Title:

May 1, 2007

Adopted

TOWN OF RIVERHEAD

Resolution # 430

**Designates North Fork Audubon Society for
Beach Dependant Species Management Responsibilities
and Authorizes Supervisor to Execute a Contract**

COUNCILMAN DUNLEAVY

_____ offered the following resolution which

was seconded by COUNCILMAN DENSIESKI

WHEREAS, the Town of Riverhead has entered into a contract with The Nature Conservancy (TNC) and funded by the U.S. Fish and Wildlife Service to develop a program for the management of beach dependant species; including Piping plovers, and

WHEREAS, the Town's obligations include purchase of equipment and tools, the hiring of at least one seasonal beach steward and the identification of a single point of contact (POC) for administrative duties and communications with TNC, and

WHEREAS, the North Fork Audubon Society has indicated its ability and willingness to perform the necessary duties for the Town under the same contractual terms; similar to an arrangement made with the Town of Southold, now

THEREFORE BE IT

RESOLVED, that the Riverhead Town Board approves the designation of the North Fork Audubon Society for the responsibilities of beach dependant species management and hereby authorizes the Supervisor to execute the attached contract, and

BE IT FURTHER

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the North Fork Audubon Society and to The Nature Conservancy.

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**

TB 5/1/07

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 431
ADOPTED May 1, 2007

AUTHORIZES THE TOWN CLERK TO REPUBLISH AND REPOST NOTICE
TO BIDDERS FOR PRECAST CONCRETE DRAINAGE RINGS &
ASSOCIATED ITEMS

COUNCILMAN DENSIESKI OFFERED THE FOLLOWING
RESOLUTION WHICH WAS SECONDED BY COUNCILWOMAN BLASS.

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for the purpose of receiving bids for concrete drainage rings and associated items; and

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

NOW, THEREFORE, BE IT

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

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

DUNLEAVY YES ___ NO BARTUNEK YES ___ NO
BLASS YES ___ NO DENSIESKI YES ___ NO
CARDINALE YES ___ NO
THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

NOTICE TO BIDDERS

Sealed bids for the purchase of “CONCRETE DRAINAGE RINGS & ASSOCIATED ITEMS” for the use of the Riverhead Highway Department will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York 11901 until 11:05 A.M. on May 21, 2007.

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

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

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

All bids will be submitted in a sealed envelope bearing the designation “BID on CONCRETE DRAINAGE RINGS & ASSOCIATED ITEMS” and addressed to: TOWN CLERK,, TOWN OF RIVERHEAD, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901.

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

TB 5/1/07

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 432
ADOPTED May 1, 2007

AUTHORIZES TOWN CLERK TO REPUBLISH & REPOST NOTICE TO BIDDERS
FOR TRAFFIC LINE STRIPING

COUNCILWOMAN BLASS

OFFERED THE FOLLOWING

RESOLUTION WHICH WAS SECONDED BY COUNCILMAN BARTUNEK

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for the purpose of receiving bids for traffic line striping; and

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

NOW, THEREFORE, BE IT

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

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

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

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

NOTICE TO BIDDERS

Sealed bids for the purchase of **“TRAFFIC LINE STRIPING”** for the use of the Riverhead Highway Department will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York 11901 until **11:10 A.M. on May 21, 2007.**

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

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

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

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

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

TB 5/1/07

Adopted

TOWN OF RIVERHEAD

RESOLUTION #433
ADOPTED May 1, 2007

REJECTS BID AND AUTHORIZES TOWN CLERK TO REPUBLISH & REPOST
NOTICE TO BIDDERS FOR TRAFFIC PAINT

COUNCILMAN BARTUNEK OFFERED THE FOLLOWING

RESOLUTION WHICH WAS SECONDED BY COUNCILMAN DUNLEAVY.

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for the purpose of receiving bids for traffic paint; and

WHEREAS, one bid was received on the day and time specified in the notice to bidders; and

WHEREAS, after reviewing the bid, it was determined that it would be in the best interest of the Town of Riverhead to reject the bid received and republish and repost the attached Notice to Bidders for the Traffic Paint.

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

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

DUNLEAVY YES ___ NO BARTUNEK YES ___ NO
BLASS YES ___ NO DENSIESKI YES ___ NO
CARDINALE YES ___ NO
THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

NOTICE TO BIDDERS

Sealed bids for the purchase of **“TRAFFIC PAINT”** for the use of the Riverhead Highway Department will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York 11901 until **11:00 A.M. on May 21, 2007.**

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

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

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

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

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

5/1/07

Town of Riverhead

Adopted

Resolution # 434

Authorizes Publication of Notice

COUNCILMAN DUNLEAVY

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

WHEREAS, the Town of Riverhead desires to modify the 2007 CDBG program; and

WHEREAS, the town is required to publish a notice of the proposed change in the official paper and provide a 30-day comment period.

THEREFORE, BE IT RESOLVED, that the town board hereby authorizes publication of the attached notice in the News Review on May 3, 2007.

BE IT FURTHER RESOLVED, that the town clerk shall provide a certified copy of this resolution to Joe Sanseverino, Suffolk County Community Development Director, PO Box 6100, Hauppauge, NY 11788 and a copy to the Community Development Department.

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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

PUBLIC NOTICE

AMENDMENT TO TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM

The Town of Riverhead intends to modify the 2007 Community Development Block Grant program as follows:

<u>Year 2007</u>	<u>Current</u>	<u>Proposed Change</u>	<u>Amended Budget</u>
Handicapped Access At Suffolk County Historical Society	\$25,000	(\$25,000)	-0-
Home Improvement Program	\$25,000	\$25,000	\$50,000

Interested citizens may submit comments no later than June 4, 2007 to:

Town of Riverhead
Community Development Department
200 Howell Ave.
Riverhead, NY 11901

The Town Board will consider a resolution authorizing the proposed change at the June 5, 2007 Town Board meeting to be held at 7:00pm at 200 Howell Ave., Riverhead, NY 11901.

May 1, 2007

Adopted

TOWN OF RIVERHEAD

Resolution #435

Authorizes Town Clerk to Publish and Post Notice of Public Hearing Special Use Permit of Ira Chernoff

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

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Ira Chernoff pursuant to Article XXVIA and Section 108-282B(1) of the Riverhead Town Code for the construction of a professional office building on a 0.93 acre parcel zoned Rural Corridor (RLC); such property more particularly described as SCTM 0600-85-3-8, 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 an Unlisted action pursuant to 6NYCRR Part 617 for which coordinated review is optional and in this case unnecessary, and

WHEREAS, by resolution dated February 6, 2007, the Riverhead Town Board did refer the Special Use Permit petition to the Riverhead Planning Board for its report and recommendation; and

WHEREAS, such Planning Board did recommend the granting of the special use permit, and

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

THEREFORE BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the following notice of public hearing:

THE VOTE

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

THE RESOLUTION WAS WAS NOT
 THEREFORE DULY ADOPTED

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at the Riverhead Town Hall Meeting Room on the 5th day of June, 2007 at 7:10 o'clock pm, to consider the Special Use Permit Petition of Ira Chernoff to allow the construction of a professional office upon real property located on the Main Road, Aquebogue; such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-085-03-008.

Dated: Riverhead, New York
May 1, 2007

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

Adopted

5/1/07

TOWN OF RIVERHEAD

Resolution # 436

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (Definitions – Outdoor Recreation Facility)

COUNCILWOMAN BLASS

_____ offered the following resolution, was seconded by

COUNCILMAN BARTUNEK

RESOLVED, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the May 10, 2007 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

*Work Session of May 3, 2007
@ approx 1:15 p.m.*

*Town Board advised town clerk
not to publish resolution in
the News Review, needs revision.*

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 5th day of June, 2007 at 7:20 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

Chapter 108
ZONING

ARTICLE I, General Provisions

§ 108-3. Definitions; word usage.

OUTDOOR RECREATION FACILITY – a place designed and equipped for the conduct of non-motorized outdoor sports, leisure time activities and other customary and usual recreational activities.

* Underscore represents addition(s)

Dated: Riverhead, New York
May 1, 2007

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

BARBARA GRATTAN, Town Clerk

5/1/07

Adopted

TOWN OF RIVERHEAD

Resolution # ~~437~~

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (PLANNED INDUSTRIAL PARK (PIP) DISTRICT)

COUNCILMAN BARTUNEK

_____ offered the following resolution, was seconded by

COUNCILMAN DUNLEAVY

RESOLVED, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code (Planned Industrial Park (PIP) District once in the May 10, 2007 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

*Work Session of May 3, 2007
@ approx 1:15 p.m.*

Town Board advised Town Clerk not to publish Resolution in the News Review, needs revision.

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at Wading River Congregational Church, North Country Road, Wading River, New York on the 5th day of June, 2007 at 7:10 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

Chapter 108
Zoning
ARTICLE XLIII
Planned Industrial Park (PIP) District

§ 108-230. Uses.

In the Planned Industrial Park (PIP) District, no regularly scheduled or unscheduled passenger service, air taxi, air charter or fixed-based operator as currently defined by the FAA shall be permitted. Notwithstanding the prohibition of a fixed-based operator, nothing herein shall preclude management and maintenance operations necessary to support any principal or accessory aviation uses permitted hereunder. No building, structure or premises shall be used, arranged or designed to be used, and no building or structure shall hereafter be erected, constructed, reconstructed or altered, unless otherwise provided in this chapter, except for the following permitted uses and their customary accessory uses:

B. Special permit uses.

(1) Outdoor recreation~~facility~~

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

Dated: Riverhead, New York
May 1, 2007

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

BARBARA GRATTAN, Town Clerk

5/1/07

Adopted

TOWN OF RIVERHEAD

Resolution # 438

AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE FOR PUBLIC HEARING REGARDING A LOCAL LAW TO AMEND CHAPTER 52, ENTITLED, "BUILDING CONSTRUCTION" OF THE RIVERHEAD TOWN CODE (§52-22. Safe and Code Compliant Construction for Town Construction Contracts)

COUNCILMAN DUNLEAVY

_____ offered the following resolution,

which was seconded by **COUNCILMAN DENSIESKI** _____ :

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a local law to amend Chapter 52 entitled, "Building Construction" of the Riverhead Town Code once in the May 10, 2007 issue of the News Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

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

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held on the day 16th day of May, 2007 at 7:15 o'clock p.m., at Senior Citizen Human Resource Center, 60 Shade Tree Lane, Aquebogue, New York to hear all interested persons to consider a local law to amend Chapter 52 entitled, "Building Construction" of the Riverhead Town Code as follows:

Chapter 52
BUILDING CONSTRUCTION

§52-22 Safe and Code Compliant Construction for Town Construction Contracts

52-22.1. Legislative intent and purpose.

The Town of Riverhead hereby establishes a policy to promote apprenticeship training as authorized by §816-b of the New York Labor Law.

§52-23. Definitions.

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

CONSTRUCTION CONTRACT — Any contract to which the Town of Riverhead shall be signatory which involves the construction, reconstruction, improvement, rehabilitation, installation, alteration, renovation, demolition or otherwise providing for any building, facility or physical structure of any kind with a value in excess of \$500,000.

CONTRACTOR or SUBCONTRACTOR — A contractor or subcontractor which directly employs labor under a construction contract for which an apprenticeship program has been approved by the New York State Commissioner of Labor in accordance with Article 23 of the New York Labor Law.

§52-24. Requirements and exceptions.

- A. The Town of Riverhead hereby requires any contractor, prior to entering into a construction contract with the Town of Riverhead or any subcontractor entering into a contract with a contractor who has a construction contract with the Town of Riverhead, to have apprenticeship agreements appropriate for the type and scope of work to be performed, which have been registered with, and approved by, the New York State Commissioner of Labor in accordance with Article 23 of the New York Labor Law, anything in § 103 of the New York General Municipal Law to the contrary notwithstanding.**
- B. A contractor/subcontractor who is entitled to receive less than \$500,000 from a construction contract is exempt from having an apprenticeship program, and said**

provisions herein shall not be applicable to any road work or sidewalk work in the Town of Riverhead.

§52-25. Rules and regulations.

The Town of Riverhead is hereby authorized, empowered and directed to promulgate such rules and regulations that are lawful, necessary and appropriate for the implementation and enforcement of any provisions of this chapter.

§52-26. Applicability.

This chapter shall apply to construction contracts advertised for bids on or after the effective date.

- Underscore represents addition(s)

Dated: Riverhead, New York
May 1, 2007

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

BARBARA GRATTAN, Town Clerk

Adopted

RESOLUTION # 439 ABSTRACT #07-15 April 19, 2007 (TBM 05/01/07)

COUNCILMAN DENSIESKI offered the following Resolution which was seconded by COUNCILWOMAN BLASS

FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1	\$ 10,500,000.00	125,450.23	\$ 10,625,450.23
POLICE ATHLETIC LEAGUE	4	\$ 30,000.00	1,330.00	\$ 31,330.00
TEEN CENTER	5	\$ 15,000.00		\$ 15,000.00
RECREATION PROGRAM FUND	6	\$ 225,000.00	2,861.29	\$ 227,861.29
SR NUTRITION SITE COUNCIL	7	\$ 4,500.00		\$ 4,500.00
DARE PROGRAM	8	\$ 3,000.00		\$ 3,000.00
CHILD CARE CENTER BUILDING FUN	9	\$ 135,000.00	266.85	\$ 135,266.85
TOWN BOARD SPECIAL PROGRAM FUN	24	\$ 100,000.00	183.54	\$ 100,183.54
SRS DAYCARE BUILDING FUND	27	\$ 15,000.00		\$ 15,000.00
ECONOMIC DEVELOPMENT ZONE FUND	30	\$ 65,000.00	34.90	\$ 65,034.90
HIGHWAY FUND	111	\$ 2,500,000.00	2,079.42	\$ 2,502,079.42
WATER DISTRICT	112	\$ 1,350,000.00	6,105.95	\$ 1,356,105.95
REPAIR & MAINTENANCE	113	\$ 950,000.00		\$ 950,000.00
RIVERHEAD SEWER DISTRICT	114	\$ 2,100,000.00	652.82	\$ 2,100,652.82
REFUSE & GARBAGE COLLECTION DI	115	\$ 390,000.00	2,004.90	\$ 392,004.90
STREET LIGHTING DISTRICT	116	\$ 590,000.00	65.00	\$ 590,065.00
PUBLIC PARKING DISTRICT	117	\$ 118,000.00		\$ 118,000.00
BUSINESS IMPROVEMENT DISTRICT	118	\$ 45,000.00		\$ 45,000.00
AMBULANCE DISTRICT	120	\$ 290,000.00	718.27	\$ 290,718.27
EAST CREEK DOCKING FACILITY	122	\$ 175,000.00	96.93	\$ 175,096.93
CALVERTON SEWER DISTRICT	124	\$ 230,000.00		\$ 230,000.00
RIVERHEAD SCAVANGER WASTE DIST	128	\$ 1,475,000.00	2,957.65	\$ 1,477,957.65
SEWER DISTRICT FUND	130	\$ 400,000.00		\$ 400,000.00
WORKERS' COMPENSATION FUND	173	\$ 1,075,000.00	24,843.92	\$ 1,099,843.92
RISK RETENTION FUND	175		33,292.07	\$ 33,292.07
UNEMPLOYMENT INSURANCE RESERVE	176	\$ 45,000.00	252.78	\$ 45,252.78
CDBG CONSORTIUM ACOUNT	181	\$ 180,000.00	76.73	\$ 180,076.73
SEWER DISTRICT DEBT	382	\$ 600,000.00		\$ 600,000.00
GENERAL FUND DEBT SERVICE	384	\$ 11,500,000.00		\$ 11,500,000.00
SUFFOLK THEATER DEBT SERVICE	386	\$ 550,000.00		\$ 550,000.00
TOWN HALL CAPITAL PROJECTS	406	\$ 1,875,000.00	56,375.16	\$ 1,931,375.16
NUTRITION CAPITAL IMPS	440	\$ 3,000.00		\$ 3,000.00
CHIPS	451	\$ 45,000.00		\$ 45,000.00
YOUTH SERVICES	452	\$ 65,000.00		\$ 65,000.00
SENIORS HELP SENIORS CAP PROJE	453	\$ 10,000.00	118.53	\$ 10,118.53
EISEP CAP PROJECT	454	\$ 12,000.00	80.27	\$ 12,080.27
MUNICIPAL FUEL FUND	625		26,980.81	\$ 26,980.81
MUNICIPAL GARAGE FUND	626		16,346.72	\$ 16,346.72
TRUST & AGENCY	735		400,100.00	\$ 400,100.00
SPECIAL TRUST	736	\$ 112,000.00		\$ 112,000.00
COMMUNITY PRESERVATION FUND	737	\$ 3,520,000.00		\$ 3,520,000.00
CDA-CALVERTON	914	\$ 350,000.00		\$ 350,000.00
TOTAL ALL FUNDS		\$ 41,647,500.00	703,274.74	\$ 42,350,774.74

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 # <u>439</u> ABSTRACT #07-16 April 26, 2007 (TBM 05/01/07)			
COUNCILMAN DENSIESKI			
_____ offered the following Resolution which was seconded by			
COUNCILWOMAN BLASS			
FUND NAME		CD-NONE	CHECKRUN TOTALS
			GRAND TOTALS
GENERAL FUND	1		951,185.42
RECREATION PROGRAM FUND	6		453
ECONOMIC DEVELOPMENT ZONE FUND	30		3,350.52
HIGHWAY FUND	111		92,056.29
WATER DISTRICT	112		71,037.09
RIVERHEAD SEWER DISTRICT	114		58,045.86
REFUSE & GARBAGE COLLECTION DI	115		329,477.58
STREET LIGHTING DISTRICT	116		9,718.35
PUBLIC PARKING DISTRICT	117		536.38
AMBULANCE DISTRICT	120		105,000.00
EAST CREEK DOCKING FACILITY FU	122		7,000.00
CALVERTON SEWER DISTRICT	124		2,169.61
RIVERHEAD SCAVANGER WASTE DIST	128		31,720.15
WORKERS' COMPENSATION FUND	173		6,300.95
CDBG CONSORTIUM ACOUNT	181		4,633.78
RESTORE GRANT PROGRAM	184		5,000.00
GENERAL FUND DEBT SERVICE	384		85,687.50
COMMUNITY DEVELOPMENT AGENCY C	405		25,101.70
TOWN HALL CAPITAL PROJECTS	406		13,150.39
YOUTH SERVICES CAP PROJECT	452		5,682.73
SENIORS HELP SENIORS CAP PROJE	453		2,243.29
MUNICIPAL GARAGE FUND	626		23,165.30
TRUST & AGENCY	735		1,535,326.76
COMMUNITY PRESERVATION FUND	737		391.02
TOTAL ALL FUNDS			3,368,433.67

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

5/1/07

Adopted

TOWN OF RIVERHEAD

Resolution #440

ADOPTS A LOCAL LAW FOR THE ADDITION OF A NEW CHAPTER 111 TO THE RIVERHEAD TOWN CODE ENTITLED, "YOUTH BUREAU"

COUNCILMAN DUNLEAVY

_____ offered the following resolution, was seconded by

COUNCILWOMAN BLASS

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law for the addition of a new Chapter 111 entitled, "Youth Bureau" to the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 1st day of May, 2006 at 7:30 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law for the addition of a new Chapter 111 entitled, "Youth Bureau" to the Riverhead Town Code is hereby adopted as specified in the attached notice of adoption; and be it further

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Donna Lyczkowski, Riverhead Youth Bureau; the Office of the Supervisor and the Office of the Town Attorney.

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

TOWN OF RIVERHEAD
NOTICE OF ADOPTION

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law for the addition of a new Chapter 111 entitled, "Youth Bureau" to the Riverhead Town Code at its regular meeting held on May 1, 2007. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

Chapter 111

YOUTH BUREAU

§111-1. Definitions.

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

YOUTH — Any person under 21 years of age.

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

§111-2. Youth Bureau created.

There is hereby created the Youth Bureau of the Town of Riverhead which shall be comprised of a Youth Bureau Board of Directors (hereinafter referred to as the "Board") and Director (hereinafter referred to as the "Director").

§111-3. Director.

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

§111-4. Duties of Director.

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

§111-5. Youth Board.

A. Composition.

The Board shall be comprised of from 10-25 members at the discretion of the Town Board. The members of the Board shall be appointed by the Town Board and serve without compensation. Lay citizens shall comprise at least 50% of the total membership of the Board and be representative of the community both demographically and geographically, and may include citizens from business law enforcement, government, education, human services, religious entities, public relations, finance, and at least four youths. Public officials may comprise the remainder of the Board's membership and shall include representatives of disciplines directly concerned with the welfare of youth.

B. Powers and duties.

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

- (1) The development of effective policies and programs for the prevention and control of delinquency and crime by youth.
- (2) The encouragement of closer cooperation between employers, labor, schools, churches, recreational agencies, state and local employment programs, service clubs and other public and private agencies, so as to stimulate employment for youth on the basis of community planning
- (3) The review and analysis of federal, state or county grants, or grants from private individuals, corporations or associations, for the purpose of applying for such funds and thereafter allocating such funds to specific youth programs.
- (4) The review, analysis and implementation of plans for the creation or expansion of youth programs.
- (5) The compliance with all laws and rules and regulations adopted by the State of New York with reference to the advancement of youth, including but not limited to the Youth Commission Law of the Executive Law Editor's Note: See Article 19-A, Youth Commission, of the New York State Executive Law and the General Municipal Law of New York State.
- (6) The gathering, compilation and analysis of statistical records and data, including those that reflect the incidence and trends of delinquency and youthful crime, and the promulgation of guidelines and recommendations for the needs of youth.
- (7) The formulation and adoption of rules and bylaws governing the activities of the Board.
- (8) The implementation of educational programs related to the problems

of youth and the correction thereof.

- (9) The performance of such other duties relative to the effective implementation of the intent of this chapter as may from time to time be requested by the Town Board.

C. Terms of appointment

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

D. Removal of Youth Board members

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

- Underline represents addition(s)

Dated: Riverhead, New York
May 1, 2007

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

BARBARA GRATTAN, Town Clerk

Adopted

May , 2007

TOWN OF RIVERHEAD

Resolution # 441

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 (Zoning) (Empire Zone) OF THE RIVERHEAD TOWN CODE

COUNCILMAN DENSIESKI

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 1st day of May, 2007 at 7:20 pm at Town Hall, 200 Howell Avenue, Riverhead New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

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

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Planning Department; the Planning Board; the Zoning Board of Appeals; the Building Department; the Code Revision Committee, the Empire Zone Administrative Board and the Town Attorney's Office.

The Vote

Councilwoman Blass	✓	Councilman Densieski	✓
Councilman Bartunek	✓	Councilman Dunleavy	✓
Supervisor Cardinale	✓		✓

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at a regular meeting held on May 1 , 2007 as follows:

LOCAL LAW NO. OF 2007

**ARTICLE XXXIX
Economic Development Zone**

§ 108-207. Allowance for inclusion of regionally significant projects.

- A. In 2005 New York State has amended the Empire Zone Program to include specific projects deemed as "regionally significant projects." Regionally significant projects are defined as company and site specific projects located outside the existing zone boundaries of 1,280 acres/credits and must meet the criteria of §957(d) of the New York General Municipal Law.

- B. The following projects have been determined as eligible regionally significant project designated areas:

(1) ~~Telephonics~~ **TELEPHONICS** Corporation located at 789 Park Avenue, Huntington, New York more particularly described as Suffolk County Tax Map NO. 0400-104.04-01.00-110.000; and

(2) **US WEB. Inc.** located at 780 Park Avenue, Huntington, New York more particularly described as Suffolk County Tax Map No. 0400-104.00-01.00-050.000; and

(3) **BLUE & WHITE FOODS, LLC** located at 535, 525 & 515 Smith Street, Farmingdale, New York more particularly described as Suffolk County Tax Map No. ~~006.00-013.000-01.00, 006.00-014.000-01.00, and 006.00-015.000-01.00~~ 0100-6-1-14, 0100-6-1-13 and 0100-6-1-15; and

(4) **CUSTOM WOODWORK, LTD. dba HERITAGE WIDE PLANK FLOORING AND RENAISSANCE WOODWORKING** located at 713-817 Pulaski Street, Riverhead, New York more particularly described as Suffolk County Tax Map No. 600-124-02-24; and

(5) ~~V-C~~ & N PACKAGING, INC. located at 105 Wyandanch Avenue, Wyandanch, New York more particularly described as Suffolk County Tax Map No. ~~08000-0200-119009~~ 0100-080.00-02.00-119.009; and

(6) AIR TECHNIQUES, INC. located at 1295 Walt Whitman Road, Melville, New York more particularly described as Suffolk County Tax Map No. 0400-255.00-01.00-002.005;

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

Dated: Riverhead, New York
May 1, 2007

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

BARBARA GRATTAN, Town Clerk

Adopted

May 1, 2007

TOWN OF RIVERHEAD

Resolution No. 442

APPOINTS MEMBER TO THE TOWN OF RIVERHEAD INDUSTRIAL DEVELOPMENT AGENCY

Councilman Dunleavy offered the following resolution which was seconded by COUNCILWOMAN BLASS

WHEREAS, established in 1980 by an act of the State of New York, and requested by the Riverhead Town Board, the Riverhead Industrial Development Agency (RIDA) is a public benefit corporation; and

WHEREAS, the Town Board has agreed on the individuals it wishes to appoint to the Riverhead Industrial Development Agency; and

WHEREAS, there exists one vacant position on the Riverhead Industrial Development Agency;

NOW THEREFORE BE IT RESOLVED, the Town Board hereby appoints Lori Ann Taggart to fill the vacant position on the Town of Riverhead Industrial Development Agency effective May 2, 2007.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Lori Ann Taggart, 65 Linda Avenue, Riverhead, NY 11901 and the members of the Industrial Development Agency and to send notification to the Office of the Town Attorney, and the Office of Accounting.

THE VOTE

DUNLEAVY YES NO BARTUNEK YES NO
BLASS YES NO DENSIESKI YES NO
CARDINALE YES NO abstain

THIS RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED