

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

May 16th, 2007

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

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

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

ELECTED OFFICIALS

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

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

DEPARTMENT HEADS

**William Rothaar (Financial Administrator)
Leroy E. Barnes, Jr.
Andrea Lohneiss
Ken Testa
Richard Hanley
Chief David Hegermiller
Ray Coyne
Judy Doll
John Reeve
Michael Reichel
Gary Pendzick**

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

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

- #451 Authorization to Junk Fixed Assets
- #452 Fedun Estates Budget Adoption
- #453 Demchuk Estates Budget Adoption
- #454 Harriman Estates Budget Adoption
- #455 Country Trails Budget Adoption
- #456 Local Waterfront Revitalization Program Budget Adjustment
- #457 Calverton Park Project #70015 Traffic Impact Study Budget Adjustment
- #458 Residential Rehab Fund 179 Budget Adjustment
- #459 Promotes Water Treatment Plant Operator 11B in the Water Department (M. Lech)
- #460 Appoints Seasonal Traffic Control Officers in the Police Department (S. Ethier, O. Crump, Jr., V. Austin)
- #461 Appoints Detention Attendant in the Police Department (G. White)
- #462 Accepts Resignations of Call-In Detention Attendants in the Police Department (V. Vourakis, J. Maiorana, J. Bouchard, D. Sorensen)
- #463 Promotion to Senior Account Clerk Typist in the Building Department (J. Krajewski)
- #464 Promotion to Principal Account Clerk in the Accounting Department (J. Miloski)
- # 465 Accept resignation of Account Clerk Typist(Billie Jo Jaeger)

- #466 Appoints a Civil Engineer in the Engineering Department (E. Bergey)
- #467 Reappoints Legal Representation for Zoning Board of Appeals and Board of Assessors (S. Desimone)
- #468 Appoints a P/T Assistant Recreation Leader-Skate Park Level II to the Recreation Department (J. Grohoski)
- #469 Appoints Lifeguards to the Recreation Department
- #470 Appoints Water Safety Instructors to the Recreation Department
- #471 Appoints Beach Attendants/Concession Stand Operators to the Recreation Department
- #472 Appoints Account Clerk Typist in the Accounting Department (D. Zlatniski)
- #473 Authorizes Supervisor to Execute Wastewater Reuse Contract with the New York Department of Environmental Conservation - Contract No. C302561 for the Sanitary Wastewater Reuse Phase I--STP Grounds Implementation Project-RSD
- #474 Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Article .XLV- Outdoor Lighting)
- #475 Authorizes the Supervisor to Execute a Grant Agreement with New York State Affordable Housing Corporation for Funds to Support the Town of Riverhead Home Improvement Program
- #476 Authorizes Selling of the 2007 Beach Permits by Angelo's Bakery Pizza
- # 477 Rescinds Resolution #373 of 2007 (Authorizes Town Clerk to Publish and Post a Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code)

- #478 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)
- #479 Authorizes the Town Clerk to Publish and Post Public Notice to Consider a Proposed Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Definitions-Outdoor Sports Facility)
- #480 Authorizes Town Clerk to Publish and Post Notice to Bidders for Water Meters & Accessory Equipment for use by the Riverhead Water District
- #481 Authorizes Town Clerk to Publish and Post Notice of Public hearing-Change of Zone Petition--Miguel & Michelle Blanco
- #482 Extends the Approval of the Site Plan of William Dreis
- #483 Requests the Suffolk County Executive and the Commissioner of Social Service Immediately Issue a Stop Order Regarding the Installation of the Sleeping Quarters on the Correctional Facility Grounds
- #484 Accepts a Performance Bond of Sound Housing, LLC in Connection with the Condominium Project Entitled, "Sound Housing" A/K/A "Willow Ponds on the Sound Condominium"
- #485 Accepts Irrevocable Standby Letters of Credit of C.T.R Development LLC (Subdivision Entitled, "Demchuk Estates")
- #486 Accepts Irrevocable Letters of Credit of Whitford Development Corp. and BHG Development Corp. (Subdivision Entitled, "Fedun Estates")
- #487 Approves Temporary Sign Permit of Mattituck Lions Club
- #488 Approves the Chapter 90 Application of Hallockville Inc. (Hoffman Wedding)
- #489 Adopts a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (§108-3 Definitions-Water Dependent Use)

- #490 Awards Bid-Supply of Belt Filter Press System and Appurtenances-RSD
- #491 Awards Bid for Snack Vendors 2007
- #492 Pays Bills

MAY 16, 2007

TOWN OF RIVERHEAD

Adopted

AUTHORIZATION TO JUNK FIXED ASSETS

RESOLUTION # 451

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

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> |
|--------------|---------------------|
| 20134 | Cabinet |
| 21447 | CPU |
| 21755 | UPS |
| 21854 | CPU |
| 22372 | Copier |
| 22636 | UPS |
| 22827 | Keyboard |
| 22963 | UPS |
| 22963 | UPS |
| 23223 | Mouse |
| 23458 | Keyboard |
| 24557 | Epson Photo Printer |
| 24921 | Printer |
| 24921 | HP Printer |
| 25862 | Monitor |
| 25920 | Mouse |
| 26150 | Keyboard |
| 26806 | DVD Player |
| 26808 | DVD Player |
| 22592 | Keyboard |
| 26187 | Keyboard |

THE VOTE

Dunleavy Yes No

Bartunek Yes No

absent
Blass Yes No

Densieski Yes No

Cardinale Yes No

May 16, 2007

Adopted

TOWN OF RIVERHEAD

FEDUN ESTATES

BUDGET ADOPTION

RESOLUTION # 452

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

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

| | <u>FROM</u> | <u>TO</u> |
|---|-------------|-----------|
| 406.092705.421050.30089 Developer Fees | \$189,000 | |
| 406.083200.543501.30089 Engineering Expenses | | \$19,500 |
| 406.083200.523002.30089 Construction | | \$142,000 |
| 406.083200.549001.30089 Administration Fees | | \$9,900 |
| 406.083200.524451.30089 Meter & AMR Fees | | \$10,500 |
| 406.083200.547900.30089 Contingency | | \$7,100 |

THE VOTE

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

May 16, 2007

Adopted

TOWN OF RIVERHEAD

DEMCHUK ESTATES

BUDGET ADOPTION

RESOLUTION # 453

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

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

| | <u>FROM</u> | <u>TO</u> |
|---|-------------|-----------|
| 406.092705.421050.30088 Developer Fees | \$83,000 | |
| 406.083200.543501.30088 Engineering Expenses | | \$12,000 |
| 406.083200.523002.30088 Construction | | \$60,000 |
| 406.083200.549001.30088 Administration Fees | | \$4,200 |
| 406.083200.524451.30088 Meter & AMR Fees | | \$3,750 |
| 406.083200.547900.30088 Contingency | | \$3,050 |

THE VOTE

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

May 16, 2007

Adopted

TOWN OF RIVERHEAD

HARRIMAN ESTATES

BUDGET ADOPTION

RESOLUTION # 454

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

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

| | <u>FROM</u> | <u>TO</u> |
|---|-------------|-----------|
| 406.092705.421050.60182 Developer Fees | 5,000 | |
| 406.083200.543501.60182 Engineering Expenses | | 5,000 |

THE VOTE

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

May 16, 2007

TOWN OF RIVERHEAD

COUNTRY TRAILS

BUDGET ADOPTION

RESOLUTION # 455

Adopted

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

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

| | | <u>FROM</u> | <u>TO</u> |
|-------------------------|----------------------|-------------|-----------|
| 406.092705.421050.30066 | Developer Fees | \$30,000 | |
| 406.083200.543501.30066 | Engineering Expenses | | \$4,000 |
| 406.083200.523002.30066 | Construction | | \$21,350 |
| 406.083200.549001.30066 | Administration Fees | | \$2,850 |
| 406.083200.547900.30066 | Contingency | | \$1,800 |

THE VOTE

Dunleavy Yes No Bartunek Yes No
 Blass Yes No ^{absent} Densieski Yes No
 Cardinale Yes No

May 16, 2007

Adopted

TOWN OF RIVERHEAD

LOCAL WATERFRONT REVITALIZATION PROGRAM

BUDGET ADJUSTMENT

RESOLUTION # 456

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

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

| | | <u>FROM</u> | <u>TO</u> |
|--------------------------|---------------|-------------|-----------|
| 406.080200.4923100.40045 | EPF State Aid | \$13,900 | |
| 406.080200.543900.40045 | Engineering | | \$13,900 |

THE VOTE

Dunleavy Yes No

Bartunek Yes No

absent
Blass Yes No

Densieski Yes No

Cardinale Yes No

May 16, 2007

Adopted

TOWN OF RIVERHEAD

CALVERTON PARK PROJECT #70015 TRAFFIC IMPACT STUDY

BUDGET ADJUSTMENT

RESOLUTION #57

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

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

| | | <u>FROM</u> | <u>TO</u> |
|-------------------------|-------------|-------------|-----------|
| 406.071100.547900.70015 | Contingency | \$20,000 | |
| 406.071100.543650.70015 | Engineering | | \$20,000 |

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No
Absent

Densieski Yes No

Cardinale Yes No

May 16, 2007

TOWN OF RIVERHEAD
RESIDENTIAL REHAB FUND 179
BUDGET ADJUSTMENT
RESOLUTION # 458

Adopted

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

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

| | | <u>FROM</u> | <u>TO</u> |
|-------------------|--------------------------|-------------|-----------|
| 179.000000.390599 | Contingency | \$5,000 | |
| 179.086840.597009 | Home Improvement Program | | \$5,000 |

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

May 16, 2007

Adopted

TOWN OF RIVERHEAD

Resolution # 459

PROMOTES WATER TREATMENT PLANT OPERATOR IIB IN THE WATER DEPARTMENT

COUNCILMAN DUNLEAVY

offered the following

resolution, which was seconded by COUNCILMAN DENSIESKI

WHEREAS, a Provisional Wastewater Treatment Plant Operator 3A has been successfully licensed by the New York State Health Department as a Wastewater Treatment Plant Operator 3A, and

WHEREAS, a Civil Service certified Wastewater Treatment Plant Operator 3A has up to two years from the date of provisional appointment to obtain a New York State Health Department License as a Wastewater Treatment Plant Operator 3A, and

WHEREAS, the Suffolk County Department of Civil Service has been notified of the approved licensing from the New York State Health Department and placed his name on the Wastewater Treatment Plant Operator 3A list #07DC214.

NOW, THEREFORE, BE IT RESOLVED, that effective May 4, 2007, the Town Board hereby removes the provisional status of this employee and appoints Michael Lech to the position of Wastewater Treatment Plant Operator 3A as found in Group 15, Step 11A of the Operational and Technical Salary Schedule, and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Michael Lech, the Sewer District, 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 16, 2007

Adopted

TOWN OF RIVERHEAD

Resolution # 460

APPOINTS SEASONAL TRAFFIC CONTROL OFFICERS IN THE POLICE DEPARTMENT

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

WHEREAS, the need for seasonal Traffic Control Officers 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 17, 2007 Shawn Ethier, Violet Austin, and Ollie Crump, Jr. is hereby appointed to the position of seasonal Traffic Control Officers at the hourly rate of \$10.00.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Shawn Ethier, Ollie Crump, Jr., Violet Austin, 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 16, 2007

Adopted

TOWN OF RIVERHEAD

Resolution # 461

APPOINTS DETENTION ATTENDANT IN THE POLICE DEPARTMENT

COUNCILMAN BARTUNEK

_____ offered the following

resolution, which was seconded by _____

COUNCILMAN DUNLEAVY

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 17, 2007 Gwendolyn White 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 Gwendolyn White, the Police Department, and the Personnel Officer.

The Vote

| | | | |
|----------|-------------------|-----------|-------------------|
| Dunleavy | Yes No | Bartunek | Yes No |
| | <i>absent</i> | | |
| Blass | Yes No | Densieski | Yes No |
| | | Cardinale | Yes No |

THE RESOLUTION ~~_____~~ WAS _____ WAS NOT

THEREFORE DULY ADOPTED

May 16, 2007

Adopted

TOWN OF RIVERHEAD

ACCEPTS RESIGNATIONS OF CALL-IN DETENTION ATTENDANTS IN THE
POLICE DEPARTMENT

RESOLUTION # 462

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

WHEREAS, the Town has received letters from Victoria Vourakis, Joseph Maiorana, Joan Bouchard, and Debra Sorensen, call-in Detention Attendants in the Police Department, indicating their intent to resign effective immediately.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the resignation of these employees from their call-in positions as Detention Attendants effective for May 17, 2007.

BE IT FURTHER, RESOLVED, that the Town Clerk be, and is hereby, directed to forward copies of this Resolution to the Police Department, Victoria Vourakis, Joseph Maiorana, Joan Bouchard, Debra Sorensen, and the Personnel Officer.

The Vote

Dunleavy ~~Yes~~ No *absent* Bartunek ~~Yes~~ No
Blass ~~Yes~~ No Densieski ~~Yes~~ No
Cardinale ~~Yes~~ No

THE RESOLUTION ~~X~~ WAS WAS NOT

THEREFORE DULY ADOPTED

May 16, 2007

TOWN OF RIVERHEAD

Adopted

Resolution # 463

**PROMOTION TO SENIOR ACCOUNT CLERK TYPIST
IN THE BUILDING DEPARTMENT**

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

WHEREAS, the Building Department Administrator has requested a promotion of an Account Clerk Typist to the position of Senior Account Clerk Typist; and

WHEREAS, the Suffolk County Department of Civil Service has furnished a certified List of Eligibles for the promotional title of Senior Account Clerk Typist, and the position was duly posted (Posting #13); and

WHEREAS, the Personnel Committee and the Building Department Administrator have recommended Joanne Krajewski be promoted to this position.

NOW, THEREFORE, BE IT RESOLVED, that Joanne Krajewski is hereby promoted to the position of Senior Account Clerk Typist effective May 17, 2007 as found on Group 11 Step 10 of the Clerical and Supervisory Salary Schedule.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Joanne Krajewski, the Building 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 16, 2007

TOWN OF RIVERHEAD

Adopted

Resolution # 464

PROMOTION TO PRINCIPAL ACCOUNT CLERK
IN THE ACCOUNTING OFFICE

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

WHEREAS, the Financial Administrator has requested a promotion of a Senior Account Clerk Typist to the position of Principal Account Clerk; and

WHEREAS, the Suffolk County Department of Civil Service has furnished a certified List of Eligibles for the promotional title of Principal Account Clerk, and the position was duly posted (Posting #12); and

WHEREAS, the Personnel Committee and the Financial Administrator have recommended Jean Miloski be promoted to this position.

NOW, THEREFORE, BE IT RESOLVED, that Jean Miloski is hereby promoted to the position of Principal Account Clerk effective May 17, 2007 as found on Group 7 Step 4A of the Administrative Salary Schedule.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Jean Miloski, the Accounting 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 16, 2007

Adopted

TOWN OF RIVERHEAD

ACCEPTS RESIGNATION OF AN ACCOUNT CLERK TYPIST

RESOLUTION # 465

COUNCILMAN DUNLEAVY

_____ offered the following resolution,

COUNCILMAN DENSIESKI

which was seconded by _____.

WHEREAS, the Town has received a letter from Billie Jo Jaeger, an Account Clerk Typist in the Building Department, indicating her intent to resign effective May 7, 2007.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the resignation of Billie Jo Jaeger effective May 7, 2007.

BE IT FURTHER, RESOLVED, that the Town Clerk be, and is hereby, directed to forward a copy of this Resolution to the Building Department and the Personnel Officer, and to forward a certified copy of this resolution to Billie Jo Jaeger.

The Vote

Dunleavy ~~Yes~~ No

Bartunek ~~Yes~~ No

absent
Blass Yes No

Densieski ~~Yes~~ No

Cardinale ~~Yes~~ No

THE RESOLUTION ~~X~~ WAS _____ WAS NOT

THEREFORE DULY ADOPTED

May 16, 2007

Adopted

TOWN OF RIVERHEAD

Resolution # 466

APPOINTS A CIVIL ENGINEER IN THE ENGINEERING DEPARTMENT

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

WHEREAS, a vacancy exists for a Civil Engineer in the Engineering Department,
and

WHEREAS, the Certification of Eligibles List was received from the Suffolk
County Department of Civil Service, interviews conducted, and

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

NOW, THEREFORE, BE IT RESOLVED, that effective June 4, 2007 Erik Bergey
is hereby appointed to the position of Civil Engineer as found in Group 12, Step P of the
Administrative Salary Schedule.

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

The Vote

| | |
|----------------------------|-----------------------------|
| Dunleavy Yes No | Bartunek Yes No |
| <i>absent</i> | |
| Blass Yes No | Densieski Yes No |
| | Cardinale Yes No |

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

May 16, 2007

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 467

REAPPOINTS LEGAL REPRESENTATION FOR ZONING BOARD OF APPEALS & BOARD OF ASSESSORS

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

WHEREAS, the Town Board wishes to reappoint as Special Counsel, Scott De Simone to represent the Zoning Board of Appeals and the Board of Assessors.

NOW THEREFORE BE IT RESOLVED, that Scott DeSimone is hereby reappointed as Special Counsel to the Zoning Board Appeals and the Board of Assessors, at the rate of \$1,500 a month commencing May1,2007 and a rate of \$165.00/hour regarding litigation work; and

BE IT FURTHER RESOLVED, that Small Claims Assessment Review Proceedings shall be billed at the rate of \$250.00 per case including appraisal costs; and

RESOLVED, the Town Clerk be and is hereby directed to forward a copy of this resolution to Scott DeSimone, the office of Accounting, the Zoning Board of Appeals and The Board of Assessors.

THE VOTE

Dunleavy ~~Yes~~ No
Obert
Blass ~~Yes~~ No

Bartunek ~~Yes~~ No
Densieski ~~Yes~~ No

Cardinale ~~Yes~~ No

Z: Trina

5/16/07

Adopted

TOWN OF RIVERHEAD

Resolution # 468

APPOINTS A P/T ASSISTANT RECREATION LEADER - SKATE PARK
LEVEL II
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN DUNLEAVY

offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

RESOLVED, that Justin Grohoski is hereby appointed to serve as a P/T Assistant Recreation Leader-Skate Park Level II effective May 17, 2007, to be paid at the rate of \$10.45 per hour, and to serve as needed on an at will basis and to serve at the pleasure of the Town Board

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

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

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

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

¹ Rec.Doris /Res.Skate park Justin Grohoski

Adopted

5/16/07

TOWN OF RIVERHEAD

Resolution # 469

APPOINTS
LIFEGUARDS
TO THE
RECREATION DEPARTMENT

COUNCILMAN DENSIESKI

_____ offered the following resolution,

COUNCILMAN BARTUNEK

which was seconded by _____

RESOLVED, that the Town Board appoints the attached list of Lifeguards to the Recreation Department effective May 17, 2007 to and including September 10, 2007 and to serve as needed on an at will basis and to serve at the pleasure of the Town Board.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. Colleen: Res Blanket Lifeguards 07

RECREATION DEPARTMENT APPOINTMENTS
5/16/07 TOWN BOARD MEETING

| <u>Last</u> | <u>First</u> | <u>Title</u> | <u>Level</u> | <u>Start Date</u> | <u>End Date</u> | <u>Salary</u> |
|--------------|--------------|-------------------|--------------|-------------------|-----------------|---------------|
| Bitumis | Courtney | Lifeguard | I | 5/17/07 | 9/3/07 | \$11.00 |
| Behems | Riley | Lifeguard | III | 5/17/07 | 9/3/07 | \$12.45 |
| Burns | Christopher | Lifeguard | VI | 5/17/07 | 9/3/07 | \$13.65 |
| Burns | Katherine | Lifeguard | V | 5/17/07 | 9/3/07 | \$13.25 |
| Condzella | Thomas | Lifeguard | VI | 5/17/07 | 9/3/07 | \$13.65 |
| Everitt | Michael | Lifeguard | VI | 5/17/07 | 9/3/07 | \$13.65 |
| Hegemiller | David B. | Fill-In Lifeguard | IV | 5/17/07 | 9/3/07 | \$12.85 |
| Hennenlotter | Deborah | Fill-in Lifeguard | IX | 5/17/07 | 9/3/07 | \$14.90 |
| Hudecek | Kim | Lifeguard | I | 5/17/07 | 9/3/07 | \$11.00 |
| Ince | Bailey | Fill-In Lifeguard | II | 5/17/07 | 9/3/07 | \$12.10 |
| Johnson | Katherine | Lifeguard | I | 5/17/07 | 9/3/07 | \$11.00 |
| McCoy | Jared | Lifeguard | IV | 5/17/07 | 9/3/07 | \$12.45 |
| Monahan | Elizabeth | Fill-in Lifeguard | III | 5/17/07 | 9/3/07 | \$12.45 |
| Nugent | Gavin | Lifeguard | II | 5/17/07 | 9/3/07 | \$12.10 |
| Racaniello | Amanda | Lifeguard | I | 5/17/07 | 9/3/07 | \$11.00 |
| Raynor | Michelle | Fill-in Lifeguard | IV | 5/17/07 | 9/3/07 | \$12.85 |
| Samura | Abigail | Lifeguard | II | 5/17/07 | 9/3/07 | \$12.10 |
| Vogal | Spenser | Lifeguard | III | 5/17/07 | 9/3/07 | \$12.45 |

BE IT FURTHER, RESOLVED, that these positions are subject to the following conditions:

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

Adopted

5/16/07

TOWN OF RIVERHEAD

Resolution # 470

APPOINTS
WATER SAFETY INSTRUCTORS
TO THE
RECREATION DEPARTMENT

COUNCILMAN DENSIESKI

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

RESOLVED, that the Town Board appoints the attached list of Water Safety Instructors to the Recreation Department effective May 17, 2007 to and including September 3, 2007 and to serve as needed on an at will basis and to serve at the pleasure of the Town Board.

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. Colleen: Res WSI Lifeguards 07

**RECREATION DEPARTMENT APPOINTMENTS
5/17/07 TOWN BOARD MEETING**

| <u>Last</u> | <u>First</u> | <u>Title</u> | <u>Start Date</u> | <u>End Date</u> | <u>Salary</u> |
|-------------|--------------|--------------|-------------------|-----------------|---------------|
| Hegermiller | David B. | WSI Level II | 5/16/07 | 9/3/07 | \$12.40 |
| Monahan | Elizabeth | WSI Level II | 5/16/07 | 9/3/07 | \$12.40 |
| Raynor | Michelle | WSI Level V | 5/16/07 | 9/3/07 | \$13.50 |

BE IT FURTHER, RESOLVED, that these positions are subject to the following conditions:

- 1: All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start
- 2: Subject to Suffolk county Lifeguard/ WSI Certifications.
- 3: Current CPR/ AED Certifications

5/16/07

Adopte

TOWN OF RIVERHEAD

Resolution # 471

APPOINTS
BEACH ATTENDANTS/ CONCESSION STAND OPERATORS
TO THE
RECREATION DEPARTMENT

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

RESOLVED, that the Town Board appoints the attached list of Beach Attendants/Concession Stand Operators to the Recreation Department effective May 17, 2007 to and including September 10, 2007 and to serve as needed on an at will basis and to serve at the pleasure of the Town Board.

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. Colleen: Res Blanket Beach Attn 07

**RECREATION DEPARTMENT APPOINTMENTS
5/15/07 TOWN BOARD MEETING**

| <u>Last</u> | <u>First</u> | <u>Title</u> | <u>Level</u> | <u>Start</u> | <u>End</u> | <u>Salary</u> |
|-------------|--------------|---|--------------|--------------|------------|---------------|
| Czelatka | Steven | Beach Attendant/Concession Stand Operator | II | 5/17/07 | 9/10/07 | \$9.60 |
| Flood | Liam | Beach Attendant/Concession Stand Operator | II | 5/17/07 | 9/10/07 | \$9.60 |
| Flood | Mary | Beach Attendant/Concession Stand Operator | II | 5/17/07 | 9/10/07 | \$9.60 |
| Janecek | Carol | Fill-In Beach Attendant/Concession Stand Operator | V | 5/17/07 | 9/10/07 | \$10.50 |
| Mittleman | Chick | Beach Attendant/Concession Stand Operator | II | 5/17/07 | 9/10/07 | \$9.60 |
| Villanell | Frank | Fill-In Beach Attendant/Concession Stand Operator | VII | 5/17/07 | 9/10/07 | \$11.10 |
| Wooten | Amy | Beach Attendant/Concession Stand Operator | V | 5/17/07 | 9/10/07 | \$10.50 |

BE IT FURTHER, RESOLVED, that these positions are subject to the following condition:

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

May 16, 2007

TOWN OF RIVERHEAD

Tabled

Resolution # 472

APPOINT ACCOUNT CLERK TYPIST IN THE ACCOUNTING DEPARTMENT

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

WHEREAS, a vacancy exists in the Accounting Department for an Account Clerk Typist, and

WHEREAS, Suffolk County Department of Civil Service has certified a List of Eligibles, list #07DC069, for the title of Account Clerk Typist, and the list was canvassed, and

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

WHEREAS, the position was posted for, posting #6, advertised, and all eligible applicants were interviewed, and

WHEREAS, pursuant to a completed background investigation, the Department Head has made a recommendation of a qualified candidate.

NOW, THEREFORE, BE IT RESOLVED, that Donna Zlatniski is hereby provisionally appointed to the position of Account Clerk Typist effective June 4, 2007, as found on Group 9 Step P of the Clerical and Supervisory Salary Schedule

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Donna Zlatniski, the Accounting 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

Tabled

5/16/07

Adopted

**AUTHORIZES SUPERVISOR TO EXECUTE WASTEWATER REUSE
CONTRACT WITH NEW YORK DEPARTMENT OF ENVIRONMENTAL
CONSERVATION
CONTRACT No. C302561 for the Sanitary Wastewater Reuse Phase I – STP
Grounds Implementation Project
RIVERHEAD SEWER DISTRICT**

Resolution #4733

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

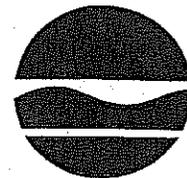
RESOLVED, that the Supervisor be and is hereby authorized to execute a
contract with the New York State Department of Environmental Conservation for the
Sanitary Waste Reuse Phase I – STP Grounds Implementation project, as forwarded to
the Supervisor in cover letter dated April 16, 2007, and be it further

RESOLVED, that the Town Clerk shall forward certified copies of this resolution
to Michael Reichel, Accounting Department, and the NYS Department of Environmental
Conservation, Attn: Pat Porter.

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

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

New York State Department of Environmental Conservation
Division of Water, 4th Floor
Bureau of Program Resources
625 Broadway, Albany, New York 12233-3507
Phone: (518) 402-8267 • FAX: (518) 402-9029
Website: www.dec.state.ny.us



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

APR 16 2007

Dear Mr. Cardinale:

Enclosed are two (2) copies of the proposed Contract No. C302561 for the Sanitary Wastewater Reuse Phase I - STP Grounds (on-site) Implementation project. This contract is for \$211,944.23 of eligible costs, reimbursable at 85% up to \$88,614.10. The contract term is from April 1, 2003 to January 31, 2005.

This contract requires the notarized signature of the authorized representative. Your original resolution designates Philip Cardinale, Supervisor, or such person's successor in office as the authorized representative (copy enclosed). If there has been a change, please forward a new municipal resolution with original signature and raised seal when you return the proposed contract. Please return both original signed and notarized contract(s) plus the three original signature pages as soon as possible to my attention at: NYSDEC, Division of Water, 625 Broadway, 4th Floor, Albany, NY 12233-3507.

The contract will then be executed by representatives of the Commissioner of Environmental Conservation, the State Attorney General and the Office of the State Comptroller. An executed copy of this contract will be returned to you for your records.

Enclosed for your review are the documentation requirements to be used for all reimbursement requests. Any administrative questions should be referred to me at (518) 402-8250. Any technical questions should be referred to Anthony Leung, P.E., the Regional Project Manager at (631) 444-0415.

Thank you for your efforts in preventing and protecting New York State's waters from pollution.

Sincerely,

Pat Porter
Agency Program Aide
Water Quantity Program Planning and Management
Division of Water

Enclosures

c: w/letter only: A. Leung, P.E., Regional Project Manager,
NYSDEC, Region #1, Stony Brook
B. Moulhem, NYSDEC, M/WBE Program Office, Albany

Adopted

4/5/05

1996 CLEAN WATER/CLEAN AIR BOND ACT
 TITLE 3 SECTION 56-0303
 WATER QUALITY IMPROVEMENT PROJECTS AND
 ENVIRONMENTAL PROTECTION FUND ARTICLE 17-14
 ENVIRONMENTAL CONSERVATION LAW;
 PERFORMANCE PARTNERSHIP GRANTS
 PUBLIC LAW 104-134
 NONAGRICULTURAL NONPOINT SOURCE PROJECTS
 PROJECTION 2003W QI6104

RIVERHEAD SEWER DISTRICT

RESOLUTION # 286

Adopted _____

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

WHEREAS, the Town of Riverhead Sewer District, after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein referred to as the Sanitary Wastewater - Phase I - STP grounds on site Implementation, called the "Project" is desirable and is in the public interest, and is required in order to implement the Project, and

WHEREAS, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for water quality improvement projects by means of contract and the District deems it to be in the public interest and benefit under this law to enter into a contract with,

NOW, THEREFORE, BE IT

RESOLVED, by the Riverhead Town Board, as governing body of the Riverhead Sewer District that:

1. PHILIP CARDINALE, Supervisor of the Town of Riverhead, or such person's successor in office, is the representative

authorized to act in behalf of the municipalities governing body in all matters related to the State assistance under ECL Article 56, Title 3. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the municipality's governing body in all matters related to the project and to State assistance;

2. The municipality agrees that it will fund its portion of the cost of the project and that funds will be available to initiate the project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;

3. One certified copy of this resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation;

4. This resolution shall take effect immediately.

5. The town clerk forward certified copies of this resolution to the Accounting Department, Frank Russo at H2M, Frank Isler, Esq.; and that the town Clerk is directed to complete the attached Certificate of Recording Officer for submittal with the grant.

THIS RESOLUTION PREPARED BY FRANK ISLER, ESQ., FOR THE RIVERHEAD SEWER DISTRICT

STATE OF NEW YORK,
COUNTY OF SUFFOLK,
TOWN OF RIVERHEAD. } ss.:

THIS IS TO CERTIFY that I, the undersigned, Town Clerk of the Town of Riverhead, County of Suffolk, New York, have compared the foregoing copy of

A RESOLUTION with the original RESOLUTION
now on file in this office and which was duly ADOPTED
on the 19th day of APRIL, 2005, and that the same is a true and
correct transcript of said RESOLUTION
and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of
the said Town of Riverhead, this 21st day of JUNE, 2006

Barbara Scatton

Town Clerk.

Documentation Requirements for Wastewater Quality Improvement Projects (2/10/03)

A signed and dated State Aid/Standard Voucher, an Expenditure Reporting Form and a signed and dated Self-Certification Form are required with all payment requests. The following documentation is required with the first payment request as well as requests at 25%, 50%, 75% and 100% of the contract amount, as specified in the contract. You may submit the documentation with each Quarterly Report and Reimbursement Request OR you can wait until you reach the 25%, 50%, 75% and 100% levels and submit all relevant documentation at that time. With the latter method, if you wait until 25% of contract has been expended, you must submit documentation for all costs leading up to the 25%. At 50%, you must submit documentation for all costs associated with expenditures from 25% to 50% of the contract amount, and so forth.

NOTE: If project costs include both eligible and ineligible costs, a breakdown of those costs, a description of their relation to the project as well as an explanation of the cost share determination must be included. All documentation associated with this project must be maintained for a period of six years beyond the end of this contract term or three years beyond the close out of any federal grant under which these costs are claimed by NYSDEC, whichever is greater.

1. Construction Costs

- a. Submit the most recent signed work-in-place estimates, including all approved amendments to the plans and specifications for each contract. If a partial payment is requested for a construction contract, the latest work-in-place estimate will be sufficient. Final work-in-place estimates will be required for each construction contract upon completion.
- b. If there is more than one contract, submit a tabulation sheet summarizing all construction costs. Tabulation sheets should include contract numbers, total costs, a breakdown of eligible and ineligible costs if applicable, the amount paid and warrant or voucher numbers.
- c. Submit signed copies of payment vouchers, invoices or canceled checks for each contract.

2. Municipal Services/Force Account Costs

- a. Personal Services (e.g. payroll, fringe benefits and indirect costs)
 - i. Submit daily time and activity records for each individual employee, signed by the appropriate supervisor or a signed and certified summary of all personal service costs claimed (see attached sample). The records must include the employee's name and/or title, hourly rate, relation of tasks performed to the contract, including the dates and numbers of hours worked each day and total costs claimed for each individual (hourly rate times the number of hours worked).
 - ii. In most cases, time spent on the project by elected officials is not eligible for reimbursement. However, when prior approval is received by the project manager, time spent by an elected official in lieu of hiring additional staff may be reimbursable. Even when approved by the project manager, the cost will only be reimbursed at the local prevailing wage rate of the routine title used to perform the task, not at their official salary.

b. Non-Personal Services (travel, equipment, supplies & materials and other)

i. Travel

Signed and dated receipts for all travel expenditures or a signed and certified summary of those costs (see attached sample) must be included. Travel receipts must include the traveler's name and/or title; the date, origin and destination of travel, the relation of the trip to the project, the method of travel and the method of calculating mileage (i.e., rate per mile), if it is claimed.

ii. Equipment

Signed and dated copies of payment vouchers, invoices with check number and date issued or copies of canceled checks must be submitted. Voucher or invoice should include payee, description of item, amount and its relation to the project if not clearly identified in approved project workplan.

iii. Supplies & Materials

Signed and dated copies of payment vouchers, invoices with check number and date issued or copies of canceled checks must be submitted. Voucher or invoice should include payee, description of item, amount and its relation to the project if not clearly identified in approved project workplan.

iv. Contractual Services

Signed and dated copies of payment vouchers, invoices with check number and date issued or copies of canceled checks must be submitted. Voucher or invoice should include payee, description of item, amount and its relation to the project if not clearly identified in approved project workplan.

v. Other (please specify)

Signed and dated copies of payment vouchers, invoices with check number and date issued or copies of canceled checks must be submitted. Voucher or invoice should include payee, description of item, amount and its relation to the project.

If indirect costs are claimed on something other than personnel services above, indicate the current rate, costs included in that rate and to which amount the indirect rate is applied.

Personal Services Summary

| <u>Date(s)</u> | <u>Name and/or Title</u> | <u>Hourly Rate</u> | <u>Related Contract Task</u> | <u>Number of Hours Claimed</u> | <u>Total Amount Claimed</u> |
|----------------|------------------------------|------------------------|----------------------------------|------------------------------------|---------------------------------|
|----------------|------------------------------|------------------------|----------------------------------|------------------------------------|---------------------------------|

NOTE: If daily time and activity records for each individual employee, signed by the appropriate supervisor(s), which document the above summarized personal services performed in relation to the project are not attached, the following certification must be signed prior to reimbursement of those costs.

I hereby certify that daily time and activity records for each individual detailing the specific hours devoted solely to this project which are distinguishable from work done on other projects during the same time frame, maintained in accordance with all applicable federal, state and general municipal accounting practices and procedures are available in our files for inspection. Furthermore, these files will be maintained for a period of six years beyond the end of this contract term or three years beyond the close out of any federal grant under which these costs are claimed by NYSDEC, whichever is greater.

Chief Fiscal Officer

Authorized Representative

Travel Expenditure Summary

| <u>Date</u> | <u>Name and/or Title</u> | <u>To/From Destination</u> | <u>Related Contract Task</u> | <u>Type of Cost (Per Diem, Lodging, Air, Mileage)</u> | <u>Total Amt Claimed</u> |
|-------------|------------------------------|--------------------------------|----------------------------------|---|------------------------------|
|-------------|------------------------------|--------------------------------|----------------------------------|---|------------------------------|

NOTE: If travel records for each individual employee, signed by the appropriate supervisor(s), which document the above summarized travel costs performed in relation to the project are not attached, the following certification must be signed prior to reimbursement of those costs.

I hereby certify that travel reimbursement records for each individual detailing the specific travel costs devoted solely to this project which are distinguishable from work done on other projects during the same time frame, maintained in accordance with all applicable federal, state and general municipal accounting practices and procedures are available in our files for inspection. Furthermore, these files will be maintained for a period of six years beyond the end of this contract term or three years beyond the close out of any federal grant under which these costs are claimed by NYSDEC, whichever is greater.

Chief Fiscal Officer

Authorized Representative

SELF-CERTIFICATION FORM

I, the undersigned, hereby certify that the attached State of New York State Aid/Standard Voucher dated _____ requesting payment in the amount of \$ _____ is reasonable, eligible and allowable based upon the specific requirements set forth in Contract No. _____ including all Appendices. I also certify that the records upon which the costs are claimed, including those claimed as local match, are maintained strictly in accordance with applicable federal, state and general municipal accounting practices and procedures, including but not limited to those costs claimed as personal services. All documentation associated with this project will be maintained for a period of six years beyond the end of this contract term or three years beyond the close out of any federal grant under which these costs are claimed by NYSDEC, whichever is greater.

I also certify that the work has been completed in conformance with the Workplan document as approved by the New York State Department of Environmental Conservation and in compliance with all applicable federal, state and local laws, ordinances, rules, regulations and standards.

Authorized Representative

Date

Chief Fiscal Officer

Date

Expenditure and Reimbursement Report Form

Contract Name _____ Contract # _____
 Reporting Period _____

Fill in A, B and C below. Attach a signed State Aid voucher and signed Self-Certification form. If you are requesting your first payment or are at the 25%, 50%, 75% or 100% of the contract amount, make sure you have included all documentation information as specified on the following pages

A. Expenses This Reporting Period

- 1. Construction Costs \$ _____
- 2. Municipal Services (construction-related costs only)
 - a. Personal Services \$ _____
 - b. Non-personal Services
 - i. Travel \$ _____
 - ii. Equipment \$ _____
 - iii. Supplies & Materials \$ _____
 - iv. Contractual Services \$ _____
 - v. Other (please specify) _____ \$ _____
 - Total** \$ _____
- 3. **Total Construction Costs** \$ _____

Describe source of local match: _____

B. Expenses Life-To-Date (including this reporting period)

- 1. Construction Costs \$ _____
- 2. Municipal Services (construction-related costs only)
 - a. Personal Services \$ _____
 - b. Non-personal Services
 - i. Travel \$ _____
 - ii. Equipment \$ _____
 - iii. Supplies & Materials \$ _____
 - iv. Contractual Services \$ _____
 - v. Other (please specify) _____ \$ _____
 - Total** \$ _____
- 3. **Total Construction Costs** \$ _____

Describe source of local match: _____

C. Reimbursement Summary

- TOTAL Life-to-Date Expenses \$ _____
- State Assistance Percentage x 85%
- Reimbursable Share \$ _____
- Minus Retainage of 10% x 90%
- TOTAL Reimbursable-to-date _____
- LESS Previous Payments (_____)
- TOTAL Amount Due This Reporting Period** \$ _____

CONTRACT SIGNATURE PAGE

Recipient: Town of Riverhead Contract No. C302561

RECIPIENT SIGNATURE:

Authorized Representative _____
(typed name)
(Signature) _____ Dated: _____
(Title) _____

RECIPIENT ACKNOWLEDGMENT:

STATE OF NEW YORK)
) SS.:
COUNTY OF _____)

On this _____ day of _____, 200__, before me personally came _____
(insert name and title) of the _____
(insert political subdivision or agency of the political subdivision) the political subdivision or agency thereof described in and which executed the above instrument: by authority of _____
(attached certified copy of order, resolution, or the ordinance authorizing the execution of this contract) of said political subdivision, and that (s)he signed his/her name by that authority.

NOTARY PUBLIC

NYSDEC CERTIFICATION: "In addition to the acceptance of this contract, I also certify that original signature pages will be attached to other exact copies of this contract."

NYSDEC SIGNATURE: _____ Dated: _____

ATTORNEY GENERAL'S SIGNATURE:

DATE: _____

APPROVED:
THOMAS P. DINAPOLI
STATE COMPTROLLER

BY: _____

DATE: _____

CONTRACT SIGNATURE PAGE

Recipient: Town of Riverhead Contract No. C302561

RECIPIENT SIGNATURE:

Authorized Representative _____
(Signature) _____ (typed name) _____ Dated: _____
(Title) _____

SIC

RECIPIENT ACKNOWLEDGMENT:

STATE OF NEW YORK)
) SS.:
COUNTY OF _____)

On this _____ day of _____, 200__, before me personally came _____
(insert name and title) of the _____
(insert political subdivision or agency of the political subdivision) the political subdivision or agency thereof described in and which executed the above instrument: by authority of _____
(attached certified copy of order, resolution, or the ordinance authorizing the execution of this contract) of said political subdivision, and that (s)he signed his/her name by that authority.

NOTARY PUBLIC

NYSDEC CERTIFICATION: "In addition to the acceptance of this contract, I also certify that original signature pages will be attached to other exact copies of this contract."

NYSDEC SIGNATURE: _____ Dated: _____

ATTORNEY GENERAL'S SIGNATURE:

DATE: _____

APPROVED:
THOMAS P. DiNAPOLI
STATE COMPTROLLER

BY: _____

DATE: _____

CONTRACT SIGNATURE PAGE

Recipient: Town of Riverhead Contract No. C302561

RECIPIENT SIGNATURE:

Authorized Representative _____
(Signature) _____ (typed name) Dated: _____
(Title) _____

RECIPIENT ACKNOWLEDGMENT:

STATE OF NEW YORK)
) SS.:)
COUNTY OF _____)

On this _____ day of _____, 200__, before me personally came _____
(insert name and title) of the _____
(insert political subdivision or agency of the political subdivision) the political subdivision or agency thereof described in and which
executed the above instrument: by authority of _____
(attached certified copy of order, resolution, or the ordinance authorizing the execution of this contract) of said political subdivision, and that (s)he signed his/her name by that authority.

NOTARY PUBLIC

NYSDEC CERTIFICATION: "In addition to the acceptance of this contract, I also certify that original signature pages will be attached to other exact copies of this contract."

NYSDEC SIGNATURE: _____ Dated: _____

ATTORNEY GENERAL'S SIGNATURE:

DATE: _____

Format Approved 04/18/03

APPROVED:
THOMAS P. DiNAPOLI
STATE COMPTROLLER

BY: _____

DATE: _____

CONTRACT FOR STATE ASSISTANCE FOR
WASTEWATER TREATMENT PLANT
WATER QUALITY IMPROVEMENT PROJECTS - TITLE 3
(CLEAN WATER/CLEAN AIR BOND ACT OF 1996)

CONTRACT NO. C302561

THIS CONTRACT FOR STATE ASSISTANCE (hereinafter "Contract") by and between the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, ("Department") with offices at 625 Broadway, 4th Floor, Albany, New York 12233-3500, and the Town of Riverhead ("Recipient") with offices at 200 Howell Avenue, Riverhead, New York 11901.

WHEREAS, the Department is authorized by Title 3 of the Clean Water/Clean Air Bond Act of 1996, specifically Environmental Conservation Law ("ECL") §§56-0301 through 56-0311, to enter into State Assistance contracts with municipalities and county water and soil districts (each, Recipients) to provide State Assistance (as defined in this Contract) to Recipients for Water Quality Improvement Projects; and

WHEREAS, the Recipient has submitted an application to the Department for State Assistance in order to implement a Water Quality Improvement Project ("Project") meeting the requirements set forth in Article 56 of the ECL and as more particularly set forth in the Project Workplan, attached hereto as Appendix C; and

WHEREAS, the Recipient represents that it has the legal status necessary to enter into this Contract, and has filed with the Department a certified copy of a duly adopted resolution of its governing body which authorizes the Recipient to make such an application and authorizes an officer to enter into and execute this contract on behalf of the Recipient with the Department for the purpose of receiving State Assistance; and

WHEREAS, in accordance with ECL §56-0305, the Department has determined that the Project being proposed by the Recipient is eligible to receive State Assistance; and

WHEREAS, the Recipient has demonstrated its ability to finance its share of the Project and has agreed to fund its portion of the cost of the Project; and

WHEREAS, the Recipient has agreed to proceed expeditiously with the Project and to complete the Project in accordance with the timetable set forth in the Project Workplan as well as with the conditions of any applicable permits, administrative orders, or judicial orders and this Contract; and

WHEREAS, based upon the representations of the Recipient, the Department has approved the reasonable Eligible Costs of the Project, a schedule for progress and completion of the Project, the amount of State Assistance to be paid to the Recipient, and other documents specifically delineating the Project, all as described in the Project Workplan; and

WHEREAS, the Recipient is compliant with and commits to continue to comply with the requirements for State Assistance established under Article 56 of the ECL, as set forth in the Contract, and all applicable local, state and federal laws and regulations governing the construction and operation of the Project; and

WHEREAS, the Department's execution of this Contract is made in reliance upon the information provided by, and the representations of the Recipient included in both its application and this Contract.

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 5th day of June, 2007, at 7:15 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 108, Zoning, Article XLV of the Riverhead Town Code entitled, "Outdoor Lighting"

A copy of the text of the proposed local law may be reviewed at the Office of the Town Clerk beginning May 17, 2007, between the hours of 8:30 AM and 4:30 PM, Monday through Friday.

DATED: May 16, 2007
Riverhead, New York
BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
BARBARA GRATTAN, TOWN CLERK

DRAFT

Chapter 108, Zoning, Article XLV "Outdoor Lighting"

§ 108-97. Major subdivision.

B. General requirements. The subdivider shall observe the following general requirements and principles of land subdivision.

(24) Streetlighting. The following specifications must be met: [Added 12-6-1977; amended 12-6-1988; 11-6-1991]

(a) Streetlight standards, luminaires, conduit, splice boxes, fuses and all related hardware for streetlighting systems shall be installed in all residential subdivisions.

(a) In all new residential subdivisions, conduit, splice boxes, fuses and all related hardware for streetlighting systems shall be installed, ~~exclusive of standards (poles) and luminaires.~~

(b) Prior to commencement of such installation, plans of proposed lighting layouts shall be submitted to the Planning Board and subsequently forwarded to the Town Engineer for review. Plans shall be drawn to scale showing the proposed location of streetlight facilities, including the Long Island Power Authority (LIPA) Long Island Lighting Company (LILCO) power source. All plans shall be prepared by a Professional Engineer licensed in the State of New York. ~~licensed professional engineer.~~ No work shall be commenced prior to the approval by the Planning Board and Town Engineer.

(c) Location of lights. Lighting layouts shall be designed to provide a generally even level of illumination based on the use of seventy-watt, colonial-type, high-pressure sodium luminaires. In general, streetlights shall be installed at every street intersection and at the end of each cul-de-sac and shall be spaced approximately 150 to 200 feet apart.

~~(e) Location of lights. Lighting layouts shall be designed to provide illumination not to exceed recommendations in IESNA Recommended Practices, RP 33, 8, or 20, depending on the areas to be lighted and in conformance with Article XLV.~~

(d) General installation. All wiring, splices, conduit and workmanship shall be in accordance with the National Electrical Code and the requirements of the National Board of Fire Underwriters and LIPA, LILCO. All work on the streetlighting system shall be performed by and tested for continuity and safety by electricians licensed by the County of Suffolk. Copies of test results shall be furnished to the Town Engineer prior to release of performance bonds.

(e) Inspections. Upon commencement of the installation work, periodic inspections of the work being performed will be made by the Town. The builder shall be responsible for notifying the Town Engineer and/or streetlighting personnel, at 631 516-727-3200, Extension 201 279, 48 hours prior to the performance of any work in order to allow for daily inspections of all work being performed. Upon completion and final testing of the streetlighting installation, a final

inspection will be made before the Town will accept the completed installation. An inspection notice will be provided indicating approval or disapproval of the installation.

(f) Lighting standards. All commercial parking lot light poles and subdivision light poles lighting standards shall be fiberglass as in accordance with Town specifications referred to in the Attached Item No. 1.EN Fiberglass poles shall be black or as specified by the Town. All poles shall have an overall length of 20 feet, shall be embedded four feet and shall be installed approximately 24 inches behind the curb. Luminaire mounting height shall be 16 feet. Poles shall be installed plumb and soil thoroughly tamped after installation. Wire in poles shall be copper RR-USE or XLP-USE, minimum gauge AWG No. 10.

~~(g) — Luminaires. Light fixtures shall be seventy-watt, one-hundred-twenty-volt, high-pressure sodium and shall be Town and Country 100 Series by General Electric (GE). The Town of Riverhead specifications for colonial post top luminaires is referred to in Item No. 2 attached.EN Lamps used shall be manufactured by General Electric, Westinghouse, Sylvania, Norelco or approved equal. A photoelectric control equal to Town of Riverhead specification Item No. 5 (attached) EN shall be provided.~~

(g) Luminaires. (See Article XLV) Streetlights shall be Full Cutoff high-pressure sodium, compact fluorescent or low-pressure sodium, unless otherwise determined that another type of light source is more efficient. Unless specified otherwise by the Town Planning Board in consultation with the Town Engineer, residential subdivision street lighting, where permitted, shall be Dark Skies Compliant Catalogue No. Cooper LXF 70SNW33UOO65, 70-watt colonial type, high pressure sodium luminaires with mogul base, 120 volt, with top mounted twist on type photo cell. Lamps must be mounted within the opaque top of the luminaire. Streetlights along rural minor collector system and rural local road system (residential roads) shall not exceed seventy (70) watt high-pressure sodium lamping with a lumen output of sixty-four hundred (6,400) or as determined by the Engineer, and shall be General Electric 70WHPSLUM2AC07SIN2LMS21. Street lights along rural major collectors or at intersections shall not exceed one hundred fifty (15) watts hps or as determined by the Town Engineer. Fixtures shall be General Electric 150HPSLUM2AC15SIN2LMS21. If a light type other than high pressure sodium is permitted, then the equivalent lumen output shall be the limit for the other lamp type.

(h) Underground wiring. Wire and cable for lighting system circuitry shall be buried in 1 ¼" rigid galvanized conduit, direct buried, copper, type RR-USE or XLP-USE with a minimum gauge of AWG No. 6. Wire shall be approved, and the complete installation shall meet all requirements of the National Electric Code. All wire splicing shall be performed within approved splice boxes or within the pole at hand hole. All splices and connections shall be made using approved split bolt or compression-type connectors and shall be insulated using an approved waterproof method. Cable shall be buried in conduit 24 inches below finished grade and installed directly behind the curbing. Any and all wiring under a roadway, driveway, walkway, sidewalk or other load-bearing, paved surfaces shall be installed within one-and-one-fourth-inch galvanized rigid steel conduit. All cable terminations and splices shall be color-coded using Scotch Tape 2210 as follows: red -- hot leg; white -- neutral leg; green -- ground.

- (i) Splice boxes. A polyethylene splice box conforming to Town of Riverhead specifications referred to in attached Item No. 3EN must be installed at the base of each streetlight pole for splices and fuses. Splice boxes shall be installed so that the top of the installed box is at the finished grade. Splice boxes shall be located behind the curb in front of each light pole when required. Each streetlight pole and fixture shall be individually fused at the fixture using a Bussman-type HEB-AA fuseholder and a Bussman KTK-15-amp fuse or approved equal.
- (j) Splices. Splices between fixtures or between transformers and splice boxes, unless specifically authorized by the Town Engineer, are not acceptable. Where splices are authorized and locations approved, such as at fixture connections to circuit cables, the contractor shall make a splice with an approved mechanical connector encapsulated by Scotch Tape 2210, Scotch Tape 33+, and then coated with Scotch Cote in a manner as approved by the Engineer.
- (k) Fuses. Each lighting loop shall be fused in the corresponding service box to protect and isolate each individual lighting circuit. Each service box is to contain a Bussman-type HEB-AA fuseholder and an appropriately sized Bussman KTK fuse. Each individual pole shall also contain a fuseholder and fuse to protect and isolate individual light fixtures to be located in a splice box at the base of the pole.
- (l) Service boxes. A service splice box referred to above (see attached Item No. 3EN) equal to Town of Riverhead specifications shall be installed at the point of connection to the LIPA LILCO facilities and shall contain an appropriately sized fuseholder and fuse. This installation shall meet all requirements of LIPA LILCO. Direct burial service cable shall be installed from the streetlight service splice box to LIPA LILCO service point, and a length of slack cable sufficient for LIPA LILCO to connect to their facilities shall be left coiled at the LIPA LILCO box and shall be color-coded at connection ends as follows: red -- hot leg; white -- neutral leg; green -- ground. Service cable shall be No. 6 AWG, copper wire, type USE or approved equal. All connections to LIPA LILCO-underground facilities will be performed by LIPA LILCO personnel. Each circuit shall be fused inside the service box.
- (m) Conduit. All conduit shall be hot-dipped, one-and-one-fourth-inch inside diameter, galvanized, UL-approved, rigid steel in accordance with Town of Riverhead specification Item No. 4 attached. EN Conduit shall be used as a wireway for circuit cables where lighting circuits pass under roadways, driveways, sidewalks or other paved load-bearing surface. Conduit shall be installed directly behind the curb where applicable or in the most direct route as specified by the Town and installed 24 inches below grade. Such conduit shall extend a minimum of six inches beyond the edge of any paved area as specified above.
- (n) As-built drawings. Prior to final approval by the Town, dedication of roads or release of performance bond, the builder/developer is responsible to furnish the Town Engineer with two sets of as-built drawings. As-built drawings shall show the location of streetlights, poles, service splice boxes, conduit run and wiring circuits transformers and transformer numbers.

ARTICLE XLV, Outdoor Lighting [Added 12-17-2002 by L.L. No. 34-2002]

§ 108-246. Purpose.

The general purpose of this article is to protect and promote the public health, safety and welfare, the quality of life, retain the rural character of Riverhead, and the ability to view the night sky, by establishing regulations and a process for review of exterior lighting. This article establishes standards for exterior lighting in order to accomplish the following:

- A. To provide safe roadways for motorists, cyclists and pedestrians;
- B. To protect against direct glare and excessive lighting;
- C. To ensure that sufficient lighting can be provided where needed to promote safety and security;
- D. To prevent light trespass in all areas of the Town;
- E. To protect and reclaim the ability to view the night sky;
- F. To allow for flexibility in the service of lighting fixtures;
- G. To provide lighting guidelines;
- H. To provide guidance assistanee to property owners and occupants in bringing nonconforming lighting into conformance with this article.
- I. To encourage the conservation of energy for outdoor lighting;
- J. To reduce the impact of artificial lighting on human health, flora, fauna, and the environment.

§ 108-247. General provisions.

A. Title.

Article XLV, together with the amendments thereto, shall be known and may be cited as the "Town of Riverhead Lighting Ordinance."

B. Conflict with other laws.

In a case where this chapter is found to be in conflict with a provision of a zoning, fire, safety, health, water supply, subdivision, or sewage disposal law or ordinance, or regulation adopted pursuant thereto, or other local law, ordinance, code or regulation, the provision or requirement which is the more restrictive or which establishes the higher standard shall prevail.

§ 108-248. Applicability.

A. New lighting.

All exterior lighting installed after the effective date of this article shall conform to the standards established by this article.

B. All lighting.

(1) Upon adoption of this article, any installation, replacement, alteration, change, repair, or relocation of any nonconforming luminaire, such luminaire shall be brought in compliance with the terms of this article.

(2) All exterior lighting installed shall comply with Chapter 108-250(A) and (D); and Chapter 108-252 (D), (E), (F), (G) of this Article regarding Glare, Light Pollution, Light Trespass, and Skyglow as defined in this article.

(3) The following exterior lighting, existing or installed prior to the date of the adoption herein, which does not conform with the provisions of the article, shall be exempt provided the following requirements are met:

(a) Pre-existing residential floodlight luminaires are exempt provided: the total light output for the fixture does not exceed 1800 lumens (equivalent to 100 watts incandescent) regardless of the number of lamps; and angled downward or shielded so as not to cause glare or light trespass or beam spread beyond the intended target or across property lines. Operable photocells, motion sensors, or timers that allow a light to go on at dusk and off by 11:00 p.m., as well as retrofit shields are encouraged in order to alleviate nuisance and disability glare. This exemption expires no later than June 2012 at which time conformance is required.

(b) Pre-existing unshielded residential fixtures mounted on the primary structure are exempt provided the light output, regardless of the number of lamps, is less than 900 lumens (60 watts incandescent).

(c) Pre-existing non-conforming non-residential luminaires rated over 1800 lumens (100 watts incandescent), regardless of the number of lamps, shall be altered to the greatest extent possible to prevent visible glare across property lines by re-aiming, shielding, adding louvers, re-lamping, or other means, to meet the definition of fully or partially shielded.

§ 108-249. Definitions.

Unless specifically defined below, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article its most reasonable application.

AREA LIGHT -- A luminaire equipped with a lamp that is rated to produces over 1,800 lumens. Area lights include, but are not limited to, streetlights, parking lot lights and yard lights.

AVERAGE HORIZONTAL FOOTCANDLE -- The average level of illuminance for a given situation (~~with snow cover if that is to be expected in the given situation~~) measured at ground level with the light meter placed parallel to the ground.

~~**EIGHTY FIVE DEGREE CUT OFF TYPE LUMINAIRES** -- Luminaires that do not allow light to escape above an eighty five degree angle measured from a vertical line from the center of the lamp extended to the ground (see Figure 2).EN~~

EXTERIOR LIGHTING -- Temporary or permanent lighting that is installed, located, or used in such a manner to cause light rays to shine outdoors. Luminaires that are indoors that are intended to light something outside are considered exterior lighting for the purpose of this article.

FLOODLIGHT -- ~~A lamp that produces up to 1,800 lumens and is designed to flood a well-defined area with light. (See Table 1 for light output of various lamps.EN)~~ A luminaire rated to produce 1,800 lumens (100 watts incandescent) or more, regardless of the number of lamps, and is which is designed to flood an area with light.

FOOTCANDLE (FC) -- The American unit used to measure the total amount of light cast on a surface (illuminance). One footcandle is equivalent to the illuminance produced by a source of one candle at a distance of one foot. For example, the full moon produces .01 fc as measured with a light meter. One footcandle is approximately equal to 10 lux, the British unit used to measure illuminance.

FULL CUT-OFF LUMINAIRES (FCO) -- A luminaire designed and installed where no light is emitted at or above a horizontal plane running through the lowest point on the luminaire. (See Figure 1) ~~(See Figure 1.EN)~~ Further, no more than 10% of the lumen output should be provided at angles between 90 degrees and 80 degrees below the lowest light-emitting part of the luminaire laminate.

FULLY SHIELDED -- ~~The luminaire incorporates a solid barrier (the shield), which permits no light to escape through the barrier.~~ A luminaire constructed and installed in such a manner that all light emitted by it, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below a horizontal plane through the luminaire's lowest light emitting part, as designed and installed. (See Figure 1) (See Figure 4.EN)

- GLARE -- Stray, unshielded light striking the eye that may result in:
- A. Nuisance or annoyance glare such as light shining into a window;
 - B. Discomfort glare such as bright light causing squinting of the eyes;
 - C. Disabling glare such as bright light reducing the ability of the eyes to see into shadows; or
 - ~~D. Reduction of visual performance.~~
 - D. Distracting glare, such as light which diverts the eye from a visual task.

~~HOLIDAY LIGHTING -- Strings of individual lamps, where the lamps are at least three inches apart and the output per lamp is not greater than 5 lumens.~~

HOLIDAY LIGHTING -- Temporary lighting used to celebrate holidays. Holiday lighting includes, but is not limited to, strings of small individual lights, illuminated menorahs, illuminated nativity scenes, illuminated candles, and various yard decorations seasonal in nature.

IESNA -- Illuminating Engineering Society of North America (IES or IESNA); the professional society of lighting engineers. An organization which promulgates

illumination standards, guidelines and publishes recommended practices for the lighting industry.

IESNA RECOMMENDED PRACTICES -- The current publications of the IESNA setting forth illuminance levels.

ILLUMINANCE -- The amount of light falling on any point of a surface measured as at footcandles or lux.

LAMP -- The generic term for an artificial light source, to be distinguished from the whole assembly (see "luminaire"); commonly referred to as "bulb" or light bulb.

LANDSCAPE LIGHTING -- Non-essential low lumen output fixtures (maximum of 500 lumens or 40 watts incandescent) used to illuminate residential walkways and foliage.

LIGHT -- The form of radiant energy acting on the retina of the eye to make sight possible.

LIGHTING -- Any or all parts of a luminaire that function to produce light.

LIGHT POLLUTION -- Any adverse effect of man-made light, including, but not limited to, discomfort to the eye or diminished vision due to glare, light trespass, excessive lighting, uplighting, the uncomfortable distraction to the eye, or any man-made light that wastes energy and diminishes the ability to view the night sky.

LIGHT TRESPASS -- Light falling on the property of another, or the public right-of-way, or waterways in excess of 0.1 footcandles at the property line of commercial properties and 0.05 footcandles at the property line of residential properties, when it is not required or permitted when it is not required to do so.

LUMEN -- The unit used to quantify the amount of light energy produced by a lamp at the lamp. Lumen output of most lamps is listed on the packaging. For example, a sixty-watt incandescent lamp produces approximately 950 lumens while a fifty-five-watt low-pressure sodium lamp produces 8,000 lumens.

LUMINANCE -- The "brightness" of a source of light.

LUMINAIRE -- A complete lighting unit, consisting of a lamp or lamps together with the parts designed to distribute the light, to position and protect the lamps and to connect the lamps to the power; when used, includes ballasts and photocells; commonly referred to as "fixture."

~~MAINTAINED ILLUMINANCE -- The condition that occurs after 200 hours of lamp use prior to a point where luminaire cleaning is necessary. Measurements are taken at ground level with sensor parallel to the ground for horizontal illuminance and measured at five feet above ground with sensor perpendicular to the ground for vertical illuminance.~~

NONESSENTIAL LIGHTING -- Lighting that is not necessary for an intended purpose after the purpose has been served; does not include any lighting used for safety and/or public circulation purposes.

PARTIALLY SHIELDED -- ~~The luminaire incorporates a translucent barrier, the "partial shield" around the lamp that allows some light to pass through the barrier while concealing the lamp from the viewer. (See Figure 3.EN)~~ A light fixture which incorporates an opaque barrier, shield, louvers, or other means, so that the light source is not visible across property lines or into roadways.

PLANNING AND ZONING ADMINISTRATOR -- The Town of Riverhead Planning Director.

REPAIR OF A LUMINAIRE OR SIGN -- Any service normally provided by a licensed electrician upon a luminaire or sign. Repair shall be considered to include replacement or modification of any of the following: poles, mounting arms, housings, hardware, wiring, ballasts, lenses, reflectors, diffusers, baffles, shields, sensors, switches, relays, power supplies, and lamp replacement modules which contain any of the items listed above. Replacement of a user-serviceable lamp will not by itself be considered a repair.

SKYGLOW -- The overhead glow from light emitted sideways and upwards. Skyglow is caused by the reflection and scattering of light by dust, water vapor and other particles suspended in the atmosphere. Skyglow reduces one's ability to view the night sky.

TEMPORARY LIGHTING -- Lighting that is intended to be used for a special event for seven days or less.

UNIFORMITY RATIO ("U RATIO") -- A ratio that describes uniformity of illuminance across an area. The uniformity ratio may be a ratio of the maximum-to-minimum illuminance or the average-to-minimum illuminance. For example, if the Illuminating Engineering Society recommends an average-to-minimum ratio of 4:1 for a parking lot, the minimum illuminance should be no less than $\frac{1}{4}$ of the average illuminance across the parking lot.

UNSHIELDED FIXTURE -- A fixture which, as designed or installed, emits all or part of the light emissions above the lowest light emitting part of the fixture.

UPLIGHTING -- Lighting that is directed in such a manner as to shine light rays above the horizontal plane.

§ 108-250. Outdoor lighting standards.

A. General standards.

(1) All exterior lighting shall be designed, located and lamped in order to prevent:

- (a) Overlighting;
- (b) Energy waste;
- (c) Glare;
- (d) Light trespass;
- (e) Skyglow.

(2) All non-essential exterior commercial and residential lighting is encouraged to be turned off after business hours and/or when not in use. Lights on a timer are encouraged. Sensor-activated lights are encouraged to replace existing lighting that is desired for security purposes.

(3) Canopy lights, such as service station lighting shall be fully recessed and ~~or full cutoff fully shielded~~ so as to ensure that no light source is visible from or causes glare on public rights-of-way or adjacent properties.

(4) Area lights. All area lights shall be ~~are encouraged to be~~ eighty-five-degree full-cut-off-type luminaires.

(5) The Long Island Power Authority shall not install any luminaires after the effective date of this article that light the public right-of-way ~~without first receiving approval for any such application by the Riverhead Town Board.~~

B. Type of luminaires. ~~All exterior lighting shall use full cut-off luminaires (see Figure 1) with the light source downeast and fully shielded, with the following exceptions:~~

(1) All exterior lighting rated to be lamped at 1800 lumens (100 watts incandescent) and greater shall use FCO luminaires as determined by photometry test or certified by the manufacturer and installed as designed with the light source directed downward.

(2) All exterior light fixtures rated to emit 1800 lumens (100 watts incandescent) and less, regardless of the number of lamps shall use fully shielded fixtures (See Figure 1) and shall be installed as designed. (See Figure 1)

~~(1) Luminaires that have a maximum output of 400 lumens per fixture, regardless of number of lamps (equal to one forty-watt incandescent light), may be left unshielded, provided the luminaire has an opaque top or is under an opaque structure (see Figure 5).EN~~

~~(2) Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of the number of lamps (equal to one sixty-watt incandescent light), may be partially shielded provided the lamp is not visible and the luminaire has an opaque top or is under an opaque structure (see Figure 3).EN~~

~~(3) Floodlights with external shielding shall be angled, provided that no light is directed above a twenty-five-degree angle measured from the vertical line from the center of the light extended to the ground, and only if the luminaire does not cause glare or light to shine on adjacent property or public rights-of-way and does not emit light above the~~

horizontal plane (see Figure 6). ~~EN Photocells with timers that allow a floodlight to go on at dusk and off by 11:00 p.m. are encouraged.~~

(3) Privately owned or leased light fixtures located on public utility poles or located in the public right-of-way are prohibited.

(4) ATM Bank lighting installed prior to the enactment of this article shall employ opaque shields, louvers, barriers, or other means in order to meet "Partially shielded", "Fully shielded", or "Full cutoff" on or before June 2012.

C. Exempt:

(1) ~~(4) Commercial~~ Holiday lighting lit between November 15 and January 15 of the following year.

(2) ~~(5) Motion~~ Sensor-activated luminaires, provided:

(a) They are fully shielded and located in such a manner as to prevent glare and lighting onto properties of others or into a public right-of-way; and

(b) The luminaire is set to only go on when activated and to go off within five minutes after activation has ceased; and

(c) The luminaire shall not be triggered by activity off the property; and

(d) The luminaire, regardless of the number of lamps, does not exceed 1800 lumens and not rated to exceed 100 watts.

(3) ~~(6) Vehicular~~ lights and all temporary emergency lighting needed by the Fire and Police Departments, or other emergency services.

(4) ~~(7) Uplighting of flags for flag;~~ provided the flag is not used for advertising of a governmental installation and the total maximum lumen output is 1,300 lumens. Flags are encouraged to be taken down at sunset to avoid the need for lighting.

(5) ~~(8) Lighting of radio, communication and navigation towers;~~ provided the owner or occupant demonstrates that the Federal Aviation Administration (FAA) regulations can only be met through the use of lighting that does not comply with Article XLV, and that the provisions of Article XLV are otherwise met.

(6) ~~(9) Runway~~ lighting. Lighting on any landing strip or runway, provided the owner or occupant demonstrates that the Federal Aviation Administration (FAA) regulations can only be met through the use of lighting that does not comply with this article.

(7) ~~(10) Neon~~ lights. Neon lights as permitted pursuant to the Town of Riverhead Sign Ordinance.

~~(11) Luminaires used for playing fields and outdoor recreational uses shall be exempt from the height restriction, provided all other provisions of this article are met and the light is used only while the field is in use.~~

(8) Residential landscape lighting as defined herein provided the lamp or lamps are not visible across property lines and, in addition are not triggered by a dusk-to-dawn timer.

D. Prohibited:

(1) Searchlights, except those used for governmental emergency purposes.

(2) Strobe lights, laser lights, or revolving lighting.

(3) Neon lights, except as legally permitted.

(4) Blinking, pulsating, tracing, or flashing lights unless temporarily triggered by a security system.

(5) Lighting which is used to outline or illuminate a building, structure or window, including neon, fiber optic, light emitting diode (LED), or fluorescent tube lighting which is used for this purpose.

(6) Flood lighting or “wall wash” lighting which is designed to illuminate the walls of a building or other structures.

(7) Any light fixture that may be construed as or confused with a traffic signal, traffic control device or maritime navigational markers.

(8) Lighting that is determined by municipal law enforcement to contribute to a condition of disabling or distracting glare into a public roadway may be ordered to be changed or removed at any time.

(9) Any light fixture located within a designated Nature Preserve, easement, or waterway.

(10) Illuminated signs without a municipal permit.

(11) Non-municipal recreational court lighting, including tennis, basketball and handball courts, and sportsfields, including baseball, soccer, and football without site plan approval and a building permit.

(12) Non-essential lighting can be ordered extinguished at any time, including mobile or ground mounted searchlights, laser light shows, decorative flashing, blinking, or tracing lights, exclusive of exempt Holiday Lighting.

§ 108-251. Placement and height of luminaires.

A. – Parking area luminaries Luminaires, exclusive of municipal streetlighting, municipal park sportsfields, and municipal recreational facilities, shall be mounted no higher ~~no~~ taller than ~~seventeen~~ (17) ~~sixteen~~ (16) feet from the level ground to the lowest light

~~emitting part of the fixture, their tallest point. Parking area lights are encouraged to be greater in number, lower in height and lower in light level, as opposed to fewer in number, higher in height and higher in light level.~~

~~B. Freestanding luminaries Luminaires on commercially used properties shall be located no less than 15 (fifteen) feet from the property line, and in addition shielded so as not to project light across the property line. (See Figure 3) mounted at a height equal to or less than the sum of $H=(D/3)+3$, where D is the distance in feet to the nearest property boundary, but shall not be higher than fifteen (15') from ground level to the top of the luminaries, and not exceeding the height of the building whichever is less. Example:~~

| Pole Height (feet) | Distance to Property Line (feet) |
|----------------------------------|--|
| 15 | 36 ($36/3 = 12+3=15$) |
| 12 | 27 ($27/3 = 9+3=12$) |
| 9 | 18 ($18/3 = 6+3=9$) |

~~C. Streetlights used on arterial roads may exceed 20 feet in height, with the recommendation by the Riverhead Town Board, and only with a finding that exceeding 20 feet is necessary to protect the safety of the residents of the Town of Riverhead.~~

~~C. D. Luminaires used for municipal playing fields and municipal outdoor recreational uses shall be exempt from the height restriction, and illumination levels, provided all other provisions of this article are met and the light is used only while the field is in use.~~

~~D. Sign lighting. Lighting shall be mounted on the top of the sign directed downward and positioned and shielded so that the light source is not visible beyond the boundary of the property on which the sign is located. No individual lamp shall exceed 1000 lumens. Mounting height of lights shall not exceed sixteen (16) feet. Signs are encouraged to be turned off after business hours.~~

~~E. Mounting height of residential luminaires may not exceed 14 (fourteen) feet.~~

§ 108-252. Illuminance and type of lamp.

A. Illuminance levels for parking lots, sidewalks, and other walkways affected by side-mounted building lights, and freestanding sidewalk lights (not streetlights) shall not exceed illuminance levels listed in the ~~most current~~ IESNA Recommended Practices, either RP 33 or RP 20, depending on the application. (See Tables 1, 2, and 3) The Town of Riverhead recognizes that not every such area will require lighting.

B. Parking lot lighting shall not exceed an overall average illumination of ~~1.5 footcandles~~ as listed on Table 2, and compliance shall be obtained no later than June 2017.

C. ~~Streetlights shall be full cut high-pressure sodium, low-pressure sodium, unless otherwise determined that another type is more efficient. Streetlights along residential streets shall be limited to a seventy-watt high-pressure sodium (hps) light with a lumen output of 6,400. Street lights along nonresidential streets or at intersections shall be~~

~~limited to 100 watts hps, with a lumen output of 9,500, except that lights at major intersections on state highways shall be limited to 250 watts hps. If a light type other than high pressure sodium is permitted, then the equivalent output shall be the limit for the other light type (see Table 1).~~EN Streetlight luminaires shall be Full Cutoff and be lamped with high pressure sodium or compact fluorescent unless otherwise determined that another type is more efficient while not detrimental to the environment or the night sky. Public Works shall make a determination for the Type of light distribution, the height, and lumen value of the light source for each location, based on the manufacturer's supplied photometric information, in order to meet the Streetlighting Warrants. The criteria for evaluating the warrant of streetlights shall be non-conformance to the American Association of State Highway Transportation Officials (AASHTO) and or a safety hazard as determined by the Town Engineer. The Town Engineer shall reserve the option to alter the type of light, light intensity of public roads and public facilities in areas where public safety is an issue. Streetlight luminaries shall be brought into compliance with this section no later than June 2017.

D. All existing and/or new exterior lighting shall not cause light trespass and shall protect adjacent properties from glare and excessive lighting.

E. Gas Station Under canopy fixtures shall be lamped so as not to exceed light level measurements as recommended in RP 33, Table 2, no later than June 2012.

F. All ATM and bank lighting shall not exceed the light levels established in the 2006 revised and corrected NY State ATM Banking Law, 4677-A no later than June, 2012.

G. All LIPA leased pre-existing non-conforming unshielded floodlight fixtures, including GE Powerflood, Mercury Vapor fixtures, and all 1000 watt fixtures shall not be re-lamped, repaired or replaced.

H. The following types of lamps shall not be permitted:

1. Mercury Vapor
2. Metal Halide
3. Unshielded LED lamps, except as exempted for Holiday Lighting.

I. All LIPA leased pre-existing non-conforming fixtures shall be replaced on or before January 1, 2012 with full cutoff fixtures and must meet the Light Solutions "Installation & Criteria" as adopted by LIPA, March 24, 2006) and meet these requirements:

- a. Light levels shall not exceed recommendations (Table 1);
- b. "House side" shields shall be installed so that light source is not visible from any adjacent public roadway or private property;
- c. High pressure sodium light sources shall be used;
- d. Fixtures shall not be moved to another location;
- e. Fixtures shall be located only on the property leasing the fixture;
- f. Fixtures shall not be used to illuminate signage or flags; and
- g. Fixtures shall not be used if the light emitted will illuminate water, waterways or on Nature Preserves.

J. Pre-existing non-conforming non-residential unshielded fixtures over 2000 lumens shall be altered to the greatest extent possible to prevent visible glare across property lines by re-aiming, shielding, adding louvers, re-lamping, or other means, to meet the definition of fully or partially shielded.

K. Pre-existing gas station canopy fixtures rated to emit over 2000 lumens shall be either replaced with flush mounted full cutoff fixtures or fitted with shields, louvers, overhang shields or other means so that the light source and all translucent and prismatic lenses are shielded from view across property lines no later than June 2012.

§ 108-253. ~~Tables and information sheets.~~ EN Figures and Tables.

The attached figures and tables and information sheets shall be incorporated into Article XLV as guidelines for the public and the Town of Riverhead for use in enforcing this article. The Town does not endorse or discriminate against any manufacturer or company that may be shown, portrayed or mentioned by the examples. Additional information is provided at the Town of Riverhead Planning Department.

(A) Figure 1: Illustrations of Full Cutoff and Full Shielded fixtures.

(B) Figure 2: Diagrams of generally acceptable and generally unacceptable light fixtures.

(C) Figure 3: Diagrams of recommended fixture placement in relation to the property line to control light trespass.

(D) Table 1: Table for mounting height and maximum light output recommendations.

(E) Table 2: Table of limits of illumination targets for various common tasks, including Parking Lots, Gas Stations, Walkways, and Signs.

(F) Table 3: Limits of Illumination for Roadways

§ 108-254. Procedure.

A. All applications for site plan review, use permits, planned unit developments, subdivision approvals, applicable sign permits, or building permits shall include lighting plans showing location of each existing and proposed outdoor light fixture, and luminaire distribution type, lamp source type, wattage, mounting height, hours of operation, lumen output, and illuminance levels in order to verify that lighting conforms to the provisions of this article. The Planning Director may waive the requirement for illuminance level information only, if the ~~Lighting Administrator~~ Town Engineer finds that the illuminance levels conform to this article. For all other exterior lights which must conform to the requirements of this Article XLV, an application shall be made to the Planning Department Town Board, showing location, luminaire and bulb type, height, hours of operation, lumen output, and illuminance levels.

B. ~~The Town Board or~~ Planning Board shall review any new exterior lighting or any existing exterior lighting on subject property that is part of an application for design review, conditional use permit, planned unit development, subdivision approval, applicable sign permits or building permit, to determine whether the exterior lighting complies with the standards of this Article XLV.

C. For all other exterior lighting which must conform to the requirements of Article XLV, ~~the Town Board or~~ Planning Board shall issue a decision whether the exterior lighting complies with the standards of this Article XLV. All such decisions may be appealed to the Town of Riverhead Zoning Board of Appeals within 30 days of the decision.

D. Upon enactment, the Town will distribute copies of this Article to appropriate officials of facilities within the Town that are normally exempt from local zoning codes to request compliance, e.g. schools, county, state, federal facilities, and utilities.

§ 108-255. Violations and legal actions.

If the ~~Zoning Officer~~ Code Enforcement Official (CEO) finds that any provision of this article is being violated, the ~~Zoning Officer~~ Code Enforcement Official (CEO) shall give notice by hand delivery or by certified mail, return receipt requested of such violation to the owner and/or the occupant of such premises, demanding that the violation be abated within 30 days of the date of hand delivery or of the date of mailing of the notice. The Planning Department Staff shall be available to assist in working with the violator to correct said violation. If the violation is not abated within the thirty-day period, the ~~Zoning Officer~~ Town Attorney may institute actions and proceedings, either legal or equitable, to enjoin, restrain or abate any violations of this article.

§ 108-256. Severability.

If any clause, sentence, paragraph or section of this article shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not impair or invalidate the remainder hereof, but such adjudication shall be confined in its operation to the clause, sentence, paragraph or section directly involved in the controversy in which judgment shall have been rendered.

§ 108-257. When effective.

This article shall be in full force and effect from and after its passage, approval and publication.

Figure 1 (all)

Table 1 (all)

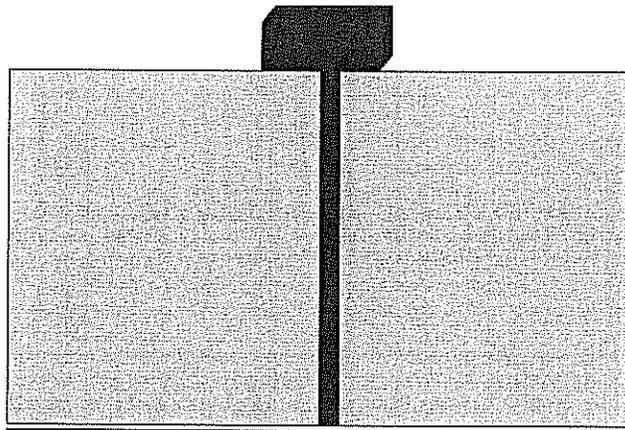
Table 2 (all)

Table 3 (all)

Town of Riverhead, New York
Guidelines for Exterior Lighting

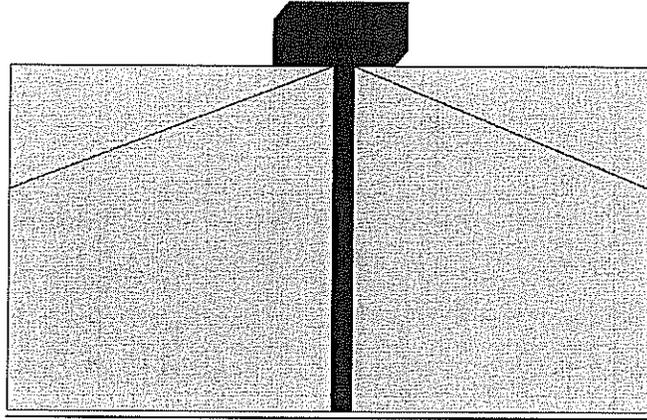
Figure 1 Fully Shielded Fixture:

no light emitted above the lowest light emitting part of the fixture
and no restriction as to amount at various angles below the horizontal.



Full Cutoff Fixture:

additionally restricts the amount of light emitted in the “glare zone” (90-80 degrees below horizontal) to 10% of the total light output:

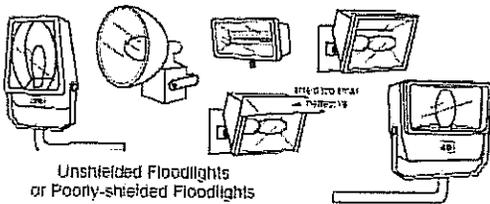


Town of Riverhead, New York
Guidelines for Exterior Lighting

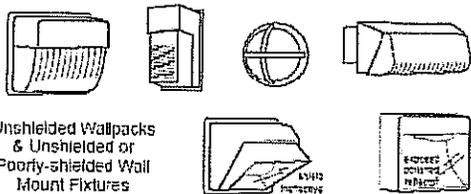
Figure 2

Unacceptable

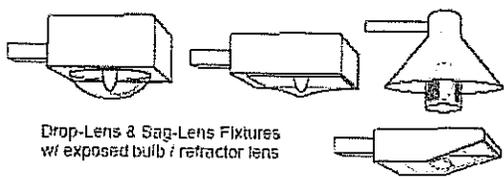
Acceptable



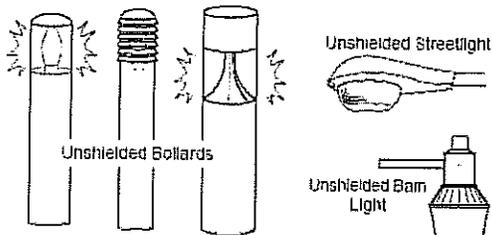
Unshielded Floodlights or Poorly-shielded Floodlights



Unshielded Wallpacks & Unshielded or Poorly-shielded Wall Mount Fixtures



Drop-Lens & Sag-Lens Fixtures w/ exposed bulb / refractor lens

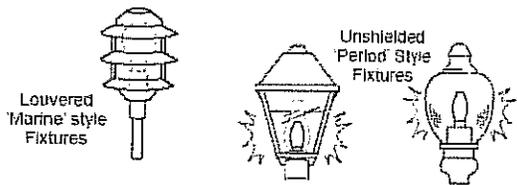


Unshielded Streetlight

Unshielded Bollards

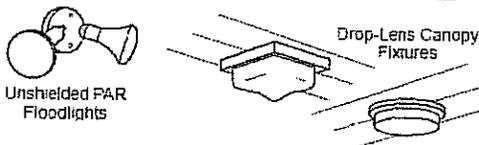


Unshielded Barn Light



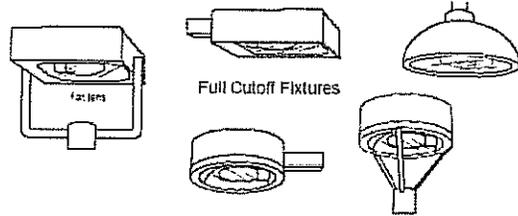
Louvered Marine' style Fixtures

Unshielded Period' Style Fixtures

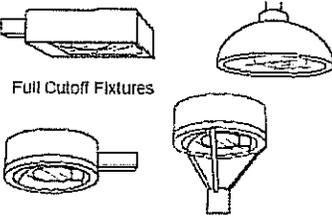


Unshielded PAR Floodlights

Drop-Lens Canopy Fixtures



Fully Shielded Wallpack & Wall Mount Fixtures

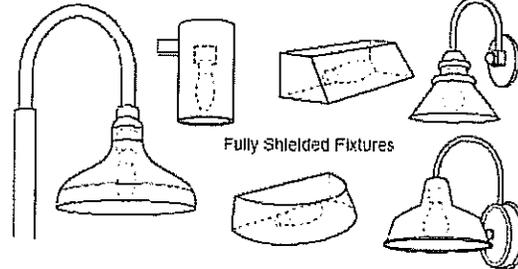


Full Cutoff Fixtures

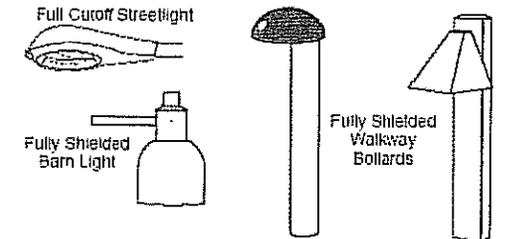


Fully Shielded Decorative Fixtures

Fully Shielded 'Period' Style Fixtures



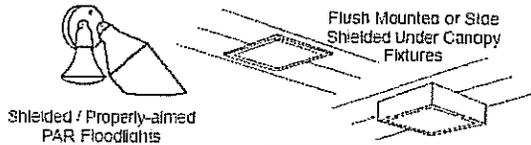
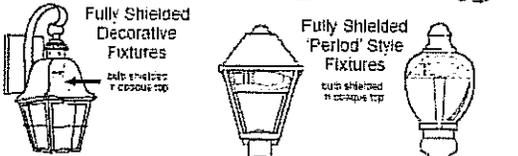
Fully Shielded Fixtures



Full Cutoff Streetlight

Fully Shielded Barn Light

Fully Shielded Walkway Bollards



Shielded / Properly-aimed PAR Floodlights

Flush Mounted or Side Shielded Under Canopy Fixtures

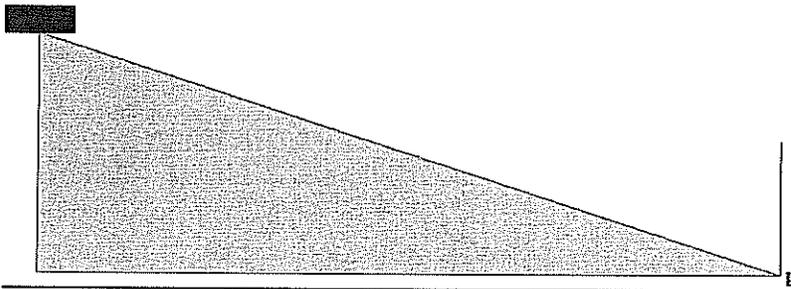
Town of Riverhead, New York

Figure 3

Calculating Fixture Height in relation to distance to property line.

Without available photometric data to execute a lighting plan, Fixture Placement set-backs can help to reduce incidence of light trespass and glare across property lines.

Luminaire*



Mounting height = 1/3 distance to property line plus three feet

A fully shielded or FCO fixture will generally contain light to a site to reduce light trespass if this formula is followed: Divide the distance (D) to the property line by three and add three feet to equal the maximum Mounting Height (MH). Formula: MH no greater than 1/3 Distance to Property line plus 3 feet (The Kennebunkport Formula)

*Assumes common FCO luminaire. Asymmetrical “sharp cutoff” FCO luminaires that have steeper cutoff angles or shielding at the “house side” may be placed closer to property boundaries provided their cutoff angles do not result in light trespass and footcandle measurements can be provided on a lighting plan.

Town of Riverhead
Guidelines for Exterior Lighting

Table 1:

Limits of Illumination target areas for Parking Lots

| IESNA Document | Illuminance Levels | | | | | | Uniformity | | |
|---|--------------------|------|------|--------|--------|---------|------------|---------|---------|
| | EMIN | EMAX | EAVE | EV-MIN | EV-AVE | ESC-MIN | MAX/MIN | AVE/MIN | MAX/AVE |
| Lighting for Parking Facilities RP-20-98 | | | | | | | | | |
| <i>Medium</i> | 0.6 | | 2.4 | | | | 20:1 | 4:1 | |
| <i>Low</i> | 0.2 | | 0.8 | | | | 20:1 | 4:1 | |
| <i>High</i> | 0.9 | | 3.6 | | | | 20:1 | 4:1 | |

Light levels indicated are for active use of the facility during open business hours:

High: Large shopping Centers over 300,000 square feet of retail space.

Medium: Community shopping centers between 5,000 and 299,000 square feet retail space

Low: Neighborhood shopping retail of less than 5,000 square feet.

After hours, light levels may be cut by 50% or more.

Town of Riverhead Guidelines for Exterior Lighting

**Table 2. Limits of Illumination for target areas:
Car Dealerships, Sidewalks, Walkways, and Gas stations.**

| IESNA Document | | Illuminance Levels | | | | | Uniformity | | | |
|---|-------------------------------------|--------------------|---------|------|--------|--------|------------|---------|---------|---------|
| | | EMIN | EMAX | EAVE | EV-MIN | EV-AVE | ESC-MIN | MAX/MIN | AVE/MIN | MAX/AVE |
| Lighting for Exterior Environments RP-33-99 | | | | | | | | | | |
| <i>Sidewalks (Roadside) and Type A Bikeways</i> | Commercial Areas | | | 1 | | 2 | | 10:1 | | |
| | Intermediate Areas | | | 0.5 | | 1 | | 10:1 | | |
| | Residential Areas | | | 0.2 | | 0.5 | | 10:1 | | |
| <i>Walkways Distant from Roadways and Type B Bikeways</i> | Commercial Areas | | | 0.5 | | 0.5 | | 10:1 | | |
| | Intermediate Areas | | | 0.5 | | 1 | | 10:1 | | |
| | Residential Areas | | | 2 | | 0.5 | | 10:1 | | |
| Car Dealerships | | | | | | | | | | |
| | <i>Secondary Business Districts</i> | | | | | | | | | |
| | Adjacent to roadway | | 5 - 10 | | | | | 5:1 | | |
| | Other rows | | 2.5 - 5 | | | | | 10:1 | | |
| | Entrances | | 2.5 - 5 | | | | | 5:1 | | |
| | Driveways | | 1 - 2 | | | | | 10:1 | | |
| Service Stations or Gas Pump Area | | | | | | | | | | |
| | Approach | | 1.5 - 2 | | | | | | | |
| | Driveways | | 1.5 - 2 | | | | | | | |
| | Pump Island | | 5 | | | | | | | |
| | Service Areas | | 2 - 3 | | | | | | | |

Town of Riverhead

Guidelines for Exterior Lighting

Table 3
Limits of Illumination for Roadways

| IESNA Document | Illuminance Levels | | | | | | Uniformity | | | |
|--------------------------------------|---|--|------|--------|-----------------------|---------|------------|---------|--------|--|
| | EMIN | EMAX | EAVE | EV-MIN | EV-AVE | ESC-MIN | MAX/MIN | AVE/MIN | MAX/AV | |
| Roadway Lighting ANSI-RP-8-00 | | | | | | | | | | |
| | <i>Walkways/ Bikeways Mixed use</i> | High Pedestrian Conflict | | | 2 | 1.0 | | | 4.0 | |
| | <i>Walkways/ Bikeways Pedestrian use only</i> | High Pedestrian Conflict | | | 1 | 0.5 | | | 4.0 | |
| | <i>Walkways/ Bikeways Pedestrian use only</i> | Medium Pedestrian Conflict | | | 0.5 | 0.2 | | | 4.0 | |
| | <i>Collector (R2&R3)</i> | High-Medium- Low Pedestrian Conflict | | | 1.2 - 0.9 - 0.6 | | | | 4.0 | |
| | <i>Local</i> | High-Medium- Low Pedestrian Conflict | | | 0.9 - 0.7 - 0.4 | | | | 6.0 | |

Minutes of the April 26, 2007 Zoning Board of Appeals

Present: Fred McLaughlin
Otto Wittmeier
Brenda Prusinowski
Rose Sanders
Charles Sclafani

Also Present: Scott DeSimone
Peter Danowski
Robert Kozakiewicz
Anthony Ruberto
Caroline Ruberto
Mehrdad Kohanim
Tara Richards
Heath Richards
Barbara Rasmussen
Jeffrey Tetraelt
Kristen Freemont
Melody Baker
Mark Freemont
Albert Stegman
Lydia Stegman
Ken Abruzzo
Shane Psaltis

Broadriver LLC – 07-30 – Robert Kozakiewicz appeared before the Board representing his client Pamela Hoegrefe. The applicant had improperly mailed notice to adjacent property owners and asked for an adjournment. The hearing was adjourned until May 10, 2007.

Richards, Heath & Tara – 07-24 – Tara and Heath Richards appeared before the Board and agreed to remove the shed from their property. The Board voted to grant the relief with conditions.

Terry, Mark – Appeal No. 07-25 – The applicant is was not present. The hearing was adjourned until May 10, 2007.

Braat, Kevin – 07-26 – Peter Danowski appeared before the Board and stated that he and his client had listened to the concerns of property owners who spoke during the previous hearing and informed the Board that Dr. Braat wishes to be a good neighbor. At this time, Dr. Braat is withdrawing his application. The applicant plans to demolish the detached garage to create more parking. He will possibly purchase nearby property and amend his site plan.

Van dewetering, Peter – 07-27 - Peter Danowski appeared before the Board on behalf of his client. He informed the Board that subject property is located in agricultural district and subject use is governed under laws adopted under Agricultural Markets Law. Mr. Danowski further discussed Section 305A of the Land Use Agricultural District Program whereas the applicant has a right to expand their current agricultural business. The Board further discussed the proposed phases, impervious surface and sanitary system upgrade to comply with S.C. Health Dept. regulations while building each proposed phase. Mehrdad Kohanim, neighbor to the northeast, informed the Board that while traveling on the road to the east of the Van dewetering property, that numerous trucks, containers and debris can be found. He expressed concerns that the applicant is overbuilding. Mr. Kohanim also discussed with the Board questions about the current survey regarding distances and underground pipes, draining water leading to a ditch on the property. He then invited the Board Member to view the property. He questioned the discharge of fertilizer and announced that the Board can not give the applicant a license to build above what the law allows him to build. Mr. DeSimone, attorney for the Board, recommended that the objector review Section 305A of the Agricultural and Markets Law, which discusses unreasonably restricting agricultural production. The hearing was adjourned until May 10, 2007.

Anthony & Caroline Ruberto – 07-10 –Mr. & Mrs. Ruberto appeared before the Board to answer questions by the Board and submitted a new survey showing a recalculation of measurements. The Board again asked if the applicants would consider flipping the house, but was told that a huge tree stands in the way. The Board agreed that the house at 4,500 square feet in size including the porch was too massive for the property and asked the applicant to cut back some of the porch. The hearing was adjourned until May 10, 2007.

Krudelbach, Horst – 07-23 - Barbara Rasmussen, Esq. attorney appeared before the Board on behalf of her client to inform the Board that the application for unmerger was denied by the Planning Board. Ms. Rasmussen informed the Board that the owner's deed showed both parcels as separate with two tax bills until 1980, SCTM No. Lot 3 & 4 were retired in 1980, TM No. 4.1 was generated in 1980. The current owner took title to property and then it was merged. The current owners purchased this property in 1991. The applicant further stated that the proposed lots are in keeping with the neighborhood, all lots are small in the area and no adverse effects or detriment to neighborhood will occur. Jeffrey Tetraelt of 2863 North Wading River Road, Wading River addressed the Board about his concerns with two many cars parked on the road. Kristen Freemont of 1 First Street appeared before the Board to announce that there was not enough room on the property for an additional home and there were a lot of cars parked on the road. Melody Baker of 2839 North Wading River Road, owner of property abutting the west side spoke of a large hole behind the house, here concern for drainage, runoff and had recently installed six cesspools. Mark Freemont, 1 First Street, discussed the current unfavorable current tenant of the property. Ms. Rasmussen indicated that the proposed lot will front on Suffolk Avenue, not on First Street, and the house is now occupied by a family member.

The Board asked that the applicant submit a 400 foot radius review of lots for a comparative analysis of existing setbacks. The hearing was adjourned until May 24, 2007.

Stegman, Albert & Lydia – 07-28 – Robert Kozakiewicz appeared before the Board on behalf of his clients. A signed consent from Ben Karlin, owner of the land, was presented to the Board along with updated surveys. The actual side yard measurements are 3.5 and 4.2 feet and will be amended hereto. Mr. Kozakiewicz read aloud letters, and later submitted, from neighbors having no objection to this application. The existing cottage is in poor condition, heavy winds knocked down portions that they planned to save and began to perform construction on portion of building that existed. Mr. Kozakiewicz cited the code, Section 108-51 (E) is applicable and discussed the definition of reconstruct as build again and rebuild. Mr. Kozakiewicz further informed the Board that the Stegmans asked for inspections at every stage, and received a letter on February 15 from the Building Department that the variance is now void. The Board voted to grant the relief with amendments.

Almar Enterprises – 07-29 – Robert Kozakiewicz appeared before the Board on behalf of his client. He presented copies of a letter written by a neighbor objecting to the relief, copies of surveys of adjacent properties, and memorandum of law appeal. The Board voted to grant the relief.

Shane Psaltis – 07-31 - Mr. Ken Abruzzo of 61 Forge Road appeared before the Board to inform the Board that docks were built without a permit by a previous owner and that the shed can be removed if requested. Neighboring property are a sod farm and a recharge basin. The Board noted that an additional shed existed on the deck, and voted to approve the 2 sheds. The Board voted to grant the relief with amendments.

May 16, 2007

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 475

AUTHORIZES THE SUPERVISOR TO EXECUTE A GRANT AGREEMENT WITH NEW YORK STATE AFFORDABLE HOUSING CORPORATION FOR FUNDS TO SUPPORT THE TOWN OF RIVERHEAD HOME IMPROVEMENT PROGRAM

COUNCILMAN BARTUNEK

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

WHEREAS, grant funding is available from the New York State Affordable Housing Corporation ("AHC") to provide funds for the Town of Riverhead Home Improvement Program; and

WHEREAS, the Town of Riverhead Community Development Department has applied for and received an award of AHC grant funds in the amount of \$75,000 to be matched by \$50,000 in Suffolk County Community Development Block Grant funds to fund repairs through Town of Riverhead Home Improvement Program that will eliminate hazardous conditions in the homes of eligible low to moderate income residents who otherwise cannot afford to make such repairs; and

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby authorizes the Town Supervisor to execute the grant contracts with NYS AHC.

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 |
| <i>Absent</i> | |
| Blass Yes No | Densieski Yes No |
| | Cardinale Yes No |

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

5/16/07

TOWN OF RIVERHEAD

Adopted

Resolution # 476

AUTHORIZES SELLING OF THE 2007 BEACH PERMITS BY ANGELO'S BAKERY PIZZA

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

WHEREAS, Angelo's Bakery Pizza is located at 17 Saint Andrews Path, Wading River, NY 11792, request to sell annual and daily non-resident beach permits at their facilities from May 16, 2007 through December 31, 2007 without any reimbursement or services being charged.

NOW THEREFORE BE IT RESOLVED, The Town Board of Riverhead hereby authorizes Angelo's Bakery Pizza to sell annual and daily non-resident beach permits at prices set by the Riverhead Recreation Department.

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to Angelo's Bakery Pizza.

1

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

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

5/16/07

Adopted

TOWN OF RIVERHEAD

Resolution # 477

RESCINDS RESOLUTION #373 OF 2007
(AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE TO
CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED "ZONING" OF
THE RIVERHEAD TOWN CODE

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

WHEREAS, pursuant to Resolution #169 adopted by the Town Board on February 21, 2007, the Town Clerk was authorized to publish and post a public notice to consider a local law to amend Chapter 108 entitled "Zoning" of the Riverhead Town Code (Agriculture Protection Zoning Use District) in the March 1, 2007 issue of the News Review; and

WHEREAS, a public hearing was held on March 20, 2007 at 7:10 p.m. at the Riley Avenue Elementary School to consider the amendment to Chapter 108 of the Riverhead Town Code; and

WHEREAS, by Resolution #373 dated April 17, 2007, the Riverhead Town Board adopted the publically noticed text to Chapter 108; and

WHEREAS, it has been determined to re-hear the subject zoning amendment.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead hereby rescinds Resolution #373 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 Zoning Board of Appeals; the Riverhead Building Department and the Office of the Town Attorney.

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

5/16/07

Adopted

TOWN OF RIVERHEAD

Resolution # 478

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 24, 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.

THE VOTE
Dunleavy ✓ yes ___ no Bartunek ✓ yes ___ no
Blass ___ yes ___ no ~~Cardinale~~ 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 Riverhead Town Hall, 200 Howell Avenue, Riverhead, NY 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 Sports Facility.

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

Dated: Riverhead, New York
May 16, 2007

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

BARBARA GRATTAN, Town Clerk

5/16/07

Adopted

TOWN OF RIVERHEAD

Resolution # 479

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 Sports Facility)

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

RESOLVED, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the May 24, 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.

THE VOTE
Dunleavy yes ___ no Bartunek yes ___ no
Blass ___ yes ___ no *absent* 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 SPORTS FACILITY –A place designed, improved and equipped to allow the playing of both team and individual sports, including but not limited to baseball diamonds, football fields, soccer pitches, tennis courts, basketball courts and swimming pools. The recreational use of motorized vehicles is not considered to be an outdoor sports facility.

* Underscore represents addition(s)

Dated: Riverhead, New York
May 16, 2007

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

BARBARA GRATTAN, Town Clerk

May 16, 2007

Adopted

TOWN OF RIVERHEAD

AUTHORIZES TOWN CLERK TO PUBLISH & POST
NOTICE TO BIDDERS FOR WATER METERS &
ACCESSORY EQUIPMENT FOR USE BY THE
RIVERHEAD WATER DISTRICT

RESOLUTION # 480

_____COUNCILMAN DENSIESKI_____ offered the following resolution, which was
seconded by _____COUNCILMAN BARTUNEK_____:

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the
attached Notice to Bidders for water meters and accessory equipment to be used by the
Riverhead Water District.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED.

TOWN OF RIVERHEAD

NOTICE TO BIDDERS

Sealed bids for the purchase of **WATER METERS & ACCESSORY EQUIPMENT** for use by the **RIVERHEAD WATER DISTRICT** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m.** on **June 6, 2007**.

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

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

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

All bids are to be submitted in a sealed envelope addressed to: **TOWN CLERK, TOWN OF RIVERHEAD, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK, 11901**, and bear the designation: **BID FOR WATER METERS & ACCESSORY EQUIPMENT – BID #07-20RWD.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

May 16, 2007

Adopted

Town of Riverhead

Resolution # 481

**Authorizes Town Clerk to publish and post notice of public hearing-
Change of Zone Petition- Miguel & Michelle Blanco**

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

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a change of zone petition from Miguel & Michelle Blanco seeking to amend the Zoning Use District Map of the Town of Riverhead to provide for the Professional Business (PB) Zoning Use District to the exclusion of the existing Residential A-40 Zoning Use District upon the property more particularly known as SCTM 0600-107-2-24.3, and

WHEREAS, by resolution dated 8 November 2006 the Town Board of the Town of Riverhead determined itself to be the lead agency in this matter, and

WHEREAS, the Town Board referred the matter to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending the conditional approval of the change of zone petition, and

WHEREAS, the Town Board decides to hold a public hearing on this matter at this time, now

THEREFORE BE IT

RESOLVED, that the Town Board hereby authorizes the Town Clerk 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

NOTICE OF A PUBLIC HEARING

PLEASE TAKE NOTICE, that a public hearing will be held on the 5th day of June 2007 at the Riverhead Town Hall, 200 Howell Avenue, Riverhead New York at 7:30 o'clock PM to hear all interested persons upon the change of zone petition of Miguel & Michelle Blanco to amend the Zoning Use District Map of the Town of Riverhead to provide for the Professional Business (PB) Zoning Use District to the exclusion of the prevailing Residential A-40 Zoning Use District upon premises located at 25 Cranberry Street, Riverhead New York; such real property more particularly described as SCTM 0600-107-2-24.3.

Dated: May 16, 2007

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

May 16, 2007

Adopted

Town of Riverhead

Resolution # 482

Extends the approval of the site plan of William Dreis

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

WHEREAS, by resolution dated 18 May 2004 the Town Board of the Town of Riverhead did approve the site plan petition of William Dreis to allow the construction of a manufacturer's outlet center on real property located at Route 25 Calverton, and

WHEREAS, the Riverhead Town Board is in receipt of correspondence from Jodi Bennett-Giglio as agent for the estate of William Dreis, requesting a twelve month extension of the subject site plan approval pursuant to section 108-129 E. of the Town of Riverhead zoning ordinance, and

WHEREAS, by further correspondence from Jodi Bennett-Giglio, the Town Board has been made aware of the circumstances surrounding the inability of the estate of William Dreis to pull a building permit in a timely fashion, and, now

THEREFORE BE IT

RESOLVED, that the Riverhead Town Board hereby finds that with respect to the site plan approval of William Dreis, circumstances did exist which did not allow for the commencement of the site plan approval within the required thirty six month time period, and

BE IT FURTHER,

RESOLVED, that based upon its findings, the Town Board of the Town of Riverhead hereby extends the site plan approval of William Dreis for a twelve (12) month period tolled from the date of this resolution.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

May 16, 2007

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 483

REQUESTS THE SUFFOLK COUNTY EXECUTIVE AND THE COMMISSIONER OF SOCIAL SERVICE IMMEDIATELY ISSUE A STOP ORDER REGARDING THE INSTALLATION OF THE SLEEPING QUARTERS ON THE CORRECTIONAL FACILITY GROUNDS

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

WHEREAS, Suffolk County has determined to establish sleeping quarters on the grounds of the Suffolk County Jail in Riverside for released sex offenders; and

WHEREAS the released sex offenders will not be mandated to return to the jail property on a regular basis; and

WHEREAS, there are six schools (some within 5 minutes walking distance) within 1.1 miles of the jail with a total of 3,300 students, a Library, Town Park, and Downtown Main Street also within walking distance of the jail, Therefore,

BE IT RESOLVED, that the Riverhead Town Board requests that the County Executive and the Commissioner of Social Services immediately issue a Stop Order regarding the installation of the sleeping quarters on the jail grounds.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Town Attorney, Suffolk County Executive, and the Commissioner of Social Services

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Absent Yes No

Densieski Yes No

Cardinale Yes No

Z:/Trina

5/16/07

TOWN OF RIVERHEAD

Adopted

Resolution # 484

ACCEPTS A PERFORMANCE BOND OF SOUND HOUSING, LLC IN CONNECTION WITH THE CONDOMINIUM PROJECT ENTITLED, "SOUND HOUSING" A/K/A "WILLOW PONDS ON THE SOUND CONDOMINIUM"

COUNCILMAN BARTUNEK offered the following resolution, was seconded by

COUNCILMAN DUNLEAVY :

WHEREAS, by memorandum dated January 18, 2007, Vincent Gaudiello, P.E. has determined that Sound Housing, LLC must submit performance security in the amount of \$30,000 to cover the cost of outstanding site improvements for the Phase III area within said condominium project; and

WHEREAS, Sound Housing LLC has submitted First National Insurance Company of America Performance Bond #6427094 in the amount of \$30,000.00 representing the cost of outstanding site improvements to be completed within the Phase II area; and

WHEREAS, said performance bond is found to be acceptable in connection with the condominium project known as "Willow Ponds on the Sound".

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the aforementioned performance bond in connection with this condominium project; and be it further

RESOLVED, that the Town Clerk is hereby authorized to release any previously submitted performance security posted in connection with site improvements to be completed in connection with Phase III of the condominium project entitled, "Willow Ponds on the Sound"; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Sound Housing, LLC, 888 Veterans Highway, Suite 430, Hauppauge, New York, 11788; John Raynor, P.E., L.S., P.C., P.O. Box 720, Water Mill, New York 11976
Attn: Vincent Gaudiello, P.E.; the Riverhead Building Department; the Riverhead Planning Department and the Office of the Town Attorney.

THE VOTE

Dunleavy yes no Bartunek yes no
Blass yes no *absent* Densieski yes no
Cardinale yes no

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

5/16/07

Adopted

TOWN OF RIVERHEAD

Resolution # 485

**ACCEPTS IRREVOCABLE STANDBY LETTERS OF CREDIT OF
C.T.R. DEVELOPMENT LLC
(SUBDIVISION ENTITLED, "DEMCHUK ESTATES")**

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

WHEREAS, by Resolution #4 adopted on January 4, 2007, the Riverhead Planning Board conditionally approved the final plat entitled, "Demchuk Estates", having conditions of final approval being the submission and filing of performance bonds in the amount of \$515,000.00 in connection with improvements to be completed within said subdivision; \$45,000.00 representing park, playground and other recreational purposes; and \$25,000.00 representing water key monies; and

WHEREAS, C.T.R. Development LLC has submitted:

- Bank of Smithtown Irrevocable Standby Letter of Credit #100370 in the amount of \$515,000.00 in connection with improvements to be completed within said subdivision;
- Bank of Smithtown Irrevocable Standby Letter of Credit #100369 in the amount of \$45,000.00 representing park, playground and other recreational purposes;
- Bank of Smithtown Irrevocable Standby Letter of Credit #100368 in the amount of \$25,000.00 representing water key monies; and

WHEREAS, said Irrevocable Standby Letters of Credit are found to be acceptable in connection with the subdivision entitled "Demchuk Estates".

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the aforementioned Bank of Smithtown Irrevocable Letters of Credit in connection with this subdivision; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Michael R. Strauss, Esq., 1303 Main Street, Suite 4, Port Jefferson, New York, 11777; John Raynor, P.E., L.S., P.C., P.O. Box 720, Water Mill, New York, 11976, Attn: Vincent Gaudiello, P.E.; the Planning Department; the Building Department; the Water District and the Town Attorney's Office.

THE VOTE

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

5/16/07

Adopted

TOWN OF RIVERHEAD

Resolution # 486

**ACCEPTS IRREVOCABLE STANDBY LETTERS OF CREDIT OF
WHITFORD DEVELOPMENT CORP. AND BHG DEVELOPMENT CORP.
(SUBDIVISION ENTITLED, "FEDUN ESTATES")**

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

WHEREAS, by Resolution #89 adopted on November 2, 2006, the Riverhead Planning Board conditionally approved the final plat entitled, "Fedun Estates", having conditions of final approval being the submission and filing of performance bonds in the amount of \$700,000.00 in connection with improvements to be completed within said subdivision; \$140,000.00 representing park, playground and other recreational purposes; and \$192,000.00 representing water key monies; and

WHEREAS, Whitford Development Corp. and BHG Development Corp. have submitted:

- Bank of Smithtown Irrevocable Standby Letter of Credit #100366 in the amount of \$700,000.00 in connection with improvements to be completed within said subdivision;
- Bank of Smithtown Irrevocable Standby Letter of Credit #100365 in the amount of \$140,000.00 representing park, playground and other recreational purposes;
- Bank of Smithtown Irrevocable Standby Letter of Credit #100367 in the amount of \$70,000.00 representing water key monies; and

WHEREAS, said Irrevocable Standby Letters of Credit are found to be acceptable in connection with the subdivision entitled "Fedun Estates".

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the aforementioned Bank of Smithtown Irrevocable Letters of Credit in connection with this subdivision; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Michael R. Strauss, Esq., 1303 Main Street, Suite 4, Port Jefferson, New York, 11777; John Raynor, P.E., L.S., P.C., P.O. Box 720, Water Mill, New York, 11976, Attn: Vincent Gaudiello, P.E.; the Planning Department; the Building Department; the Water District and the Town Attorney's Office.

| | | | | | |
|----------|---|-----------------------------|-----------|---|-----------------------------|
| 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

May 16, 2007

Adopted

TOWN OF RIVERHEAD
Resolution # 487

APPROVES TEMPORARY SIGN PERMIT OF MATTITUCK LIONS CLUB

COUNCILMAN BARTUNEK

_____ offered the following resolution, which was seconded by

COUNCILMAN DUNLEAVY

WHEREAS, a temporary sign permit and sketch were submitted by Joseph Doorhy for Mattituck Lions Club for property located at Old Country Road, Riverhead, New York also known as SCTM# 119.00-01-001.02; and

WHEREAS, pursuant to Section 108-56 of the Code of the Town of Riverhead, the application does not require the recommendation of the Architectural Review Board; and

WHEREAS, sketch has been approved the three (3) Town Board members;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the temporary sign permit application for Mattituck Lions Club submitted by Joseph Doorhy,

RESOLVED, that said temporary sign permit shall commence on June 11, 2007 and expire on June 18, 2007 and the applicant shall removed the affected sign, in its entirety, on or before said date; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Joseph Doorhy, 1125 Ole Jule Lane, Mattituck, NY 11952, Code Enforcement Department and Building Department.

THE VOTE

| | |
|---|---|
| Dunleavy <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Bartunek <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Blass <input type="checkbox"/> Yes <input checked="" 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 Is <input checked="" type="checkbox"/> Is Not <input type="checkbox"/> | |
| Declared Duly Adopted | |



APPLICATION FOR SIGN PERMIT

Town of Riverhead
Suffolk County, New York

Ver. 1.02
10-24-05

Fee \$ 100- Receipt No. _____ Application No. _____ Date Granted 1/1/
 Date Denied 1/1/ ZB No. _____ Date Permit Issued 1/1/
 Board of Appeals No. _____ Date Approved or Denied 1/1/
 SCTM # 119-1-12 Inspector's Approval _____

All information BELOW to be filled out by APPLICANT: A PERMIT MUST BE OBTAINED BEFORE BEGINNING WORK. This Application is to be submitted ACCOMPANIED by BUILDING PLANS DRAWN TO SCALE IN DUPLICATE.

THE OWNER OF THE PROPERTY IS: (PLEASE PRINT CLEARLY)

STEPHEN LERNER
 First Name Last Name or Business Name

(201) 762-1300 () ()
 Phone Number Fax Number Cellular Number

234 Closter Dock Road Closter N.J. 07624
 Street No. Street Name Town State Zip
 Mailing Address (if different from property location):

The person responsible for the supervision of the work insofar as the Building Code and the Zoning Ordinance apply is: CONTACT PERSON (if different from owner)

JOSEPH DOBOSZY MATTINCK LIONS CLUB
 First Name Last Name or Business Name

1125 ALE JULIE LANE MATTITUCK N.Y. 11752
 Street No. Street Name Town State Zip

(631) 445-5526 () ()
 Phone Number Fax Number Cellular Number

APPLICATION IS HEREBY MADE to the Building Inspector in the Town of Riverhead for the issuance of a Permit pursuant to the Zoning Ordinance of the Town of Riverhead, Suffolk County, New York, for the use and the erection or the structural alteration of a sign or signs, as hereinafter described and as shown on the accompanying layout or plot plan:

June 11-17th 2007

Location of Sign: 500m 600-119-1-12 Old Country Road Riverhead If offsite, check box

If offsite, has permission been obtained from property owner, if other than the applicant, upon which the sign is to be erected?

Use District: DRU Sign Area (Sq. Ft.): _____ Height of Sign: _____

Below, please choose all that apply:

| | | | |
|--|---|---------------------------------------|---|
| <input type="checkbox"/> New | <input type="checkbox"/> Altered | <input type="checkbox"/> Permanent | <input checked="" type="checkbox"/> Temporary |
| <input type="checkbox"/> Lighted | <input type="checkbox"/> Single Face | <input type="checkbox"/> Double Faced | <input type="checkbox"/> Attached To Building |
| <input type="checkbox"/> Facial (Painted or Affixed) | <input type="checkbox"/> Independent Construction | <input type="checkbox"/> Advertising | <input type="checkbox"/> Business |

Materials to be used: see attached specs.

JOSEPH DOBOSZY MATTINCK LIONS CLUB has submitted papers for a sign permit, dated 1/1/
 Name of Applicant Date of Submission

NO SIGN CAN BE ERECTED UNTIL THE TOWN BOARD APPROVAL IS OBTAINED AND A SIGN PERMIT IS ISSUED. IT IS ADVISABLE NOT TO ORDER YOUR SIGN UNTIL ALL APPROVALS ARE OBTAINED.

Sworn to me before this 27 day
 of April 2007
FRANCIS TOPOLEWSKI
 Notary Public

Sign Joseph Doboszy
 Signature of Owner or Applicant
 FRANCIS TOPOLEWSKI
 NOTARY PUBLIC, State of New York
 No. 4709662 7582212322
 Qualified in Suffolk County
 Commission Expires 2-28-2011

READ THIS DOCUMENT CAREFULLY
YOU MAY CONSULT YOUR ATTORNEY BEFORE COMPLETING.

DISCLOSURE AFFIDAVIT

Check here if not applicable
(i.e., you have no relative working for the Town of Riverhead.)
and please sign below before a notary public.

STATE OF NEW YORK)

SS:

COUNTY OF SUFFOLK)

I, JOSEPH DOORNY an applicant for
the following relief: _____ and being duly
(Type of Permit)

sworn, deposes and says:

That I make and complete this affidavit under the penalty of perjury and swear to the truth thereof; that I understand that this affidavit is required by Section 809 of the GENERAL MUNICIPAL LAW and that a knowing failure to provide true information is punishable as a misdemeanor. Being so warned, I state; that

_____ is a State Officer, is an officer or employee of Riverhead
(Name of relative)

2007 APR 27 AM 9 53

That this person has an interest in the person, partnership or association requesting the above stated relief.

That for the purpose of this section, an officer or employee shall be deemed to have an interest in the applicant where he, his spouse, or their brothers, sisters, parents, children, grandchildren or the spouse of any of them.

- a. is an applicant,
- b. is an officer, director, partner or employee of the applicant,
- c. legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association, applicant, or
- d. is a party to an agreement with such an application, express or implied whereby he may receive any payment or other benefit, whether or not for services rendered, dependant or contingent upon the favorable approval of such application, petition or request.
- e. That ownership of less than five (5) per cent of the stock of a corporation whose stock is listed on the New York or American Stock Exchange shall not constitute an interest for the purpose of this section.

Sworn to before me this 27 day

of April, 2007

Frances Fogliardi
Notary Public

Joseph Doorny
(Signature)

FRANCIS FUSCOLOMBI
NOTARY PUBLIC, State of New York
No. 4709642
Qualified in Suffolk County
Commission Expires 2-28-2013

LERNER HEIDENBERG PROPERTIES
234 Closter Dock Road
Closter, New Jersey 07624
Tel. 201-768-1300

April 24, 2007

Mattituck Lions Club
Mattituck, New York 11952

RE: Headriver, LLC. Old Country Road, Riverhead
SCTM 600-119-1-1.2

Ladies and Gentlemen:

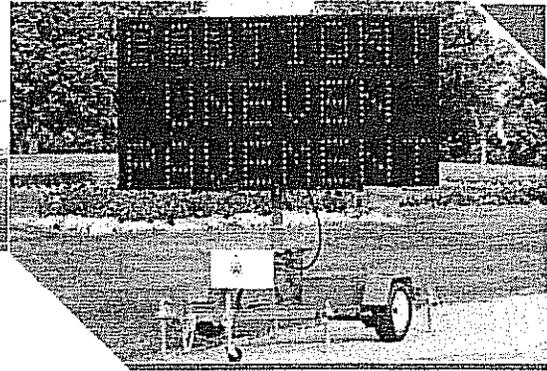
Please accept this authorization to place a temporary movable sign on the above referenced property for your festival in June.

Very truly yours,



STEPHEN LERNER

SL:pmm

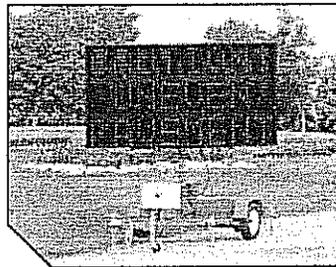


Products

Three Line Message Director™
Model WTLMB-SLL(A)06

Special Features

- Outstanding distance, angularity and legibility
- AASHTO (NTPEP) tested
- Rubber vibration mounted characters
- User friendly program NTCIP Software standard



[Click to Zoom](#)

Common Standard Features

- Standard computer control console
- Easiest programming in industry, laminated manual on door
- Password protected
- IBM compatible 104 detachable key board reduces replacement costs
- Low battery voltage warning frame before system disconnect
- Console comes standard with internal clock and schedule programming
- Three point locking device keeps out vandals

Standard battery and charging system

- Operates from 12 volt DC power
- Less weight – Our 6 volt batteries are 66 lbs per battery compared to a 130 lb. 8D battery, one person can swap batteries with less risk of lifting injury
- Unit includes a battery charger with a forced air cooling fan that operates with the battery box lid closed and locked
- Computer automatically shuts down solar panels when battery bank reaches a fully charged state
- Our lockable, vented steel battery box is riveted and powder coated
- Our unique system allows you to charge batteries with solar panels and our on-board charger at the same time

Features

Optional cellular modem

Optical lenses and sunshades for increased visibility

New technology lowers maintenance costs and increases energy efficiency

Each line contains eight 12" x 18" LED alphanumeric characters

Solar powered charging system

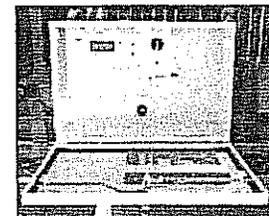
Easily centers each line of text

Easy to replace interchangeable letter modules

Designed to withstand wind gusts up to 98 miles an hour with optional extended outriggers

Locking control box and battery box

Under 3,000 lbs. towed by most trucks

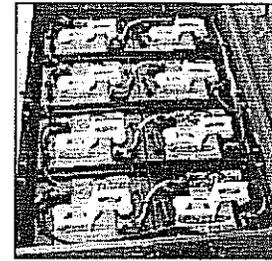


Three Line Control Box

Technical Specifications

Standard Trailer Construction

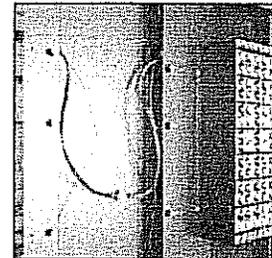
- Heavy duty MIG welded steel tubing construction
- Heavy duty locking disk brake holds the message sign at any desired position.
- Riveted aluminum message sign cabinet powder coated flat black, with cooling fans
- Axle assembly with leaf springs: 3500 lb. Capacity
- Tires: 15', bolt-on steel fenders
- Four corner swiveling jacks
- Powder coated
- Telescoping/rotating tower, hydraulic or hand winch available



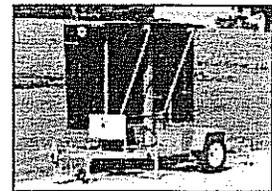
Battery Box

3 line Message Director™ Dimensions and Weights

- Length with Hitch: 190" (483cm)
- Cabinet Size: 138" (351cm) L X 74.5" (189cm) H X 12" (30.5cm) D
- Trailer Frame Width: 95" (241cm)
- Operating Height: 158" (401cm)
- Traveling Height: 105" (265cm)
- Approximate Weight: 2640 lb (1193kg)
- A-frame drawbar with adjustable height standard 2' ball coupler (pintle or combo optional)
- Tower lifts to 7 ft. height (bottom of sign)
- OPTIONAL: Outrigger Stance: 126" (320cm) by 120" L (305cm)



Rubber vibration mounts; minimal wiring



Travel position

| | |
|-------------------------|--|
| Model Number | WTLMB-SLL(A)06 |
| Style/ Tower Type | Three Line Msg. Director, Hydraulic, 360° Rotation |
| Board Type | Letter |
| Character Rows x Number | 3 Lines X 8 |
| Approximate Legibility | 1295-1349 ft. (NTPEP "Word") |

| | |
|-------------------------|---|
| Model Number | WTLMB-SLL(B)06 |
| Style/ Tower Type | Three Line Msg. Director, Hand winch, 360° Rotation |
| Board Type | Letter |
| Character Rows x Number | 3 Lines X 8 |
| Approximate Legibility | 1295-1349 ft. (NTPEP "Word") |
| Approximate Angularity | Over 20.6° (NTPEP half-angle) |

THE MESSAGE WILL READ.

*" MATTITUCK LIONS STRAWBERRY Festival /
 June 15th - 16th - 17th
 5 miles EAST.*

2009 APR 30 PM 9 53

SITE BOUNDARY

LILCO

CURRENT USE
VACANT

PROVIDE
JUNIPERUS CONFERTA

Sign

OLD COUNTRY

RD.

(C.R. 58)

75' MIN.

VACANT

ROEMER AVE.

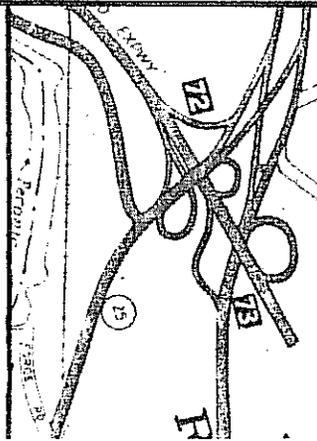
INDUSTRIAL BLDG.

TYPICAL DRAINAGE
POOL SYSTEM

25' ROADWAY TO
BE CONSTRUCTED
WITHIN EXISTING
RIGHT OF WAY.
AS PER RIVERHEAD
BUILDING CODES.

11933

PROJECT-
LOCATION



LOCATION

SCALE: NONE

5/16/07

TOWN OF RIVERHEAD

Adopted

Resolution # 488

**APPROVES THE CHAPTER 90 APPLICATION OF HALLOCKVILLE INC.
(HOFFMAN WEDDING)**

COUNCILMAN DUNLEAVY offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

WHEREAS, on March 28, 2007, Hallockville Inc. had submitted a Chapter 90 Application for the purpose of conducting a wedding having approximately 250 guests in attendance to be held at the Hallockville Museum Farm and Folklife Center at 6038 Sound Avenue, Jamesport, New York, between the hours of 5:00 p.m. and 11:00 p.m. on Saturday, May 26, 2007; and

WHEREAS, Hallockville Inc. has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617.6(b); and

WHEREAS, the Town Board of the Town of Riverhead has declared itself "Lead Agency" in accordance with 6 NYCRR 617; and

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

WHEREAS, the applicable Chapter 90 Application fee **has not** been paid for this event; 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 Hallockville Inc. for the purpose of conducting a wedding having approximately 250 guests in attendance to be held at the Hallockville Museum Farm and Folklife Center at 6038 Sound Avenue, Jamesport, New York, between the hours of 5:00 pm. and 11:00 p.m. on Saturday, May 26, 2007, is hereby approved; and be it further

THE VOTE

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

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

RESOLVED, that the approval of this application is subject to receipt of the applicable Chapter 90 Application fee to be paid **no later than May 18, 2007**; and be it further

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

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

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

RESOLVED, that if the occupancy of the Naugles Barn for this event will exceed 50 persons, a fire watch, in accordance with the New York State Fire Code, must be maintained and documented; and be it further

RESOLVED, that under no circumstances shall the occupancy of the Naugles Barn exceed 100 persons; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Hallockville Museum Farm and Folklife Center, 6038 Sound Avenue, Jamesport, New York 11947; the Riverhead Fire Marshal; the Riverhead Police Department and the Office of the Town Attorney.

5/16/07

TOWN OF RIVERHEAD

Adopted

Resolution # 489

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE
(§108-3. Definitions – Water Dependent Use)

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

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

WHEREAS, a public hearing was held on the 1st day of May, 2007 at 7:10 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

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

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

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

THE VOTE
Dunleavy yes no Bartunek yes no
Blass yes absent Densieski yes no
Cardinale yes no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 108 entitled, "Zoning" at its regular meeting held on May 16, 2007.

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

Chapter 108

ZONING

ARTICLE I, General Provisions

§ 108-3. Definitions; word usage.

WATER DEPENDENT USE – an industry, business or other activity which can only be conducted in, on, over or adjacent to a water body because such activity requires direct access to that water body and which involves, as an integral part of such activity, the use of the water body.

* Underscore represents addition(s)

Dated: Riverhead, New York
May 16, 2007

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

BARBARA GRATTAN, Town Clerk

5/15/07

Adopted

**AWARDS BID
SUPPLY OF BELT FILTER PRESS SYSTEM AND
APPURTENANCES
RIVERHEAD SEWER DISTRICT**

Resolution #490

Adopted _____

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

WHEREAS, this Town Board did authorize the advertisement for bids for general construction work for the project known as Supply of Belt Filter Press System and Appurtenances for the Riverhead Sewer District, and

WHEREAS, the Town Clerk was authorized to advertise for such bids, and

WHEREAS, all bids received were opened and read aloud on the date and time advertised in the notice, and

WHEREAS, by letter dated April 18, 2007, H2M, consulting engineers to the Riverhead Sewer District, did recommend that the bid be awarded as follows:

**KOMLINE-SANDERSON ENGINEERING CORP.
Of Peapack, New Jersey
\$393,380.00**

NOW, THEREFORE, BE IT

RESOLVED, that the bid for supply of belt filter press system and appurtenances for the Riverhead Sewer District, be and is hereby

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

awarded to:

**Komline-Sanderson Engineering Corp.
Of Peapack, New York
\$393,380**

And be it further

RESOLVED, that the town clerk forward certified copies of this resolution to the above named contractor, Frank A. Isler, Esq., H2M, Riverhead Sewer District and the Accounting Department, and be it further

RESOLVED, that the Town Clerk is hereby authorized to return to all the unsuccessful original bidders their respective bid security, and be it further

RESOLVED, that upon completion of fully executed contracts and the filing of said contract with the town Clerk, the town clerk is hereby authorized to release to the successful bidder the bidder's bid security.

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

MAY 16, 2007

Adopted

TOWN OF RIVERHEAD

AWARDS BID FOR SNACK VENDORS 2007

RESOLUTION # 491

COUNCILMAN DUNLEAVY

_____ offered the following resolution,

which was seconded by _____ COUNCILMAN DENSIESKI

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for SNACK VENDORS 2007 and;

WHEREAS, 2 bids were received, opened and read aloud on the 12th day of April, 2007 at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for Snack Vendors be and hereby is, awarded as follows:

Karl Freudenberg - Wading River Beach for \$1000.00

Leroy T. Hines - Reeves Beach for \$250 and Stotzky Park for \$1500.

(Dates of service indicated in original bid document)

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Karl Freudenberg, Leroy T. Hines and the Purchasing Department.

THE VOTE

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

Adopted

| RESOLUTION # <u>492</u> ABSTRACT #07-16 May 3, 2007 (TBM 05/015/07) | | | | |
|---|-----|---------|---------------------|---------------------|
| COUNCILMAN DENSIESKI offered the following Resolution which was seconded by | | | | |
| COUNCILMAN BARTUNEK | | | | |
| FUND NAME | | CD-NONE | CHECKRUN TOTALS | GRAND TOTALS |
| GENERAL FUND | 1 | | 166,170.93 | 166,170.93 |
| POLICE ATHLETIC LEAGUE | 4 | | 431.00 | 431.00 |
| RECREATION PROGRAM FUND | 6 | | 2,241.67 | 2,241.67 |
| HIGHWAY FUND | 111 | | 50,763.04 | 50,763.04 |
| WATER DISTRICT | 112 | | 11,075.42 | 11,075.42 |
| REPAIR & MAINTENANCE RESERVE | 113 | | 30,000.00 | 30,000.00 |
| RIVERHEAD SEWER DISTRICT | 114 | | 13,782.04 | 13,782.04 |
| REFUSE & GARBAGE COLLECTION | 115 | | 2,246.01 | 2,246.01 |
| STREET LIGHTING DISTRICT | 116 | | 1,349.98 | 1,349.98 |
| AMBULANCE DISTRICT | 120 | | 4,273.36 | 4,273.36 |
| EAST CREEK DOCKING FACILITY | 122 | | 317.79 | 317.79 |
| CALVERTON SEWER DISTRICT | 124 | | 9,180.00 | 9,180.00 |
| RIVERHEAD SCAVANGER WASTE DIST | 128 | | 11,058.79 | 11,058.79 |
| CDBG CONSORTIUM ACOUNT | 181 | | 6,437.46 | 6,437.46 |
| TOWN HALL CAPITAL PROJECTS | 406 | | 25,548.97 | 25,548.97 |
| SENIORS HELP SENIORS CAP PROJE | 453 | | 38.55 | 38.55 |
| MUNICIPAL FUEL FUND | 625 | | 1,686.25 | 1,686.25 |
| MUNICIPAL GARAGE FUND | 626 | | 7,954.41 | 7,954.41 |
| TRUST & AGENCY | 735 | | 600,100.00 | 600,100.00 |
| COMMUNITY PRESERVATION FUND | 737 | | 4,004.86 | 4,004.86 |
| CALVERTON PARK - C.D.A. | 914 | | 100,000.00 | 100,000.00 |
| TOTAL ALL FUNDS | | | 1,048,660.53 | 1,048,660.53 |

THE VOTE

Dunleavy yes no Bartunek yes no
 Blass yes no *absent* Densieski yes no
 Cardinale yes no

THE RESOLUTION WAS WAS NOT
 THEREFORE DULY ADOPTED

RESOLUTION # 492 ABSTRACT #07-17 May 10, 2007 (TBM 05/15/07)

COUNCILMAN DENSIESKI offered the following Resolution which was seconded by
 COUNCILMAN BARTINEK:

| FUND NAME | | CD-5/4/07 | CHECKRUN TOTALS | GRAND TOTALS |
|--------------------------------|-----|-------------------------|---------------------|----------------------|
| GENERAL FUND | 1 | \$ 3,220,000.00 | 763,084.31 | 3,983,084.31 |
| POLICE ATHLETIC LEAGUE | 4 | \$ 15,000.00 | 3,123.75 | 18,123.75 |
| TEEN CENTER | 5 | \$ 8,000.00 | | 8,000.00 |
| RECREATION PROGRAM FUND | 6 | \$ 120,000.00 | 4,324.35 | 124,324.35 |
| CHILD CARE CENTER PROGRAM | 9 | \$ 13,000.00 | | 13,000.00 |
| TOWN BOARD SPECIAL PROJECT | 24 | \$ 19,000.00 | | 19,000.00 |
| SRS DAYCARE | 27 | \$ 27,000.00 | | 27,000.00 |
| ECONOMIC DEVELOPMENT ZONE FUND | 30 | \$ 38,000.00 | 3,124.24 | 41,124.24 |
| RECREATION YOUTH PROGRAM | 31 | \$ 1,500.00 | | 1,500.00 |
| HIGHWAY FUND | 111 | \$ 59,000.00 | 134,446.62 | 193,446.62 |
| WATER DISTRICT | 112 | \$ 125,000.00 | 80,167.85 | 205,167.85 |
| REPAIR & MAINTENANCE | 113 | \$ 565,000.00 | | 565,000.00 |
| RIVERHEAD SEWER DISTRICT | 114 | \$ 2,615,000.00 | 63,082.72 | 2,678,082.72 |
| REFUSE & GARBAGE COLLECTION | 115 | \$ 705,000.00 | 5,307.67 | 710,307.67 |
| STREET LIGHTING DISTRICT | 116 | \$ 80,000.00 | 36,170.53 | 116,170.53 |
| PUBLIC PARKING DISTRICT | 117 | \$ 105,000.00 | 3,187.92 | 108,187.92 |
| BUSINESS IMPROVEMENT DISTRICT | 118 | \$ 80,000.00 | | 80,000.00 |
| AMBULANCE DISTRICT | 120 | \$ 68,000.00 | 945.5 | 68,945.50 |
| EAST CREEK DOCKING FACILITY | 122 | \$ 100,000.00 | 510.56 | 100,510.56 |
| CALVERTON SEWER DISTRICT | 124 | \$ 135,000.00 | 3,284.51 | 138,284.51 |
| RIVERHEAD SCAVANGER WASTE DIST | 128 | \$ 44,000.00 | 18,278.14 | 62,278.14 |
| SEWER DISTRICT FUND | 130 | \$ 170,000.00 | | 170,000.00 |
| WORKERS' COMPENSATION FUND | 173 | \$ 1,375,000.00 | 5,361.89 | 1,380,361.89 |
| RISK RETENTION FUND | 175 | | 32,935.53 | 32,935.53 |
| REVOLVING LOAN PROGRAM | 178 | \$ 58,000.00 | | 58,000.00 |
| RESIDENTIAL REHAB PROGRAM | 179 | \$ 15,000.00 | | 15,000.00 |
| CDBG CONSORTIUM ACCOUNT | 181 | \$ 10,000.00 | 579.35 | 10,579.35 |
| UDC WORKING | 182 | \$ 10,000.00 | | 10,000.00 |
| RESTORE GRANT PROGRAM | 184 | \$ 25,000.00 | 467.22 | 25,467.22 |
| PUBLIC PARKING DEBT | 381 | \$ 35,000.00 | | 35,000.00 |
| SEWER DISTRICT DEBT | 382 | \$ 77,000.00 | | 77,000.00 |
| WATER DEBT SERVICE | 383 | \$ 70,000.00 | | 70,000.00 |
| GENERAL FUND DEBT SERVICE | 384 | \$ 6,740,000.00 | | 6,740,000.00 |
| SCAVANGER WASTE DEBT SERVICE | 385 | \$ 105,000.00 | | 105,000.00 |
| SUFFOLK THEATER DEBT SERVICE | 386 | \$ 110,000.00 | | 110,000.00 |
| TOWN HALL CAPITAL PROJECTS | 406 | | 73,710.98 | 73,710.98 |
| 800 SERIES CAPITAL PROJECTS | 408 | \$ 20,000.00 | | 20,000.00 |
| TWO BEARS CAPITAL PROJECT | 440 | \$ 35,000.00 | | 35,000.00 |
| CHIPS | 451 | \$ 45,000.00 | | 45,000.00 |
| YOUTH SERVICES | 452 | \$ 4,000.00 | 4,556.32 | 8,556.32 |
| SENIORS HELP SENIORS CAP PROJE | 453 | | 2,220.69 | 2,220.69 |
| EISEP | 454 | \$ 118,000.00 | | 118,000.00 |
| MUNICIPAL FUEL FUND | 625 | | 40,554.00 | 40,554.00 |
| MUNICIPAL GARAGE FUND | 626 | | 32,647.21 | 32,647.21 |
| TRUST & AGENCY | 735 | | 962,926.19 | 962,926.19 |
| SPECIAL TRUST | 736 | \$ 780,000.00 | | 780,000.00 |
| COMMUNITY PRESERVATION FUND | 737 | \$ 3,575,000.00 | 671.13 | 3,575,671.13 |
| CALVERTON PARK - C.D.A. | 914 | \$ 429,000.00 | 1,058.44 | 430,058.44 |
| TOTAL ALL FUNDS | | \$ 21,948,500.00 | 2,276,727.62 | 24,225,227.62 |

Adopted

May 16, 2007

TOWN OF RIVERHEAD

ACCEPTANCE OF 2005 AUDITED FINANCIAL STATEMENTS

RESOLUTION # 493

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

WHEREAS, the Town of Riverhead authorized Markowitz, Fenelon & Bank L.L.P. to conduct the audit of the records of the Town of Riverhead for the year ended December 31, 2005; and

WHEREAS, Markowitz, Fenelon & Bank L.L.P has audited the basic financial statements and issued a report thereon presented a Single Audit Report of the Schedule of Expenditures of Federal Awards in accordance with OMB Circular A-133.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby accepts the audit report on the Basic Financial Statements and the Single Audit Report for the year ended December 31, 2005: and

THEREFORE BE IT FURTHER RESOLVED, that the Town Clerk provide a copy of this resolution to the Accounting Department: and

THEREFORE BE IT FURTHER RESOLVED that the I.T. Department is authorized to post the report on the audited Basic Financial Statements and the Single Audit Report for the year ended December 31, 2005 on the Town of Riverhead's web site .

THE VOTE

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