

SPECIAL TOWN BOARD MEETING, SEPTEMBER 25, 2008

RESOLUTIONS:

- Res. #826 General Fund – Planning Department Budget Adjustment
- Res. #827 Authorizes the Town clerk to Post and Publish the Attached Notice to Bidders for the Grangebél Park North Spillway Repair and South Spillway Fish Passage
- Res. #828 Resolution Resolving Disputes with Respect to Specific Accounts of the Riverhead Water District
- Res. #829 Authorizes Town Clerk to Publish and Post Notice of Public Hearing Special Use Permit Petition of Peconic Propane, Inc.
- Res. #830 Authorizes the Town clerk to Post and Publish the Attached Notice to Bidders for the Town of Riverhead Wading River Beach Pre-Engineered Sun Shelter
- Res. #831 Authorizes the Town Clerk to Post and Publish the Attached Notice to Bidders for the Town of Riverhead Wading River Beach Pre-Engineered Restroom
- Res. #832 Authorizes Town Clerk to Post and Publish Public Notice for Public Hearing to Consider a Local Law to Amend Chapter 108 Entitled “Zoning” (Definitions) of the Riverhead Town Code (Accessory Building or Structure)
- Res. #833 Authorizes Town Clerk to Post and Publish Public Notice for Public Hearing to Consider a Local Law to Amend Chapter 108 Entitled “Zoning” (Definitions) of the Riverhead Town Code (Catering Facility)

Adepted

September 25, 2008

TOWN OF RIVERHEAD

GENERAL FUND – Planning Department

BUDGET ADJUSTMENT

RESOLUTION # 826

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN DUNLEAVY.

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

| | | <u>FROM</u> | <u>TO</u> |
|-------------------|---------------------|-------------|-----------|
| 001.000000.499999 | Fund Balance | 85,000 | |
| 001.080200.543950 | Planning Consultant | | 85,000 |

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

September 25, 2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 827

AUTHORIZES THE TOWN CLERK TO POST AND PUBLISH THE ATTACHED NOTICE TO BIDDERS FOR THE GRANGEBEL PARK NORTH SPILLWAY REPAIR AND SOUTH SPILLWAY FISH PASSAGE

COUNCILMAN DUNLEAVY offered the following resolution which

Was seconded by COUNCILMAN WOOTEN

RESOLVED, that the Town Board of the Town of Riverhead be and does hereby authorizes the Town Clerk to post and publish the attached Notice to Bidders in the October 16, 2008 issue of the official Town newspaper for the Town of Riverhead Grangebel Park North Spillway Repair and South Spillway Fish Passage, Riverhead, New York; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Kenneth Testa, P.E., Christine Fetten, P.E., Christina Kempner, William Lifford, P.E., Dunn Engineering Associates, 66 Main Street, Westhampton, NY 11978, and the Purchasing Department and Office of Accounting.

THE VOTE

Buckley yes no Wooten yes no

Dunleavy yes no Blass yes no

Cardinale yes no

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed proposals for the Grangebél Park North Spillway Repair and South Spillway Fish Passage, Riverhead, New York will be received by the Town of Riverhead in the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:00 am October 31, 2008 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and/or obtained on or about October 16, 2008 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays or by visiting the Town of Riverhead website: www.riverheadli.com and click on Bid Requests.

A non-refundable fee of \$50.00 will be required for each hard copy of the contract documents obtained from the Office of the Town Clerk.

Each proposal must be submitted on the form provided and must be in a sealed envelope clearly marked, "Grangebél Park North Spillway Repair and South Spillway Fish Passage" and must be accompanied by a bid surety as stated in the Instruction to Bidders.

PLEASE TAKE FURTHER NOTICE THAT the Town Board reserves the right to reject in whole or in part any or all bids, waive any informality in the bids and accept the bid which is deemed most favorable in the interest of the Town of Riverhead. The Town Board will use its discretion to make judgmental determination as to its best estimate of the lower bidder.

The Town of Riverhead reserves the right to reject any and all bids.

BY THE ORDER OF THE RIVERHEAD TOWN BOARD
Barbara A. Grattan, Town Clerk
Riverhead, New York 11901

Dated: October 16, 2008

9/25/08

TOWN OF RIVERHEAD

Adopted

RESOLUTION RESOLVING DISPUTES WITH RESPECT TO SPECIFIC ACCOUNTS OF THE RIVERHEAD WATER DISTRICT

RESOLUTION # 828 ADOPTED

COUNCILMAN WOOTEN

offered the following resolution which was seconded by COUNCILWOMAN BLASS

WHEREAS, the Riverhead Water District has billed certain customers for unpaid water charges for the years 2004 and 2005; and

WHEREAS, the Customers have disputed those billing; and

WHEREAS, the Riverhead Water District and the Customers are desirous to resolve these disputes without further and costly proceedings;

Now, therefore, be it

RESOLVED that the Town Board as the governing body of the Riverhead Water District hereby agrees to the terms of the settlements set forth in the agreements attached hereto, and hereby authorizes the Supervisor to sign the agreements and any additional documents necessary to effectuate these settlements; and that it is further

RESOLVED that certified copies of this resolution be forwarded to Gary Pendzick, Superintendent; Tax Receiver; Town Clerk; Accounting Department; Frank A. Isler, Smith, Finkelstein, Lundberg & Yakaboski, LLP, 456 Griffing Avenue, Riverhead, New York, 11901.

Resolution prepared by Frank A. Isler, Esq.

THE VOTE
Buckley absent yes no Wooten yes no
Dunleavy yes no Blass yes no
Cardinale yes no
THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

AGREEMENT

Agreement made this ____ day of _____, 2008 between the Riverhead Water District and Maidstone Landing Home Owners Association (Customer).

WHEREAS, the Riverhead Water District has billed the Customer for unpaid water charges for the years 2004 and 2005; and

WHEREAS, the Customer has disputed that billing; and

WHEREAS, the Riverhead Water District and the Customer are desirous to resolve this matter;

NOW, for the mutual promises contained herein and other valuable consideration, the parties agree as follows:

The parties agree that the amount of the unpaid water charges for the years 2004 and 2005 shall be fixed at \$ 4,717.23 (the "Settlement Amount"). Since the customer has paid the sum of \$ 9,750.00 towards the disputed unpaid water charges, it is entitled to a credit in the sum of \$ 5,032.77 representing the amount paid in excess of the Settlement Amount. This credit will be applied to the customer's monthly water bill commencing no later than two (2) months from the execution of this Agreement.

RIVERHEAD WATER DISTRICT

BY: _____
Philip J. Cardinale, Supervisor

MAIDSTONE LANDING HOME OWNERS ASSOCIATION

BY: Edward P. Keiss, Pres.

AGREEMENT

Agreement made this 13 day of August, 2008 between the Riverhead Water District and Saddle Lakes Homeowners Association, Inc. (Customer).

WHEREAS, the Riverhead Water District has billed the Customer for unpaid water charges for the years 2004 and 2005; and

WHEREAS, the Customer has disputed that billing; and

WHEREAS, the Riverhead Water District and the Customer are desirous to resolve this matter;

NOW, for the mutual promises contained herein and other valuable consideration, the parties agree as follows:

1. The parties agree that the amount of the unpaid water charges for the years 2004 and 2005 shall be fixed at \$ 6,093.45 (the "Settlement Amount").
2. The customer agrees that, along with paying for its current water usage, it will pay the amount set forth in paragraph 1 in sixty (60) equal monthly installments, without interest, which shall be separately billed monthly to the Customer, commencing within two (2) months from the execution of this Agreement.
3. In the event the Customer fails to pay a monthly installment of the Settlement Amount when due and fails to cure its default within ten (10) days from receipt of notice of non-payment, then the full amount of the unpaid water charges for the years 2004 and 2005 in the sum of \$ 24,373.80, shall be immediately due and payable. If the Customer cures the default within the ten (10) day period but thereafter again fails to pay a monthly installment of the Settlement Amount when due, then the full amount of the unpaid water charges for the years 2004 and 2005 shall be immediately due and payable without further notice. In the event the full amount of the unpaid water charges for the years 2004 and 2005 become due and payable hereunder, the Customer expressly waives any statutory, common law, equitable or procedural objections to that full sum being reported in any subsequent tax year. Notice of non-payment shall be sent to the Customer at its billing address and to Cohen & Warren, P.C., attention Michael F. Cohen, Esq., 80 Maple Avenue, P.O. Box 768, Smithtown, New York, 11787-0768.

RIVERHEAD WATER DISTRICT

BY: _____

Philip J. Cardinale, Supervisor

SADDLE LAKES HOMEOWNERS ASSOCIATION, INC.

BY: _____

Anthony Negro (pres HHA)

AGREEMENT

Agreement made this 15 day of August, 2008 between the Riverhead Water District and The Knolls at Fox Hill Homeowners Association, Inc. (Customer).

WHEREAS, the Riverhead Water District has billed the Customer for unpaid water charges for the years 2004 and 2005; and

WHEREAS, the Customer has disputed that billing; and

WHEREAS, the Riverhead Water District and the Customer are desirous to resolve this matter;

NOW, for the mutual promises contained herein and other valuable consideration, the parties agree as follows:

1. The parties agree that the amount of the unpaid water charges for the years 2004 and 2005 shall be fixed at \$ 2,399.33 (the "Settlement Amount").
2. The customer agrees that, along with paying for its current water usage, it will pay the amount set forth in paragraph 1 in sixty (60) equal monthly installments, without interest, which shall be separately billed monthly to the Customer, commencing within two (2) months from the execution of this Agreement.
3. In the event the Customer fails to pay a monthly installment of the Settlement Amount when due and fails to cure its default within ten (10) days from receipt of notice of non-payment, then the full amount of the unpaid water charges for the years 2004 and 2005 in the sum of \$ 9,597.32, shall be immediately due and payable. If the Customer cures the default within the ten (10) day period but thereafter again fails to pay a monthly installment of the Settlement Amount when due, then the full amount of the unpaid water charges for the years 2004 and 2005 shall be immediately due and payable without further notice. In the event the full amount of the unpaid water charges for the years 2004 and 2005 become due and payable hereunder, the Customer expressly waives any statutory, common law, equitable or procedural objections to that full sum being reported in any subsequent tax year. Notice of non-payment shall be sent to the Customer at its billing address and to Cohen & Warren, P.C., attention Michael F. Cohen, Esq., 80 Maple Avenue, P.O. Box 768, Smithtown, New York, 11787-0768.

RIVERHEAD WATER DISTRICT

BY: _____
Philip J. Cardinale, Supervisor

**THE KNOLLS AT FOX HILL HOMEOWNERS
ASSOCIATION, INC.**

BY: Bruce Koff 8/15/2008
As President



AGREEMENT

Agreement made this 27 day of JUN, 2008 between the Riverhead Water District and Silver Village (Customer).

WHEREAS, the Riverhead Water District has billed the Customer for unpaid water charges for the years 2004 and 2005; and

WHEREAS, the Customer has disputed that billing; and

WHEREAS, the Riverhead Water District and the Customer are desirous to resolve this matter.

NOW, for the mutual promises contained herein and other valuable consideration, the parties agree as follows:

1. The parties agree that the amount of the unpaid water charges for the years 2004 and 2005 shall be fixed at \$ 2,596.32 (the "Settlement Amount").

2. The customer agrees that, along with paying for its current water usage, it will pay the amount set forth in paragraph 1 in sixty (60) equal monthly installments, without interest, which shall be separately billed monthly to the Customer, commencing within two (2) months from the execution of this Agreement.

3. In the event the Customer fails to pay a monthly installment of the Settlement Amount when due and fails to cure its default within ten (10) days from receipt of notice of non-payment, then the full amount of the unpaid water charges for the years 2004 and 2005 in the sum of \$ 27,694.00, shall be immediately due and payable. If the Customer cures the default within the ten (10) day period but thereafter again fails to pay a monthly installment of the Settlement Amount when due, then the full amount of the unpaid water charges for the years 2004 and 2005 shall be immediately due and payable without further notice. In the event the full amount of the unpaid water charges for the years 2004 and 2005 become due and payable hereunder, the Customer expressly waives any statutory, common law, equitable or procedural objections to that full sum being reported in any subsequent tax year. Notice of non-payment shall be sent to the Customer at its billing address and to Cohen & Warren, P.C., attention Michael F. Cohen, Esq., 80 Maple Avenue, P.O. Box 768, Smithtown, New York, 11787-0768.

RIVERHEAD WATER DISTRICT

SILVER VILLAGE

BY: Philip J. Cardinale, Supervisor

BY: Francis L. Blumrich - PRESIDENT
BY: [Signature] - TREASURER

AGREEMENT

Agreement made this 3rd day of SEPTEMBER, 2008 between the Riverhead Water District and Willow Ponds on the Sound Homeowners Association, Inc. (Customer).

WHEREAS, the Riverhead Water District has billed the Customer for unpaid water charges for the years 2004 and 2005; and

WHEREAS, the Customer has disputed that billing; and

WHEREAS, the Riverhead Water District and the Customer are desirous to resolve this matter;

NOW, for the mutual promises contained herein and other valuable consideration, the parties agree as follows:

1. The parties agree that the amount of the unpaid water charges for the years 2004 and 2005 shall be fixed at \$ 2,541.73 (the "Settlement Amount").

2. The customer agrees that, along with paying for its current water usage, it will pay the amount set forth in paragraph 1 in sixty (60) equal monthly installments, without interest, which shall be separately billed monthly to the Customer, commencing within two (2) months from the execution of this Agreement.

3. In the event the Customer fails to pay a monthly installment of the Settlement Amount when due and fails to cure its default within ten (10) days from receipt of notice of non-payment, then the full amount of the unpaid water charges for the years 2004 and 2005 in the sum of \$ 10,166.92, shall be immediately due and payable. If the Customer cures the default within the ten (10) day period but thereafter again fails to pay a monthly installment of the Settlement Amount when due, then the full amount of the unpaid water charges for the years 2004 and 2005 shall be immediately due and payable without further notice. In the event the full amount of the unpaid water charges for the years 2004 and 2005 become due and payable hereunder, the Customer expressly waives any statutory, common law, equitable or procedural objections to that full sum being reported in any subsequent tax year. Notice of non-payment shall be sent to the Customer at its billing address and to Cohen & Warren, P.C., attention Michael F. Cohen, Esq., 80 Maple Avenue, P.O. Box 768, Smithtown, New York, 11787-0768.

RIVERHEAD WATER DISTRICT

BY: _____

Philip J. Cardinale, Supervisor

**WILLOW PONDS ON THE SOUND HOMEOWNERS
ASSOCIATION, INC.**

BY: _____

Charles J. Carron
CHARLES J. CARRON

September 25, 2008

TOWN OF RIVERHEAD

Adopted

Resolution # 829

**Authorizes Town Clerk to Publish and Post Notice of Public Hearing
Special Use Permit Petition of Peconic Propane, Inc.**

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by

COUNCILMAN DUNLEAVY

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Peconic Propane, Inc. to allow the expansion of a non-conforming industrial use (two-story addition) upon real property located at New York State Route 25, Calverton, New York; such real property more particularly described as Suffolk County Tax Map 0600-98-1-17; and

WHEREAS, the special use permit petition has been referred to the Suffolk County Planning Commission for its report and recommendation; such commission concluding that the special use permit petition is a matter of local determination, and

WHEREAS, Peconic Propane, Inc. has appeared before the Town Board of the Town of Riverhead, and

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

THEREFORE BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the following public notice in the September 25, 2008 edition of the official newspaper of the Town of Riverhead.

THE VOTE

DUNLEAVY YES ___ NO BUCKLEY *absent* YES ___ NO
BLASS YES ___ NO WOOTEN YES ___ NO
CARDINALE YES ___ NO
THIS RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York, on the 7th Day of October, 2008 at 2:35 o'clock pm, to consider the special permit petition of Peconic Propane, Inc. to allow the expansion of a non-conforming industrial use (two-story addition) upon real property located at New York State Route 25, Calverton, New York; such real property more particularly described as Suffolk County Tax Map 0600-98-1-17.

Dated: Riverhead, New York

Date: September 25, 2008

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

September 25, 2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 830

AUTHORIZES THE TOWN CLERK TO POST AND PUBLISH THE ATTACHED NOTICE TO BIDDERS FOR THE TOWN OF RIVERHEAD WADING RIVER BEACH PRE-ENGINEERED SUN SHELTER

COUNCILMAN DUNLEAVY offered the following resolution which

Was seconded by COUNCILMAN WOOTEN

RESOLVED, that the Town Board of the Town of Riverhead be and does hereby authorizes the Town Clerk to post and publish the attached Notice to Bidders in the October 16, 2008 issue of the official Town newspaper for the Town of Riverhead Wading River Beach Pre-Engineered Sun Shelter, Wading River, New York; and

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

THE VOTE

Buckley *absent* yes no Wooten yes no
Dunleavy yes no Blass yes no
Cardinale yes no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed proposals for the Wading River Beach Pre-Engineered Sun Shelter, Wading River, New York will be received by the Town of Riverhead the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:30 am November 3, 2008 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and/or obtained on or about October 16, 2008 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays or by visiting the Town of Riverhead website: www.riverheadli.com and click on Bid Requests.

A non-refundable fee of \$50.00 will be required for each hard copy of the contract documents obtained from the Office of the Town Clerk.

Each proposal must be submitted on the form provided and must be in a sealed envelope clearly marked, "Wading River Beach Pre-Engineered Sun Shelter" and must be accompanied by a bid surety as stated in the Instruction to Bidders.

PLEASE TAKE FURTHER NOTICE THAT the Town Board reserves the right to reject in whole or in part any or all bids, waive any informality in the bids and accept the bid which is deemed most favorable in the interest of the Town of Riverhead. The Town Board will use its discretion to make judgmental determination as to its best estimate of the lower bidder.

The Town of Riverhead reserves the right to reject any and all bids.

BY THE ORDER FO THE RIVERHEAD TOWN BOARD
Barbara A. Grattan, Town Clerk
Riverhead, New York 11901

Dated: September 25, 2008

September 25, 2008

TOWN OF RIVERHEAD

RESOLUTION # 831

AUTHORIZES THE TOWN CLERK TO POST AND PUBLISH THE ATTACHED NOTICE TO BIDDERS FOR THE TOWN OF RIVERHEAD WADING RIVER BEACH PRE-ENGINEERED RESTROOM

COUNCILMAN WOOTEN offered the following resolution which

Was seconded by COUNCILWOMAN BLASS

RESOLVED, that the Town Board of the Town of Riverhead be and does hereby authorizes the Town Clerk to post and publish the attached Notice to Bidders in the October 16, 2008 issue of the official Town newspaper for the Town of Riverhead Wading River Beach Pre-Engineered Restroom, Wading River, New York; and

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

Wooten
 THE VOTE
 Buckley yes no Wooten yes no
 Dunleavy yes no Blass yes no
 Cardinale yes no
 THE RESOLUTION WAS WAS NOT
 THEREFORE DULY ADOPTED

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed proposals for the Wading River Beach Pre-Engineered Restroom, Wading River, New York will be received by the Town of Riverhead the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:00 am November 3, 2008 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and/or obtained on or about October 16, 2008 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays or by visiting the Town of Riverhead website: www.riverheadli.com and click on Bid Requests.

A non-refundable fee of \$50.00 will be required for each hard copy of the contract documents obtained from the Office of the Town Clerk.

Each proposal must be submitted on the form provided and must be in a sealed envelope clearly marked, "Wading River Beach Pre-Engineered Restroom" and must be accompanied by a bid surety as stated in the Instruction to Bidders.

PLEASE TAKE FURTHER NOTICE THAT the Town Board reserves the right to reject in whole or in part any or all bids, waive any informality in the bids and accept the bid which is deemed most favorable in the interest of the Town of Riverhead. The Town Board will use its discretion to make judgmental determination as to its best estimate of the lower bidder.

The Town of Riverhead reserves the right to reject any and all bids.

BY THE ORDER OF THE RIVERHEAD TOWN BOARD
Barbara A. Grattan, Town Clerk
Riverhead, New York 11901

Dated: September 25, 2008

09/25/08

Adopted

TOWN OF RIVERHEAD

Resolution # 832

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

COUNCILWOMAN BLASS _____ offered the following resolution,

which was seconded by COUNCILMAN DUNLEAVY _____:

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider the adoption of a Local Law to amend Chapter 108 entitled "Zoning" of the Riverhead Town Code in the October 16th issue of the News Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Department of Planning and the Town Attorney; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk

THE VOTE

Buckley *absent* yes no Wooten yes no
Dunleavy yes no Blass yes no
Cardinale yes no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held on the 21st day of October, 2008 at 7:15 p.m., at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider a local law to amend chapter 108 entitled "Zoning" of the Riverhead Town Code (definitions) as follows:

§ 108-3. Definitions; word usage.

B. For the purpose of this chapter, certain terms and words are herewith defined as follows:

ACCESSORY BUILDING OR STRUCTURE OR USE — A building or structure or use which is customarily incidental and subordinate to the principal building, structure or use and located on the same lot as such principal building or use. The term "accessory building" shall not include any building or structure with sleeping and/or cooking facilities or used for sleeping and/or cooking purposes, except for agricultural housing or accessory apartment. Except in the case of agricultural buildings or structures, an accessory building may be no more than 25% of the size of the principal building.

ACCESSORY BUILDING, STRUCTURE OR USE — A building, structure or use customarily incidental and subordinate to the principal building or use and located on the same lot as such principal building or use. An accessory use must be accessory to the principal use and in no event shall such accessory use dominate, in area, extent or purpose of the principal lawful use or building. An accessory use may not be accessory to another accessory use.

PRINCIPAL USE:

A. PRINCIPAL USE — The main or primary purpose for which land is used or a building or structure is designed, intended, arranged or used or for which it is or may be occupied or maintained. There may be only one principal use in a building or structure. There may be only one principal use on a lot unless otherwise specified in the Code of the Town of Riverhead.

Dated: Riverhead, New York
September 25, 2008

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

BARBARA GRATTAN, Town Clerk

9/25/08

TOWN OF RIVERHEAD

Adopted

Resolution # 833

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

COUNCILMAN DUNLEAVY

_____ offered the following resolution,

which was seconded by COUNCILMAN WOOTEN _____:

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider the adoption of a Local Law to amend Chapter 108 entitled "Zoning" of the Riverhead Town Code in the October 16th issue of the News Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Department of Planning and the Town Attorney; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk

THE VOTE

Buckley *absent* yes ___ no ___ Wooten yes ___ no ___
 Dunleavy yes ___ no ___ Blass yes ___ no ___
 Cardinale yes ___ no ___

THE RESOLUTION WAS ___ WAS NOT
 THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held on the 21st day of October, 2008 at 7:20 p.m., at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider a local law to amend chapter 108 entitled "Zoning" of the Riverhead Town Code (definitions) as follows:

§ 108-3. Definitions; word usage.

CATERING FACILITY -- A nonresidential structure, ~~whether temporary or permanent,~~ used more than one time per calendar year for the purpose of hosting private parties, private weddings and/or other private events for where 25 or more guests or attendees, are expected and where food is provided. Catering as a use may be deemed an accessory use provided that the catering activity is within the principal building or structure or approved under Chapter 90 of the Code of the Town of Riverhead. A catering facility shall be a principal use.

- Underscore indicates additions

Dated: Riverhead, New York
September 25, 2008

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

BARBARA GRATTAN, Town Clerk

September 16, 2008

Adopted

09/25/08

@ Special Town Board Meeting

TOWN OF RIVERHEAD

Tabled

Resolution # 821

**Authorizes Town Clerk to Publish and Post Notice of Public Hearing
Special Use Permit of Beacon Wireless Management, LLC
(Little Flower at Wading River)**

COUNCILMAN DUNLEAVY

_____ offered the following resolution,

which was seconded by **COUNCILWOMAN BLASS**

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Beacon Wireless Management, LLC to allow the construction of a 150 feet monopole, attach 12 wireless communications panel antennas at 120 feet agl and to install a 12' x 30' equipment shelter with propane generator and gas canisters within a 4200 fenced area of a 98.5 acre upon real property located at the northeast corner of North Wading River Road and North side Road, Wading River; such property more particularly described as Suffolk County Tax Map 0600-36-1-2; and

WHEREAS, the applicant has appeared before the Town Board with respect to the merit of the special use permit petition, and

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

THEREFORE BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the following public notice in the October 9, 2008 edition of the official newspaper of the Town of Riverhead.

Buckley yes no Wooten yes no
 Dunleavy yes no Blass yes no
 Cardinale yes no
 THE RESOLUTION WAS WAS NOT

*Resolution untabled at 09.25.08 STBM

Wooten -yes, Dunleavy=yes, Blass=yes, Cardinale=yes, (Buckley-absent)

*Resolution adopted at 09.25.08 STBM

Wooten=yes, Dunleavy=yes, Blass=yes, Cardinale=yes, (Buckley-absent)

THE VOTE

DUNLEAVY ___ YES ___ NO BUCKLEY ___ YES ___ NO

BLASS ___ YES ___ NO WOOTEN ___ YES ___ NO

CARDINALE ___ YES ___ NO

THIS RESOLUTION ___ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

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 21st Day of October, 2008 at 7:10 o'clock pm, to hear all persons with respect to the special use permit petition of Beacon Wireless Management, LLC to allow the construction of a 150 feet monopole, attach 12 wireless communications panel antennas at 120 feet agl and to install a 12' x 30' equipment shelter with propane generator and gas canisters within a 4,200 fenced area of a 98.5 acre upon real property located at the northeast corner of North Wading River Road and North side Road, Wading River; such property more particularly described as Suffolk County Tax Map 0600-36-1-2.

Dated: Riverhead, New York

Date: September 16, 2008

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