

*Town Clerk*

**TOWN BOARD MEETING  
AGENDA  
ROBERT F. KOZAKIEWICZ, Supervisor**

April <sup>15</sup> 8<sup>th</sup>, 2003

Edward Densieski, Councilman  
James Lull, Councilman

Barbara Blass, Councilwoman  
Rose Sanders, Councilwoman

Barbara Grattan, Town Clerk  
Dawn Thomas, Town Attorney

**ELECTED OFFICIALS**

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

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

**DEPARTMENT HEADS**

John J. Hansen  
Leroy E. Barnes, Jr.  
Andrea Lohneiss  
Ken Testa  
Richard Hanley  
Chief David Hegermiller

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

# Call to Order and Salute to the Flag

## Approves Minutes of Town Board Meeting of April 1<sup>st</sup>, 2003

Sandus Offered the minutes to be  
approved, which was seconded by

Sull

*Syes*

### REPORTS

Receiver of Taxes: Total Collected to date: \$42,385,047.49

Recreation Dept.: Monthly report for Jan. 2003  
Total Collected: \$13,440.00

Open Bid Reports: Snack Vendor-Opened: 4/4/03  
Stotzky Park-Two Bids Received  
Wading River-Two Bids Received

Food-Opened: 4/4/03  
One Bid received

Meat & Poultry-Opened: 4/4/03  
One Bid Received

Propane Bids-Opened: 4/4/03  
Two Bids Received

Removal Of Household Hazardous Opened: 4/4/03  
Two Bids Received

## APPLICATIONS

Shows & Exhibition: Speedwork FX-May 4<sup>th</sup>,  
Permits: 9:00 am to 8 pm-Cars & Trucks on display

Fireworks Permits: Riverhead Raceway-July 5, 2003

## CORRESPONDENCE

Cornelius Borgerding: Re: Crown Sanitation-Do not  
approve any further expansion.

Richard Lawrence: Re: Crown Recycling Facility-  
Acquisition Proposal & Land Leasing  
Agreement

Peter Danowski: Re: Subdivision-Aquebogue Golf Resorts  
Petition for Construction of Lateral Water Mains

Re: Subdivision-NF Golf Resorts  
Petition for Construction of Later Water Mains

Petition: 12 signatures in objection to the zoning  
Change request for Crown Sanitation.

S. Kuhl: Re: Objection to the expansion of Crown  
Sanitation and the consideration of relocating.

Raymond Zuppa: Re: Objection to the expansion of Crown  
Sanitation and the consideration of relocating.

Greater Calverton Civic  
Association: Re: Objection to the expansion of Crown.

## COMMITTEE REPORT

Densieski - East End Surf Club  
Koz - Development Rights - Vernon Wells  
Athletic Dept. Girls Softball team

## PUBLIC HEARINGS

- 7:05 P.M. Purchase of Development Rights-Edward and Alice Krupski.
- 7:10 P.M. Purchase of Development Rights-John & Helen Cichanowicz.
- 7:20 P.M. Consideration of a Local Law Section 108-3 Definitions-Country Inn
- 7:30 P.M. Rules & Regulations for the Operation for the Town owned Runway/Landing Strip located at Calverton Enterprise Park.

**PUBLIC COMMENT ON ANY RESOLUTIONS LISTED  
BELOW:**

**REGULAR TOWN BOARD MEETING:**

- #392** Authorizes Publication of Notice to Amend  
Community Development Block Grant Program
- #393 Authorizes Town Clerk to Post and Publish Public  
Notice for Public Hearing Regarding a Local Law to  
Amend Chapter 108 (Zoning) of the Riverhead Town  
Code
- #394 Authorizes Town Clerk to Publish and Post a Public  
Notice for public Hearing Regarding a Local Law to  
Amend Chapter 108 (Zoning) of the Riverhead Town  
Code
- #395 Authorizes Town Clerk to Post and Publish Public  
Notice for Public Hearing to Consider a Proposed  
Local Law for an Amendment of Chapter 101  
"Vehicles and Traffic" of the Riverhead Town Code  
(101-7)
- #396 Authorizes Town Clerk to Post and Publish Public  
Notice for Public Hearing to Consider a Proposed  
Local Law for an Amendment of Chapter 98-8  
"Dumpsters" of the Riverhead Town Code
- #397 Authorizes Town Clerk to Post and Publish Public  
Notice for Public Hearing to Consider a Proposed  
Local Law for an Amendment of Chapter 12 "Coastal  
Erosion Hazard Areas" of the Riverhead Town Code
- #398 Adopts a Local Law Amending Chapter 108 Entitled,  
"Zoning" of the Riverhead Town Code (Article XXXV-  
Pine Barrens Overlay District)
- #399 Authorizes the Own Clerk to publish and Post a  
Help Wanted Ad for Part Time Homemaker

- #400 Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 101 "Vehicles & Traffic" of the Riverhead Town Code
- #401 Authorizing Offer Pursuant to Section 303 of the New York State Eminent Domain Procedure Law in Connection with the Condemnation of 201 Railroad Street, SCTM 0600-128-03-006
- #402 Authorizing Offer Pursuant to Section 303 of the New York State Eminent Domain Procedure Law in Connection with the Condemnation of 207 Railroad Street, SCTM 0600-128-03-005
- #403 Authorizing Offer Pursuant to Section 303 of the New York State Eminent Domain Procedure Law in Connection with the Condemnation of 217 Railroad Street, SCTM 0600-128-03-004
- #404 Authorizing Offer Pursuant to Section 303 of the New York State Eminent Domain Procedure Law in Connection with the Condemnation of 210 Court Street, SCTM 0600-128-03-010
- #405 Accepts Offer of Sale of Development Rights (Richard Meyer and Donna Meyer)
- #406 Appoints Interpretation Consultant for Police Department and Justice Court (D. B. Olson)
- #407 Resolution Calling Public Hearing-Gatz Estates, Hubbard Avenue Lateral Water Main-RWD
- #408 Resolution Authorizing Supervisor to Execute Water Service Contract with Field Day, LLC-RWD
- #409 Resolution Authorizing Supervisor to Execute Change Order No. 1 & 2- RWD-Repainting of Pulaski Street Tank
- #410 Approves Application of Speedworld FX

- #411 Awards Bid of Horton Avenue Basketball Court Improvement Project
- #412 Approves Temporary Sign Permit of Curves
- #413 Authorizes Attendance of Two Police Officers to LI/NYC Emergency Management Conference
- #414 Authorizes Attendance of Assessor at Seminar
- #415 Authorizes the Supervisor to Execute Stipulation of Settlement
- #416 Appoints a Part Time Recreation Aide/Skatepark to the Riverhead Recreation Dept. (C. Barker)0
- #417 2003 Computer Upgrade Capital Project Budget Adoption
- #418 Risk Retention Fund Budget Adjustment
- #419 Aquebogue Golf Resort Water Extension Budget Adoption
- #420 Reeves Avenue Golf Resort Water Extension Budget Adoption
- #421 Appoints a Park Attendant I to the Recreation Dept. (D. Hornung)
- #422 Authorizes Bid Award for the Hallockville Museum Farm
- #423 Authorizes Town Clerk to Publish and Post Notice to Bidders for Annual Maintenance for Diesels and Generators-RWD
- #424 Authorizes Town Clerk to Publish and Post Notice to Bidders for Quick Lube Maintenance-RWD

- #425 Accepts Performance Bonds of Sound Housing, LLC (Willow Ponds on the Sound Condominium-Phase I & II)
- #426 Calverton Sewer District-Establishes Nitrogen Reduction fund
- #427 Appoints Part Time Deputy Town Attorney
- #428 General Fund Budget Adjustment
- #429 Awards Bid for Propane
- #430 Awards Bid for Food
- #431 Awards Bid for Meat & Poultry
- #432 Authorizes an Abandonment of a Portion of Sigal Avenue Pursuant to New York State Highway Law Section 212-A
- #433 Approves Amended Site Plan of Talmage Farm Agway (1122 Osborne Avenue, LLC)
- #434 Authorizes Town Clerk to Publish and Post Notice to Consider the Purchase of Development Rights of a Parcel Located in the Town Of Riverhead (Louis Caracciolo and Ottavia Caracciolo)
- #435 Authorizes Town Clerk to Publish and Post Notice of Public Hearing Regarding an Amendment to the Zoning Use District Map of the Town of Riverhead-Planned Recreational Park District to the Planned Industrial Park District-Enterprise Park at Calverton
- #436 Approves Site Plan of 31 Main Road Riverhead Corp.
- #437 Approves Site Plan of Over in 2050, LLC, Riverhead Ford

- #438 Amends Resolution #351-2003
- #439 Approves Special Permit Petition of Paul Martin/Riverhead Commerce Park
- #440 Adopts Final Scope of Issues for the Generic Environmental Impact Statement Supporting the draft comprehensive plan of the Town of Riverhead
- #441 Pays Bills

4/15/03

# Adopted

Town of Riverhead

Resolution # 392

Authorizes Publication of Notice to Amend Community Development Block Grant Program.

COUNCILWOMAN SANDERS offered the following resolution, which was seconded  
by COUNCILMAN LULL.

**WHEREAS**, it is the desire of the Town of Riverhead to amend its FY2000 & FY2001 CDBG Program; and

**WHEREAS**, such an amendment requires notification of the public prior to submission of the amendment for transfer of funds and budget modification in order to provide an opportunity for comment.

**THEREFORE, BE IT RESOLVED**, that the Town Clerk is hereby authorized to publish the attached notice in the Traveler Watchman on Thursday, April 24, 2003.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution shall be provided to Andrea Lohneiss, Community Development Director and Joseph Sanseverino, Director, Suffolk County Community Development.

**THE VOTE**

Sanders  Yes  No    Blass  Yes  No  
 Densieski  Yes  No    Lull  Yes  No  
 Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT   
 THEREUPON DULY ADOPTED

## PUBLIC NOTICE

AMENDMENT TO TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT  
BLOCK GRANT PROGRAM

The Town of Riverhead is proposing the following changes to its Community Development Block Grant Program:

<u>Year 2001</u>	<u>Current</u>	<u>Proposed Change</u>	<u>Amended Budget</u>
Administration	\$1,845	(\$1,845)	-0-
Tourist Information Booth	-0-	\$1,845	\$1,845

<u>Year 2000</u>	<u>Current</u>	<u>Proposed Change</u>	<u>Amended Budget</u>
Millbrook Gables Clearance	\$2,100	(\$2,100)	-0-
Tourist Information Booth	-0-	\$2,100	\$2,100

Interested citizens may submit comments on or before May 24, 2003 to:

Town of Riverhead  
Community Development Office  
200 Howell Avenue  
Riverhead, NY 11901

The Town Board will consider a Resolution authorizing the proposed change at the June 3, 2003 Board Meeting to be held at 7:00 pm at 200 Howell Avenue, Riverhead, NY 11901.

04/15/03

# Adopted

## TOWN OF RIVERHEAD

Resolution # 393

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

**COUNCILMAN DENSIESKI**

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

which was seconded by **COUNCILWOMAN SANDERS** \_\_\_\_\_:

**RESOLVED**, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the April 24, 2003 edition of the Traveler-Watchman 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 Planning Department, Building Department and the Town Attorney.

**THE VOTE**

Sanders ✓ Yes \_\_\_ No \_\_\_ Blass ✓ Yes \_\_\_ No \_\_\_  
 Densieski ✓ Yes \_\_\_ No \_\_\_ Lull ✓ Yes \_\_\_ No \_\_\_  
 Kozakiewicz ✓ Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held on the 20<sup>th</sup> day of May, 2003 at 7:20 o'clock 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.

A copy of the entire text of the proposed local law may be reviewed at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

Dated: Riverhead, New York  
April 15, 2003

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

**BARBARA GRATTAN, Town Clerk**

§ 108-54. Municipal buildings, hospitals, public utility buildings and structures.

Deleted: Code amendment 1. ¶

Municipal buildings and hospitals shall be permitted in all districts, provided that such buildings shall conform to all other provisions of this chapter for the district in which located.

Deleted: A.

B. 1.) Public utility buildings and structures, except high voltage electrical transmission facilities or structures having capacity of 23 kilovolts or greater, shall be permitted in all districts when approved as a special exception by the Board of Appeals as herein provided.

2.) new or upgraded High voltage electric transmission facilities and structures having capacity of 23 kilovolts or greater shall be constructed underground except that such structures or facilities may be constructed overhead by special permit of the Town Board.

ARTICLE XXVIA, Special Permit [Added 10-1-2002 by L.L. No. 31-2002]  
§ 108-133.1. Special permit general use requirements.

Deleted: Code amendment 2. ¶

The special uses for which conformance with additional standards is required by this chapter shall be deemed to be special permit uses in their respective districts subject to the satisfaction of the requirements and standards set forth herein, in addition to all other requirements of this chapter. All such uses are declared to possess characteristics of such unique and special forms that each specific use shall be considered as an individual case.

§ 108-133.2. Approval of special permit use.

A. Special permits for special permit uses as authorized in this chapter shall issue from the Town Board. Special permits will issue in the form of a resolution of the Town Board, stating findings and conditions.

B. The Town Board may condition the permit by requiring that the applicant actually complete construction and begin the specially permitted use in compliance with the conditions imposed by the Town Board within a time period of from one to three years. If the Town Board fails to specify a period to complete construction and begin the specially permitted use, the time period to complete construction and begin the specially permitted use shall be one year.

C. The duration of a specially permitted use may be limited to a specified time period as set forth in the special permit resolution of the Town Board. If the Town Board is silent as to the duration of the specially permitted use, then said use shall be in perpetuity.

D. A specially permitted use, which has been discontinued for a period of one year or more, shall be deemed abandoned.

§ 108-133.3. Application for special permit use.

Application for a special permit use shall be made to the Town Board. Each such application shall contain the following data and information. In addition, each application shall contain any requirements specified by the Town of Riverhead Planning Board relating to the special permit use application:

A. The location and size of the use, the nature and intensity of the operations involved in or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to streets giving access to it. In addition, the application shall demonstrate that the specially permitted use will be in harmony with the appropriate and orderly development of the district in which it is located.

B. The location, nature and height of buildings, walls, structures and fences and the nature and extent of the landscaping on the site. In addition, the application shall demonstrate that the specially permitted use is such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.

C. The application shall demonstrate that operations in connection with any special use will not be more objectionable to nearby properties than would be the operations of any permitted use not requiring a special permit.

D. A written application, verified by the applicant, not an agent, where the applicant is the person or entity responsible and bound for the land use envisioned by the special permit. Where the applicant is not the owner of the real property, the owner must join in and swear to the truth of the application. Any special permit granted, unless performance of the terms and conditions thereof is bonded, shall be personal to the applicant and shall not be assignable or transferable without a resolution of approval by the Town Board.

E. A conceptual site plan showing the proposed location of all proposed buildings, parking stalls, access locations, as well as front, rear and side yard setbacks, signed, sealed and certified by a New York State licensed engineer, architect or licensed land surveyor.

F. A list of property owners based upon the most complete assessment roll filed with Town of Riverhead within a radius of 500 feet of the subject property. This requirement may be waived by the Town Board where the special permit sought is for the construction of a single-family dwelling. No person may object to any approval granted after notice is served by the applicant or designated representative pursuant to this definition, unless an objection is received by the Town Clerk, within 30 days of the date of publication of the public notice calling the hearing, alleging that he or she did not receive the notice provided for in this definition. Also, an affidavit signed by the applicant or designated

representative attesting to serving the public notice as required by this definition must be filed with the Town Clerk prior to the holding of the public hearing.

G. Any other information deemed by either board, in its discretion, to be necessary for reasonable determination of the application.

H. Expert testimony or reports by independent engineers, special counsel or architects shall be paid for by the applicant.

I. Any applicant filing for a special permit to erect a one-family dwelling as authorized in this chapter may request in his or her application waiver of any of the requirements of special use permits. The Town Board shall have discretion to waive certain requirements upon demonstration by the applicant that such requirements are not essential to protect the public health, safety or general welfare.

#### § 108-133.4. Application procedure.

A. Area variance. The applicant must first apply to the Zoning Board of Appeals for any variance which may be necessary. Only after the applicant has obtained all necessary variances shall the Town Board act upon the special permit application.

B. Referral to Planning Board; posting of notice of pending application. Any application made pursuant to the provisions of this article shall originate by an application to the Town Board, contrary provisions notwithstanding, and shall be referred to the Planning Board upon being deemed complete by the Planning Department, which will transmit its recommendations to the Town Board within 62 days of referral. Upon application, the Town Clerk shall provide to the applicant a sign to be immediately posted at the property indicating that a special permit application is pending before the Riverhead Town Board.

Thereafter, when a public hearing is scheduled by the Town Board, the Town Clerk shall forward by certified mail a copy of the public hearing notice to the applicant, wherein the applicant shall then fill in the date and time of the public hearing on the sign heretofore posted at the subject property. Before the Town Board can determine said special permit application, an affidavit executed by the applicant must be filed with the Town Clerk stating that he has complied with the posting requirements above outlined.

C. Town Board public hearing. After receipt of the recommendations of the Planning Board, the Town Board shall hold a public hearing upon public notice and other notices as required by the Town Law. The applicant or his/her representative shall forward a certified copy of the public hearing notice by certified mail to all property owners within a five-hundred-foot radius of the subject property, and the applicant shall pay all expenses of said hearing, including but not limited to publication costs, postage and transcription of testimony. Public notice of said hearing shall be printed in a newspaper of general circulation in the Town at least five days prior to the date thereof. All testimony at the public hearing before the Town Board shall be given under oath. The

Town Board may require the sworn testimony of such persons as it deems necessary for a full and complete hearing on the application. The Town Board may adjourn the public hearing for the purpose of taking further testimony or requiring the production of further information. The Town Board shall decide upon the application within 62 days after the close of the hearing. The time within which the Town Board must render its decision may be extended by mutual consent of the applicant and the Board. The decision of the Town Board on the application after the close of the public hearing shall be filed in the office of the Town Clerk within five business days after such decision is rendered, and a copy thereof mailed to the applicant.

D. Fees. The fee for the review of a special permit application which would result in the construction of a building(s), structures or a disturbed area of 4,000 square feet or less shall be \$250. The fee for the review of a special permit application for the construction of a building(s), structures or disturbed area of 4,000 square feet or greater shall be \$1,000. The required fee shall be paid upon submission of the application to the Town Clerk.

§ 108-133.5. Items to be considered by reviewing board.

The Town Board and the Planning Board may consider, among other matters or factors which either Board may deem material, whether:

- A. The site is particularly suitable for the location of such use in the community.
- B. The plot area is sufficient, appropriate and adequate for the use and the reasonably anticipated operation and expansion thereof.
- C. The characteristics of the proposed use are not such that its proposed location would be unsuitably near to a church, school, theater, recreational area or other place of public assembly.
- D. Access facilities are adequate for the estimated traffic from public streets and sidewalks, so as to assure the public in relation to the general character of the neighborhood and other existing or permitted uses within it, and to avoid traffic congestion; and further that vehicular entrances and exits shall be clearly visible from the street and not be within 75 feet of the intersection of street lines at a street intersection except under unusual circumstances.
- E. All proposed curb cuts and street intersections have been approved by the street or highway agency which has jurisdiction.
- F. Adequate provisions have been made for emergency conditions.
- G. There are off-street parking and truck loading spaces at least in the number required by the provisions of this chapter, but in any case, an adequate number for the anticipated number of occupants, both employees and patrons or visitors; and further, that the layout of the spaces and driveways are convenient and conducive to safe operation.
- H. Adequate buffer yards, landscaping, walls, fences and screening are provided where necessary to protect adjacent properties and land uses.

- I. Where necessary, special setback, yard, height and building area coverage requirements, or easements, rights-of-way or restrictive covenants, shall be established.
- J. Where appropriate, a public or semipublic plaza or recreational or other public areas will be located on the property.
- K. Adequate provisions will be made for the collection and disposal of stormwater runoff from the site and of sanitary sewage, refuse or other waste, whether liquid, solid, gaseous or of other character.
- L. Existing municipal services and facilities are adequate to provide for the needs of the proposed use.
- M. The use will tend to generate or accumulate dirt or refuse or tend to create any type of environmental pollution, including vibration, noise, light, electrical discharges, electromagnetism, odors, smoke or irritants, particularly where they are discernible on adjacent properties or boundary streets.
- N. The construction, installation or operation of the proposed use is such that there is a need for regulating the hours, days or similar aspects of its activity.
- O. The proposed use recognizes and provides for the further special conditions and safeguards required for particular uses as may be determined by the Town Board or the Planning Board.
- P. The design, layout and contours of all roads and rights-of-way encompassed within the site of the application are adequate and meet Town specifications.
- Q. Adequate provisions have been made for the collection and disposal of solid wastes, including but not limited to the screening of all containers.
- R. That the intensity of the proposed specially permitted use is justified in light of similar uses within the zoning district.
- S. In the case of a proposal for the overhead construction of electric transmission facilities or structures the Town Board shall consider the following:
- i) whether the proposed facility or structure will impede or adversely effect agricultural operations;
  - ii) whether the proposed facility or structure will have a serious adverse effect upon scenic or agricultural vistas within the Town;
  - iii) whether the proposed facility or structure will traverse a parcel or parcels of land on which the Town of Riverhead or any other municipal entity has purchased development rights;
  - iv) whether the economic benefits to the community from the overhead construction of the facilities are outweighed by impediments to agricultural operations.

Formatted: Indent: Left: 0.5"

§ 108-133.6. Conditions.

The Town Board, in its resolution approving or approving with modifications a special permit pursuant to this article, may make and

include certain reasonable conditions and restrictions in its discretion directly related to and incidental to the special permit, including but not limited to the following:

- A. The posting of performance bonds to guarantee the performance of any or all conditions imposed by the resolution.
  - B. The imposition of fees or, in lieu thereof, dedication of land or open space easements in an amount or form to be determined by the Town Board as necessary to adequately recompense the Town for the additional municipal service requirements to be provided as a result of the granting of the special permit.
  - C. The filing with the County Clerk of the County of Suffolk of covenants and restrictions, easements or other recordable agreements running with the land and binding upon all successors of the applicant to guarantee or implement the provisions of the special permit.
- § 108-133.7. Town Board determination.

The Town Board shall determine that:

- A. The use will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood.
- B. The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the Town.
- C. The health, safety, welfare, comfort, convenience and order of the Town will not be adversely affected by the authorized use.
- D. Such use will be in harmony with and promote the general purposes and intent of this chapter.

04/15/03

# Adopted

## TOWN OF RIVERHEAD

Resolution # 394

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

COUNCILMAN DENSIESKI

offered the following resolution,

which was seconded by COUNCILWOMAN BLASS :

**RESOLVED**, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the April 24, 2003 edition of the Traveler-Watchman 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 Planning Department, Building Department and the Town Attorney.

**THE VOTE**

Sanders  Yes  No    Blass  Yes  No

Densieski  Yes  No    Lull  Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held on the 20<sup>th</sup> day of May, 2003 at 7:25 o'clock 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.

A copy of the entire text of the proposed local law may be reviewed at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

Dated: Riverhead, New York  
April 15, 2003

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

**BARBARA GRATTAN, Town Clerk**

## ARTICLE XI, Industrial A District (Light Industry)

§ 108-45. Uses. [Amended 12-5-1972; 6-17-1975; 7-15-1975; 5-25-1976; 12-21-1976; 5-17-1977; 11-8-1978; 7-3-1979]

In the Industrial A District (Light Industry), no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for two of the following permitted uses, special exception or special permit uses and their customary accessory uses:

- A. Permitted uses.
- (1) Agriculture.
  - (2) Assembly hall.
  - (3) (Reserved)EN
  - (4) Bottling works.
  - (5) Building trade shops.
  - (6) Cold storage plant.
  - (7) Farms.
  - (8) Greenhouse, plant nursery and garden.
  - (9) Ice cream manufacture.
  - (10) Marina.
  - (11) Motor vehicle, mobile home, trailer or boat sales or rental.
  - (12) Newspaper offices; job printing establishment.
  - (13) Offices.
  - (14) (Reserved)EN
  - (15) Poultry processing plant.
  - (16) Repair shops for household and/or personal appliances.
  - (17) (Reserved)EN
  - (18) Telephone exchange.
  - (19) Trucking station.
  - (20) Vegetable and fruit processing.
  - (21) Vehicle repair.
  - (22) Vocational school.
  - (23) Warehouse.
- B. Special permit uses. [Amended 1-13-1987; 10-20-1992; 7-1-1997; 8-4-1998 by L.L. No. 9-1998; 10-6-1998; 10-1-2002 by L.L. No. 30-2002]
- (1) Airport, when authorized by special permit of the Town Board.
  - (2) Sports arena, when authorized by special permit of the Town Board.
  - (3) Hotels, when authorized by special permit of the Town Board.
  - (4) Restaurant, by special permit of the Town Board.
  - (5) Nonnuisance industry, by special permit of the Town Board, except that sand mining as defined in the Environmental Conservation law is a prohibited use under this district.
  - (6) Wholesale business (nonnuisance), by special permit of the Town Board.

Deleted: M

(7) Dog and horse training, to include but not be limited to care, grooming, exercising, schooling and exhibiting, by special permit of the Town Board.

(8) Camps of Types 1, 3, 4, 5 and 6, by special permit of the Town Board. All Type 2 camp applications filed with the Town Board prior to December 5, 1972, may be considered by the Town Board pursuant to the special permit provisions of this chapter and, if granted, they are hereby deemed permitted and conforming.

(9) (Reserved)

(10) Tavern, by special permit of the Town Board.

(11) Outdoor theater, golf driving range, archery, outdoor swimming pool and similar outdoor recreational uses, by special permit of the Town Board.

(12) Lumberyard, by special permit of the Town Board.

(13) National cemetery, by special permit of the Town Board.

(14) Any other recreational use, by special permit of the Town Board.

(15) Body and fender repair shop, by special permit of the Town Board.

(16) Motor vehicle repair shop, by special permit of the Town Board.

C. Accessory uses. Accessory uses shall include those uses customarily incidental to any of the above permitted uses when located on the same lot. Specifically permitted are the following:

(1) Customary accessory uses, buildings or structures incidental to any of the permitted uses.

(2) Private garages or off-street parking and truck loading areas.

§ 108-46. General lot, yard and height requirements.

A. No building shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule EN incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.

B. Any lot in nonconforming residential use or subsequently divided to leave a nonconforming residential use as a separate lot must be divided so that such residential lot complies with the provisions for lot area, width and yard requirements of Agriculture A District of this chapter. Any subsequent alterations or enlargements of the building shall comply with the requirements of Agriculture A District of this chapter.

§ 108-47. Additional requirements.

A. Gasoline service station.

(1) A gasoline service station may not be erected within a radius of 1/2 mile from any existing gasoline service station, measured between the principal buildings, and may not be erected within a radius of 500 feet from a residence use district.

(2) There must be filed with an application for a special permit an affidavit setting forth the names and addresses of all the owners of real property situate within a radius of 1,000 feet from the proposed site as

measured from the line of the property which is the subject of the application, which affidavit shall set forth proof of service by certified mail, return receipt requested, of notice of public hearing on the application having been sent to all such property owners not less than 30 days prior to the hearing. The notice of public hearing shall set forth that an application for a proposed gasoline service station has been filed with the Town Board; a description of the proposed site, together with a map thereof; a description of the proposed type of operation; the names and addresses of the applicants and all persons having an interest in the said premises; and the time and place of the public hearing before the Town Board, together with a statement that all persons wishing to be heard in connection with the application should appear before the Town Board at the time specified therein.

(3) Any permit granted shall be conditioned upon the lot's being used for retail sale of motor fuels, lubricants and other motor vehicle supplies, including spark plugs, batteries, tires and other customary minor parts for the repair, servicing and upkeep of motor vehicles, not including body and fender work; upon all repair work being performed inside a building and only between the hours of 7:00 a.m. and 9:00 p.m., prevailing time, except for emergencies; and upon there being no storage of dismantled vehicles on the lot. Violations of any of these conditions shall cause a revocation of the permit, and the failure to enforce the revocation because of any violation shall not constitute a waiver as to future or continued violations. [Amended 10-1-2002 by L.L. No. 30-2002] § 108-47.1. Review of site plan. [Added 5-16-1978; amended 6-20-1978; 6-18-2002 by L.L. No. 22-2002]

Before issuing a building permit, each application, together with the accompanying site plan, shall be subject to the site plan review requirements of this chapter. EN

**ARTICLE X, Business D District (General Business)**

§ 108-42. Uses. [Amended 12-5-1972; 1-11-1974; 6-17-1975; 5-25-1976; 11-8-1978; 7-3-1979; 4-8-1982; 8-7-1990; 7-19-1994; 12-17-1996; 2-1-2000; 3-21-2000 by L.L. No. 2-2000]

In the Business D District (General Business), no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for the following permitted uses, special exception or special permit uses and their customary accessory uses:

A. Permitted uses.

- (1) Bakery, ice cream or confectionery shop where products are made and sold at retail on the premises.
- (2) Bank, financial institution.
- (3) Bus passenger shelter.
- (4) Community center.
- (5) Funeral home; mortuary or undertaking establishment.
- (6) Marina, resort; marina, general.
- (7) Motor vehicle, new and used car sales lots and boat salesrooms; motor vehicle and boat repair facilities operated in connection with motor vehicle and boat salesrooms where all automobile and boat parts, dismantled vehicles and boats and similar articles are stored within a building.
- (8) Used motor vehicle and boat sales lots on which there are vehicles and boats for sale which are in registerable condition according to rules and regulations of the State of New York Motor Vehicle Department and comparable governmental agencies for which boats are in seaworthy condition.
- (9) (Reserved)EN
- (10) Offices or meeting rooms of philanthropic, fraternal, social, educational or membership organizations.
- (11) Park, playground.
- (12) Personal service shop, such as barbershop, beauty parlor, professional studio, travel agency or similar shop, and, provided the total floor area is less than 4,000 square feet, dry-cleaning or laundry service.
- (13) Radio or television broadcasting studio.
- (14) Restaurant, except that a drive-in restaurant shall be permitted only by special permit of the Town Board.
- (15) Retail store or shop.
- (16) Shop for custom work and for making articles to be sold at retail on the premises.
- (17) Theater, indoor.
- (18) Business and secretarial schools.
- (19) Residential apartment units with a minimum living space of 800 square feet. [Added 6-18-2002 by L.L. No. 21-2002]

B. Special permit uses. [Amended 5-7-2002 by L.L. No. 15-2002; 10-1-2002 by L.L. No. 30-2002]

- (1) Gasoline service station, by special permit of the Town Board.
- (2) ~~Hotels, by special permit of the Town Board.~~
- (3) Single-family residences, by special permit of the Town Board.
- (4) Billiard parlor, by special permit of the Town Board.
- (5) Tavern, by special permit of the Town Board.
- (6) Any other recreational use, by special permit of the Town Board.
- (7) Day-care center or nursery school, by special permit of the Town Board.
- (8) Bed-and-breakfast, by special permit of the Town Board.
- (9) Office; business, professional, utility, by special permit of the Town Board.

Deleted: M

C. Accessory uses. Accessory uses shall include those uses customarily incident to any of the above permitted uses when located on the same lot. Specifically permitted are the following:

- (1) Customary accessory uses, buildings or structures incidental to any of the permitted uses.
- (2) Private garages or off-street parking and truck loading areas.
- (3) A game center, except as to a dwelling.
- (4) A game room as an accessory use to a tavern only.

D. Prohibited uses. Prohibited uses shall include:

- (1) Flea markets.

§ 108-43. General lot, yard and height requirements. [Amended 7-3-1979]

A. No building shall be erected nor shall any lot or land area be utilized unless in conformity with the Zoning Schedule EN incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.

B. Any lot in nonconforming residential use or subsequently divided to leave a nonconforming residential use as a separate lot must be divided so that such residential lot complies with the provisions for lot area, width and yard requirements of the Agriculture A District of this chapter. Any subsequent alterations or enlargements of the building shall comply with the requirements of the Agriculture A District of this chapter.

§ 108-44. Additional requirements for special permit uses.

A. Gasoline service station.

(1) A gasoline service station may not be erected within a radius of 1/2 mile from any existing gasoline service station, measured between the principal buildings, and may not be erected within a radius of 500 feet from a residence use district.

(2) There must be filed with all applications for a special permit an affidavit setting forth the names and addresses of all the owners of real

property situate within a radius of 1,000 feet from the proposed site as measured from the line of the property which is the subject of the application, which affidavit shall set forth proof of service by certified mail, return receipt requested, of notice of public hearing on the application having been sent to all such property owners not less than 30 days prior to the hearing. The notice of public hearing shall set forth that an application for a proposed gasoline service station has been filed with the Town Board; a description of the proposed site, together with a map thereof; a description of the proposed type of operation; the names and addresses of the applicants and all persons having an interest in said premises; and the time and place of the public hearing before the Town Board, together with a statement that all persons wishing to be heard in connection with the application should appear before the Town Board at the time specified therein.

(3) Any permit granted shall be conditioned upon the lot's being used for retail sale of motor fuels, lubricants and other motor vehicle supplies, including spark plugs, batteries, tires and other customary minor parts for the repair, servicing and upkeep of motor vehicles, not including body and fender work; upon all repair work being performed inside a building and only between the hours of 7:00 a.m. and 9:00 p.m., prevailing time, except for emergencies; and upon there being no storage of dismantled vehicles on the lot. Violations of any of these conditions shall cause a revocation of the permit, and the failure to enforce the revocation because of any violation shall not constitute a waiver as to future or continuing violations. [Amended 10-1-2002 by L.L. No. 30-2002]  
§ 108-44.1. Review of site plan. [Added 5-16-1978; amended 6-18-2002 by L.L. No. 22-2002]

Before issuing a building permit, each application, together with the accompanying site plan, shall be subject to the site plan review requirements of this chapter.EN

§§ 108-44.2 through 108-44.4. (Reserved)

# Adopted

4/15/03

## TOWN OF RIVERHEAD

Resolution # 395

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT OF CHAPTER 101 "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE (101-7)**

COUNCILMAN LULL

offered the following resolution,

which was seconded by COUNCILWOMAN BLASS:

**RESOLVED**, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a proposed local law to consider the amendment of Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code, once in the April 23, 2003 issue of the Traveler-Watchman, 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 James Lull, Councilman; Mark Kwasna, Highway Superintendent; Chief David Hegermiller, Police Department and the Office of the Town Attorney.

**THE VOTE**

Sanders  Yes  No    Blass  Yes  No  
 Densieski  Yes  No    Lull  Yes  No  
 Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 20th day of May, 2003 at 7:10 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

**§ 101-7. Turns.**

The following turns in the designated areas are hereby defined:

<b>Sign</b>	<b>Location</b>
<u>Right turn only</u>	<u>East off roadway leading from gas station to Route 25 at the intersection of South Jamesport Avenue and Main Road, Jamesport</u>

Dated: Riverhead, New York  
April 15, 2003

BY ORDER OF THE BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)

4/15/03

# Adopted

## TOWN OF RIVERHEAD

Resolution # 396

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT OF CHAPTER 98-8 "DUMPSTERS" OF THE RIVERHEAD TOWN CODE**

COUNCILMAN LULL offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS:

**RESOLVED**, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a proposed local law to consider the amendment of Chapter 98 entitled, "Dumpsters" of the Riverhead Town Code, once in the April 24, 2003 issue of the Traveler-Watchman, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

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

**THE VOTE**

Sanders	<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	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

**THE RESOLUTION WAS  WAS NOT**   
**THEREUPON DULY ADOPTED**

TOWN OF RIVERHEAD  
PUBLIC NOTICE

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 6<sup>th</sup> day of May, 2003 at 7:30 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 98-8 of the Riverhead Town Code entitled, "Dumpsters" as follows:

- **Overstrike represents deletions**
- **Underline represents additions**

**Old Code:**

**§ 98-8. Dumpsters.**

~~All dumpsters shall be fully enclosed by a stockade fence enclosure of not more than five (5) feet in height. Said dumpster shall be equipped with a lid and shall be of durable construction. In addition, the fence enclosure shall meet all of the Town of Riverhead Planning Board fence specifications as set forth in the regulations of the Planning Board. All dumpsters in use prior to the effective date of this chapter shall be in compliance with said Planning Board specifications within six (6) months of the effective date of this chapter.~~

**Revised Code:**

**§ 98-8. Dumpsters.**

All dumpsters shall be fully enclosed by an appropriate screening enclosure of no less than (5) feet and no more than (6) feet in height. Said Dumpster shall be equipped with a lid and shall be of durable construction. Said lid shall be closed and locked when not physically in use. In addition, the fence enclosure shall meet all of the fence specifications as set forth by the Riverhead Town Architectural Review Board. All enclosures will remain in working condition and must function properly at all times. All dumpsters in use before the effective date of this chapter shall be in compliance with said specifications set forth within six (6) months of the effective date of this chapter. Site Plan review may be waived if enclosure meets all requirements set forth by the Architectural Review Board.

4/15/03

# Adopted

## TOWN OF RIVERHEAD

Resolution # 397

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT OF CHAPTER 12 "COASTAL EROSION HAZARD AREAS" OF THE RIVERHEAD TOWN CODE**

**COUNCILWOMAN BLASS**

offered the following resolution,

which was seconded by **COUNCILMAN DENSIESKI** :

**RESOLVED**, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a proposed local law to consider the amendment of Chapter 12 entitled, "Coastal Erosion Hazard Areas" of the Riverhead Town Code, once in the April 24, 2003 issue of the Traveler-Watchman, 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 Conservation Advisory Council, Riverhead Planning Board, Riverhead Building Department and the Office of the Town Attorney.

**THE VOTE**

Sanders  Yes  No    Blass  Yes  No

Densieski  Yes  No    Lull  Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD  
PUBLIC NOTICE

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 20<sup>th</sup> day of May, 2003 at 7:05p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 12 of the Riverhead Town Code entitled, "Coastal Erosion Hazard Areas" as follows:

- Underlined represent additions
- Overstrikes represent deletions

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

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

**NATURAL PROTECTIVE FEATURE** -- A nearshore area, beach, bluff, primary dune, secondary dune or marsh, and their vegetation.

NATURAL PROTECTIVE FEATURE AREA -- A land and/or water area containing natural protective features, the alteration of which might reduce or destroy the protection afforded other lands against erosion or high water or lower the reserve of sand or other natural materials available to replenish storm losses through natural processes.

# Adopted

4/15/03

## TOWN OF RIVERHEAD

Resolution # 398

**ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (ARTICLE XXXV - PINE BARRENS OVERLAY DISTRICT)**

**COUNCILMAN DENSIESKI**

offered the following resolution, was seconded by

**COUNCILWOMAN BLASS**

**WHEREAS**, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 108 entitled, "Zoning" (Article XXXV Pine Barrens Overlay District) of the Riverhead Town Code; and

**WHEREAS**, a public hearing was held on the 1st day of April, 2003 at 7:20 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

**NOW THEREFORE BE IT RESOLVED**, that a local law amending Chapter 108 "Zoning" (Article XXXV Pine Barrens Overlay District) of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Traveler-Watchman 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 Riverhead Planning Department and Town Attorney's Office.

**THE VOTE**

Sanders	<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	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE**, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" (Article XXXV Pine Barrens Overlay District) of the Riverhead Town Code at its regular meeting held on April 15, 2003.

A copy of the entire text of the adopted local law may be reviewed at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

Dated: Riverhead, New York  
April 15, 2003

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

**BARBARA GRATTAN, Town Clerk**

§ 108-175. Findings and purpose.

Formatted: Underline

A. In 1993, New York State adopted § 57-0119 of the Environmental Conservation Law ("ECL") entitled "Central Pine Barrens Joint Planning and Policy Commission". This Commission consists of five voting members: a member appointed by the Governor, the County Executive of Suffolk County and the Supervisors of the Towns of Riverhead, Brookhaven and Southampton.

This Commission was formed to implement, manage and oversee land use within the Central Pine Barrens area on Long Island. ECL 57-0119(6)(a) gives the Commission the power to prepare, adopt and insure implementation of the Comprehensive Land Use Plan. ECL Article 57 recognizes the importance of the three local towns in regulating the implementation of the Plan within the Central Pine Barrens region.

The authority to establish a Comprehensive Land Use Plan is contained in ECL §57-01021. In conformance with ECL Article 57 and the Comprehensive Land Use Plan, the Town Board of the Town of Riverhead enacted §108-175 of the Town Code of the Town of Riverhead entitled "Pine Barrens Overlay District".

The intention of the original legislation adopted in 1995 and the resulting plan was that the local planning board and zoning powers and authority to regulate land uses by local municipalities within the Central Pine Barrens area would not be affected by said legislation and plan.

B. It is the purpose of this Article to provide consistency with the goals of the Central Pine Barrens Comprehensive Land Use Plan adopted by the Town Board on June 28, 1995, pursuant to the provisions of Article 57 of the New York State Environmental Conservation Law, as follows:

(1) To protect, preserve and enhance the functional integrity of the Pine Barrens ecosystem and the significant natural resources thereof.

(2) To protect the quality of surface water and groundwater.

(3) To discourage piecemeal and scattered development.

(4) To promote active and passive recreational and environmental educational uses that are consistent with the Land Use Plan.

(5) To accommodate development in a manner consistent with the long-term integrity of the pine barrens ecosystem and to ensure that the pattern of development is efficient and orderly.

Formatted: Indent: First line: 0.5"

(6) To protect the Pine Barrens ecosystem from illegal activity within the boundaries of the Central Pine Barrens Area, in particular clearing of large tracts of land without the necessary approvals.

C. The particular objectives for land use with respect to the Central Pine Barrens Core Preservation Area include:

(1) Preserving the Pine Barrens in their natural state thereby ensuring the continuation of the unique and significant ecologic, hydrogeologic and other resources representative of such environments.

←----- Formatted: Indent: First line: 0.5"

(2) Promoting compatible agricultural, horticultural and open space recreational uses within the framework of maintaining a pine barrens environment and minimizing the impact of such activities thereon.

(3) Prohibiting or redirecting new construction or development.

(4) Accommodating specific pine barrens management practices such as prescribed burning, necessary to maintain the special ecology of the preservation area.

(5) Protecting and preserving the quality of surface water and groundwater.

(6) Protecting the Pine Barrens ecosystem from illegal activity within the boundaries of the Central Pine Barrens Area, in particular clearing of large tracts of land without the necessary approvals.

←----- Formatted: Indent: First line: 0.5"

D. The particular objectives for land use with respect to the Central Pine Barrens Compatible Growth Area include:

(1) Preserve and maintain the essential character of the existing pine barrens environment, including plant and animal species indigenous thereto and habitats thereof.

←----- Formatted: Indent: First line: 0.5"

(2) Protect the quality of surface water and groundwater.

(3) Discourage piecemeal and scattered development.

(4) Encourage appropriate patterns or compatible residential, commercial, agricultural and industrial development in order to accommodate regional growth influences in an orderly way while protecting the pine barrens environment from the individual and cumulative adverse impacts thereof.

(5) Accommodate a portion of the development redirected from the Core Preservation Area.

(6) Allow appropriate growth consistent with stated natural resource goals

(7) Protect the Pine Barrens ecosystem from illegal activity within the boundaries of the Central Pine Barrens Area, in particular clearing of large tracts of land without the necessary approvals.

E. Although each of the zoning codes of the respective three towns contains penalty provisions for violations of the Code, no specific provisions are included for violations of regulations within the Central Pine Barrens area. Article 57 of the ECL does not specifically provide for an enforcement or penalty provision. The Towns of Riverhead, Brookhaven and Southampton desire to discourage and prevent unauthorized and illegal land clearing activities, illegal dumping and other unauthorized uses within the core area and the compatible growth area of the Long Island Central Pine Barrens Region. Any amendment to Article 57 of the ECL should be consistent with existing code enforcement provision in each of the three towns.

This local law, in addition to the purposes outlined above, is necessary to raise the potential penalties under the authority of the respective town codes for unauthorized and illegal land clearing activities, as well as provide enforcement of other provisions of the respective town code regarding the Long Island Central Pine Barrens region.

#### § 108-176. Applicability.

A. The provisions of this Article shall apply to those lands in the town located within the boundaries of the Central Pine Barrens Area as defined in § 57-0107, Subdivision 10, of the New York State Environmental Conservation Law, as the same may be amended from time to time.

B. While the fine amounts set forth herein are significant, they are not out of proportion to the nature of the violation. Violations occurring within the Central Pine Barrens area may threaten groundwater and the endangered and threatened plants and animals found within the Central Pine Barrens. Through the enactment of Article 57 of the ECL, the State legislature has seen fit to protect this environmentally sensitive area. This Local Law is adopted pursuant to the home rule authorization found within §10(4)(b) of the Municipal Home Rule Law and is intended to supersede § 268 of the Town Law.

#### § 108-177. Definitions.

The terms and words used in this Article shall be ascribed the meanings and uses generally attributable to them in the other sections of this chapter unless otherwise specifically interpreted or defined. As used in this chapter, the following terms shall have the meanings as indicated: **CENTRAL PINE BARRENS AREA** -- The area of the town defined in § 57-0107, Subdivision 10, of the New York State Environmental Conservation Law, as the same may be amended from time to time.

**Deleted:** A. The Town Board finds that the Central Pine Barrens are a unique ecosystem of particular value to the town and the region and that the natural resource should be protected.¶

B. It is the purpose of this Article to provide consistency with the goals of the Central Pine Barrens Comprehensive Land Use Plan adopted by the Town Board on June 28, 1995, pursuant to the provisions of Article 57 of the New York State Environmental Conservation Law, as follows:¶

(1) To protect, preserve and enhance the functional integrity of the pine barrens ecosystem and the significant natural resources thereof.¶

(2) To protect the quality of surface water and groundwater.¶

(3) To discourage piecemeal and scattered development.¶

(4) To promote active and passive recreational and environmental educational uses that are consistent with the Land Use Plan.¶

(5) To accommodate development in a manner consistent with the long-term integrity of the pine barrens ecosystem and to ensure that the pattern of development is efficient and orderly.¶

C. The particular objectives for land use with respect to the Central Pine Barrens Core Preservation Area include:¶

(1) Preserving the pine barrens in their natural state thereby ensuring the continuation of the unique and significant ecologic, hydrogeologic and other resources representative of such environments.¶

(2) Promoting compatible agricultural, horticultural and open space recreational uses within the framework of maintaining a pine barrens environment and minimizing the impact of such activities thereon.¶

(3) Prohibiting or redirecting new construction or development.¶

(4) Accommodating specific pine barrens management practices such as prescribed burning, necessary to maintain the special ecology of the preservation area.¶

(5) Protecting and preserving the quality of surface water and groundwater.¶

**Deleted:**

**Formatted:** Font: Bookman Old Style

**COMPATIBLE GROWTH AREA** -- The area of the town within the Pine Barrens Area, but outside the Core Preservation Area, as defined in § 57-0107, Subdivision 12, of the New York State Environmental Conservation Law, as the same may be amended from time to time.

**CORE PRESERVATION AREA** -- The area of the town within the Central Pine Barrens Area which contains the largest intact areas of undeveloped pine barrens as defined in § 57-0107, Subdivision 11, of the New York State Conservation Law, as same the may be amended from time to time.

**DEVELOPMENT** -- The performance of any building activity or mining operation, the making of any material changes in the use or intensity of use of any structure or land and the creation or termination of rights of access or riparian rights, as defined in § 57-0107, Subdivision 13, of the New York State Environmental Conservation Law, as the same may be amended from time to time.

**DEVELOPMENT RIGHT** -- The legal interest and rights permitted to a lot, parcel or area of land under this chapter respecting permissible use, area, density, bulk or height improvements executed thereon.

**PINE BARRENS CREDIT** -- A development right allocated for lands within the Central Pine Barrens Area.

**PINE BARRENS CREDIT CERTIFICATE** -- An instrument issued on the behalf of the Central Pine Barrens Joint Planning and Policy Commission which indicates the number of Pine Barrens credits associated with a particular parcel of land and which attests that development rights have been severed from such real property by the recording of a conservation easement and that such rights are available for sale or use.

**PLAN** -- The Central Pine Barrens Comprehensive Land Use Plan ratified by the Town Board on June 28, 1995, and adopted by the Central Pine Barrens Joint Planning and Policy Commission, pursuant to the provisions of Article 57 of the New York State Environmental Conservation Law.

**RECEIVING DISTRICT** -- One (1) or more designated districts to which development rights or Pine Barrens credits generated from one (1) or more sending areas may be transferred, and in which increased development is permitted to occur, as set forth in Article XXXVI of this chapter, by reason of such transfer.

**SENDING AREA** -- One (1) or more designated areas of land in the Core Preservation Area for which development rights or Pine Barrens credits are allocated for use in one (1) or more Receiving Districts.

**TRANSFER OF DEVELOPMENT RIGHTS** -- The process by which development rights or Pine Barrens credits are transferred from a lot or parcel located in any sending area to another lot or parcel located in one (1) or more Receiving Districts.

§ 108-178. Development within Core Preservation Area.

A. Development within the Core Preservation Area shall be prohibited unless a hardship exemption is issued by the Central Pine Barrens Joint Planning and Policy Commission pursuant to § 57-0121 of the New York

State Environmental Conservation Law. Land uses which do not constitute development may be permitted, provided that the use complies with all other applicable provisions of this chapter.

B. Notwithstanding the provisions of the aforementioned Subsection A, any legally existing, expanded or new activity involving agricultural or horticultural production may be permitted in the Core Preservation Area, provided that the agricultural or horticultural production does not involve the material alteration of native vegetation and that the land use complies with all other applicable provisions of this chapter. The erection of accessory agricultural or horticultural buildings or structures required for agricultural or horticultural production may be permitted, provided that said buildings or structures comply with all other applicable provisions of this chapter. Uses, buildings or structures that require the material alteration of native vegetation shall be prohibited as provided in Subsection A of this section.

C. A land use in the Core Preservation Area that lawfully exists at the effective date of this Article or any amendment thereto may be continued in its present form except that the aforementioned Subsections A and B shall apply to any change, alteration, expansion, restoration or modification to said land use constituting development as defined herein. § 108-179. Development within Compatible Growth Area.

A. Development within the Compatible Growth Area (CGA) shall comply with the following standards:

(1) All development subject to the provisions of Article 6 of the Suffolk County Sanitary Code shall meet the applicable requirements of the Suffolk County Department of Health.

(2) As determined by the State of New York or the County of Suffolk, any new public or private sewage treatment plant discharge shall be outside of the Core Preservation Area and shall be located north of the groundwater divide, as defined by the Suffolk County Department of Health Services, as site conditions permit.

(3) All development shall comply with the provisions of Articles 7 and 12 of the Suffolk Sanitary Code.

(4) All development involving significant discharges to groundwater and located proximate to public water supply wells shall require measures to mitigate impacts upon water quality as required under Article 17 of the New York State Environmental Conservation Law. The Suffolk County Department of Health Services' guidelines for private wells should be used for private wellhead protection.

(5) Development proposals for sites containing or abutting freshwater wetlands shall be separated by a non-disturbance buffer area which shall be in accordance with Article 24 of the New York State Environmental Conservation Law, the Wild, Scenic and Recreational Rivers Act (the Rivers Act) and Chapter 107 of the Code of the Town of Riverhead, whichever is most restrictive. Distances shall be measured horizontally from the wetland edge as mapped by the New York State Department of

Environmental Conservation, field delineation or local ordinance. Stricter buffer areas may be established for wetlands as appropriate. Buffer areas shall be delineated on development plans with conditions imposed to assure the preservation of the freshwater wetland resource. Said conditions shall be set forth in a declaration of covenants, conservation easement or similar instrument.

(6) Development proposals for sites within the regulated area of the New York Wild, Scenic and Recreational Rivers Act shall conform to the standards of the Act. Variances from the Act shall meet all requirements imposed by the State of New York in order to be deemed to have met the requirements of this standard. Additional relief from the Town of Riverhead Zoning Board of Appeals shall not be required.

(7) All stormwater generated by development shall be recharged on site unless surplus capacity exists in an off-site drainage system. In the review of development plans, the Town Board shall encourage the use of natural recharge areas or drainage system design which result in minimal disturbance of native vegetation with the use of natural swales and depressions as an alternative to excavated recharge basins where feasible. Development plans should include the use of ponds only if such ponds are designed to retain stormwater and are not merely constructed for aesthetic purposes. Adequate measures should be employed to control soil erosion and stormwater runoff during construction, as per guidelines promulgated by the New York State Department of Environmental Conservation.

(8) Clearance.

(a) The proposed disturbance to natural vegetation, combined with previously disturbed areas, shall conform to the following clearance standards:

	Maximum Site Clearance	
Zoning Use District		(percentage)

Residence A Use District	53%
Agriculture A Use District	53%
Industrial A Use District	65%
Industrial C Use District	65%
[Added 9-16-1998]	
Business CR Use District	65%

(b) The applicable clearance percentage shall be calculated over the area of the entire parcel, including but not limited to public highways, roadways, building sites, parking areas, drainage structures and recharge areas. Development plans shall delineate the existing naturally vegetated areas, shall calculate those portions of the site that are already cleared due to previous activities and shall contain calculations for the

amount of disturbance of native vegetation and indicate the clearing limits thereof.

(c) To the extent that a portion of a site includes Core property, and for the purpose of calculating the clearing limits, the site shall be construed to be the combined Core and CGA portions. However, the Core portion may not be cleared without a hardship exemption.

(9) Land subdivision maps and site plans shall be designed to encourage the preservation of large unbroken blocks that provide for contiguous open spaces to be established when adjacent parcels are developed. Applications for subdivision and site plan shall contain calculations for clearing, and these limits shall become part of the filed map or approved drawings. Nonnative vegetation species to be avoided are contained in Figure 5-2 of the plan.

Deleted: shall become

(10) Development projects shall place no more than fifteen percent (15%) of the entire site in fertilizer dependent vegetation. Development designs shall consider native planting suggestions made part of the plan.

(11) Development which will have a significant negative impact upon a habitat essential to those species identified on the New York State maintained lists as rare, threatened or of special concern, or upon the communities classified by the New York State Natural Heritage Program as G1, G2 or G3 or as S1, S2 or S3 or upon any federal listed endangered or threatened species, appropriate mitigation measures, as determined by the state, county or local government agency, shall be imposed to protect such species.

(12) Development projects shall minimize disturbance of the natural grade and/or natural vegetation where slopes exceed ten percent (10%). Construction in areas with slopes exceeding ten percent (10%) may be approved if the site design incorporates adequate soil stabilization and erosion control measures so as to mitigate negative environmental impacts. Where applicable, non-disturbance buffers shall be placed on those portions of the site where slopes exceed ten percent (10%). Development plans shall include a slope analysis depicting existing slopes in the ranges of zero percent (0%) to ten percent (10%), eleven percent (11%) to fifteen percent (15%) and fifteen percent (15%) or greater. Erosion and sediment control plans and details of retaining walls and erosion control structures shall be referred for construction in areas where slopes exceed fifteen percent (15%) and for roads and driveways traversing slopes of ten percent (10%).

(13) In order to provide for orderly development and the efficient provision of infrastructure, applications for development projects depicting either open space or reserve areas shall specify the conditions of ownership and the use of such lands, and such conditions shall be set forth in the deed of dedication, declaration of covenants, conservation easement or similar instrument.

(14) Where applicable, the use of a planned residential development or use of cluster design pursuant to Article XIX of this chapter shall be

encouraged to preserve open space. Further, the use of planned industrial park development pursuant to the provisions of Article XX of this chapter shall be encouraged to preserve open spaces.

(15) Any existing, expanded or new activity involving agricultural production or horticulture shall comply with best management practices as set forth in the plan, as may be amended from time to time.

(16) Development plans shall indicate established recreational and educational trails and trail corridors, active recreational sites, scenic corridors, roads, vistas and viewpoints, sites of historical or cultural significance, including historic districts, sites on the State or National Registers of Historic Places and historic structures listed on the State or National Registers of Historic Places, or recognized by local law or statute, sensitive archeological sites as identified by the New York State Historic Preservation Officer or the New York State Museum, within five hundred (500) feet of the proposed development, and shall provide adequate measures to protect such natural resources. The use of existing natural buffers or the restoration of degraded buffer areas, the use of signs or other man-made structures, consistent in style and scale with the community character, or other similar measures shall be taken to protect roadside areas as well as scenic and recreational resources.

(17) All commercial or industrial development shall comply with the applicable provisions of the Suffolk County Sanitary Code and all other applicable federal, state or local laws.

B. A land use within the Compatible Growth Area that lawfully exists at the time of the effective date of this Article or any amendment thereto may be continued in its present form except that the aforementioned standards shall apply to any change, structural alteration, expansion, restoration or modification to said land use constituting development as defined herein.

C. Those economic development activities to occur upon those lands within the two-thousand-nine-hundred-acre tract of the Calverton Naval Weapons Industrial Reserve Plant as contemplated by Public Law 103-c337 (Suffolk County Tax Map parcels 0600-135-1-2, 0600-135-1-6 and 0600-135-1-7), the plan and its attending generic environmental impact statement shall not constitute development as defined by § 57-0107, Subdivision 13(i) of the New York State Environmental Conservation Law and by this Article.

#### D. Penalties for Offenses

A. In addition to the penalties provided for in elsewhere in Chapter 108 of the Town Code of the Town of Riverhead, any person or entity who shall violate any of the provisions here shall restore the subject premises or property or shall undertake any necessary remedial action, including but not limited to the posting of a performance and maintenance bond, as required by the Town Board in order to bring the subject premises

into conformance with the requirements of this chapter and the Central Pine Barrens Comprehensive Land Use Plan or any permit, covenant or condition issued thereto.

B. Any person or entity who shall violate any of the provisions contained in this chapter or the Central Pine Barrens Comprehensive Land Use Plan or any permit covenant or condition issued pursuant thereto, shall be guilty of a violation of such which shall be punishable by a fine not to exceed \$25,000.00 or not more than one (1) year in jail, for violations occurring on premises or property located within the Core Preservation Area or \$10,000.00 or no more than one (1) year in jail, for violations occurring on premises or property located within the Compatible Growth Area, and an additional fine of \$1,000.00 per day in both areas for each day that such violation continues. A violations of this section shall be classified as an unclassified misdemeanor.

C. Any fines or penalties collected pursuant Chapter 108 of the Town of Riverhead for violations of the provisions of the Town Code relating to the Pine Barrens Overlay District, when paid over to the Town, shall be maintained in a segregated account to be used exclusively for the continuation of the protection, preservation, enhancement and/or restoration of the natural resources and ecosystems of the Central Pine Barrens Region.

D. Where authorized by a duly adopted resolution of the Town Board, the Town Attorney shall bring and maintain a civil proceeding, in the name of the Town in the Supreme Court, pursuant to Town Law §268, to enjoin the person or persons conducted or permitting any violation of this article for further conducting or permitting said violation.

§ 108-180. Transfer of development rights; Pine Barrens credit program.

A. It is the purpose of the Pine Barrens credit program to provide for the preservation of land within the Core Preservation Area while maintaining the value of those lands by providing for the transfer of Pine Barrens credits. Development rights shall be transferable from the Core Preservation Area to approved receiving sites outside the Core Preservation Area pursuant to Chapter 95A of the Town Code and the transfer of development rights standards of Article 6 of the Suffolk County Sanitary Code. Additionally, a landowner must obtain a Pine Barrens credit certificate from the Pine Barrens Credit Clearinghouse (the "Clearinghouse") as set forth in the plan, which Pine Barrens credit may be sold or used in accordance with the procedures set forth in this chapter.

B. General regulations.

(1) Pine Barrens credits, or fractions thereof, shall be allocated for each parcel of land established as a separate tax lot as of the effective date of this chapter.

(2) Pine Barrens credits shall be allocated for each single-family dwelling permitted on a parcel of land based upon the development yield established by multiplying the gross lot area (acres) of the parcel by the following development yield factor, such factor predicated upon that zoning use district in existence upon the adoption of the plan in June 1995. A fractional allocation of a Pine Barrens credit shall be rounded to the nearest one-hundredth of a Pine Barrens credit.

Zoning Use District	Minimum Lot Area (square feet)	Development Yield Factor
Natural Resources Protection	160,000	0.20

Residence C 20,000 1.60

(3) One (1) nonresidential Pine Barrens credit shall be allocated for each acre or gross lot area of real property within the Open Space Conservation Zoning Use District and the Defense Institutional District. A fractional allocation of a Pine Barrens credit shall be rounded to the nearest one-hundredth of a Pine Barrens credit.

(4) Notwithstanding the aforementioned provisions, the Planning Board, upon the written request of the landowner, and subject to prior approval by the Commission, may elect to increase the allocation of Pine Barrens credits for a parcel of land if it can be demonstrated to the satisfaction of the Planning Board that the potential development yield of the property, pursuant to Article XX, § 108-95C, is greater than the yield set forth herein.

(5) No Pine Barrens credit shall be allocated for property owned or held by a public agency, municipal corporation or governmental subdivision, including property held by reason of tax default. [Amended 5-20-1997]

(6) No Pine Barrens credit shall be allocated for property for which the development rights have previously been used or acquired, nor for lands which are encumbered by easement, covenant or other deed restriction for the purpose of land protection, preservation or conservation.

(7) No Pine Barrens credits may be transferred into the Core Preservation Area. Pine Barrens credits originating in the Core Preservation Area may be transferred out of the Central Pine Barrens Area pursuant to the establishment of receiving areas. Pine Barrens credits shall not originate from lands within the Compatible Growth Area.

APRIL 15, 2003

## TOWN OF RIVERHEAD

**Adopted**Resolution # 399**AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST  
A HELP WANTED AD FOR PART TIME HOMEMAKER**

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

**BE IT RESOLVED**, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the April 24, 2003 issue of The Traveler Watchman.

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

## THE VOTE

Sanders  Yes  NoBlass  Yes  NoDensieski  Yes  NoLull  Yes  NoKozakiewicz  Yes  No

**HELP WANTED**

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking qualified individuals to serve in the position of Part-time Homemaker. Applications are to be submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY. Deadline is May 02, 2003. EOE.

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

4/15/03

TOWN OF RIVERHEAD

Tabled

Resolution # 400

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

COUNCILMAN LULL

offered the following resolution,

**COUNCILMAN DENSIESKI**

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

**RESOLVED**, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a proposed local law to consider the amendment of Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code, once in the April 24, 2003 issue of the Traveler-Watchman, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

**RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to the Chief Hegermiller, Riverhead Police Department, Riverhead Building Department and the Office of the Town Attorney.

THE VOTE

Sanders  Yes  No Blass  Yes  No

Densieski  Yes  No Lull  Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ~~ADOPTED~~

Tabled

TOWN OF RIVERHEAD  
PUBLIC NOTICE

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 6<sup>th</sup> day of May, 2003 at 7:25p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

- **Underlined represents additions**
- **Strikethrough represents deletions**

**§ 101-1. Definitions.**

Display- An arrangement of merchandise; objects, designed to please the eye, attract a buyer; to show or exhibit; make visible

Regularly-At specific times or intervals; according to plan

**§ 101-10.3. Parking, standing and stopping prohibited in specified places.**

A. Except when necessary to avoid conflict with other traffic or when in compliance with law or the directions of a police officer or other personnel so authorized by the Town Board or official traffic-control device, no person shall:

- (1) Stop, stand or park a vehicle:
  - (a) On a sidewalk.
  - (b) Within an intersection, except when permitted by official signs or parking meters on the side of a highway opposite a street which intersects but does not cross such highway.
  - (c) On a crosswalk.
  - (d) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.
  - (e) Upon any bridge or other elevated structure upon a highway, unless otherwise indicated by official signs or markings.
  - (f) On any railroad tracks.
  - (g) In the area between roadways of a divided highway, including crossovers, except in an emergency.
- (2) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:
  - (a) In front of a public or private driveway.
  - (b) Within 20 feet of a crosswalk at an intersection, unless a different distance is indicated by official signs, markings or parking meters.
  - (c) Alongside or obstructing a curb area which has been cut down, lowered or constructed so as to provide accessibility to the sidewalk.
- (3) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers, within 50 feet of the

nearest rail of a railroad crossing, unless a different distance is indicated by official signs, markings or parking meters.

(4) Stop, stand or park a vehicle within 15 feet of a fire hydrant except when such vehicle is attended by a licensed operator or ~~chauffer~~ chauffeur who is seated in the front seat and who can immediately move such vehicle in case of an emergency, unless a different distance is indicated by official signs, markings or parking meters.

(5) Regularly display or park a vehicle for the purpose of selling the same on the following roads within the Town of Riverhead or within the parcels that front the following highways or within a distance of (300) feet therefrom of any intersecting street thereof:

- (a) County Road 58
- (b) State Route 25
- (c) Sound Avenue
- (d) Hubbard Avenue
- (e) Peconic Bay Boulevard
- (f) Wading River Road
- (g) Edwards Avenue
- (h) County Road 73 (Roanoke Avenue)
- (i) Osborn Avenue
- (j) Doctors Path
- (k) County Road 54 (Hulse Landing Road)
- (l) Reeves Avenue
- (m) State Route 25A
- (n) County Road 43 (Northville Turnpike)
- (o) Pulaski Street
- (p) Middle Road
- (q) County Road 105
- (r) Meeting House Creek Road
- (s) Elton Street
- (t) North Country Road
- (u) North Wading River Road
- (v) Fresh Pond Avenue
- (w) Horton Avenue
- (x) Mill Road

(6) Exempt from the provisions of Subsection 5 (a-x) are Person(s) and/or dealerships who have obtained a valid use permit issued by the Town of Riverhead to do such selling of automobiles/motor vehicles.

(7) Stop, stand or park a vehicle for the purpose of Greasing or Repairing such vehicle on a Town or Public highway, except for such repairs as may be necessitated by an emergency.

#### § 101-20. Additional parking regulations.

A. Except where angle parking is authorized, every vehicle stopped, standing or parked wholly upon a two-way roadway shall be so stopped, standing or parked with the right-hand wheels of such vehicle parallel to and within 12 inches of the right-hand curb or edge of the roadway.

B. Except where angle parking is authorized, every vehicle stopped, standing or parked wholly upon a one-way roadway shall be so stopped, standing or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within 12 inches of the right-hand curb or edge of the roadway or its left-hand wheels within 12 inches of the left-hand curb or edge of the roadway.

C. Except where angle parking is authorized, every vehicle stopped, standing or parked partly upon a roadway shall be so stopped, standing or parked parallel to the curb or edge of the roadway. On a one-way roadway such vehicle shall be facing in the direction of authorized traffic movement; on a two-way roadway such vehicle shall be facing in the direction of authorized traffic movement on that portion of the roadway on which the vehicle rests.

~~D. No person regularly engaged in the sale or repair of vehicles shall park a vehicle upon any highway for the purpose of:~~

~~(1) Displaying of such vehicle for sale.~~

~~(2) Greasing or repairing such vehicle, except for such repairs as may be necessitated by an emergency.~~

~~E. D.~~ No motor vehicle shall be parked upon any highway without first being registered and inspected pursuant to the Vehicle and Traffic Law of the State of New York.

#### **ARTICLE VI, Removal and Storage of Vehicles**

##### **§ 101-21. Authority to impound vehicles.**

A. When any vehicle is parked or abandoned on any highway within the Town of Riverhead during a snowstorm, flood, fire or other public emergency which affects that portion of the public highway upon which such vehicle is parked or abandoned, said vehicle may be removed by the Riverhead Town Police or other personnel so authorized by the Town Board.

B. When any vehicle is found unattended on any Town of Riverhead property or public highway in the Town of Riverhead where such vehicle constitutes an obstruction to traffic or an attractive nuisance such, vehicle may be removed by the Riverhead Town Police or other personnel so authorized by the Town Board

C. When any vehicle is parked or abandoned within the Town of Riverhead where parking, stopping or standing is prohibited or said vehicle is parked upon private property without the consent of the owner of such property, such vehicle may be removed by the Riverhead Town Police or other personnel so authorized by the Town Board.

D. When any vehicle is parked or abandoned within the Town of Riverhead where said vehicle is in violation with chapter 101-10.3 A(5), such vehicle may be removed by the Riverhead Town Police or other personnel so authorized by the Town Board.

##### **§ 101-22. Procedure, storage and charges.**

~~A. Any vehicle in violation of this chapter, while parked in violation of this chapter or abandoned within the Town of Riverhead and upon which a summons for violation of this chapter has been affixed, shall, upon direction of a peace or police officer be removed from the point of violation by the Riverhead Police Department or by a person engaged in the towing business within the Town of Riverhead. The owner or owners of such vehicle shall be required to pay the Town of Riverhead a fee for said removal. The owner or owners of such vehicle shall also be required to pay a reasonable storage charge for every day after such removal. Said fees and charges shall be established annually by resolution of the Town Board.~~

~~B. Prior to releasing or surrendering such removed vehicle, the Riverhead Police shall require the vehicle owner to produce proper identification of ownership. The desk officer of the~~

Riverhead Police Department shall further be authorized and hereby is directed to accept a plea to the summons issued. Upon a plea of guilty, he shall accept a fine. Upon a plea of not guilty, he shall accept bail. Both fines and bail shall be established at rates set by the Riverhead Town Justices. No vehicle shall be released from impoundment by a desk officer until a plea has been entered.

C. ~~An impound form shall be used by police for each removal.~~

### **§ 101-22. Procedure, storage and charges.**

- A. Any vehicle in violation of this chapter, while parked in violation of this chapter or abandoned within the Town of Riverhead, may be removed to an impound area designated for the placement of the same by or at the direction of any Riverhead Town Officer authorized to enforce this local law at the expense of the owner thereof. The Town Board and said enforcement agency shall not be responsible for any damage to any vehicle occasioned by such removal.
- B. Impound forms shall be used by Police or other personnel so authorized by the Town Board for each removal.
- C. (1) Upon impounding an abandoned vehicle, the officer or Police Agency shall make an inquiry as to the owner of the vehicle and shall notify the last registered owner by certified mail of the removal and disposition of such vehicle and the amount which will be required to redeem the same.
- (2) If the impounded vehicle is claimed and the owner known, the owner may reclaim the vehicle after proving ownership and paying an impound fee, plus the cost of removal, plus a storage fee per day. Said fees and charges shall be established annually by resolution of the Town Board.
- (3) An appearance ticket must be affixed to the vehicle or served on the last registered owner by any Riverhead Town Police Officer or CODE ENFORCEMENT OFFICER authorized to enforce this local law.
- (4) Appearances Tickets for violations regarding this chapter shall be handled by Riverhead Town Justice Court. Fines levied shall be an addition to impound, removal, and storage fees.
- D. If a vehicle remains unclaimed for a period of 45 days from the date notice is sent to the last registered owner, or if the owner cannot be found or served and said vehicle:
- (1) Has no valid number plates or registration and is of wholesale value deemed by blue book, taking into consideration the condition of the vehicle, of (\$1250) ONE THOUSAND TWO HUNDRED AND FIFTY DOLLARS or less, ownership shall immediately vest in the Town of Riverhead and shall be junked/salvaged or dismantled for use other than a motor vehicle.
- (2) Has no valid number plates or registration and is of wholesale value deemed by blue book, taking into consideration the condition of the vehicle of vehicle having a value in

excess of (\$1250) ONE THOUSAND TWO HUNDRED AND FIFTY DOLLARS shall be disposed of at a public auction to the highest bidder. The proceeds from the sale of such vehicle less impound fee, costs of removal, storage fee and costs of sale, shall be held for (1) one year. If not claimed within said one-year period, such proceeds shall be paid into the general fund of the Town of Riverhead.

- (3) Pursuant to VTL §1224 Subsection (2); the Town of Riverhead shall not be required to obtain title to an abandoned vehicle that is subject to the provisions of this subdivision if the vehicle will be sold or otherwise disposed of as junk or salvage, dismantled for use other than as a motor vehicle, or otherwise destroyed.

F. The provisions of this section shall not apply to vehicles operated by any government agencies or other emergency vehicles while actually in the performance of their duties.

**§ 101-26. Penalties for offenses. [Amended 7-17-2001 by L.L. No. 10-2001]**

A. Every person convicted of a traffic infraction for a violation of any provision of this chapter which is not a violation of any provision of the Vehicle and Traffic Law of the State of New York shall, for a first conviction thereof, be punished by a fine of not more than \$35 or by imprisonment for not more than 15 days, or by both such fine and imprisonment, and shall be deemed a violation; for a second conviction within 18 months thereafter, such person shall be punished by a fine of not more than \$70 or by imprisonment for not more than 20 days, or by both such fine and imprisonment; upon a third or subsequent conviction within 18 months after the first conviction, such person shall be punished by a fine of not more than \$250 or by imprisonment for not more than 30 days, or by both such fine and imprisonment.

B. Except for parking tickets issued under Vehicle and Traffic Law § 1203-a and/or Article VIII of Chapter 101 of the Code of the Town of Riverhead, persons cited on a town parking summons for a violation of this chapter, permit parking or parking-related violations shall be subject to a fine of ~~\$25~~ 35 and shall answer and/or appear on or before the designated return date. Persons failing to appear on or before the designated return date shall be subject to the following surcharges in addition to the prescribed fines:

- (1) For failing to answer and/or appear within 30 days of return date: \$20.
- (2) For failing to answer and/or appear within 60 days: an additional \$20 in addition to the surcharge imposed in Subsection B(1) above.
- (3) For failing to answer and/or appear within 90 days of the return date: an additional \$20 in addition to the surcharges imposed in Subsection B(1) and B(2) above.

4/ /03

TOWN OF RIVERHEAD

Resolution # 401

AUTHORIZING OFFER PURSUANT TO SECTION 303 OF THE NEW YORK STATE EMINENT DOMAIN PROCEDURE LAW IN CONNECTION WITH THE CONDEMNATION OF 201 RAILROAD STREET, SCTM 0600-128-03-006 RIVERHEAD, NEW YORK

COUNCILWOMAN SANDERS

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

WHEREAS, the Town Board, by Resolution # 971, dated September 18, 2001, determined to acquire the parcel located at 201 Railroad Street, Riverhead, New York, reputed owner, MRH REALTY, Suffolk County Tax Map 0600-128-03-006, and

WHEREAS, the synopsis of the Town Board's findings and determination set forth in Resolution # 971, dated September 18, 2001, was duly published; and

WHEREAS, this acquisition has been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment; and

WHEREAS, the tenant of the premises, Oscar Viera, d/b/a Mae's Market, has a claim for trade fixtures located within the property;

NOW BE IT RESOLVED, that the Town Board hereby authorizes that a written offer pursuant to Section 303 of the Eminent Domain Procedure Law be made to the owner(s) of the fixtures located in the property to be acquired in the sum of FORTY FIVE THOUSAND FIVE HUNDRED (\$ 45,000) Dollars, less any appropriate adjustments, which sum represents just compensation for said fixtures; and it is further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP.; the Town Attorney, and Andrea Lohneiss, Director of the Community Development Agency.

THE VOTE

Sanders  Yes \_\_\_ No Blass  Yes \_\_\_ No  
Densieski  Yes \_\_\_ No Luli  Yes \_\_\_ No  
Kozakiewicz  Yes \_\_\_ No

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

Resolution # 402

AUTHORIZING OFFER PURSUANT TO SECTION 303 OF THE NEW YORK  
STATE EMINENT DOMAIN PROCEDURE LAW IN CONNECTION  
WITH THE CONDEMNATION OF 207 RAILROAD STREET,  
SCTM 0600-128-03-005  
RIVERHEAD, NEW YORK

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

WHEREAS, the Town Board, by Resolution # 969, dated September 18, 2001, determined to acquire the parcel located at 207 Railroad Street, Riverhead, New York, reputed owner, KEVIN CONLAN and DANIEL CONLON, Suffolk County Tax Map 0600-128-03-005, and

WHEREAS, the synopsis of the Town Board's findings and determination set forth in Resolution # 969, dated September 18, 2001, was duly published; and

WHEREAS, this acquisition has been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment; and

WHEREAS, the tenant of the premises, Riverhead Liquor Corp., has served a notice of claim for trade fixtures located within the property;

NOW BE IT RESOLVED, that the Town Board hereby authorizes that a written offer pursuant to Section 303 of the Eminent Domain Procedure Law be made to the owner(s) of the trade fixtures property to be acquired in the sum of THIRTY TWO THOUSAND, TWO HUNDRED AND THIRTY FIVE (\$ 32,235.00) Dollars, less any appropriate adjustments, which sum represents just compensation for said real property; and it is further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP.; the Town Attorney, and Andrea Lohneiss, Director of the Community Development Agency.

**THE VOTE**  
Sanders ✓ Yes \_\_\_ No \_\_\_ Blass ✓ Yes \_\_\_ No \_\_\_  
Densieski ✓ Yes \_\_\_ No \_\_\_ Lull ✓ Yes \_\_\_ No \_\_\_  
Kozakiewicz \_\_\_ Yes \_\_\_ No \_\_\_  
THE RESOLUTION WAS  WAS NOT  
THEREUPON DULY ADOPTED

4/ /03

TOWN OF RIVERHEAD

771  
**Adopted**

Resolution # 403

AUTHORIZING OFFER PURSUANT TO SECTION 303 OF THE NEW YORK STATE EMINENT DOMAIN PROCEDURE LAW IN CONNECTION

WITH THE CONDEMNATION OF 217 RAILROAD STREET,

SCTM 0600-128-03-004

RIVERHEAD, NEW YORK

**COUNCILWOMAN SANDERS**

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

WHEREAS, the Town Board, by Resolution # 970, dated September 18, 2001, determined to acquire the parcel located at 217 Railroad Street, Riverhead, New York, reputed owner, KEVIN CONLAN, Suffolk County Tax Map 0600-128-03-004, and

WHEREAS, the synopsis of the Town Board's findings and determination set forth in Resolution # 970, dated September 18, 2001, was duly published; and

WHEREAS, this acquisition has been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment; and

WHEREAS, the owner of the premises has served a notice of claim for trade fixtures located within the property;

NOW BE IT RESOLVED, that the Town Board hereby authorizes that a written offer pursuant to Section 303 of the Eminent Domain Procedure Law be made to the owner(s) of the trade fixtures property to be acquired in the sum of FOUR THOUSAND THREE HUNDRED AND FORTY THREE (\$ 4,343.00) Dollars, less any appropriate adjustments, which sum represents just compensation for said real property; and it is further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP.; the Town Attorney, and Andrea Lohneiss, Director of the Community Development Agency.

THE VOTE  
Sanders  Yes  No Blass  Yes  No  
Densieski  Yes  No Lull  Yes  No  
Kozakiewicz  Yes  No  
THE RESOLUTION WAS  WAS NOT  
THEREUPON DULY ADOPTED

4/ /03

TOWN OF RIVERHEAD

772  
**Adopted**

Resolution # 404

AUTHORIZING OFFER PURSUANT TO SECTION 303 OF THE NEW YORK  
STATE EMINENT DOMAIN PROCEDURE LAW IN CONNECTION  
WITH THE CONDEMNATION OF 210 COURT STREET,  
SCTM 0600-128-03-010  
RIVERHEAD, NEW YORK

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

WHEREAS, the Town Board, by Resolution # 972, dated September 18, 2001, determined to acquire the parcel located at 210 Court Street, Riverhead, New York, reputed owner, CLUBHOUSE OF SUFFOLK, INC., Suffolk County Tax Map 0600-128-03-010, and

WHEREAS, the synopsis of the Town Board's findings and determination set forth in Resolution # 972, dated September 18, 2001, was duly published; and

WHEREAS, this acquisition has been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment;

WHEREAS, the owner of the premises has a claim for trade fixtures located within the property;

NOW BE IT RESOLVED, that the Town Board hereby authorizes that a written offer pursuant to Section 303 of the Eminent Domain Procedure Law be made to the owner(s) of the trade fixtures property to be acquired in the sum of One Hundred Thirty Eight and Fifty Three (\$ 138,053.00) Dollars, less any appropriate adjustments, which sum represents just compensation for said real property; and it is further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP.; the Town Attorney, and Andrea Lohneiss, Director of the Community Development Agency.

THE VOTE  
Sanders  Yes  No Blass  Yes  No  
Densieski  Yes  No Lull  Yes  No  
Kozakiewicz  Yes  No  
THE RESOLUTION WAS  WAS NOT  
THEREUPON DULY ADOPTED

April 15, 2003

TOWN OF RIVERHEAD

Resolution # 405

**Adopted**

**ACCEPTS OFFER OF SALE OF DEVELOPMENT RIGHTS**  
**(RICHARD MEYER AND DONNA MEYER)**

COUNCILWOMAN BLASS offered the following resolution, which was seconded

by COUNCILMAN DENSIESKI :

**WHEREAS**, the Riverhead Farmland Preservation Committee ("the Committee") has received an offer for sale of development rights from Richard Meyer and Donna Meyer, consisting of approximately 4.6 acres of real property located on the southerly side of Sound Avenue, Baiting Hollow, New York, such real property more particularly described as Suffolk County Tax Map Number 0600-60-1- p/o 5.5 ; and

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

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

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

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

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

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a contract for purchase of development rights from the subject properties in an amount not to exceed Thirty-three thousand dollars per acre (\$33,000.00); and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Richard Meyer and Donna Meyer, 1857 Sound Avenue, Baiting Hollow, New York 11933; the Farmland Preservation Committee; Peconic Land Trust, Attn: Julie Westnofske, 296 Hampton Road, P.O. Box 1776, Southampton, New York, 11968; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office and the Office of the Town Attorney.

Z:\TnAttyShare\Sean II\Purchase of Dev and open Space\Meyer\Meyer accept.doc

THE VOTE  
Sanders  Yes  No    Blass  Yes  No  
Densieski  Yes  No    Lull  Yes  No  
Kozakiewicz  Yes  No  
THE RESOLUTION WAS  WAS NOT

# Adopted

4/15/03

## TOWN OF RIVERHEAD

Resolution #406

### APPOINTS INTERPRETATION CONSULTANT FOR POLICE DEPARTMENT AND JUSTICE COURT

COUNCILWOMAN SANDERS

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

COUNCILMAN DENSIESKI

**WHEREAS**, the Town, in connection with its municipal operations, requires services consisting of the following: Language Translation; and

**WHEREAS**, David Burton Olson, Contractor, is willing to provide the following services to the Town:

Description of Services:	Language Translation – Spanish
Date(s) and Hours of Service:	On – call, Flexible

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Supervisor is hereby authorized to execute the Agreement in connection with interpreter services of the aforementioned individual; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to David Burton Olson, 124 David White's Lane, Southampton, New York, 11968; Police Chief David Hegermiller; Justice Richard Ehlers; Justice Allen Smith; the Office of Accounting and the Town Attorney's Office.

**THE VOTE**

Sanders	<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	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY ADOPTED

## AGREEMENT

BETWEEN, **THE TOWN OF RIVERHEAD**, a municipal corporation with offices at 200 Howell Avenue, Riverhead, New York, hereinafter referred to as "**TOWN**" and **DAVID BURTON OLSON**, residing at 124 David White's Lane, Southampton, New York, 11968, hereinafter referred to as "**CONTRACTOR**".

### WITNESSETH

**WHEREAS**, the Town, in connection with its municipal operations, requires services consisting of the following: Language Translation; and

**WHEREAS**, the contractor is willing to provide the following services to the Town:

Description of services:	Language Translation – Spanish
Date(s) and Hours of Services:	On-call, Flexible

**IT IS HEREBY AGREED**, by the Town and Contractor as follows:

1. That Contractor shall provide and fully perform to the Town's satisfaction the aforementioned services to the Town on the date(s) and times(s) stated above.
2. In return for Contractor's services, the Town shall pay Contractor as follows: The sum of Fifty (\$50.) Dollars for the first (1<sup>st</sup>) hour of service and Thirty-Five (\$35.) Dollars for each hour, or part thereof, thereafter. That sum shall be payable after the Contractor performs the services described for the Town and after contractor has filed with the Town of Riverhead, vouchers and any other documents reasonably required for payment.

Dated: Riverhead, New York  
May , 2003

**TOWN OF RIVERHEAD**

By: \_\_\_\_\_  
ROBERT F. KOZAKIEWICZ  
Town Supervisor

**CONTRACTOR**

By: \_\_\_\_\_  
DAVID BURTON OLSON

# Adopted

15/03

TOWN OF RIVERHEAD

RESOLUTION CALLING PUBLIC HEARING  
GATZ ESTATES, HUBBARD AVENUE  
LATERAL WATER MAIN  
RIVERHEAD WATER DISTRICT

RESOLUTION # 407  
ADOPTED \_\_\_\_\_

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

WHEREAS, a petition has been filed by the owners of Gatz Estates on Hubbard Avenue, Riverhead, for the installation of a lateral water main of the Riverhead Water District to serve their realty subdivision, and

WHEREAS, a map and plan has been proposed by H2M, consulting engineers to the Riverhead Water District, and

WHEREAS, the subdivision is comprised of 6 dwelling units, which subdivision is already located within the boundaries of the Riverhead Water District, and

WHEREAS, the map and plan is available for review and inspection at the Office of the Riverhead Town Clerk, 200 Howell Avenue, Riverhead, New York, during normal business hours, and

WHEREAS, said map and plan calls for the installation of 600 linear feet of six inch diameter water main through the subdivision, dead ending with a new hydrant at the property line of lots 5 and 6, and

WHEREAS, all costs associated with this lateral shall be borne by the petitioner and the petitioner will be required to pay key money in the amount of \$2,500 for each proposed dwelling unit for a total cost of \$15,000. This cost represents the infrastructure costs to the Riverhead Water District to service these additional residences, and

WHEREAS, the Town Board desires to call a public hearing to consider the aforementioned petition,

NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and is hereby authorized to

publish and post a Notice of Public Hearing to be held on the 6th day of May, 2003, at 7:35 P.M. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the petition of Gatz Estates to construct a lateral water main comprised of 600 linear feet of six inch diameter water main and appurtenances, at the sole cost of the developer and at no cost to the District and the payment of key money pursuant to Chapter 105 of the Riverhead Town Code,

NOW, THEREFORE, BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish a copy of this resolution in full in the April 24, 2003, edition of the Traveller Watchman, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to H2M, Gary Pendzick, Frank Isler, Esq., and the applicant.

BY ORDER OF THE RIVERHEAD TOWN BOARD  
Barbara Grattan, Town Clerk

Dated: April 15, 2003  
Riverhead, NY

THE VOTE  
Sanders ✓ Yes \_\_\_ No \_\_\_ Blass ✓ Yes \_\_\_ No \_\_\_  
Densieski ✓ Yes \_\_\_ No \_\_\_ Lull ✓ Yes \_\_\_ No \_\_\_  
Kozakiewicz ✓ Yes \_\_\_ No \_\_\_  
THE RESOLUTION WAS ~~X~~ WAS NOT  
THEREUPON DULY ADOPTED

# Tabled

# Adopted

06/03/03

3/15/03

RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE  
WATER SERVICE CONTRACT  
WITH FIELD DAY, LLC  
RIVERHEAD WATER DISTRICT

Adopted 4/15/2003  
# 408

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

RESOLVED, the Supervisor be and is hereby authorized to  
execute a Water Service Agreement on behalf of the Riverhead Water  
District with Field Day, LLC, and be it further

RESOLVED, that the Town Clerk forward certified copies of this  
resolution to the Accounting Department, Gary Pendzick, Frank  
Isler, Esq., Planning Department, Assessors.

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

TOWN BOARD MEETING OF JUNE 3, 2003

COUNCILMAN LULL OFFERED THE RESOLUTION TO BE BROUGHT OFF THE TABLE WHICH WAS  
SECONDED BY COUNCILWOMAN BLASS

ALL MEMBERS IN FAVOR OF UNTABLING THE RESOLUTION.

COUNCILMAN LULL OFFERED THE RESOLUTION FOR  
ADOPTION, WHICH WAS SECONDED BY COUNCIL-  
WOMAN BLASS.

ALL MEMBERS IN FAVOR OF ADOPTING THE  
RESOLUTION.

THE VOTE

Sanders	<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	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT  
THEREUPON DULY ADOPTED

# Adopted

# Tabled

'15/03

# Adopted

## TOWN OF RIVERHEAD

RESOLUTION AUTHORIZING SUPERVISOR TO  
EXECUTE CHANGE ORDER Nos. 1 & 2  
RIVERHEAD WATER DISTRICT  
REPAINTING OF PULASKI STREET TANK

RESOLUTION # 409

Adopted \_\_\_\_\_

**COUNCILWOMAN SANDERS**

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

RESOLVED, that the Supervisor be and is hereby authorized to  
execute Change Order Nos. 1 & 2 for the project known as the  
Repainting of Pulaski Street Tank, and be it further

RESOLVED, that the Town Clerk shall forward a certified copy  
of this resolution to H2M; Frank Isler, Esq.; Pittsburg Tank &  
Tower, Inc.; Accounting Department; and Gary Pendzick.

RESOLUTION PREPARED BY FRANK A. ISLER, ESQ.  
SUBMITTED BY RIVERHEAD WATER DISTRICT

THE VOTE

Sanders	<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	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

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

4/15/03

# Adopted

## TOWN OF RIVERHEAD

Resolution # 410

### APPROVES APPLICATION OF SPEEDWORLD FX

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

**WHEREAS**, Speedworld FX has submitted an application for the purpose of conducting a car, truck and motorcycle display to be located in the Peconic Plaza Shopping Center at 162 Old Country Road, Riverhead on May 4, 2003, between the hours of 9:00 a.m. and 8:00 p.m.; and

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

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

**NOW THEREFORE BE IT RESOLVED**, that the application of Speedworld FX for the purpose of conducting a car, truck and motorcycle display to be located in the Peconic Plaza Shopping Center at 162 Old Country Road, Riverhead on May 4, 2003, between the hours of 9:00 a.m. and 8:00 p.m. is hereby approved; and be it further

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

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Speedworld FX, 162 Old Country Road, Riverhead, New York, 11901; Bruce Johnson, Riverhead Fire Marshal; Chief Hegermiller, Riverhead Police Department and the Office of the Town Attorney.

**THE VOTE**

Sanders	<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	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<i>absent</i>		

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD

Adopted

Resolution #411

AWARDS BID FOR HORTON AVENUE BASKETBALL COURT IMPROVEMENT PROJECT

COUNCILWOMAN SANDERS

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 the Horton Avenue Basketball Court Improvement Project; and

WHEREAS, four (4) bids were received, opened and read aloud at the date and time published in the Notice to Bidders.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the Horton Avenue Basketball Court Improvement Project be and is hereby awarded to Artco Drainage Corporation in the amount of Fifty Six Thousand Seventy One & 56/100 (56,071.56); and

BE IT FURTHER RESOLVED, that the Town Board be and does hereby authorizes the Town Clerk to return any and all bid bonds received in connection with the above; and

BE IT FURTHER RESOLVED, that the Town Clerk be and hereby authorized to forward a certified copy of this resolution to Artco Drainage Corporation, P.O. Box 1132, Mattituck, New York 11952, Kenneth Testa, P.E., Thomas C. Wolpert, Young & Young, 400 Ostrander Avenue, Riverhead, New York 11901 and the Office of Accounting.

THE VOTE

Sanders [X] Yes [ ] No Blass [X] Yes [ ] No
Densieski [X] Yes [ ] No Lull [X] Yes [ ] No
Kozakiewicz [X] Yes [ ] No

The Resolution Was [X] Was Not [ ]
Thereupon Duly Declared Adopted

# Adopted

TOWN OF RIVERHEAD  
Resolution # 412

APPROVES TEMPORARY SIGN PERMIT OF CURVES

COUNCILWOMAN BLASS offered the following resolution, which was seconded by

COUNCILMAN LULL

**WHEREAS**, a temporary sign permit and sketch were submitted by Jeanette DiCarlo for property located at 1149 Old Country Road, Suite B4, Riverhead, New York; and

**WHEREAS**, pursuant to Section 108-56 C (5) of the Code of the Town of Riverhead, the application does not require the recommendation of the Architectural Review Board; and

**WHEREAS**, the sketch has been approved by 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 a banner submitted by Jeanette DiCarlo for Curves; and be it

**RESOLVED**, that said temporary sign permit shall expire on June 6, 2003 and the applicant shall remove 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 Jeanette DiCarlo, 1149 Old Country Road, Suite B4, Riverhead, New York 11901, the Planning Department and the Building Department.

**THE VOTE**

Sanders	<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	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY ADOPTED

April 15, 2003

# Adopted

## TOWN OF RIVERHEAD

Resolution # 413

### AUTHORIZES ATTENDANCE OF TWO POLICE OFFICERS TO LI/NYC EMERGENCY MANAGEMENT CONFERENCE

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

**WHEREAS**, Police Chief Hegermiller has requested authorization from the Riverhead Town Board for the attendance of two police officers to LI/NYC Emergency Management Conference; and,

**WHEREAS**, the conference will be held at the Sheraton New York Hotel, Manhattan, New York, from May 5 through May 7, 2003.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the attendance of two police officers at the aforementioned conference; and,

**BE IT FURTHER RESOLVED**, that the Town Board hereby authorizes reimbursement of expenses, not to exceed \$1400.00, upon proper submission of receipts; and,

**BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Chief Hegermiller and the Office of Accounting.

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densleski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

784  
**Adopted**

TOWN OF RIVERHEAD

RESOLUTION # 414

**AUTHORIZES ATTENDANCE OF ASSESSOR AT SEMINAR**

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

WHEREAS, a seminar for assessors is being held at Cornell University, Ithaca, New York, on July 13 through July 18, 2003 and,

WHEREAS, 1 member of the Board of Assessors has expressed a desire to attend the seminar.

NOW, THEREFORE, BE IT RESOLVED, that 1 assessor is hereby authorized to attend said seminar, and

BE IT FURTHER RESOLVED, that the use of a Town vehicle is hereby authorized, and

BE IT FURTHER RESOLVED, that the amount of \$1,200.00 shall cover tuition, lodging, meals, materials, and travel expenses, and

BE IT FURTHER RESOLVED, that all expenses shall be reimbursed by the Town upon submission of receipts, and

BE IT FURTHER RESOLVED, that tuition, lodging, meals, and travel expenses are subject to reimbursement by the State of New York to the Town of Riverhead upon completion of said seminar, and

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

**THE VOTE**

Sanders  Yes  No      Blass  Yes  No

Densieski  Yes  No      Lull  Yes  No

Kozakiewicz  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

# Adopted

4/15/03

## TOWN OF RIVERHEAD

Resolution # 415

### AUTHORIZES THE SUPERVISOR TO EXECUTE STIPULATION OF SETTLEMENT WITH TOWN EMPLOYEE

COUNCILMAN LULL offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

**WHEREAS**, a stipulation of settlement has been agreed to between the parties.

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Town Board of the Town of Riverhead hereby approves this stipulation of settlement and authorizes the Town Supervisor to execute same with his signature; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Richard Zuckerman, Esq.; Dawn Thomas, Town Attorney; and Jack Hansen, Accounting Department.

**THE VOTE**

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blas	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY ADOPTED

4/15/03

# Adopted

## TOWN OF RIVERHEAD

Resolution # 416

### APPOINTS A PART TIME RECREATION AIDE / SKATEPARK TO THE RIVERHEAD RECREATION DEPARTMENT

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

**RESOLVED**, that Chris Barker is hereby appointed to serve as a Part Time Recreation Aide effective May 7th, 2003 to and including December 31, 2003, to be paid at the rate of \$7.50 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

1

THE VOTE

Sanders	<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	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY ADOPTED

<sup>1</sup> Rec. Doris/ Resolution PT Rec Aide skate.Shane Sypher

APRIL 15, 2003

<sup>787</sup>  
**Adopted**

TOWN OF RIVERHEAD

2003 COMPUTER UPGRADE

CAPITAL PROJECT

BUDGET ADOPTION

RESOLUTION # 417

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

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

		FROM:	TO:
406.095731.494200.40112	SERIAL BONDS	\$340,000.	
406.013100.524201.40112	COMPUTER HARDWARE		\$181,000.
406.031200.524210.40112	COMPUTER COMMUNICATIONS SOFTWARE		159,000.

**THE VOTE**

Sanders  Yes  No      Blass  Yes  No  
 Densieski  Yes  No      Lull  Yes  No  
 Kozakiewicz  Yes  No

APRIL 15, 2003

183

# Adopted

**TOWN OF RIVERHEAD**

**RISK RETENTION FUND**

**BUDGET ADJUSTMENT**

**RESOLUTION # 418**

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

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

175.095710.494200 SERIAL BOND PROCEEDS **FROM:**  
\$2,350,000.

**175.019300.548220 HIGHWAY JUDGEMENTS & CLAIMS** **TO:**  
**\$2,350,000.**

**THE VOTE**

Sanders  Yes  No      Blass  Yes  No  
Densieski  Yes  No      Lull  Yes  No  
Kozakiewicz  Yes  No

APRIL 15, 2003

# Adopted

## TOWN OF RIVERHEAD

Resolution #419

### AQUEBOGUE GOLF RESORT

### WATER EXTENSION

### BUDGET ADOPTION

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

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

406.092705.421050.60079	DEVELOPER FEES	FROM:	
		\$4,000.	
406.083200.54350.60079	ENGINEERING EXPENSE	TO:	4,000.

### THE VOTE

Sanders <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	Lull <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kozakiewicz <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

APRIL 15, 2003

# Adopted

## TOWN OF RIVERHEAD

Resolution # 420

### REEVES AVENUE GOLF RESORT

#### WATER EXTENSION

#### BUDGET ADOPTION

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

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

406.092705.421050.60078

DEVELOPER FEES

**FROM:**  
\$4,000.

406.083200.543501.60078

ENGINEERING EXPENSE

**TO:**  
4,000.

### THE VOTE

Sanders  Yes  No

Blass  Yes  No

Densieski  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

4/15/03

# Adopted

## TOWN OF RIVERHEAD

Resolution # 421

### APPOINTS A PARK ATTENDANT I TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILMAN LULL

**RESOLVED**, that David Hornung Jr. is hereby appointed to serve as a Park Attendant I, effective, May 7th, 2003 to and including December 31, 2003 to be paid at the rate of \$7.50 per hour, and to serve at the pleasure of the Town Board; and

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

1. 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 the Recreation Department and the Office of Accounting.

1

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Class	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

<sup>1</sup> Rec. Doris /Res. David Hornung Park Att I

# Adopted

4/15/03

Town of Riverhead

Resolution # 422

Authorizes Bid Award for the Hallockville Museum Farm

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS:

**WHEREAS**, the Town of Riverhead in its capacity as grant administrator for federal and state funds, solicited bids by Resolution No. 210 dated February 19, 2003; and

**WHEREAS**, three bids were received; and

**WHEREAS**, the New York State Department has received all documents and has authorized the bid to be awarded to the low bidder, A. Sanchez Construction Corp., in the amount of \$99,710; and

**WHEREAS**, the Board of Directors of the Hallockville Museum Farm have concurred with the award of the bid to the low bidder.

**THEREFORE, BE IT RESOLVED**, that the Town Board hereby awards the bid for restoration and site improvements pursuant to bid documents dated February 2003 and plans dated January 9, 2003 authorizes the Supervisor to execute a contract with A. Sanchez Construction Corp. upon satisfactory submission of insurance and plans dated January 19, 2003, as required and approved by the Town Attorney.

**THEREFORE, BE IT FURTHER RESOLVED**, that the Town Clerk is authorized to release any and all bid bonds as applicable.

**THEREFORE, BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to Community Development Director Andrea Lohneiss, John Eilertson, Hallockville Museum Farm, A. Sanchez Construction Corp. (24 Old Dock Road, Suite A, Yaphank, NY 11980), Carter-Melence, Inc. (PO Box 907, Sound Beach, NY 11789), LoDuca Associates, Inc., LoDuca Associates, Inc. (171 Bridge Road, Islandia, NY 11749) and Fred Stelle AIA, (PO Box 3002, Bridgehampton, NY 11932).

**THE VOTE**

Sanders	<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	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY ADOPTED

April 15, 2002

# Adopted

## TOWN OF RIVERHEAD

### AUTHORIZES TOWN CLERK TO PUBLISH & POST NOTICE TO BIDDERS FOR ANNUAL MAINTENANCE FOR DIESELS AND GENERATORS - RIVERHEAD WATER DISTRICT

RESOLUTION # 423

COUNCILWOMAN BLASS

\_\_\_\_\_ offered the following resolution, which was  
seconded by COUNCILWOMAN SANDERS:

**RESOLVED**, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders for annual maintenance for diesels and generators in the Riverhead Water District; and be it further

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

THE VOTE

Sanders  Yes  No Blass  Yes  No

Densieski  Yes  No Lull  Yes  No

Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of **ANNUAL MAINTENANCE FOR DIESELS & GENERATORS** for use by the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:00 a.m. on May 8, 2003.

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

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 to the Town Clerk's Office in a sealed envelope bearing the designation **BID FOR ANNUAL MAINTENANCE FOR DIESELS & GENERATORS.**

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

# Adopted

April 15, 2002

TOWN OF RIVERHEAD

AUTHORIZES TOWN CLERK TO PUBLISH & POST  
NOTICE TO BIDDERS FOR QUICK LUBE MAINTENANCE  
RIVERHEAD WATER DISTRICT

RESOLUTION #424

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

**RESOLVED**, that the Town Clerk be and is hereby authorized to publish and post the  
attached Notice to Bidders for quick lube maintenance for the Riverhead Water District; and be it  
further

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

THE VOTE

Sanders	<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	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY ADOPTED

796

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of **QUICK LUBE MAINTENANCE** for use by the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:05 a.m. on May 8, 2003.**

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

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 to the Town Clerk's Office in a sealed envelope bearing the designation **BIDS FOR QUICK LUBE MAINTENANCE.**

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

Barbara Grattan, Town Clerk

4/15/03

# Adopted

## TOWN OF RIVERHEAD

Resolution # 425

### ACCEPTS PERFORMANCE BONDS OF SOUND HOUSING, LLC (WILLOW PONDS ON THE SOUND CONDOMINIUM - PHASE I & II)

COUNCILWOMAN BLASS offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

**WHEREAS**, by Planning Board resolution of 1986 and April, 2001, the Riverhead Planning Board adopted resolutions approving the condominium maps of Willow Ponds on the Sound, Condominium Phase I and II, respectively; and

**WHEREAS**, the aforementioned resolutions requested that Sound Housing, LLC post a performance bond or other security representing park and recreation fees and water key monies in connection with this project; and

**WHEREAS**, it has been determined that there remains 117 uncompleted units in the within condominium project (Units 16, 18, 20, 27 & 31 in Phase I and Units 5 through 13, 19, 21, 22, 23, 24, 33, 34 & 35 in Phase II) that require payment of park and recreation fees and water key money; and

**WHEREAS** Sound Housing LLC has submitted RLI Insurance Company Bond #RNS119758 in the amount of \$351,000.00, representing park and recreation fees and RLI Insurance Company Bond #RNS119759 in the amount of \$292,500.00, representing water key money for the 117 uncompleted units; and

**WHEREAS**, the Town Attorney has reviewed said performance bonds and deems them to be sufficient in their form.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby accepts RLI Insurance Company Bond #RNS119758 in the amount of \$351,000.00, representing park and recreation fees and RLI Insurance Company Bond #RNS119759 in the amount of \$292,500.00, representing water key money for the 117 uncompleted units in connection with this condominium project; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Sound Housing, LLC, 308 West Main Street, Smithtown, New York, 11787; the Building Department; the Planning Department; the Riverhead Planning Board; Richard A. Ehlers, Esq.; the Accounting Department and the Office of the Town Attorney.

Z:\Laura\bonds\AcceptSound1&2.res.doc

**THE VOTE**

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densleski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS  WAS NOT

THEREUPON IT WAS ADOPTED

# Adopted

3/15/03

CALVERTON SEWER DISTRICT  
ESTABLISHES NITROGEN REDUCTION FUND

Adopted 4/15/2003

RESOLUTION # 426

COUNCILMAN LULL offered the following resolution which was seconded by COUNCILWOMAN SANDERS

WHEREAS, the Riverhead Town Board, as governing body of the Riverhead Sewer District, has previously adopted a no-net nitrogen increase policy for the Peconic River and Estuary, and

WHEREAS, as a result of such policy the Advanced Wastewater Treatment Plant for the Riverhead Sewer District was constructed and successfully placed in operation, and

WHEREAS, the Riverhead Town Board is the governing body of the Calverton Sewer District comprising the facilities previously owned by the Navy and operated by the Grumman Aerospace Corp. which discharges its effluent into McKay Lake at the headwaters of the Peconic River, and

WHEREAS, the studies prepared by H2M, consulting engineers, have determined that a new wastewater treatment plant should be constructed to meet drinking water standards permitting groundwater discharge north of the groundwater divide which would remove the discharge from the Peconic Estuary and River and

WHEREAS, by letter dated April 8, 2003, H2M, consulting engineers, have detailed a proposal which would involve a \$14.20 per gallon charge to be paid by those seeking new connections to the Calverton Sewer District,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead, as governing body of the Calverton Sewer District hereby adopts a nitrogen reduction policy to be funded by a nitrogen reduction fund paid by applicants for connection to the District at the rate of \$14.20 per gallon per day, such flow to be determined based upon Suffolk County Department of Health standards, and be it further

RESOLVED, that the Supervisor shall keep such monies in a separate fund to pay for the improvements outlined in the Facility Plan for the Calverton Advanced Wastewater Facility as detailed in the correspondence of H2M Group dated April 8, 2003, copy attached herewith, and be it further

Page 2  
April 15, 2003

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to the Accounting Department, Building Department, Planning Department, Frank Isler, Esq., H2M, Sewer District, NYS DEC Region 1, Suffolk County Department of Health Services.

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

THE VOTE

Sanders	<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	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT

THEREUPON FULLY ADOPTED

April 15, 2003

Adopted

TOWN OF RIVERHEAD

Resolution # 427

APPOINTS PART TIME DEPUTY TOWN ATTORNEY

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

**WHEREAS**, grant funds have been secured to cover the cost of a part time Deputy Town Attorney to address the needs of the Riverhead Youth Court, and

**WHEREAS**, the Town Attorney has recommended this position be responsible for prosecuting town code violations; and

**WHEREAS**, the Personnel Committee has recommended a candidate to fill this position of part time Deputy Town Attorney, and

**NOW THEREFORE, BE IT RESOLVED**, that Mary Hartill Esq. is hereby appointed to the position of part time Deputy Town Attorney at a rate of thirty-three (\$33.00) dollars per hour, not to exceed seventeen and one-half (17 1/2) hours per week effective May 5, 2003, and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Mary Hartill Esq. , 431 Griffing Avenue, Riverhead, NY 11901, the Office of Accounting and the Town Attorney's Office.

THE VOTE

Sanders  Yes  No      Blass  Yes  No  
Densieski  Yes  No      Lull  Yes  No  
Kozakiewicz  Yes  No

# Adopted

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 428

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

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

	<u>FROM:</u>	<u>TO:</u>
001.032260.422052 NYS COURT INTERPRETER FEES	\$3,000.	
001.011100.5439040 JUSTICE COURT, INTERPRETER EXPENSE		\$3,000.
001.011100.542114 JUSTICE COURT, MEETINGS & DUES	\$1,000.	
001.011100.542100 JUSTICE COURT, MISC. SUPPLIES		\$1,000.

**THE VOTE**

Sanders  Yes  No

Blass  Yes  No

Densieski  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

# Adopted

## TOWN OF RIVERHEAD

Resolution # 429

### AWARDS BID FOR PROPANE

**COUNCILWOMAN BLASS**

offered the following resolution,

which was seconded by

**COUNCILMAN DENSIESKI**

WHEREAS, the Town Clerk was authorized to publish and post a notice for sealed bids for PROPANE FUEL for the Town of Riverhead and;

WHEREAS, 2 bids were received and opened 4<sup>th</sup> day of April, 2003 at 11:10 am 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 Propane Fuel be and hereby is, awarded to Synergy Gas for plus . 25 cents margin over posting of the Pipeline prices based on Texaco Selkirk, New York ;

RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Synergy Propane Gas Corporation the Purchasing Department.

### THE VOTE

Blass  Yes  No

Densieski  Yes  No

Lull  Yes  No

Sanders  Yes  No

Kozakiewicz  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

# Adopted

## TOWN OF RIVERHEAD

Resolution # 430

### AWARDS BID FOR FOOD

COUNCILMAN LULL

offered the following resolution,

which was seconded by

COUNCILMAN DENSIESKI

WHEREAS, the Town Clerk was authorized to publish and post a notice for sealed bids for FOOD for the Town of Riverhead and;

WHEREAS, 1 bid was received and opened 4<sup>th</sup> day of April, 2003 at 11:15 am 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 FOOD be and hereby is, awarded to Landmark Food Corp. for the prices on the attached sheet;;

RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to LANDMARK FOOD CORP., the Senior Center Manager and the Purchasing Department.

### THE VOTE

Blass  Yes  No

Densieski  Yes  No

Lull  Yes  No

Sanders  Yes  No

Kozakiewicz  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

ITEM	DESCRIPTION	UNIT	LANDMARK	
1	APPLE JUICE, 6 OZ	48 CT.	15.25	48 5.5 OZ.
2	APPLES, FRESH(MAC)	100 CT	23.80	
3	APPLES, SLICED, CANNED	6/10	25.60	
4	APRICOT HALVES	6/10	26.70	
5	ASST. HORS D' OUVRES	100 PK	23.00	
6	BANANAS, FRESH (40 LB.)	CASE	19.80	
7	BASE, BEEF, LUDA	1 LB.	18.70	1LB.JAR
8	BASE, CHICKEN, LUDA	1 LB.	17.90	1LB.JAR
9	BASIL	26 OZ.	12.10	24 OZ.
10	BAY LEAF	12 OZ.	15.40	12 OZ.
11	BEANS, FRENCH CUT, #10 CAN	6/10		N.B
12	BEANS, FRENCH CUT, FROZEN	12/2.5	19.88	12-2 1/2#
13	BEANS, GARBANZO		14.80	6/10
14	BEANS, ITALIAN, FROZEN (2-1/2 LB. PKG.)	12/CS	18.60	2#
15	BEANS, LIMA, FROZEN (25 OZ/PKG.)	12/CS	32.60	2 1/2#
16	BEANS, STRING, REG. CUT, FROZ. 2.5 LB. PKG.	12PK/CS	15.40	2#
17	BEANS, WAXED, FROZEN (3 LB. PKGS.)	12/CS	19.80	2 1/2#
18	BEEF STEW			N/B
19	BEETS, SLICED	6/10	15.45	
20	BISCUITS, OVEN READY	175 CT	19.95	
21	BOW TIE NOODLES	10 LB.	10.75	
22	BREAD CRUMBS, ITALIAN	6/5 LB.	18.75	
23	BROCCOLI SPEARS, FROZEN (3 LB. PKG.)	12/CS	15.80	
24	BROCCOLI, CHOPPED, FROZEN 2.5 LB. PKGS.	12/CS	15.85	
25	BRUSSELS SPROUTS, FROZEN 2.5 LB. PKGS.	12/CS	17.50	
26	BUTTER PATTIES (IND) 47 CT/17#	47CT/17 LB		N/B
27	BUTTER SOLIDS (1 LB)	36/CS		N/B
28	CABBAGE (24 CT)	50 LB/CS	18.75	
29	CABBAGE, RED	6/10	25.60	
30	CAJUN SPICE	22 OZ	12.85	
31	CAKE MIX, DEVILS FOOD	6-5#	24.80	6-5LB.
32	CAKE MIX, MODERN MAID, YELLOW (5 LB. BOX)	6/CS	25.80	
33	CAKE, BROWNIE, SHEET, FROZEN	3/84 OZ	39.80	
34	CAKE, CARROT, SHEET, FROZEN	3/84 OZ	39.80	
35	CAKE, CRUMB, SHEET, FROZEN	3/24 CUT	12.90	
36	CAKE, POUND (1 LB. EACH)	12/CS	7.45	4# EACH
37	CAKE, RASPBERRY, SHEET, FROZEN	3/24 CUT	14.30	
38	CANTALOUPE	18/CS	27.40	
39	CARROTS, DICED, FROZEN (2.5 LB. PKG.)	12/CS	9.85	
40	CARROTS, FRESH	6/1LB	2.85	
42	CAULIFLOWER, FROZEN, (2 LB. PKGS.)	12/CS	15.45	
43	CELERY, FRESH	6 CT	4.85	8 CT
44	CEREAL, BRAN FLAKES (IND.)KELLOGS	96 CT	28.80	
45	CEREAL, CORN FLAKES (IND.)	96 CT	17.90	
47	CEREAL, CREAM OF WHEAT	12/28 OZ.	39.80	
48	CEREAL, OATMEAL	12/48 OZ	19.85	
49	CEREAL, RAISIN BRAN (IND) KELLOGG'S	96 CT	28.80	
50	CEREAL, RICE CRISP	96 PK.	17.90	
51	CEREAL, TOASTED OAT'S (IND.)	96 CT	17.90	
52	CHEESE, AMERICAN LOAF (5 LB.)	LB.	1.66#	
53	CHEESE, COTTAGE	5 LB TUB	5.66	
54	CHEESE, MOZZARELLA (5 LB.)	LB.	1.87	
55	CHEESE, PARMESAN, IMPORTED	5 LB. TUB	19.45	
56	CHEESE, PARMESAN, PC	200 CT	22.80	

ITEM	DESCRIPTION	UNIT	LANDMARK	
57	CHEESE, RICOTTA	3 LB.	3.78	
58	CHEERRIES	1 GAL.	12.45	
59	CHEFMATE, SWEET & SOUR	6/64 OZ	36.80	
60	CHICKEN CROQUETTES 10#	10#	24.80	
61	CHICKEN RAVIOLI		N/B	
62	CHICKEN STEAK, 4OZ., 40CT/CS BREADED	CS	28.60	
63	CHICKEN TENDERS	10#	31.70	10#
64	CHILI	6 20 OZ.	34.80	
65	CHILI POWDER	20 OZ.	5.80	
66	CHOPPED SPINACH 12/3#		19.30	
67	CINNAMON	15 OZ.	4.50	
68	COFFEE (1 LB. PKGS.)	12/1#	34.80	
69	COFFEE, DECAF (1 LB. PKGS.)	12/1#	39.85	
70	COFFEE, SANKA, (IND)(5 PKGS./100)	CASE	48.50	
71	COLESLAW MIX TUB	10#	6.85	
72	COLLARD GREENS, FROZEN (3 LB. PKGS.)	12/CS	23.40	3#
73	COOKIE, OREO, 4-PACK	120 CT.	31.60	
74	CORN, COBETTES 96 PK.	96 PK.	12.95	
75	CORN, ON THE COB 5"	48 CT.	9.75	
76	CORN, FROZEN CUT	12/2.5	19.35	
77	CORN, WHOLE KERNEL	6/10	18.55	
78	CORN STARCH	24 LB.	15.80	
79	CORND BEEF BRISKET-COOKED/RAW	LB.	1.59	
80	CRAB CAKES	53/3 OZ.	30.80	
81	CRACKERS, OYSTERETTE TYPE	150 PK	9.85	
82	CRACKERS, PREMIUM UNSALTED	SE/500-2 PK.	8.90	
83	CRANBERRY COCKTAIL, 46 OZ		14.75	
84	CRANBERRY SAUCE, OCEAN SPRAY (JELLIED)	6/10	36.90	
85	CRANBERRY SAUCE, PC		18.25	200/5
86	CREAM CHEESE PHILLY 100 PK	100 PK	17.80	
87	CUCUMBERS	5 LB.	3.80	
88	DANISH, ASSTD. FROZEN, WRAPPED	24 CT.	13.20	
89	DRESSING, CAESAR, CREAMY (GAL. JARS)	4/CS	39.40	
90	DRESSING, COLESLAW (GAL. JARS)	4/CS	29.00	
91	DRESSING, ITALIAN (4 GAL. JARS)	CASE	27.00	
92	DRESSING, ITALIAN CREAMY (GAL. JARS)	4/CS	27.60	
93	DRESSING, ITALIAN, PC	200 CT.	8.60	60 -1.5
94	EGG PRODUCT, FROZEN (5 LB. CONTAINERS)	6/CS	22.65	
95	EGGS, LARGE	15 DZ./CS	13.70	
96	FILLING, BLUEBERRY	6/10	59.00	
97	FISH, BATTER DIPPED	10 LB.	16.95	
98	FISH CAKES	9/4.5 BOX	57.80	
99	FISH IN A MINUTE	10 LB	24.78	
100	FISH, FLOUNDER, PRECOOKED, BREADED	10 LB./CS	28.70	
101	FISH, HOKIE 44/3.6		33.69	
102	FISH, SEA GRILL, PLAIN, FROZEN (4 OZ.)	40/CS		SPECIAL ORDER
103	FISH, TUNA, LARGE CAN (66-1/2 OZ.)	6/CS	29.80	
104	FLOUR	25 LB. BAG	5.85	
105	FRENCH FRIES, FROZEN, OVENCOOKED (5 LB.)	6/CASE	15.80	
106	FRENCH TOAST	144/CS	18.70	
107	FRUIT COCKTAIL	6/10	28.80	
108	FRUIT SALAD MEDLEY	2 GAL TUB	25.55	
109	FRUIT SALAD, TROPICAL	6/10	32.85	
110	GARLIC POWDER	18 OZ.	6.23	
111	GRAHAM CRACKERS	200/2CT	19.20	

ITEM	DESCRIPTION	UNIT	LANDMARK
112	GRAHAM CRACKER CRUMBS (10 LB. BAG)	10 LB. BAG	18.10
113	GRAVY MASTER	12/QT/CS	74.60
114	GRAVY, BEEF, CAMPBELL'S (51 OZ. CANS)	12/CS	22.70
115	GRAVY, CHICKEN, CAMPBELL'S (51 OZ. CANS)	12/CS	27.45
116	GRAVY, TURKEY (LEGAUT)	12/#5	29.45
117	HASH, CORNED BEEF	6/10	42.60
118	HOT CHOCOLATE, NESTLES (50 ENV. BOX)	6 BX/CS	31.90
119	ICED TEA MIX, NESTEA	24/12 OZ.	24.60
120	Jell-O, CITRUS	12/CS	24.55
121	JELL-O, RED 24 OZ.	12/CS	24.55
122	JELLY, GRAPE (4 LB.)	6/CS	21.25
123	JELLY, GRAPE (INDIVIDUAL)(ASST. 7.59)	200/CS	8.25
124	JELLY, GRAPE 4 LB.	6/CS	21.25
125	JELLY, GRAPE, PC(200 CT)	200 CT	8.25
126	JUICE, APPLE (46 OZ.)	12/CS	13.50
127	JUICE, APPLE, 48/6OZ.	CS	14.85
128	JUICE, CRANBERRY (6 OZ.)	48/CS	19.90
129	JUICE, GRAPE (46 OZ.)	12/CS	17.70
130	JUICE, GRAPE (6 OZ)	48/CS	20.90
131	JUICE, GRAPEFRUIT (46 OZ)	12/CS	14.85
132	JUICE, GRAPEFRUIT (6 OZ)	48/CS	14.90
133	JUICE, ORANGE (46 OZ)	12/CS	14.50
134	JUICE, ORANGE -FROZEN (4 OZ)	90/4 OZ.	10.40
135	JUICE, PINEAPPLE DOLE (46 OZ)	12/CS	15.90
136	JUICE, TOMATO, SACRAMENTO (46 OZ)	12/CS	13.97
137	KALE, FROZEN 12/3#		27.35
138	KETCHUP, HEINZ	6/10	20.95
139	KETCHUP, HEINZ (IND)	1000/CS	20.50
140	KIDNEY BEANS (6 LB. CANS)	6/CS	16.30
141	LASAGNA ROLL UPS	60/4.15	31.50
142	LASAGNA, VEGETABLE, STOUFFERS	4/96	48.70
143	LEMON JUICE	12 QT./CS	15.80
144	LEMONADE MIX, PINK	12/24 OZ	16.60
145	LEMONS, FRESH	140/CT	22.80
146	LETTUCE, ICEBERG	24/CS	24.60
147	LORNE DOONES	120 PC	26.65
148	MANICOTTI, CELENTANO	60/2.75 oz.	16.35
149	MARGARINE, BLOCK		12.70
150	MARGARINE PATTIES, 600 PK	PC	12.70
151	MAYONNAISE, (IND.) NUGGET	200CT/CS	9.50
152	MAYONNAISE, HELLMANN'S	4/1 gal.	33.80
153	MEATBALLS, ORO FINO	10#	22.25
154	MILK, EVAPORATED	CS/48 TALL	36.65
155	MUFFIN MIX, BLUEBERRY (5 LB. PKGS.)	6/CS	32.60
156	MUFFIN MIX, CORN (5 LB. PKGS.)MM DELUXE	6/CS	33.80
157	MUSHROOMS, CANNED	6/10	31.00
158	MUSTARD, GULDEN'S	CASE/4 GAL	25.90
159	MUSTARD, GULDEN'S (IND.)	500 CS	13.40
160	NUTMEG	16 OZ.	9.80
161	OATMEAL RAISIN COOKIES	100 PC.	ECIAL ORDER
162	OLIVES, GREEN (125 CT)	1 GAL.	10.80
163	ONION POWDER	17 OZ.	4.35
164	ONIONS, PEARL, CANNED	6/10	N/B
165	ONIONS, PEARL, FROZEN, 12/2LB.	CS	25.85
166	ONIONS, SPANISH, FRESH	10# BAG	4.80

RESULTS OF THE FOOD BID  
2003

301

ITEM	DESCRIPTION	UNIT	LANDMARK	
167	ORANGE DRINK MIX	12/24 OZ	16.60	
168	ORANGES, FRESH	100/CS	19.70	
169	ORANGES, MANDARIN (93-1/2 OZ. CANS)	6/CS	25.70	
170	OREGANO	1.25 #	10.60	
171	PANCAKE, DOWNYFLAKE	144/CS.	11.90	
172	PAPRIKA	16 OZ.	4.80	
173	PARSLEY, FLAKES	11 OZ.	7.60	
174	PARSLEY, FRESH	6 CT.	3.80	
175	PASTA, CHOW MEIN NOODLES	4/5 LB. TUB	33.00	
176	PASTA, EGG NOODLES	10 LB. BOX	8.75	
177	PASTA, ELBOW MACARONI	20 LB. BOX	12.85	
178	PASTA, LASAGNE	10 LB. BOX	9.25	
179	PASTA, ROTINI	20 LB. BOX	12.85	
180	PASTA, SHELLS, MEDIUM	20 LB. BOX	12.85	
181	PASTA, SPAGHETTI	20 LB. BOX	12.85	
170	PASTA, TRI-COLOR MACARONI	10 LB. BOX	10.80	
171	PASTA, ZITI	20 LB. BOX	12.85	
172	PEACHES, FRESH LARGE, 39 LBS.	CS	N/B	
173	PEACHES, SLICED, NATURAL, NO SUGAR	6/10	25.60	
174	PEANUT BUTTER, NUGGET (5 LB.)	6/CS	38.60	SKIPPY 46.00
175	PEAR HALVES, NATURAL, NO SUGAR	6/10	28.55	
176	PEARS, DICED, NATURAL, NO SUGAR	10-Jun	29.70	
177	PEAS, FROZEN (2.5 LB. PKG.)	12/CS	18.97	
178	PEAS, SNAP, FROZEN (2 LB. BAG)	12/CS	27.25	
179	PEPPER STRIPS	6/10	24.70	
180	PEPPER, BLACK	16 OZ.	5.35	
181	PEPPERS, FRESH GREEN	25 LBS.	NO BID	
182	PHILLY QUICK STEAKS	48/4OZ.	34.30	
183	PICKLE SPEARS 5 GAL.	48/4 OZ	18.55	
184	PICKLE, DILL CHIPS B & G (1 GAL. JARS)	4/CS	13.75	
185	PICKLES, DILL	4 GAL/CS	13.75	
186	PIE SHELLS, FROZEN 10"	10"	19.30	
187	PIE, PUMPKIN		21.50	6-46OZ.
188	PIERRE RIB-B-QUE	60/3 OZ	42.80	
189	PIES, MRS. SMITH, APPLE 10"	6/CS	21.50	
190	PINEAPPLE CHUNKS	6/10	18.96	
191	PINEAPPLE SLICED	6/10	19.97	
192	PLUMS, WHOLE PURPLE, DIET & REG.	6/10	26.75	
193	POPCORN, VENDING	104 CT.	23.80	
194	PORK & BEANS	6/10	15.50	
195	PORK PATTIES BREADED	72 /3 OZ.	38.90	
196	POT PIE, BEEF	24/7 OZ.	17.90	
197	POT PIE, CHICKEN	24/7 OZ.	17.90	
198	POTATO CHIPS (VENDING)	104 CT.	23.80	
199	POTATOES, DICED	6/10	17.60	
200	POTATOES, FRESH, IDAHO	100 CT.	19.40	
201	POTATOES, HASH BROWN PATTY	150/CS	19.95	
202	POTATOES, INSTANT	6/10	37.60	
203	POTATOES, REDS	50 LB.	18.95	
204	POTATO SALAD	10 LB	6.80	
205	POTATO SALAD, GERMAN	10#	16.90	
206	POTATO SKINS 10 LB. RED SKIN	10#	17.45	
207	POTATOES, SLICED	6/10	17.70	
208	POTATOES, SWEET, YAMS	6/10	20.85	
209	POTATOES, WHOLE 70-80 CT	6/10	17.40	

RESULTS OF THE FOOD BID  
2003

808

ITEM	DESCRIPTION	UNIT	LANDMARK
210	PRETZEL, VENDING	88 CT.	19.80
211	PUDDING, BANANA	6/10	19.45
212	PUDDING, BUTTERSCOTCH	6/10	19.45
213	PUDDING, CHOCOLATE	6/10	19.45
214	PUDDING, LEMON	6/10	19.45
215	PUDDING, RICE	6/10	19.45
216	PUDDING, TAPIOCA	6/10	19.75
217	PUDDING, VANILLA	6/10	19.45
218	PUNCH, FRUIT (46 OZ. CANS)	12/CS	12.90
219	RAISINS	30 LBS.	34.85
220	RAVIOLI, CANNED	6/10	28.97
221	RAVIOLI, CHEESE, FROZEN	300/CT	10.45
222	RELISH	4 GAL./CS	15.80
223	RELISH (INDIVIDUAL)	200/CS	10.45
224	RICE PILAF	6/36 OZ.	21.70
225	RICE, UNCLE BEN'S	25 LB. BAG	13.90
226	RICE, WILD (36 OZ. PKG.)	6/CS	29.65
227	RINSE	5 GAL.	68.40
228	ROLLS, HOT DOG (12 PKGS.)	12/CS	12.85
229	ROLLS, DINNER	144/CS	15.90
230	ROLLS, HAMBURGER	10 PK/CS	11.80
231	SALAD, THREE BEAN	6/10	23.45
232	SALISBURY STEAK,	40/4 OZ.	23.70
233	SALT	24/26 OZ.	9.65
234	SALT, SEASONED LAWRY'S	5#	11.90
235	SAUCE, APPLE, SUGAR FREE IN JUICE	6/10	17.20
236	SAUCE, BBQ (4/1 GAL. JARS) OPEN PIT	CASE	33.60
237	SAUCE, CHEESE, CAMPBELL'S	6/10	32.70
238	SAUCE, SOY (1 GAL.) GOLD'S	4/1 GAL.	12.35
239	SAUCE, SPAGHETTI	6/10	17.90
240	SAUCE, TOMATO	6/10	15.10
241	SAUCE, WORCESTERSHIRE (1 GAL.)	4/CS	12.50
242	SAUERKRAUT	6/10	16.85
243	SCROD, NEW ENGLAND STYLE (10 LB. PKG.)	6/CS	43.70
244	SEA LEG SUPREME	12/2.5 LB.	6.15
245	SEA NUGGETS, OVEN READY	10 LB/CS	27.35
246	SHELLS, STUFFED, MEDIUM	96 CT	18.85
247	SOUP BASE, CREAMED, KNORR	6/2 LB	52.80
248	SOUP, BEEF BARLEY, CAMPBELL'S-LG. 51 OZ.	12/CS	46.95
249	SOUP, BEEF NOODLE, CAMPBELL'S-SM. 7.25 OZ.	24/CS	N/B
250	SOUP, CHICKEN & RICE, CAMPBELL'S-SM. 7.25 OZ.	24/CS	N/B
251	SOUP, CHICKEN NOODLE, CAMPBELL'S-LG 51 OZ.	12/CS	33.85
252	SOUP, CHICKEN NOODLE, CAMPBELL'S-SM. 7.25 OZ.	24/CS	N/B
253	SOUP, MANHATTAN CLAM, CAMPBELL'S-LG 51 OZ.	12/CS	44.60
254	SOUP, CREAM/CELERY, CAMPBELL'S-LG 51 OZ.	12/CS	32.50
255	SOUP, CREAM/MUSHROOM, CAMPBELL'S-LG 51 OZ.	12/CS	36.90
255	SOUP, SPLIT PEA, CAMPBELL'S-LG 51 OZ.	12/CS	39.60
256	SOUR CREAM	5 LB. CONT	4.90
257	SOY SAUCE (1 GAL. JAR)	6/CS	12.35
258	SPARERIBS 30# BOX	PER#	2.48
259	SPINACH, CHOPPED, FROZ (3 LB. PKG)	12/3#	19.30
260	SQUASH, YELLOW, SLICED, FROZEN (3 LB. PKG.)	12/CS	27.60
261	STRAWBERRIES, SLICED, FROZEN (6.5 OZ.)	6/CS	41.20
262	STRINGBEANS	6#10	14.80
263	STUFFING, UNCLE BEN'S (1 LB. BAGS)	6 CS	27.90

RESULTS OF THE FOOD BID  
2003

809

ITEM	DESCRIPTION	UNIT	LANDMARK	
264	SUGAR, 5 LB. PKG.	6/CS	17.80	
265	SUGAR, BROWN 1 LB. PKG.	8/5 LB/CS	16.70	
266	SUGAR, IND.	2000 CT	9.80	
267	SUN CUP PUNCH	90/4 OZ	7.90	
268	SUN CUP APPLE	90/4 OZ.	7.90	
	SUN CUP CRANBERRY	90/4 OZ.	9.80	
	SUN CUP, LEMONADE	90/4 OZ.	9.80	
269	SUN CUP PINE/ORANGE	90/4 OZ.	9.90	
270	SUPER CHICKEN	12#	46.80	
271	SWEET & LOW (2 PKG./3000))	3000 CT.	22.50	
272	SYRUP, MAPLE, IND. PKG. LOG CABIN BRAND	100/CS	6.10	
273	SYRUP, PANCAKE (1 GAL)	100/CS	12.80	
274	TART SHELLS, BURRY 3"	72 PK.	17.40	
275	TARTAR SAUCE, PC		9.60	
276	TEA, DECAF (IND.) PKG./100	5/CS	22.50	60-2OZ.
277	TEA, LIPTON	10/100	24.80	
278	THYME	33 OZ.	25.30	
279	TOMATO PASTE	6/10	24.60	
280	TOMATO PUREE	6/10	16.35	
281	TOMATOES, BEEFSTEAK	POUND	1.08#	
282	TOMATOES, CHERRY	12/PT.	18.70	
283	TOMATOES, CRUSHED	6/10	14.95	
284	TOMATOES, WHOLE	6/10	17.45	
285	TURNIPS, FROZEN	12/3#	14.80	
286	VANILLA FLAVORING (IMITATION)	1 GAL.	9.50	
287	VEAL PATTIES	10 LB	14.55	
288	VEGETABLE OIL (GAL. JARS)	6/CS	21.50	
289	VEGETABLE, ITALIAN BLEND, FROZEN (2 LB. BAG)	12/CS	18.55	
290	VEGETABLE, NORMANDY BLEND, FROZ. (2LB. BAG)	12/CS	19.50	
291	VEGETABLE, SCANDINAVIAN BLEND, FROZ. (2 LBS.)	12/CS	18.75	
292	VINEGAR, WHITE, 1 GAL.	4 /CS	5.90	
293	WAFFLE, DOWNYFLAKE	144 CT.	10.60	
294	WATERMELON, WHOLE X-LARGE	120/CS	11.20	
295	WHIPPED CREAM, EVERFRESH (15 OZ.)	12/CS	23.00	
296	WHIPPED TOPPING, EVERY READY	12QT/CS	31.90	
297	WORCESTERSHIRE SAUCE, 1 GAL.	12 QT/CS	12.50	
298	YOGURT, ALL LOW FAT, FLAVORS	4/CS.	5.90	
299	ZITI, BAKED, 516 FROZEN	12/8 OZ.	11.50	
300	ZUCCHINI & TOMATOES	5 LB./BX	31.85	
301	ZUCCHINI, SLICED, FROZEN (3 LB. PKG.)	3#	25.60	

# Adopted

## TOWN OF RIVERHEAD

Resolution # 431

### AWARDS BID FOR MEAT & POULTRY

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILMAN LULL

WHEREAS, the Town Clerk was authorized to publish and post a notice for sealed bids for MEAT & POULTRY for the Town of Riverhead and;

WHEREAS, 1 bid was received and opened 4<sup>th</sup> day of April, 2003 at 11:15 am 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 MEAT & POULTRY be and hereby is, awarded to Landmark Food Corp. for the prices per the attached sheet;;

RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to LANDMARK FOOD CORP., the Senior Center Manager and the Purchasing Department.

### THE VOTE

Blass  Yes  No

Densieski  Yes  No

Lull  Yes  No

Sanders  Yes  No

Kozakiewicz  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

MEAT BID  
 BID #03-12, TBR # \_\_\_\_\_  
 LANDMARK FOOD CORP. V#28616

311

TEM	DESCRIPTION*	UNIT	LANDMARK
1	BACON, FRESH, SLICED - 25-1 LB PKG/CASE	CASE	43.80
2	BEEF, FRESH, BOTTOM ROUND, USDA CHOICE, STRAPOFF-TIED, CRYO-VAC	LB	2.16 LB.
3	BEEF, FRESH, CHOPPED, CRYO-VAC - 10 LB PKG *****Please specify ground-I.e. chuck, ground round	PKG	13.80
4	CHICKEN, CUTLETS, FRESH - 10 LB/PKG	PKG	2.23
5	CHICKEN, CUTLETS, HOLLY FARMS #0944 - 40/CASE	CASE	29.80
6	CHICKEN, NUGGETS - 10 LB/PKG	PKG	22.40
7	CHICKEN, WHOLE, FRESH CUT 1/4'S, SEPARATE PARTS	LB	N/B
8	CHICKEN, WINGS, FROZEN - 20 LB/PKG	LB.	27.50
9	HAM, BAKED, USGS DELI HAM	LB	1.19
10	HAM, FRESH, SKINNED & BONELESS, TRIMMED & TIED, CRYO-VAC	LB	1.67#
11	HAM, OPEN PIT	LB	2.19#
12	HOT DOGS, ALL BEEF, SABRETT -6/PKG, 24 5 LB PKGS/CASE	CASE	67.00
13	LAMB, LEG OF, BONELESS, FRESH, AMERICAN, TIED & TRIMMED	LB	N/B
14	MEATBALLS, ITALIAN 1 OZ. - 10 LB/CASE	CASE	22.30
15	MEATBALLS, SWEDISH, NO GRAVY 1 OZ. - 10 LB/CASE	CASE	22.30
16	PEPPER STEAK, FRESH, BEEF TOP ROUND, USDA CHOICE, THIN SLICED - 5 LB/PKG	PKG	23.50
17	PORK, CHOPS, FROZEN 10 LB. BOX	LB	28.20
18	PORK, LOIN ROAST, FRESH, BONED & TIED-6-7# APPROX.	LB	2.17#
19	PORK, PATTIES, 4 OZ., BREADED, COOKED - 72/CASE	CASE	38.50
20	PORK, PATTIES, RIB-B-QUE, COOKED - 60 3.2OZ/CASE	CASE	44.00
21	PORK, SHOULDER BUTTS, FRESH, SLICED (PORK STEAKS)	LB	N/B
22	PORK, SPARE RIBS, FROZEN 30#, SLICED	LB	2.48#
23	SALISBURY STEAK, 4 OZ., NO GRAVY - 40/CASE	CASE	23.80
24	SAUSAGE, PATTIE - 12 LB/CASE EMBER FARM	CASE	18.95
25	SAUSAGE, ITALIAN - UNITS - 10 LB/PKG	PKG	17.90
26	SAUSAGE, POLISH, FARMLAND - 10 LB/PKG	PKG	18.20
27	SIRLOIN PATTIE, 5.3 OZ. 10# BOX	LB	14.50
28	STEAK, FLANK, FRESH, USDA CHOICE - 3/PKG	LB	4.67
29	STEW BEEF, FRESH, USDA CHOICE, LEAN - 5 LB/PKG	LB	2.12
30	TURKEY, BREAST, PERDUE, 3 STAR	LB	2.23
31	TURKEY, FRESH, GROUND - 20 LB/PKG	CS	14.60
32	VEAL PATTIES, BREADED, 4 OZ. - 40/CASE	CASE	14.55

April 15, 2003

812  
**Adopted**

TOWN OF RIVERHEAD

Resolution # 432

**AUTHORIZES AN ABANDONMENT OF A PORTION OF SIGAL AVENUE  
PURSUANT TO NEW YORK STATE HIGHWAY LAW SECTION 212-a**

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

COUNCILWOMAN SANDERS  
\_\_\_\_\_

**WHEREAS**, the Town of Riverhead is the fee owner of the road known as Sigal Avenue as shown on a map entitled "Map of Mill Brook Gables" filed on May 21, 1947 in the Office of the Clerk of the County of Suffolk as map number 1554; and

**WHEREAS**, New York State Highway Law Section 212-a permits the Town Board to adopt a resolution to abandon to the abutting owner(s) such sections or parts of a road which is of no further use for highway purposes, upon the recommendation of the Town Superintendent of Highways with the consent of the County Superintendent of Highways; and

**WHEREAS**, New York Highway Law Section 212-a further permits the Town Supervisor to execute a quit claim deed or deeds for abandoned roadbeds and to deliver the same to the abutting owner(s); and

**WHEREAS**, the Town of Riverhead has approved the subdivision map of the Long Island Housing Partnership, Inc. known as "Homes at Millbrook Gables" dated February 6, 2003, which calls for the abandonment and relocation of Sigal Avenue to a point further south on East Main Street NYS Route 25; and

**WHEREAS**, pursuant to New York State Highway Law Section 212-a, the Town Superintendent of Highways has recommended the abandonment and relocation of Sigal Avenue, as depicted on the subdivision map of the Long Island Housing Partnership, Inc. known as "Homes at Millbrook Gables" dated February 6, 2003; and.

**WHEREAS**, pursuant to New York State Highway Law Section 212-a the County Superintendent of Highways has consented to the abandonment and relocation of Sigal Avenue, as depicted on the subdivision map of the Long Island Housing Partnership, Inc. known as "Homes at Millbrook Gables"; and.

**WHEREAS**, the State of New York Department of Transportation has consented to the abandonment and relocation of Sigal Avenue, as depicted on the subdivision map of the Long Island Housing Partnership, Inc. known as "Homes at Millbrook Gables" and has issued a New

SMW/road abandonment

THE VOTE  
Sanders ✓ Yes \_\_\_ No Blass ✓ Yes \_\_\_ No  
Densieski ✓ Yes \_\_\_ No Lull ✓ Yes \_\_\_ No  
Kozakiewicz ✓ Yes \_\_\_ No  
THE RESOLUTION WAS  WAS NOT  
THEREUPON DULY ADOPTED

York State Highway Work Permit.

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Town Board of the Town of Riverhead hereby finds that the 136.75' section (measured from the centerline) of Sigel Avenue just west of East Main Street NYS Route 25A, as depicted on the subdivision map of the Long Island Housing Partnership, Inc. known as "Homes at Millbrook Gables" dated February 6, 2003, is of no further use for Highway purposes and is therefore abandoned; be it further

**RESOLVED**, that the Supervisor is authorized to execute quit claim deeds for the abandoned roadbed and to deliver same to the abutting owner(s); and be it further

**RESOLVED**, that the Highway Superintendent and the majority of the Town Board are authorized to execute a Certificate of Road Abandonment detailing the actual metes and bounds of the section of Sigel Avenue to be abandoned. Said Certificate shall be filed in the Office of the Suffolk County Clerk; and be it

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Albert Yorio, Liberty Title Agency, LLC, 300 Garden City Plaza Suite 404, Garden City, New York 11530; Ann Marie Jones, Long Island Housing Partnership, 180 Oser Avenue, New York 11788; the Office of the Town Attorney; Town Board; Planning Department; Community Development; Highway Department; Riverhead Postmaster; Fire Marshall; Riverhead Fire District; Riverhead Ambulance Corps; Assessors Office and the Office of Supervisor.

SMW/road abandonment

814  
**Adopted**

April 15<sup>th</sup>, 2003

TOWN OF RIVERHEAD

Resolution # 433

**APPROVES AMENDED SITE PLAN OF TALMAGE FARM AGWAY**  
**(1122 OSBORNE AVENUE, LLC.)**

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS :

**WHEREAS**, a site plan and elevations were submitted by Talmage Enterprises Ltd., to improve an existing garden center with greenhouses, shadehouses, parking and plant storage areas upon real property located at 1122 Osborne Avenue Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-108-1-2.1; and

**WHEREAS**, the Planning Department has reviewed the site plan dated March 19<sup>th</sup>, 2003, as prepared by Young and Young, L.S., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

**WHEREAS**, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be an Unlisted Action without a significant impact upon the environment pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617 and that an Environmental Impact Statement need not be prepared; and

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

**WHEREAS**, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 20021011 of the Office of the Supervisor of the Town of Riverhead and;

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the site plan and elevations submitted by Talmage Enterprises, Ltd., to improve an existing garden center with greenhouses, shadehouses, parking and plant storage areas upon real property located 1122 Osborne Avenue, Riverhead, New York, site plan dated March 19<sup>th</sup>, 2003, as prepared by Young and Young, L.S., be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan proves and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, 1122 Osborne Avenue, LLC., hereby authorizes and consents to the Town of Riverhead to enter premises at 1122 Osborne Avenue, Riverhead, New York, to enforce said handicapped parking regulations;
10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

- 11. That all utilities shall be constructed underground;
- 12. That pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
- 13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
- 14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to 1122 Osborne Avenue, LLC., 1122 Osborne Avenue, Riverhead, New York 11901, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Class	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY ADOPTED

## DECLARATION AND COVENANTS

**THIS DECLARATION**, made the \_\_\_\_ day of \_\_\_\_\_, 2003, made by 1122 Osborne Avenue, LLC., residing at 1122 Osborne Avenue, Riverhead, New York 11901, Declarant:

### WITNESSETH:

**WHEREAS**, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

**WHEREAS**, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

**WHEREAS**, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

### NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, 1122 Osborne Avenue LLC., hereby authorizes and consents to the Town of Riverhead to enter premises at 1122 Osborne Avenue, Riverhead, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all utilities shall be constructed underground;
11. That pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall pose a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

Declarant has hereunto set his/her hand and seal the day and year above first written.

\_\_\_\_\_  
1122 OSBORNE AVENUE, LLC.

STATE OF NEW YORK )

: ss.:

COUNTY OF SUFFOLK )

On the \_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_ before me, the undersigned, \_\_\_\_\_ personally appeared

\_\_\_\_\_ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

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

April 15, 2003

# Adopted

## TOWN OF RIVERHEAD

Resolution # 434

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER THE PURCHASE OF DEVELOPMENT RIGHTS OF A PARCEL LOCATED IN THE TOWN OF RIVERHEAD (LOUIS CARACCILO AND OTTAVIA CARACCILO)**

COUNCILWOMAN SANDERS offered the following resolution, was seconded by COUNCILMAN LULL :

**WHEREAS**, pursuant to the provisions of §247 of the New York State General Municipal Law, fee simple owners of agricultural lands may elect to sell and the Town of Riverhead may elect to purchase development rights associated with said lands; and be it further

**WHEREAS**, Louis Caracciolo and Ottavia Caracciolo have expressed a desire to sell the development rights on approximately 25.6 acres of their agricultural lands located on the easterly side of Herricks Lane, Jamesport, New York, at \$32,500 per acre, further described as Suffolk County Tax Map Numbers 0600-9-1- p/o 6.6 and 0600-22-3-4 to the Town of Riverhead.

**NOW THEREFORE BE IT RESOLVED**, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider the purchase of development rights of agricultural lands owned by Louis Caracciolo and Ottavia Caracciolo, once in the Traveler Watchman on April 24, 2003, hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed purchase of development rights to be posted on the sign board of the Town in the Office of the Town Clerk; and be it further

**RESOLVED**, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Louis Caracciolo and Ottavia Caracciolo, 169 Thomas Lane, Setauket, New York 11733; the Farmland Preservation Committee; Peconic Land Trust, Attn: Julie T. Wesnofske, 296 Hampton Road, P.O. Box 1776, Southampton, New York, 11969; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office and the Town Attorney's Office.

THE VOTE  
Sanders  Yes  No Blass  Yes  No  
Densieski  Yes  No Lull  Yes  No  
Kozakiewicz  Yes  No  
THE RESOLUTION WAS  WAS NOT  
THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held on the 20<sup>th</sup> day of May, 2003 at 7:15 o'clock p.m., at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider the purchase of development rights of approximately 25.6 acres of agricultural lands owned by Louis Caracciolo and Ottavia Caracciolo located on the easterly side of Herricks Lane, Jamesport, New York, at \$32,500 per acre, further described as Suffolk County Tax Map Numbers 0600-9-1- p/o 6.6 and 0600-22-3-4 pursuant to §247 of the New York State General Municipal Law and Chapter 44 of the Riverhead Town Code.

Dated: Riverhead, New York  
April 15, 2003

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

April 15, 2003

TOWN OF RIVERHEAD

Resolution # 435

**AMENDS RESOLUTION AND AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF SCOPING HEARING REGARDING AN AMENDMENT TO THE ZONING USE DISTRICT MAP OF THE TOWN OF RIVERHEAD – PLANNED RECREATIONAL PARK DISTRICT TO THE PLANNED INDUSTRIAL PARK DISTRICT – ENTERPRISES PARK AT CALVERTON**

Councilman Lull offered the following resolution which was seconded by Councilman Densieski

WHEREAS, by Local Law, the Riverhead Town Board did amend the Zoning Use District Map of the Town of Riverhead to provide for the Planned Industrial Park District and the Planned Recreational Park District to the exclusion of the Defense Institutional District upon premises formally known as the Calverton Naval Weapons Industrial Reserve Plan now known as Enterprises Park at Calverton (EPCAL), and

WHEREAS, the Planned Recreational Park District regulates approximately 2,200 acres of real property at EPCAL, and

WHEREAS, the Town of Riverhead Community Development Agency is presently not considering any offers for purchase of any lands within the confines of the Planned Recreational Park District at EPCAL, and

WHEREAS, by resolution #550 of 2002 the Riverhead Town Board retained the services of Thomas Conoscenti and Associates, Inc. to investigate the absorbment potential of additional industrially zoned land within EPCAL; such investigation and analysis suggesting the need for additional industrially zoned lands at EPCAL, and

WHEREAS, by resolution dated May 13, 2002, the Riverhead Development Corporation (“RDC”) did recommend that the Town Board cause the preparation of an appraisal of the lands at EPCAL, and

WHEREAS, by resolution dated May 22, 2002 the Riverhead Town Board retained the services of the Landauer Realty Group, Inc. to appraise the subject 2,200 acre portion of the EPCAL site, and

**WHEREAS**, upon a review of the aforementioned appraisal and other pertinent planning, zoning and environmental information, the RDC, by resolution dated January 6, 2003 did recommend to the Riverhead Town Board to use its good offices in order to effect an amendment to the Zoning Use District Map of the Town of Riverhead to provide for additional industrially zoned land at EPCAL, and

**WHEREAS**, it is the desire of the Riverhead Town Board to effect such zoning amendment on its own motion, now

**THEREFORE BE IT**

**RESOLVED**, that the Town Board of the Town of Riverhead hereby declares itself to be the lead agency in this matter, and

**BE IT FURTHER**

**RESOLVED**, that as lead agency hereby determines the action to be Type I with potentially significant adverse impacts to either the natural or social environment and that a Supplemental Generic Environmental Impact Statement need be prepared, and

**BE IT FURTHER**

**RESOLVED**, that due to the decision making of a single agency in this action, no coordinated review will be undertaken, and

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

**THE VOTE**

Sanders  Yes  No    Blass  Yes  No  
Densieski  Yes  No    Lull  Yes  No  
Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT   
THEREUPON BEING ADOPTED

**TOWN OF RIVERHEAD  
NOTICE OF SCOPING HEARING**

**PLEASE TAKE NOTICE**, that a scoping hearing will be held pursuant to the New York State Environmental Conservation Law and its attending regulations on the 14<sup>th</sup> day of May, 2003 at 1:00 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to identify the significant adverse impacts to both the natural and social environment associated with a motion of the Riverhead Town Board to amend the Zoning Use District Map of the Town of Riverhead to provide for the Planned Industrial Park Zoning Use District of 1503 acres to the exclusion of the Planned Recreational Park Zoning Use District, which acreage shall be reduced to 1273 acres and shall also provide for a commercial use district of 145 acres located at the Enterprise Park at Calverton, Calverton, New York; such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-135-1-7.6. A map depicting the area to be considered for zoning amendment is available for inspection at the Office of the Town Clerk between the hours of 8:30 A.M. and 4:30 P.M. beginning April 15, 2003.

DATED: April 15, 2003  
Riverhead, New York

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

April 15<sup>th</sup>, 2003

TOWN OF RIVERHEAD

**Tabled**

Resolution # 436

**APPROVES SITE PLAN OF 31 MAIN ROAD RIVERHEAD CORP.**

COUNCILWOMAN SANDERS offered the following resolution,

which was seconded by COUNCILWOMAN BLASS:

**WHEREAS**, a site plan and elevations were submitted by 31 Main Road Riverhead Corp., to construct a 30,000 sq. ft. medical office building upon real property located at Main Road (SR 25) Riverhead, New York 11901, known and designated as Suffolk County Tax Map Number 0600-84-5-14; and

**WHEREAS**, the Planning Department has reviewed the site plan dated March 10<sup>th</sup>, 2003, as prepared by Charles A. Baldassano, R.A., and elevations dated June 26<sup>th</sup>, 2002, as prepared by Charles A. Baldassano, R.A., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

**WHEREAS**, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 20030115 of the Office of the Supervisor of the Town of Riverhead; and;

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, that in the matter of the site plan application of Blue Fin Realty, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the action to be Unlisted Pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared.

**BE IT FURTHER**

**RESOLVED**, that the site plan and elevations submitted by 31 Main Road, Riverhead Corp., to construct a 30,000 sq. ft. medical office building upon real property located at Main Road (SR25), Riverhead, New York, site plan dated March 10<sup>th</sup>, 2003, as prepared by Charles A. Baldassano, R.A., and elevations dated June 26<sup>th</sup>, 2002, as prepared by Charles A. Baldassano, R.A., be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan proves and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, 31 Main Road Riverhead Corp., hereby authorizes and

consents to the Town of Riverhead to enter premises at Main Road, (SR 25), Riverhead, New York, to enforce said handicapped parking regulations;

- 10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
- 11. That all new utilities shall be constructed underground;
- 12. That pursuant to Section 108-133(I) of the Code of the Town of Riverhead, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
- 13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
- 14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to 31 Main Road Riverhead Corp., 234 Hampton Road, Southampton, New York 11968, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE

Sanders	<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	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY ADOPTED

# Tabled

## DECLARATION AND COVENANTS

**THIS DECLARATION**, made the \_\_\_\_\_ day of \_\_\_\_\_, 2003, made by 31 Main Road Riverhead Corp., 234 Hampton Road, Southampton, New York 11968, Declarant:

### WITNESSETH:

**WHEREAS**, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

**WHEREAS**, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

**WHEREAS**, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

### NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, 31 Main Road, Riverhead Corp., hereby authorizes and consents to the Town of Riverhead to enter premises at Main Road (SR 25), Riverhead, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

Declarant has hereunto set his/her hand and seal the day and year above first written.

\_\_\_\_\_  
31 Main Road Riverhead Corp.

STATE OF NEW YORK )

: ss.:

COUNTY OF SUFFOLK )

On the \_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_ before me, the undersigned, \_\_\_\_\_ personally \_\_\_\_\_ appeared

\_\_\_\_\_  
personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

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

Planning/egr

April 15<sup>th</sup>, 2003

# Adopted

## TOWN OF RIVERHEAD

Resolution # 437

### APPROVES SITE PLAN OF OVER IN 2050 LLC. RIVERHEAD FORD

COUNCILWOMAN SANDERS

offered the following resolution,

COUNCILMAN LULL

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

**WHEREAS**, a site plan and elevations were submitted by Over In 2050 LLC., for the construction of a 34,200 sq. ft. auto dealership and repair facility upon real property located at Old Country Road (CR58), Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-119-1-11; and

**WHEREAS**, the Planning Department has reviewed the site plan dated December 3<sup>rd</sup>, 2002, as prepared by Jeffrey T. Butler, P.E., and elevations dated February 11<sup>th</sup>, 2003, as prepared by Joseph M. Catropa, AIA, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

**WHEREAS**, based upon the Town Board's review of the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the site plan applied for will be an Unlisted Action without a significant impact upon the environment pursuant to the State Environmental Conservation Law and 6 NYCRR Part 617 and that an Environmental Impact Statement need not be prepared; and

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

**WHEREAS**, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 20030328 of the Office of the Supervisor of the Town of Riverhead; and;

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

### **NOW, THEREFORE, BE IT**

**RESOLVED**, that the site plan and elevations submitted by Over In 2050 LLC, for the construction of a 34,200 sq. ft. auto dealership and repair facility upon real property located at Old Country Road (CR58), Riverhead, New York, site plan dated December 3<sup>rd</sup>, 2002, as prepared by Jeffrey T. Butler, P.E., and elevations dated February

11th, 2003, as prepared by Joseph M. Catropa, AIA, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan proves and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Over In 2050 LLC, hereby authorizes and consents to the Town of Riverhead to enter premises at Old Country Road (CR58), Riverhead, New York, to enforce said handicapped parking regulations;

- 10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
- 11. That all utilities shall be constructed underground;
- 12. That pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
- 13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
- 14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;
- 15. That the principle use be limited to new automobile sales;
- 16. That no building permit shall issue prior to the granting of all relief with respect to the provisions of Article XXXXV of the Riverhead Zoning; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Over In 2050 LLC., 9 Rosita Lane, Port Jefferson, New York 11777, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

**THE VOTE**

Sanders	<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	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT  
THEREUPON  ADOPTED

## DECLARATION AND COVENANTS

**THIS DECLARATION**, made the \_\_\_\_ day of \_\_\_\_\_, 2003, made by Over In 2050, residing at 9 Rosita Lane, Port, Jefferson, New York 11777, Declarant:

### WITNESSETH:

**WHEREAS**, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

**WHEREAS**, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

**WHEREAS**, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

### NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Over In 2050 LLC, hereby authorizes and consents to the Town of Riverhead to enter premises at Old Country Road (CR58), Riverhead', New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all utilities shall be constructed underground;
11. That pursuant to Section 108-133I of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a building permit, shall pose a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

Declarant has hereunto set his/her hand and seal the day and year above first written.

\_\_\_\_\_  
Over In 2050 LLC.

STATE OF NEW YORK)

)ss.:

COUNTY OF SUFFOLK)

On the \_\_\_\_\_ day of \_\_\_\_\_, 2003, before me personally came Over In 2050 LLC, to me known and known to be the individual who executed the foregoing instrument; that (s)he is the owner of certain real property located at 434 Pulaski St. Riverhead', New York, the subject property of this Declaration and Covenant, and understands the content thereof; and that (s)he did swear to me that (s)he executed the same.

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

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On this \_\_\_\_\_ day of \_\_\_\_\_, 1998, before me personally came \_\_\_\_\_, to me known, and known to me to be one of the members of the firm of \_\_\_\_\_, described in and who executed the foregoing instrument, and (s)he acknowledged to me that (s)he executed the same as and for the act and deed of said firm.

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

Planning/egr

April 15, 2003

# Adopted

## TOWN OF RIVERHEAD

Resolution # 438

### AMENDS RESOLUTION #351

**COUNCILMAN LULL**

~~COUNCILWOMAN BLASS~~

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

resolution, which was seconded by COUNCILWOMAN SANDERS

**WHEREAS**, Resolution #351 was adopted April 1, 2003, filling a vacancy for Wastewater Treatment Plant Operator Trainee in the Sewer/Scavenger Waste District; and

**WHEREAS**, the Personal Committee has recommended Kevin Chew for this position with a start date of April 15, 2003; now

**THEREFORE, BE IT RESOLVED**, that Resolution #351 be amended to a start date of April 21, 2003; and

**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Kevin Chew, the Sewer/Scavenger Waste District and the Office of Accounting.

#### THE VOTE

Sanders  Yes  No

Blass  Yes  No

Densieski  Yes  No

Lull  Yes  No

Kozakiewicz  Yes  No

April 15, 2003

838

Not Adopted

**TOWN OF RIVERHEAD**

Resolution # 439

**APPROVES SPECIAL PERMIT PETITION OF PAUL  
MARTIN/RIVERHEAD COMMERCE PARK**

**COUNCILWOMAN BLASS**

offered the following resolution which

was seconded by COUNCILMAN LULL

**WHEREAS**, THE Riverhead Town Board is in receipt of a special permit petition from Richard Israel, on behalf of Paul Martin/Riverhead commerce Park pursuant to Sections 108-133.1 and 108-45 B(4) of the Code of the Town of Riverhead for the construction of a 4,600 square foot, 150 seat restaurant, Atlanta Bread Company, to be erected on a 1.1 acre parcel zoned Industrial A located at Commerce Drive, Riverhead and known by Suffolk County Tax Map Number 0600-101-1-10.5, and

**WHEREAS**, the Riverhead Town Board by resolution #1082 of 2002 declared themselves Lead Agency, and

**WHEREAS**, the Town Board of the Town of Riverhead has referred the petition to the Riverhead Planning Board for its report and recommendations; such Planning Board recommending the granting of the petition subject to certain conditions; and

**WHEREAS**, the Town Board has referred the petition to the Suffolk County Planning Commission for its report and recommendation; such Planning Commission determining the matter to be one of local determination, and

**WHEREAS**, a public hearing was held on the petition as required by the Riverhead Town Code, and

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

**THEREFORE, BE IT**

**RESOLVED**, that the Riverhead Town Board, as Lead Agency, hereby determines the action to be Unlisted without significant adverse impacts to the natural and social environment and that an environmental impact statement need not be prepared, and

**BE IT FURTHER**

**RESOLVED**, that the Planning Department be directed to publish and post those notices of non-significance as required by law, and

**BE IT FURTHER**

**RESOLVED**, that in the matter of the special permit petition of Paul Martin/Riverhead Commerce Park, the Riverhead Town Board hereby makes the following findings:

1. That the premises is located within an Industrial A Zoning Use District;
2. That the proposed restaurant is to be constructed upon a lot within an approved subdivision predominantly improved with office uses and that future development will be of a similar nature;
3. That the applicant has offered testimony that he or she is flexible with respect to the elevations and construction materials of the contemplated building and that national prototype construction is not mandated;
4. That it is anticipated that individuals employed within the said office part would utilize the proposed use;
5. That the site is particularly suitable for the proposed use;
6. That the subject property lies within the proposed Commercial Residential Campus Zoning Use District as described in the Draft Comprehensive Plan of the Town of Riverhead; such district providing for the commercial use of the premises;
7. That the lot area is sufficient for the proposed use and reasonably anticipated operation;
8. That access facilities from streets and sidewalks are adequate;
9. That the conceptual site plan attending the petition depicts parking stalls adequate for the anticipated number of employees and patrons and that the layout of the parking area is conducive to safe and convenient operation;
10. That adequate provisions have been made for the collection and treatment of sanitary sewage;
11. That the intensity of the proposed use is justified in light of similar uses within the relevant zoning use district; and

**BE IT FURTHER**

**RESOLVED**, that based upon its findings, the Riverhead Town Board hereby approves the special permit application of Paul Martin to allow the construction of the proposed restaurant upon real property within the industrial A Zoning Use District and that the commencement of the use shall occur within a period of three (3) years, and

**BE IT FURTHER**

**RESOLVED**, that a copies of this resolution be forwarded to the Town Attorney, Building Department, Planning Department, Planning Board and Paul Martin/Riverhead Commerce Park or his agent.

Rh/planning

**THE VOTE**

Sanders  Yes  No . Blass  Yes  No *Abstain*  
Densleski  Yes  No *Abstain* Lull  Yes  No  
Kozakiewicz  Yes  No

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY ADOPTED

*Not Adopted*

April 15, 2003

# Tabled

# Adopted

## TOWN OF RIVERHEAD

ON 4/21/2003

Resolution # 440

### ADOPTS FINAL SCOPE OF ISSUES FOR THE GENERIC ENVIRONMENTAL IMPACT STATEMENT SUPPORTING THE DRAFT COMPREHENSIVE PLAN OF THE TOWN OF RIVERHEAD

COUNCILMAN DENSIESKI

offered the following resolution which

was seconded by COUNCILWOMAN BLASS

WHEREAS, by resolution dated September 2, 1997 (#743), the Riverhead town Board did direct the Riverhead Planning Board to cause the preparation of a Comprehensive Plan for the Town of Riverhead pursuant to Section 272-a of the Town Law, and

WHEREAS, by resolution dated June 2, 1998, the Riverhead Town Board did authorize the Supervisor to execute an agreement with APPS, Inc. to prepare such Comprehensive Plan at the direction of the Planning Board, and

WHEREAS, by resolution #514 of 2002, the Riverhead Town Board did declare itself to be the Lead Agency in the preparation of the comprehensive Plan and did further determine the action to be Type I and that a Generic Environmental Impact Statement be prepared, and

WHEREAS, on May 29, 2002, the Town Board did hold a scoping hearing as required by 6 NYCRR Part 617, and

WHEREAS, the Town Board is in receipt of a final scope of issues respecting the aforementioned as prepared by David Emilita dated April 3, 2003, and

WHEREAS, the final scope of issues has been reviewed by the Town Board and is considered to correctly identify the significant environmental issues to be assessed in the Generic Environmental Impact Statement, now

### THEREFORE, BE IT

RESOLVED, that the Riverhead Town board hereby accepts the Scoping Document for the Generic Environmental Impact Statement for the Comprehensive Plan and Amendments to the Zoning Ordinance of the Town of Riverhead, as prepared by David Emilita and as attached.

Councilwoman Sanders moved to take resolution off the table, which was seconded by Councilwoman Blass. The vote was all yes to take off the Table.

Councilwoman Blass moved to Amend the resolution which was seconded by Councilwoman Sanders. All yes to amend. Resolution was Adopted as Amended. Blass, Sanders, Kozakiewicz-all yes

				THE VOTE			
Sanders	<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	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		

THE RESOLUTION WAS  ADOPTED

**SCOPING DOCUMENT FOR THE  
GENERIC ENVIRONMENTAL IMPACT STATEMENT  
FOR THE UPDATED COMPREHENSIVE MASTER PLAN  
AND AMENDMENTS TO THE ZONING ORDINANCE  
OF THE TOWN OF RIVERHEAD**

Prepared for:

The Town Board of the Town of Riverhead

Prepared by:

David J. S. Emilita, AICP  
PO Box 1501  
Southampton, NY 11969

April 3, 2003

## TABLE OF CONTENTS

INTRODUCTION .....	1
EXECUTIVE SUMMARY .....	4
1. DESCRIPTION OF THE PROPOSED ACTION .....	4
1.1 Background of the Proposed Action .....	4
1.2 Public Purpose, Need, and Benefits .....	4
1.3 Summary of the Updated Comprehensive Master Plan and the Amendments to the Zoning Ordinance .....	5
1.4 Required Approvals .....	5
2. ENVIRONMENTAL SETTING: EXISTING CONDITIONS AND FUTURE BASELINE CONDITIONS, AND PROBABLE IMPACTS OF THE PROPOSED ACTION .....	5
2.1 Land Use .....	5
2.2 Water Resources .....	6
2.3 Air Quality .....	6
2.4 Plants and Animals .....	6
2.5 Historic and Archaeological Resources .....	6
2.6 Aesthetic Resources .....	6
2.7 Open Space and Recreation .....	7
2.8 Transportation .....	7
2.9 Energy .....	7
2.10 Noise and Odor .....	7
2.11 Public Health .....	8
2.12 Growth and Character of Community and Neighborhood .....	8
3. MITIGATION .....	9
4. UNAVOIDABLE ADVERSE IMPACTS .....	9
5. ALTERNATIVES .....	9
6. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES .....	9
7. GROWTH-INDUCING ASPECTS .....	9
8. EFFECTS ON ENERGY USE AND CONSERVATION .....	9
9. CRITERIA FOR FUTURE SITE-SPECIFIC PROPOSALS .....	9
APPENDICES .....	10
LIST OF SOURCES .....	10

AND THE DRAFT TOWN OF RIVERHEAD  
LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)

INTRODUCTION

A Generic Environmental Impact Statement (GEIS) is to be prepared by the Town Board of the Town of Riverhead (the "Lead Agency") in connection with the update of the Town's Comprehensive Master Plan, and amendments to the Town's Zoning Ordinance, Chapter 108 of the Town Code (the "Proposed Action"). The Town Board has made a determination that the Proposed Action has the potential to cause significant environmental impacts (i.e., a positive declaration), necessitating the preparation of a Draft GEIS in connection with the Proposed Action.

The Environmental Assessment Form Part I, and this document (the "Final Scope of the GEIS") are to be adopted by the Lead Agency. This document is based on the draft Scoping document and the comments received on it by the Lead Agency.

This document identifies those potential project related impacts and areas of concern that are intended to be addressed in the Draft GEIS (DGEIS).

Involved agencies include:

- Riverhead Town Board
- Riverhead Planning Board

Interested agencies include the following boards, councils, and departments of the Town of Riverhead, all of which are located at 200 Howell Avenue, Riverhead, New York 11901:

- Riverhead Zoning Board of Appeals
- Riverhead Conservation Advisory Council
- Riverhead Architectural Review Board
- Riverhead Building Department Administrator — [Name]
- Riverhead Community Development Department Director — [Name]
- Riverhead Police Department Chief — [Name]
- Riverhead Planning Department Director — [Name]
- Riverhead Recreation Department Superintendent — [Name]
- Riverhead Sanitation Department Director — [Name]
- Riverhead Sewer Department Director — [Name]
- Riverhead Engineering Department Director — [Name]

- RIVERHEAD FINANCE ADMINISTRATOR
- RIVERHEAD FIRE MARSHAL-1
- RIVERHEAD MONUMENTS PRESERVATION COMMISSION

- RIVERHEAD RECEIVER OF TAXES
- Riverhead Water District Superintendent — [Name]
- Riverhead Highway Department Superintendent — [Name]
- Riverhead Tax Assessor — [Name]
- Riverhead Town Attorney — [Name]
- Riverhead Town Clerk — [Name]
- Riverhead Senior Programs Director — [Name]

Other interested agencies include:

Riverhead Central School District  
700 Osborne Avenue  
Riverhead, New York 11901

Shoreham-Wading River Central School District  
Shoreham High School  
Route 25A  
Shoreham, New York 11786

Laurel School District  
475 Franklinville Road  
Laurel, New York 11948

Jamesport Fire Department  
Manor Lane  
Jamesport, New York 11901

Wading River Fire Department  
North Country Road  
Wading River, New York 11792

Manorville Fire Department  
14 Silas Carter Avenue  
Manorville, New York 11949

Riverhead Fire Department  
24 East Second Street  
Riverhead, New York 11901

Riverhead Volunteer Ambulance Corps  
1111 Osborne Avenue  
Riverhead, New York 11901

Patrick A. Heaney, Supervisor  
Town of Southampton  
116 Hampton Road  
Southampton, New York 11968

John Jay LaValle, Supervisor  
Town of Brookhaven  
3233 Route 112, Building #5  
Medford, New York 11763

Joshua Y. Horton, Supervisor  
Town of Southold  
53095 Route 25  
P.O. Box 1179  
Southold, New York 11971

Suffolk County Planning Commission  
H. Lee Dennison Building  
100 Veterans Memorial Highway  
Hauppauge, NY 11788

Central Pine Barrens Joint Planning and Policy Commission  
3525 Sunrise Highway, 2<sup>nd</sup> floor  
P.O. Box 587  
Great River, New York 11739-0587

New York State Department of State  
Division of Coastal Resources  
41 State Street  
Albany, New York 12231-0001

New York State Department of Environmental Conservation  
Region One Office  
SUNY Campus, Building 40  
Stonybrook, New York 11790

New York State Department of Transportation  
Region Ten Office  
State Office Building  
250 Veterans Memorial Highway  
Hauppauge, New York 11788

New York State Office of Parks, Recreation, and Historic Preservation  
Empire State Plaza  
Agency Building #1, 20<sup>th</sup> floor  
Albany, NY 12238

Long Island Farm Bureau  
104 Edwards Avenue  
Calverton, NY 11933

North Fork Environmental Council  
12700 Route 25  
Mattituck, NY 11952

Long Island Pine Barrens Society  
547 East Main Street  
Riverhead, NY 11901

SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES  
220 PARRO DRIVE  
HAUPOAUGE, N.Y. 11788

% AKRF  
222 MIDDLE COUNTRY ROAD SUITE 314  
SUMMIT POINT, NY 11787  
EXECUTIVE SUMMARY OF THE GEIS

The executive summary, containing brief summaries based on relevant portions of the Draft GEIS, will include the following:

- S.1 Description of the Proposed Action
- S.2 Summary of existing conditions, future baseline conditions and impacts of the Proposed Action
- S.3 Proposed mitigation measures
- S.4 Unavoidable adverse impacts
- S.5 Alternatives to the Proposed Action
- S.6 Criteria for site-specific proposals

### 1. DESCRIPTION OF THE PROPOSED ACTION

#### 1.1 Background of the Proposed Action

The most recent update of the Comprehensive Master Plan of the Town of Riverhead was completed in 1973 and it will be briefly discussed. The most recent comprehensive update of the Zoning Ordinance was adopted in 1970, with major amendments made subsequently. The existing Zoning Ordinance, including major amendments adopted through March of 2003 will be discussed. The updated Comprehensive Master Plan and the Zoning Ordinance amendments that are proposed for adoption will be described in the Draft GEIS.

#### 1.2 Public Purpose, Need, and Benefits

The central purpose of the Proposed Action is twofold: (1) to establish the nature and level of potential development in the Town of Riverhead under current land use policies and zoning regulations; and (2) to make such changes as are necessary to current policies and regulations to ensure that all future potential development:

- Will be in keeping with the character of the Town;
- Will be developed in accordance with sound environmental planning and engineering principles and standards; and
- Will protect the public safety, health and welfare.

Other major purposes of the updated Comprehensive Plan and the Zoning Ordinance amendments will be discussed in this section.  
*WILL PROTECT TO THE GREATEST EXTENT POSSIBLE THE NATURAL RESOURCES OF THE TOWN WITH A PARTICULAR EMPHASIS ON FARMLAND*

**1.3 Summary of the Updated Comprehensive Master Plan and the Amendments to the Zoning Ordinance**

A summary of the Updated Comprehensive Plan and proposed amendments to the Zoning Ordinance will be provided in the Draft GEIS. This summary will include a description of the nature and the extent to which the Proposed Action would modify, add to, or remove current regulations.

**1.4 Required Approvals**

The adoption of the updated Comprehensive Plan and Zoning Ordinance amendments will require approval from the Riverhead Town Board. This section will also list the interested and involved agencies that have been invited to participate in the environmental assessments.

**2. ENVIRONMENTAL SETTING: EXISTING CONDITIONS AND FUTURE BASELINE CONDITIONS, AND PROBABLE IMPACTS OF THE PROPOSED ACTION**

Existing conditions will represent current conditions (2002/03) with respect to the updated Comprehensive Plan and the Zoning Ordinance amendments. Future baseline conditions will reflect conditions as of the year 2022, without the Proposed Action. Probable impacts of the Proposed Action reflect conditions as of the year 2022 with the Proposed Action.

**2.1 Land Use**

Existing conditions and patterns of land use in the Town of Riverhead will be discussed, and an inventory of vacant and underutilized sites that could be subject to development or redevelopment will be provided. Recent land use trends will be discussed, including general types of new development that are occurring in the Town and the region.

For future baseline conditions, current trends, the inventory of potentially developable or redevelopable sites, as well as significant projects that have already received approval or are in the approval process, will be used as a basis for projecting the amount and type of land use development that is likely to occur by the year 2022.

Similar projections will be prepared for the year 2022, assuming that the Proposed Action is taken, and these will be compared with the future baseline projections. Potential land use impacts may arise from changes in permitted land uses, allowable intensity of development or redevelopment, transfers of development potential, and changes in bulk requirements in design standards or guidelines as contained in the Proposed Action.

Councilman *Stull*

offered the following Resolution which was seconded by

Councilman *Sensibar*

FUND NAME		CD - 03/28/03	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ 4,100,000.00	\$ 588,522.00	\$ 4,688,522.00
POLICE ATHLETIC LEAGUE	004	\$ 3,500.00	\$ 1,100.00	\$ 4,600.00
TEEN CENTER	005	\$ 4,000.00	\$ -	\$ 4,000.00
RECREATION PROGRAM	006	\$ 95,000.00	\$ 8,984.95	\$ 103,984.95
SR NUTRITION SITE COUNCIL	007	\$ 2,500.00	\$ 200.00	\$ 2,700.00
D.A.R.E. PROGRAM FUND	008	\$ 2,500.00	\$ -	\$ 2,500.00
CHILD CARE CENTER BUILDING FUND	009	\$ 19,000.00	\$ -	\$ 19,000.00
AG-FEST COMMITTEE FUND	021	\$ -	\$ -	\$ -
HUMAN SERVICES FUND	022	\$ -	\$ -	\$ -
R.I.F.T.A	023	\$ -	\$ 59.15	\$ -
TOWN BD SPECIAL PROGRAM FND	024	\$ -	\$ -	\$ -
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 3,273.44	\$ 3,273.44
COMMUNITY P.E.T.S. SHELTER	028	\$ 12,000.00	\$ -	\$ 12,000.00
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ 40.00	\$ 40.00
EDZ FUND	030	\$ -	\$ 3,755.02	\$ 3,755.02
HIGHWAY	111	\$ 610,000.00	\$ 76,123.74	\$ 686,123.74
WATER	112	\$ 160,000.00	\$ 79,207.44	\$ 239,207.44
REPAIR & MAINTENANCE	113	\$ 250,000.00	\$ -	\$ 250,000.00
RIVERHEAD SEWER DISTRICT	114	\$ 1,250,000.00	\$ 21,822.36	\$ 1,271,822.36
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 6,002.34	\$ 6,002.34
STREET LIGHTING	116	\$ 135,000.00	\$ 7,218.49	\$ 142,218.49
PUBLIC PARKING	117	\$ 50,000.00	\$ 2,877.64	\$ 52,877.64
BUSINESS IMPROVEMENT DISTRICT	118	\$ 3,500.00	\$ 29.98	\$ 3,529.98
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ 90,000.00	\$ 2,303.24	\$ 92,303.24
CALVERTON SEWER DISTRICT	124	\$ 120,000.00	\$ 7,651.34	\$ 127,651.34
RIVERHEAD SCAV WASTE DISTRICT	128	\$ -	\$ 12,714.84	\$ 12,714.84
WORKER'S COMPENSATION FUND	173	\$ 800,000.00	\$ 41,119.71	\$ 841,119.71
RISK RETENTION FUND	175	\$ 85,000.00	\$ 22,084.63	\$ 107,084.63
UNEMPLOYMENT INSURANCE FUND	176	\$ 7,250.00	\$ -	\$ 7,250.00
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 2,177.35	\$ 2,177.35
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ 30,000.00	\$ -	\$ 30,000.00
SEWER DISTRICT DEBT	382	\$ 785,000.00	\$ -	\$ 785,000.00
WATER DEBT	383	\$ 65,000.00	\$ -	\$ 65,000.00
GENERAL FUND DEBT SERVICE	384	\$ 2,280,000.00	\$ -	\$ 2,280,000.00
SCAVENGER WASTE DEBT	385	\$ 250,000.00	\$ -	\$ 250,000.00
TOWN HALL CAPITAL PROJECTS	406	\$ 2,790,000.00	\$ 103,104.77	\$ 2,893,104.77
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ 20,000.00	\$ -	\$ 20,000.00
YOUTH SERVICES	452	\$ -	\$ 1,980.94	\$ 1,980.94
SENIORS HELPING SENIORS	453	\$ -	\$ 2,334.53	\$ 2,334.53
EISEP	454	\$ -	\$ -	\$ -
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ 35,000.00	\$ 9,824.45	\$ 44,824.45
MUNICIPAL GARAGE	626	\$ 65,000.00	\$ 28,165.25	\$ 93,165.25
TRUST & AGENCY	735	\$ -	\$ ** 776,203.98	\$ 776,203.98
SPECIAL TRUST	736	\$ 750,000.00	\$ -	\$ 750,000.00
COMMUNITY PRESERVATION FUND	737	\$ 250,000.00	\$ -	\$ 250,000.00
CDA-CALVERTON	914	\$ 1,000,000.00	\$ 13,360.48	\$ 1,013,360.48
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ 3,265.71	\$ 3,265.71
JOINT SCAVENGER WASTE	918	\$ -	\$ -	\$ -
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ 16,119,250.00	\$ 1,827,507.77	\$ 17,946,757.77
*SCHOOL & TOWN TAXES		\$ -	\$ -	\$ -

**THE VOTE**  
 Sanders  Yes  No  Blank  Yes  No  
 Densieski  Yes  No  Cull  Yes  No  
 Kozakiewicz  Yes  No

THE RESOLUTION WAS NOT ADOPTED

# Adopted

April 15, 2003

## TOWN OF RIVERHEAD

Resolution # 442

### ACCEPTS OFFER OF SALE OF DEVELOPMENT RIGHTS (EDWARD KRUPSKI AND ALICE KRUPSKI)

COUNCILMAN LULL offered the following resolution, which was seconded

by COUNCILMAN DENSIESKI :

**WHEREAS**, the Riverhead Farmland Preservation Committee ("the Committee") has received an offer for sale of development rights from Edward Krupski and Alice Krupski, consisting of approximately 37.3 acres of real property located on the northwesterly side of Northville Turnpike, Riverhead, New York and 22.3 acres of real property located on the southeasterly side of Northville Turnpike, Riverhead, New York, such real property more particularly described as Suffolk County Tax Map Numbers 0600-44-2-p/o 3.1 and 0600-65-6- p/o 5.1; and

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

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

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

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

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

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a contract for purchase of development rights from the subject properties in an amount not to exceed Thirty thousand dollars per acre (\$30,000.00); and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Annemarie Goodale, Twomey Latham Shea & Kelly, 33 West Second Street, PO Box 398, Riverhead, NY 11901; the Farmland Preservation Committee; Peconic Land Trust, Attn: Julie Westnofske, 296 Hampton Road, P.O. Box 1776, Southampton, New York, 11968; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office and the Office of the Town Attorney.

**THE VOTE**

Sanders	<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	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
			Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

THE RESOLUTION WAS NOT PASSED

April 15, 2003

TOWN OF RIVERHEAD

851  
**Adopted**

Resolution # 443

**ACCEPTS OFFER OF SALE OF DEVELOPMENT RIGHTS**  
**(JOHN CICHANOWICZ AND HELEN CICHANOWICZ)**

COUNCILMAN LULL offered the following resolution, which was seconded

by COUNCILMAN DENSIEŃKI :

**WHEREAS**, the Riverhead Farmland Preservation Committee ("the Committee") has received an offer for sale of development rights from John Cichanowicz and Helen Cichanowicz, consisting of approximately 10.1 acres of real property located on the northeast corner of Northville Turnpike and Doctors Path, Riverhead, New York such real property more particularly described as Suffolk County Tax Map Number 0600-65-6-10; and

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

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

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

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

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

**RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute a contract for purchase of development rights from the subject properties in an amount not to exceed Thirty thousand dollars per acre (\$34,000.00); and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, 616 Roanoke Avenue, PO Box 779, Riverhead, New York 11901; the Farmland Preservation Committee; Peconic Land Trust, Attn: Julie Westnofske, 296 Hampton Road, P.O. Box 1776, Southampton, New York, 11968; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office and the Office of the ~~Town~~ **THE TOWN** Attorney.

Sanders  Yes  No Bless  Yes  No  
DensieŃki  Yes  No Lull  Yes  No  
Kozakiewicz  Yes  No

**THE RESOLUTION WAS  WAS NOT**   
**THEREUPON DULY ADOPTED**