

Town Clerk Barbara Grattan

TOWN BOARD MEETING AGENDA

September 3rd , 2002

ROBERT F. KOZAKIEWICZ, Supervisor

**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
Jane Vanden Thoorn
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 August 20th, 2002.

Gull

Offered the minutes to be approved, which was
seconded by Sanders.

5 yes

REPORTS

Recreation Dept. Monthly report for June 2002-Total Collected: \$23,610.00

Town Clerk: Monthly report for August, 2002=Total Collected: \$8142.32

APPLICATIONS

Shows & Exhibition Permits: Riverhead Country Fair-October 13, 2002-11 a.m.
to 5 p.m.

Site Plan: Amended for T.R.W. Realty-construct a 10,000 sq.
ft. automobile sales showroom bldg.

CORRESPONDENCE

Petition: Concerned citizens of Riverhead petitioning the legislature to
Conduct a Feasibility Study along Route 58.

COMMITTEE REPORT

PUBLIC HEARINGS

SCHEDULED September 3rd, , 2002

*Dziwinski - Sat - Stop Hazardous Waste
by Festival - Sat.
Sept 11 - 7:00 p.m. - Old High School*

*Master Plan - 9/27
Blood Drive - 9/14
Animal Shelter -*

- ✓ 7:05 p.m. The Consideration of an Amendment of Local Law No. 108-200 to revise an Empire Zone formerly known as Economic Development Zone.
- ✓ 7:10 p.m. The Consideration of a Local Law to Repeal and Replace Chapter 108 Subsection 3 (Definition of a Special Permit) in the Section entitled "Definitions" of the Town Code.
- ✓ 7:15 p.m. The Consideration of a Local Law to add Article XXVI-A entitled, "Special Permits" to Chapter 108 of the Town Code.
- ✓ 7:20 p.m. The Special Permit Petition of Little Flower Children's Services.
- ✓ 7:25 p.m. The Consideration of a Local Law to Amend Chapter 14 entitled, "Community Preservation Fund."
- ✓ 7:30 p.m. The Consideration of a Proposed Local Law to repeal and replace Chapter 61 entitled, "Environmental Quality Review" of the Town Code.

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

- #913 'Sense Resolution'- Appeal for Tagline Accuracy in Media Reporting
- #914 Rejection of Commercial Industrial Grease Trap Wastes-Riverhead Scavenger Waste Facility
- #915 Sets Registration Fees for the Riverhead Recreation Department
- #916 Ratifies Attendance of Assessor at Meeting
- #917 Approves Guy Pratt, Inc. as Drainlayer for Riverhead Sewer District
- #918 Approves Application of Riverhead Country Fair
- #919 Approves Application of Helen's Country Plant Farm (Hayrides)
- #920 Approves Application of Timothy Hill Children's Ranch
- #921 Authorizes Town Clerk to Publish and Post Notice for Public Hearing-Regarding Community Development Block Grant (CDBG) Funds
- #922 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Repeal and Replace Section 108-56 (Signs) of Chapter 108 Entitled, "Zoning" of the Riverhead Town Code
- #923 Accepts Resignation of Detention Attendant
- #924 Appoints a Recreation Specialist to the Riverhead Recreation Department (E. Kneski)
- #925 Appoints a Fill-In Volleyball Leader to the Riverhead Recreation Department (M. Aug)
- #926 Appoints Park Attendant II to the Riverhead Recreation Dept (M. Aug)
- #927 Appoints a P/T Recreation Aide (Teen Center) to the Riverhead Recreation Department (M. Aug)
- #928 Appoints Recreation Aides for the Purpose of Being Basketball Leaders for the Riverhead Recreation Department
- #929 Appoints a Fill-In Recreation Aide/Skatepark to the Riverhead Recreation Department (A. Walters)
- #930 Appoints a Fill-In Recreation Aide/Skatepark to the Riverhead Recreation Department (M. Aug)

- #931 Appoints a Recreation Specialist to the Riverhead Recreation Department (G. Benevente)
- #932 Adopts a Local Law Adding a New Chapter 104 Entitled, "Vegetation Protection" to the Riverhead Town Code
- #933 Adopts a Local Law Amending Chapter 54 Entitled, "Unsafe Buildings & Collapsed Structures" of the Riverhead Town Code
- #934 Refers the Special Permit Petition of the Riverhead Marquee Plaza, LLC to the Riverhead Planning Board
- #935 Determines Significance on Special Permit Petition of North Shore Farms, Inc.
- #936 Calverton Park-CDA Budget Adjustment
- #937 Riverhead Town Human Services Center Capital Project Budget Adjustment
- #938 Mid Road Properties Water Ext. #70 Capital Project Budget Adjustment
- #939 Authorization to Publish Bid for Food
- #940 Awards Bid for 2002 4 Column Vehicle Lift for Use at Municipal Garage Facility
- #941 Authorizes Publication of Notice to Amend Community Development Block Grant Program
- #942 Designates Additional Depository of Town Funds
- #943 Approves Temporary Sign Permit of DCAP Insurance
- #944 Approves Site Plan of Omnipoint Communications, Inc.
- #945 1999 Downtown Sidewalk Improvement Capital Project Budget Adjustment
- #946 Authorizes the Town of Riverhead to Accept a Proposal from P&G Computers and Design
- #947 Authorizes Town Clerk to Publish and Post Notice of Public Hearing- Amendments to Section 108-64.4 of the Riverhead Town Code-Agricultural Worker Housing
- #948 Authorizes Town Clerk to Publish Post Notice of Public Hearing- Riverhead Outdoor Lighting Ordinance
- #949 General Fund Budget Adjustment
- #950 Extending Bid for Recycle Containers and Lids

- #951 Adopts Early Retirement for the Riverhead Water District
- #952 Adopts Early Retirement for the Riverhead Sewer District
- #953 Authorizes Match for Empire Zone Administration
- #954 Pays Bills
- #955 Adopts Local Law Amending a Local Law Entitled "Community Preservation Fund" of the Code of the Town of Riverhead
- #956 Appoints Member to the Conservation Advisory Council (Dennis Cole)
- #957 Authorizes Town Clerk to Post and Publish Notice to Bidders for Residential Solid Waste Collection and Disposal Services

Adopted

Date 09/03/02

TOWN OF RIVERHEAD**Resolution #913****Sense Resolution****Appeal For Tagline Accuracy**
In Media Reporting

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

WHEREAS, it is upon that trust and commitment to fact that the Town Board of the Town of Riverhead does hereby persist in its quest to impel the media, especially the *New York Times* and *Newsday*, to correctly report the on-goings at the New York State Courts complex in Riverside, Southampton, instead of reporting that an event at that facility has taken place in "Riverhead"; and

WHEREAS, it is understood that for whatever reason, the U.S. Postal Service has been reluctant to establish a separate code for the Riverside and Flanders areas of the Town of Southampton under its American Zone Improvement Program (ZIP), established in the early 1960s to make mail delivery more efficient, and it is also understood that at one point the Riverside and Flanders areas of the Town of Southampton did not command their own ZIP code whereby they were designated as part of the Riverhead Zip code, however, that is no longer the case; and

WHEREAS, it is incumbent upon the media to factually report if something is happening in the towns of Riverhead or Southampton instead of blindly reporting an event's geographic description according to a designated ZIP code.

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead does hereby desire and profess that it is imperative that the media (especially the *New York Times* and *Newsday*) report the geographic description of any event accurately, especially in its tagline at the beginning of any story; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this Sense Resolution to the *New York Times*, *Newsday*, *Suffolk Life*, the *Traveler Watchman*, *News Review*, the *Westhampton/Riverhead Independent*, *WRIV* radio, *WLNG* radio, *News 12*, and *WLNY-TV Channel 55*.

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

9/3/02

REJECTION OF COMMERCIAL INDUSTRIAL GREASE TRAP WASTES
RIVERHEAD SCAVENGER WASTE FACILITY

ADOPTED 09/03/2002

RESOLUTION # 914

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

WHEREAS, the Suffolk County Department of Public Works has issued its executive order determining that no commercial/industrial grease waste will be accepted at the Burgen Point Scavenger Waste Facility, and

WHEREAS, this board finds that the acceptance of grease waste at the Riverhead Scavenger Waste Facility results in increased expense and an adverse effect on the treatment process and receiving waters,

NOW, THEREFORE, BE IT

RESOLVED, that effective September 13, 2002, no commercial/industrial grease trap waste will be accepted at the Riverhead Scavenger Waste Facility. This waste will be rejected and other means for disposal and environmentally sound treatment will be necessary. This policy shall remain in effect until further notice, and be it further

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Frank Isler, Esq. and Michael Reichel, Superintendent, Riverhead Sewer District.

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

9/3/02

TOWN OF RIVERHEAD

Resolution # 915

SETS REGISTRATION FEES FOR THE RIVERHEAD RECREATION DEPARTMENT

COUNCILWOMAN SANDERS offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

RESOLVED, that the Town Board sets the Registration Policy and fees for the 2002 Fall Recreation Department Program Brochure.

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 Yes ___ No ___ Bless Yes ___ No ___

Dansiecki Yes ___ No ___ Lull Yes ___ No ___

Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___

THEREUPON DULY ADOPTED

¹ Rec. Doris/Resolution Fall Brochure

9/3/02**Adopted**

TOWN OF RIVERHEAD

RESOLUTION # 916

RATIFIES ATTENDANCE OF ASSESSOR AT MEETING

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

WHEREAS, on August 20, 2002 a meeting of the New York State Board of Real Property Services was held in Albany, New York.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby ratifies attendance by the assessor at said meeting, and

BE IT FURTHER RESOLVED, that the assessor shall be reimbursed for costs of travel, lodging and meals, and

BE IT FURTHER RESOLVED, that said expenses are to be fully receipted upon return, and

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

THE VOTESanders Yes NoBlass Yes NoDensieski Yes NoLull Yes NoKozakiewicz Yes No

The Resolution Was Was Not
 Thereupon Duly Declared Adopted

Adopted

9/3/02

TOWN OF RIVERHEAD

Resolution # 917

APPROVES GUY PRATT. INC. AS DRAINLAYER FOR RIVERHEAD SEWER DISTRICT

COUNCILWOMAN BLASS

offered the following resolution, was seconded by

~~COUNCILMAN DENSIESKI~~

WHEREAS, pursuant to Section 88-3 of the Riverhead Town Code, Guy Pratt, Inc. has submitted a request to become an authorized drainlayer with the Town of Riverhead Sewer District.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby approves Guy Pratt, Inc. an authorized drainlayer with the Town of Riverhead Sewer District: and further

RESOLVED, that this approval is subject to receipt of a letter of credit and a Certificate of Insurance naming the Town of Riverhead as an additional insured; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Guy Pratt, Inc., 608 Union Avenue, Holtsville, New York, 11742; Michael Reichel, Sewer District Superintendent and the Accounting Department.

THE VOTE

Sanders Yes No Bloss Yes No

Densieski Yes No Lutz Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

9/3/02

Adopted

TOWN OF RIVERHEAD

Resolution # 918

APPROVES APPLICATION OF RIVERHEAD COUNTRY FAIR

~~COUNCILMAN DENESLESKI~~

offered the following resolution, was seconded by

COUNCILWOMAN SANDERS

WHEREAS, the Riverhead Country Fair Committee has submitted an application for the purpose of conducting their annual Country Fair to be held on Main Street, Peconic Riverfront parking area and Peconic Avenue, Riverhead, New York on October 13, 2002, having a rain date of October 20, 2002, between the hours of 11:00 a.m. and 5:00 p.m.; and

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

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

NOW THEREFORE BE IT RESOLVED, that the application of Riverhead Country Fair Committee for the purpose of conducting their annual Country Fair to be held on Main Street, Peconic Riverfront parking area and Peconic Avenue, Riverhead, New York on October 13, 2002, having a rain date of October 20, 2002, between the hours of 11:00 a.m. and 5:00 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. The Riverhead Fire Marshal shall be contacted at least three days in advance at (631) 727-3200 extension 209 for the purpose of scheduling the "pre-opening" inspection appointment; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby waives the application fee for this event; 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 Country Fair/Townscape, Inc., c/o James Lull, Councilman; Ken Testa, P.E.; Bruce Johnson, Fire Marshal and Chief Hegermiller, Riverhead Police Department.

Z:\Laura\chap90\cntry\fair.res.doc

THE VOTE

Sanders Yes ___ No ___ Blass Yes ___ No ___

Densleski Yes ___ No ___ Lull ___ Yes ___ No ___ *abstain*

Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___

THEREUPON DULY ADOPTED

Adopted

9/3/02

TOWN OF RIVERHEAD

Resolution # 919

APPROVES APPLICATION OF HELEN'S COUNTRY PLANT FARM (HAYRIDES)

COUNCILMAN LULL

_____ offered the following resolution, was seconded by

COUNCILWOMAN BLASS _____:

WHEREAS, Helen's Country Plant Farm has submitted an application for the purpose of conducting hayrides to be held at Main Road, Jamesport, New York between the hours of 9:00 a.m. and 7:00 p.m. on the following dates:

September 8, 14, 15, 21, 22, 28, 29, 2002
October 5, 6, 12, 13, 19, 20, 26, 2002; and

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

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 Helen's Country Plant Farm for the purpose of conducting hayrides to be held at Main Road, Jamesport, New York between the hours of 9:00 a.m. and 7:00 p.m. on the aforementioned dates, is by approved with the following conditions:

- The tractor used for this event be equipped with a 4A-60B-C fire extinguisher and means of communication (phone or portable radio) to summon help in the event of fire or other emergency during the day ride; and
- A pre-opening inspection to be conducted by the Riverhead Fire Marshall by calling 727-3200 ext. 209; and
- Applicant shall comply with all other applicable Town Code requirements, including but not limited to, 108-56 (Signs.); and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Helen's Country Plant Farm, Attn: George E. Gabrielsen, Main Road, Jamesport, New York, 11947; the Riverhead Fire Marshal and Chief Hegermiller, Riverhead Police Department.

Z:\Laura\chap90\hayride.res.doc

THE VOTE

Sanders Yes No Blass Yes No
Donsleski Yes No Lull Yes No
Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

9/3/02

Adopted

TOWN OF RIVERHEAD

Resolution # 920

APPROVES APPLICATION OF TIMOTHY HILL CHILDREN'S RANCH

COUNCILMAN DENESIEG offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

WHEREAS, Timothy Hill Children's Ranch has submitted an application for the purpose of conducting a Fall Festival Country Western Day and Open House to be held at 298 Middle Road, Riverhead, New York, on Saturday, September 7, 2002, between the hours of 10:00 a.m. and 6:00 p.m.; and

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

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 Timothy Hill Children's Ranch for the purpose of conducting a Fall Festival Country Western Day and Open House to be held at 298 Middle Road, Riverhead, New York, on Saturday, September 7, 2002, between the hours of 10:00 a.m. and 6:00 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. The Riverhead Fire Marshal shall be contacted at least three days in advance at (631) 727-3200 extension 209 for the purpose of scheduling the "pre-opening" inspection appointment; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Timothy Hill Children's Ranch, 298 Middle Road, Riverhead, New York, 11901; the Riverhead Fire Marshal and Chief Hegermiller, Riverhead Police 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

Adopted

9/3/02

Town of Riverhead

Resolution # 921

Authorizes Town Clerk to Publish and Post Notice for Public Hearing Regarding Community Development Block Grant (CDBG) Funds.

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

WHEREAS, the Town of Riverhead has an ongoing CDBG Program and plans to prepare an application for CDBG Funds for Fiscal Year 2003; and

WHEREAS, the Town wishes to solicit comments from the public with regard to the development of said application; and

WHEREAS, the public hearing has been scheduled for comment on October 1, 2002; and

THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby authorizes publishing and posting of the attached public notice of public hearing as a legal advertisement in the Wednesday, September 11, 2002, issue of the Suffolk County Life and to post same on the signboard in Town Hall.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Suffolk County Community Development Director Joseph T. Sanseverino and Community Development Director Andrea Lohneiss.

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 1st day of October, 2002, at 7:05 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the development of the Town of Riverhead's Community Development Block Grant Application for Fiscal Year 2003.

Eligible categories for Community Development funding include:

1. Acquisition and demolition of Real Property;
2. Public Facilities and Improvements;
3. Housing Rehabilitation;
4. Historical Preservation;
5. Public Water or Sewer Projects;
6. Removal of Architectural Barriers;
7. Administration Activities

The hearing will provide citizens of the Town of Riverhead the opportunity to comment upon the development of the proposed application as well as the performance of any active Community Development Block Grant. Further information concerning the Community Development Program can be obtained at Riverhead Town Hall, Community Development Office, 200 Howell Avenue, Riverhead, NY 11901, (631) 727-3200 ext. 287.

A County-wide public hearing will be scheduled at a later date for final review and comments on the overall Community Development Department Program prior to submission to the United State Department of Housing and Urban and Development.

Dated: September 3, 2002

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD, NEW YORK

BARBARA GRATTAN, TOWN CLERK

9/3/02

Adopted

TOWN OF RIVERHEAD

Resolution # 922

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO REPEAL AND REPLACE SECTION 108-56 (SIGNS) OF CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE

COUNCILMAN LULL

_____ offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

RESOLVED, the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider a local law to repeal and replace Section 108-56 (Signs) of Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the September 11, 2002 issue of the Suffolk County Life, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Riverhead Planning Department; the Riverhead Planning Board; the Riverhead 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 before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 1st day of October, 2002 at 7:10 o'clock p.m. to consider a local law to repeal and replace Section 108-56 (Signs) of 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
September 3, 2002

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

BARBARA GRATTAN, Town Clerk

108-56 SignsA. Purpose

It is the express purpose of this Section to regulate existing and proposed signs in order to:

- perpetuate the open character and rural appearance of the Town;
- promote good community planning and a positive aesthetic environment;
- protect property values;
- recognize the economic importance and attractiveness of properly-sited and well-designed signs;
- preserve the historic character and architectural heritage of the Town;
- provide a more enjoyable and pleasing community;
- coordinate the type, placement and scale of signs within the various zoning use districts to recognize the commercial communication requirements of all sectors of the business community;
- reduce distraction and obstructions which may cause motorists confusion, impair visibility, and lead to accidents;
- reduce hazards that may be caused by signs overhanging, projecting into, or otherwise obstructing public rights-of-way;
- avoid detracting from the legitimate identification of businesses, street names, or street numbers.

These shall be accomplished by regulation of the display, erection, use, and maintenance of signs.

B. Definitions

As used in this Section, the following terms shall have the meanings set forth herewith:

Agricultural Sign, Seasonal - a temporary sign which advertises the availability of a particular product grown on the premises;

Animated or Moving Sign - any sign or part of a sign which changes physical position by manifesting either

kinetic or illusory movement or rotation occasioned by natural, manual, mechanical, electrical, or other means, or which gives the visual impression of such movement or rotation;

Awning, Fixed - a non-operable, nonilluminated shelter with a semipermanent covering of cloth or similar material on a framework, that is supported from the exterior wall of a building;

Awning, Movable - a temporary, operable shelter with a semipermanent covering of cloth or similar nonrigid material on a framework, that is supported from the exterior wall of a building;

Awning Sign - a sign that is painted on, printed on, or affixed flat against the surface of an awning;

Backlit Awning - an internally illuminated fixed awning with graphics or copy applied to the visible surface of the awning;

Banner - a promotional activity sign with words or symbols on fabric or nonrigid material with no enclosing framework;

Bulletin Board Sign - a sign which identifies an institution or organization on the premises of which it is located and which may contain the name of the institution or organization, the names of individuals connected with it, and general announcements of events or activities occurring at the institution, or similar messages;

Canopy, Attached - a rigid, multi-sided structure covered with fabric, metal or other material and supported by a building at one or more points or extremities and by columns or posts embedded in the ground at other points or extremities. May be illuminated by means of internal or external sources;

Canopy, Freestanding - a rigid multi-sided structure covered with fabric, metal, or other material and supported by columns or posts embedded in the ground. May be illuminated by means of internal or external sources;

Canopy Sign - a sign affixed or applied to the exterior facing surface or surfaces of an attached or freestanding canopy;

Changeable Sign - a sign whose informational content can be changed or altered by manual or electric, electro-mechanical, or electronic means. Changeable

signs include both manually and electrically activated.

Commercial or Industrial Complex - a group of businesses which are located on a single parcel, or on contiguous parcels under the same ownership, and which utilize common off-street parking and access;

Construction Sign - a temporary sign which identifies the parties involved in the construction on premises and/or the proposed use of the property;

Copy - the graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic, or alphabetic form;

Directory Sign - an aggregate sign containing a list of the names of the establishments located within a commercial or industrial complex;

Electronic Message Center - a computer-programmed display of temporary messages by means of individual lamps or flippers;

Facade - the entire building front including the parapet;

Face of a sign - the area of a sign on which the copy is placed;

Fiber Optics - thin, transparent fibers of glass or plastic that are enclosed by material of a lower index of refraction and that transmit light throughout their length by internal reflections. Fiber optics shall only be approved through the site plan process.

Flag - a piece of fabric used as a symbol of a nation, group of nations, state, or any governmental agency, or any recognized nonprofit organization, or a marine signaling device. A flag which does not conform to this definition shall be deemed a sign and shall be subject to the restrictions for a freestanding sign;

Flashing Sign - any directly or indirectly illuminated sign which exhibits changing natural or artificial light or color effects by any means whatsoever (see also, Animated Sign);

Freestanding Sign - a sign which is displayed either directly on the ground or on a pole or other support and is supported neither wholly nor in part by a building;

Frontage, Building - the length of an outside building wall on or parallel to a public right of way;

Government Sign - any temporary or permanent sign erected and maintained by the city, county, state, or federal government for traffic direction or for designation of or direction to any school, hospital, historical site, or public service, property, or facility;

Grade - the uppermost surface of the ground directly below the sign or immediately adjacent to the support. Where the uppermost surface has been artificially raised for landscaping or other purpose, grade shall be measured from the level of the nearest curb of a public street;

Illegal Sign - a sign which does not meet the requirements of this Code and which has not received legal nonconforming status;

Illuminated Sign - a sign lighted by or exposed to artificial lighting, either by lamps within the sign, or by lamps directed towards the sign;

Incidental Sign - a small sign, emblem, or decal informing the public of goods, facilities, or services available on the premises, e.g., a credit card sign or a sign indicating hours of business;

Indirect Illumination - illumination of a sign by an external light source which is shielded from direct visibility of those viewing the sign by hoods or translucent material;

Informational Sign - see On-Premises Directional Sign;

Innovative Sign - any sign that does not conform to the standards of this Section but which, in the opinion of the Architectural Review Board and the Town Board, will contribute in a positive manner to the aesthetic quality of an area due to its harmony with the design theme of the building it identifies or the area in which it is located;

Internal Illumination - an artificial lighting source contained within the structure of the sign. The light is projected through a transparent or semi-opaque surface that serves as the face (fascia) of the sign, and may project onto the wall surface behind the sign;

Internally Lit Box Sign - a metal sign case containing a fluorescent light source within, which light source is projected through glass or plastic facing

containing a message. This is not to be confused with neon, channel letters, or backlit channel letters.

Maintenance - for the purposes of this ordinance, the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design or structure of the sign;

Marquee, Attached - a fixed, constructed permanent canopy or rooflike structure of rigid materials which may contain a means for changeable lettering thereon, supported by and extending more than twelve (12) inches from the facade of a theater, hotel, banquet facility, or sports arena;

Marquee, Freestanding - a sign naming a facility and containing a list of the current features at a theater or a list of the current events at a hotel or banquet facility or a sports arena by means of changeable lettering;

Marquee Sign - any sign attached to or supported by a marquee;

Marquee space - an area which is a subordinate part of a freestanding sign and which is intended for the display of temporary messages by means of changeable lettering. (See also: Changeable Sign).

Monument Sign - a sign mounted directly to the ground with a maximum height not to exceed six (6) feet. A monument sign shall be subject to the same provisions as a freestanding sign, except for height;

Menu Board Sign - a sign that is displayed for the use of "drive-thru" fast food restaurant patrons to identify the food and prices available at that facility;

Nameplate - a nonelectric on-premise identification sign giving only the name, address, and/or occupation of an occupant or group of occupants;

Neon Sign - a sign comprised of discharge lamps of visible glass tubing illuminated by neon gas. Neon tubing which surrounds a window shall be deemed a sign pursuant to this Section;

Nonconforming Sign - a sign which was legally installed under laws or ordinances in effect prior to the effective date of the ordinance codified in this title or subsequent revisions, but which is in conflict with the design and sign type provisions of this Chapter;

Off-Premises Sign - a sign that identifies or communicates a message related to an activity conducted, a service rendered, entertainment, or a commodity sold, which is not the primary activity, service, or commodity provided on the premises where the sign is located (e.g., billboard or outdoor advertising);

Off-Premises Directional Sign - a sign that indicates the actual legal name or registered trade name and/or commercial logo of any use within the Town, as well as information necessary to advise travelers where to leave the main highway so as to locate such use. Such signs shall only be permitted along a public highway;

On-Premises Directional Sign - a sign used to direct pedestrian and/or vehicular traffic to businesses and parking areas on the site where the sign is located. Such a sign may contain the name or logo of an establishment, but no advertising copy. It may contain a logo provided that the logo may not comprise more than 20% of the sign area;

On-Premises Sign - a sign that identifies or communicates a message related to the activity conducted, the service offered, or the commodity sold, on the premises upon which the sign is located;

Painted Sign - a sign painted on a window or a wall, or a decal or similar application of permanent material with an adhesive surface;

Parapet - the extension of a false front or wall above a roofline.

Political Sign - a temporary sign indicating the name and/or picture of an individual seeking election or appointment to a public office, or relating to a proposition or change of law in a public election or referendum, or pertaining to the advocacy by persons, groups, or parties of political views or policies;

Portable Sign - a freestanding sign not permanently located upon a foundation, or a sign not permanently affixed to a structure or building;

Projecting Sign - a sign not exceeding 4 inches in thickness, which is attached at a right angle from a wall or other essentially vertical plane of a building or structure, which is wholly or partly dependent upon the building for support, and which projects more than 12 inches from said building;

Real Estate Sign - a temporary sign which advertises the availability of the subject premises, or a portion thereof, for sale, rental, or lease;

Roof Sign - a sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects, in whole or in part, above the point of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or above the eave line of a building with a real or applied mansard roof;

Roofline - the top edge of a roof or building parapet, whichever is higher, excluding any mansards, cupolas, pylons, chimneys, or minor projections;

Shopping Center - a group of at least three retail businesses which function as an integral unit on a single parcel or on contiguous parcels under the same ownership and which utilize common off-street parking, access, and aesthetic considerations;

Sign - any object, device, display, or structure, including a flag, or part thereof, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images, together with a framework, background, material structure, component parts, and bracing materials;

Sign Area - the area of a sign shall be the entire face of a sign including the advertising surface and any framing, trim, or moulding. The area of any sign lacking clear and distinct borders shall be determined by the smallest rectangle that encompasses all of the letters and/or symbols that make up the sign, together with the area outside that rectangle of a different color or material than the general finish of the building or window, whether painted or applied. In the case of lettering and/or symbols applied or painted upon the natural color of the building, or on a window, the area of the sign is that smallest rectangle encompassing all of the lettering and/or symbols plus twenty (20) percent of that area. The support pole(s) of a freestanding sign shall not be calculated in the area of such a sign, provided there is no written advertising copy on said poles;

Sign Permit - a permit required pursuant to the provisions of this Chapter;

Signable Area - for individual wall signs shall be the area of one rectangle on a wall, within the respective height limits set forth, which is unbroken by major architectural features such as doors, windows, columns, or architectural protrusions. Only one signable area is permitted per building elevation per business. Only the portion of the building that is occupied by the business shall be used in calculating the signable wall area. A business fronting onto more than one public right-of-way may not combine permitted signable area for one wall with that of another wall for the purpose of placing the combined area, or any part of the combined area, on one wall. The signable area for window signs shall be determined by the Architectural Review Board through the sign permit process.

Soffit Sign - a sign affixed to the underside of a roof overhang, and perpendicular to the wall, adjacent to a store or a commercial premises.

Street Frontage - the length of the site upon which a business is located that abuts a public right-of-way;

Street Furniture - man-made, above ground items that are usually found in street rights-of-way, including such items as benches, landscaping walls, newsracks, newsstands, trash receptacles, phone booths, and the like;

Subdivision Identification Sign - a freestanding or wall sign identifying a filed subdivision, condominium complex, or residential development;

Supergraphics - a painted, applied, neon, or mosaic sign which covers all or a major portion of a building facade when utilized to advertise a product or service available on the site or to identify the building. Supergraphics shall only be approved through the site plan process;

Temporary Signs - a sign of cloth, paper, canvas, fabric, plywood, or other light material, designed to be displayed for a short period of time with the intent to remove such sign upon the expiration of the time period (See also: Banner);

Wall Sign - a sign fastened to or painted on an exterior wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign. A wall sign shall not project above the height of the building wall face. Said height shall be the vertical distance from the average level of the ground

surrounding the building to the lowest point of the roof. Such a sign may not project more than twelve inches beyond the vertical plane of the buildings, nor shall it contain copy on the sides or the edges, or it shall be considered as a projecting sign;

Window Sign - a permanent sign which is painted in, applied, or attached to, the interior side of a window or glass doors, or which is inside a window and mounted within three feet of a window.

C. Signs Not Requiring Permits

The following types of signs are exempted from permit requirements but must be in conformance with all other requirements of this ordinance:

1. Real estate signs, subject to the following:
 - shall be related to the availability of the subject premises, or a portion thereof, for sale, rental, or lease;
 - shall be limited to one (1) such sign per subject premises, which shall not exceed eight (8) square feet in area, except that a filed subdivision may have one (1) such sign which shall not exceed twenty-four (24) square feet in area;
 - shall be non-illuminated;
 - shall be set back not less than twenty-five (25) feet from any side line and five (5) feet from the front and rear property lines.
2. Theater outer lobby posters, provided they are glass-enclosed;
3. Incidental signs, such as information, emergency, and public service signs that identify such services as rest rooms, telephones, credit cards accepted, hours of operation, vacancies, and emergency information, not exceeding a total of three (3) square feet in area, and further limited to one such information sign or group of signs per building entrance;
4. Building directory signs within a building which are visible from a sidewalk or parking lot, provided that the maximum total area shall be sixteen (16) square feet per sign. If changeable copy is used, it shall be glass-enclosed. There shall be a maximum of one (1) sign per building entry;

5. Interior signs which are three or more feet to the interior of any window through which they can be seen, and with an area of less than twenty-five percent (25%) of the total area of the window through which they can be seen, provided they do not flash, rotate, or exhibit other characteristics prohibited by subsection D;
6. Changeable copy, on any sign approved to contain such copy;
7. Holiday or special events decorations;
8. Nameplates of not more than two (2) square feet in area, bearing only the name and profession or occupation of the resident and, if freestanding, set back not less than 25 feet from any side property line and 5 feet from the front and rear property line, or attached to a building wall, or displayed in a window.

D. Maintenance

All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Painting, cleaning, and other normal maintenance and repair of a sign or a sign structure, provided that no visual change is made in the color or appearance of the sign, shall not require a new sign permit.

E. Illuminated Signs

In addition to a sign permit, an Application for Electrical Inspection shall be made to the Electrical Inspector for all illuminated signs. All internally-illuminated signs shall be constructed in conformance with the "Standards for Electric Signs (U.L. 48) of Underwriters Laboratories, Inc." and bear the seal of Underwriters Laboratories, Inc. If any such sign does not bear the UL Label, the sign shall be inspected and certified by Underwriters Laboratories. All transformers, wires, and similar items shall be concealed on all lighted signs. All wiring to freestanding signs shall be underground.

F. Permits Required

Except as otherwise provided in this Chapter, it is hereby required that signs shall not be erected, established, visually or physically altered, enlarged, moved, or reconstructed unless a permit is obtained from the Building Inspector, in accordance with the requirements heretofore set forth. Where requirements

are further restricted in a given Zoning Use District, said restricted requirements shall take precedence.

G. Fees

The fee for a sign permit shall be one dollar (\$1.00) per square foot of sign area. The minimum fee shall be thirty dollars (\$30.00).

H. Administrative Procedure

1. All signs herein allowed, unless specifically excepted, are required to obtain a sign permit. Applications shall be made on the form provided and must be submitted to the Planning Department, approved by the Riverhead Town Board, the required fee paid and a permit issued, prior to the installation of the sign.
2. Where applicable, sign permit applications shall be reviewed and approved simultaneously with a final site plan application, pursuant to Article XXVI of this Chapter;
3. There shall be submitted with all applications for a permit, three (3) copies of a professional quality drawing of the sign, indicating material(s), color, typeface, size, lettering, lighting type and location, and all other pertinent information. In the case of a freestanding, directory, or gas station sign or freestanding marquee, such application shall also include three (3) surveys indicating the dimensions, location, and setbacks of the sign. In the case of all other types of signs, the appropriate elevation drawings, to scale, shall be provided, with the proposed sign(s) indicated to scale thereon. Any and all existing signs presently on the building or property must likewise be indicated and depicted graphically, or photographs of same provided;
4. The Planning Director, or his duly authorized representative, shall review the proposed sign permit application with respect to all quantitative factors and shall then refer said application, in its entirety, to the Architectural Review Board for its recommendation and then to the Town Board for its approval of the design;
5. Two (2) copies of the approved plan(s)/drawing(s) shall be returned when approved by the Town Board, together with such written approval, to the Building Department, at which time a permit may be

issued upon payment of the appropriate fee. One copy of the approved plans/drawings shall be provided to the applicant along with the sign permit.

6. The sign authorized by the permit must be installed within twelve (12) months from the date of issuance of the permit. If the sign is not installed within twelve (12) months, the permit shall be rendered null and void.
7. Each sign permit issued shall be assigned a permit number that shall be permanently displayed in an area readily visible to the Building Inspector, without defacing the sign. Failure to visibly and permanently display such permit number shall constitute cause for revocation of the sign permit by the Building Inspector, or his duly authorized representative;
8. Each sign for which a permit has been issued shall be inspected for conformance to the approved drawing(s), and a certificate of compliance issued. If a sign is found to be not in compliance, the Building Inspector shall give notice to remedy the violation in writing; and if such violative condition is not corrected within ten (10) days, the Building Inspector shall revoke the sign permit until such time as the violative condition is remedied;
9. Each sign for which a sign permit has been issued may be inspected for adequate maintenance, freedom from any hazardous condition, and structural soundness. If such sign is found to be unsafe, the Building Inspector shall give notice to remedy the violation in writing; and if such unsafe condition is not corrected within ten (10) days, the Building Inspector shall revoke the sign permit until such time as the unsafe condition is remedied;
10. All violations shall be sent certified mail, return receipt requested. Each violation of this ordinance shall result in a penalty, at the rate of twenty-five dollars (\$25.) per day, unless otherwise specified herein, from the date notice of said violation was received, as evidenced by the signature and date on the return receipt, until the day of correction of the violation. If said correction involves removal of the sign, such removal shall also be required of the box of a wall sign or any supporting structures. Said penalty may be collected of the owner of the sign,

the owner of the real property on which the sign is located, the lessee of the real property on which the sign is located, the lessee of the sign owner, and/or the person responsible for the fabrication and/or installation of said sign, or any other interest holder;

H. Certain Signs Prohibited

The following types of signs are prohibited in every use district in the Town of Riverhead unless otherwise specified in this Chapter:

1. Off-premises commercial advertising signs, including but not limited to billboards;
2. Animated, flashing, moving, rotating, revolving, chasing, oscillating, or blinking signs or devices, other than a time and temperature display permitted in accordance with subsection O of this Section;
3. Banners, ribbons, pennants, spinners, streamers, or other similar moving, fluttering, glittering, shimmering, or revolving devices except for the temporary display of streamers and banners for a special event, as further provided in subsection M (4) of this Section;
4. Any sign that is designed to be transported, including but not limited to signs:
 - with wheels removed;
 - with chassis or support constructed without wheels;
 - designed to be transported by trailer or wheels;
 - converted to A- or T-frame signs;
 - attached temporarily or permanently to the ground, any structure, or other signs;
 - mounted on a vehicle for advertising purposes, parked, and visible from the public right-of-way, except signs identifying the related business when the registered vehicle is being used in the normal day-to-day operations of that business and the sign does not exceed the outer dimensions of the vehicle;
 - menu, sandwich board, and other sidewalk signs;

- searchlight stands;
 - hot-air or gas-filled balloons, or inflatable devices used for advertising;
5. Roof signs;
 6. Any wall sign which exceeds the exterior dimensions of the structure to which it is attached;
 7. Any freestanding sign or gas station sign more than ten (10) feet above the average grade of the ground surrounding the sign;
 8. Any directory sign or freestanding marquee more than fifteen (15) feet above the average grade of the ground surrounding the sign;
 9. Directory signs, in the Business PB Zoning Use District;
 10. Internally-lit box signs, in the following Zoning Use Districts:
 - Business D
 - Business CR
 - Business G
 - Business PB
 - Business C along New York State Route 25 and in the Hamlet of Wading River
 10. Poster-type signs, pursuant to subsection M (4) herein, in the following Zoning Use Districts:
 - Business CR
 - Business G
 - Business PB
 - Office/Service
 10. Signs on street furniture;
 11. With the exception of any sign erected by or with the consent of the Town, County, State, or any other government authority, and all signs pertaining to traffic regulations, parking regulations and fire zones which are subject to

the rules and regulations of the New York State Vehicle and Traffic law, no sign shall be located within or upon the right-of-way of any Town, County, or State road or highway nor upon any Town, County, or State or other publicly-owned land;

12. Any sign, including handbills and stickers, affixed to a traffic sign, signal, controller cabinet or supporting structure, fire hydrant, utility pole, bridge, tree, rock, statue, or sculpture.

I. Nonconforming Signs

Only such signs which have been issued a permit or which legally preexist this Section, but which do not conform to the provisions of this Section, shall be deemed nonconforming signs. A nonconforming sign shall not be replaced by another nonconforming sign. This shall not prohibit minor repairs to a nonconforming sign which do not require the removal or replacement of any structural members, or which do not affect the content, color, or visual appearance of the message.

Nothing in this Section shall prevent the complete restoration in likeness, color, size, dimensions, and message, within six (6) months, in the event of a sign being partially destroyed by such accidental cause as fire, flood, explosion, riot, act of God, or act of the public enemy.

Any sign otherwise erected and/or maintained in violation of any Section of this Chapter shall be deemed a prohibited and unlawful structure and shall be removed in its entirety. Within thirty (30) days after the removal of a sign from a building, the wall of the building shall be repaired to remove any blemish left by the sign or its removal.

J. Removal and Confiscation

All violations shall be sent certified mail, return receipt requested. If any sign not in conformance with any provision of this Section is not removed within ten (10) days of notification, as evidenced by the signature and date on the return receipt, of owner of said sign, the Town of Riverhead shall, after notice and a hearing, remove said sign and collect the expense of removal from the owner of the sign, the owner of the real property on which the sign is located, the lessee of the real property on which the sign is located, or any other interest holder. Said

signs shall be held for a period of seventy-two (72) hours, and if not claimed by the owner thereof within said seventy-two (72) hour period, the Superintendent of Highways is authorized to dispose of said signs. There shall be a one hundred dollar (\$100.) fee for redeeming a sign pursuant to the terms of this Section.

Any sign which relates to a specific activity, function, or endeavor shall be removed within thirty (30) days from the expiration or demise of said activity, function, or endeavor. After said thirty (30) day period, said sign(s) shall be in violation and, if not removed, the Town shall remove same pursuant to notice and a hearing.

K. Public Property

Nothing herein shall be deemed to limit the authority of the Town of Riverhead to erect, alter, or maintain any sign deemed necessary or reasonable for the public safety or convenience on any right-of-way or other property owned or leased by the Town;

The Superintendent of Highways and the Building Inspector, or their duly authorized representatives, are hereby authorized to remove any sign placed upon property owned by the Town. Upon receipt of written authorization from the New York State Department of Transportation and the Suffolk County Department of Public Works, the Superintendent of Highways and the Building Inspector, or their duly authorized representatives, shall likewise be authorized to remove signs in accordance with this Section from State and County highways. Removed signs shall be disposed of pursuant to Section J.

L. Legal Notices

These regulations shall not apply to signs placed on any property to provide legal notice to the public where such notice and such sign are required by the terms of any law, ordinance, governmental regulation, court decree, or administrative order. However, in the case of price signs and other similar external signs required by law to be posted by certain uses, any characteristic of the sign, such as maximum size, color, exact on-site location, number, etc., not specifically determined by the law requiring the sign, shall be subject to site plan approval in the same manner as any other sign on the property.

M. Signs Allowed With Permit

The following signs are allowed in all Zoning Use Districts with a permit for each sign. The standards set forth in this Section are applicable to all on-premises commercial signs.

1. One (1) nameplate or professional sign which exceeds two (2) square feet in area, bearing only the name and profession/occupation of the resident and set back not less than twenty-five (25) feet from any side line and five (5) feet from the front and rear property lines;
2. One (1) professional association or professional corporation sign not exceeding five (5) square feet in area, bearing only the name and profession and/or occupation of the resident professional association or corporation and set back not less than twenty-five (25) feet from any side line and five (5) feet from the front and rear property lines. Members of the professional association or corporation may attach (a) nameplate(s), as regulated herein, to the professional association or corporation sign;
3. One (1) bulletin board sign shall be permitted per parcel, which sign shall not exceed twenty-four (24) square feet in area and shall be set back at least fifteen (15) feet from the front property line and twenty-five (25) feet from all other property lines;
4. Temporary signs which are intended for a limited period of display. Temporary signs shall be professionally executed and shall not employ the use of fluorescent colors in any material or medium. All temporary signs shall contain the date of their expiration visibly thereon. Temporary signs which do not meet the following criteria shall be deemed permanent signs:
 - a) Poster-type signs
 - announce special events of limited duration, including but not limited to "going out of business sales" as defined by Section 581 of the General Business Law;
 - shall be erected for a period of time not to exceed thirty (30) days;
 - shall occupy the lesser of twenty-five (25) percent of the window area to which affixed

or in which displayed, or sixteen (16) square feet. For the purposes of this Section, the window area shall be the largest uninterrupted expanse of glass. Such interruptions shall include, but not be limited to, mullions, muntins, and structural or applied support columns;

- shall require a deposit of one hundred dollars (\$100), which shall be refunded when the sign is removed by the applicant, in addition to the permit fee;
- poster-type signs are not permitted in the Business CR, Business G, Business PB or Office/Service Zoning Use Districts.

b) Construction Signs

- shall identify the parties involved in construction on premises, and/or the proposed use of the property;
- shall be securely installed, and set back not less than twenty-five (25) feet from any side property line and fifteen (15) feet from the front and rear property lines;
- shall not exceed twenty four (24) square feet in area;
- shall not exceed one (1) sign per parcel;
- shall be permitted only upon site plan approval or final subdivision map approval and during the period of construction of the building or project, and must be removed within thirty (30) days of the issuance of a Certificate of Occupancy or the lapse of a building permit or site plan approval;
- shall require a deposit of one hundred dollars (\$100), which shall be refunded when the sign is removed by the applicant, in addition to the permit fee.

c) Seasonal Agricultural Signs

- shall be related to the availability of a particular product grown or produced on the premises;
- shall be erected for a period of time not to exceed sixty (60) days;

- shall not exceed sixteen (16) square feet in area;
- shall be set back not less than twenty-five (25) feet from any side line and five (5) feet from the front and rear property lines;

d) Banners

- shall be permitted only as a means of advertising a business establishment prior to the installation of permanent facade or freestanding sign(s);
- shall be erected for a period of time not to exceed thirty (30) days;
- shall not exceed sixteen (16) square feet in area;
- shall conform to all setback locations as for a permanent sign in the subject location;
- shall require a deposit of one hundred dollars (\$100), which shall be refunded when the sign is removed by the applicant, in addition to the permit fee.

e) Streamers

- shall be permitted to advertise a special event;
- display of streamers shall not exceed two (2) weeks;
- shall conform to all freestanding sign setback restrictions, and any other conditions as may be set forth in the further provisions of this Chapter;
- shall require a deposit of one hundred dollars (\$100), which shall be refunded when the streamers are removed by the applicant, in addition to the permit fee;
- shall not be displayed on or in a public right-of-way or on utility poles or other public property;
- the existence of streamers in violation of these provisions shall act to forfeit the deposit and to allow the Town to remove said

streamers. Any streamers which remain on display beyond the time limitation imposed herein shall be subject to a penalty of twenty-five dollars (\$25) per day.

f) Political Signs

- shall be permitted to advertise a candidate or group of candidates relative to a general, primary, or special election;
- shall be professionally-executed of sturdy material, not exceeding sixteen (16) square feet on area, located only on privately-owned property in commercial or industrial use for a period not to exceed sixty (60) days from the date of posting of a deposit;
- shall be securely installed and set back fifteen feet from any front and/or rear property line and twenty-five (25) feet from any side property line;
- written consent of the property owner shall be provided with the application;
- only one (1) sign per candidate for each political campaign shall be permitted. However, a political party or candidate may obtain one (1) permit for all signs to be located pursuant to this subsection, provided the location of each sign is stated in the application, the consent of the property owners are attached to the application, and the deposit is paid;
- prior to installation, a deposit in the amount of one hundred dollars (\$100) per candidate shall be required. The existence of political signs in violation of these provisions shall act to forfeit the aforesaid deposit and to allow the Town to remove the offending sign(s);
- all political signs shall be removed within five (5) days of the date of the election.

N. Signs Allowed With Permit

The following signs are allowed in any commercial or industrial use district, except as further restricted herein, with a permit for each sign.

1. Wall Signs

- a) One (1) wall sign per legal occupancy, incorporated in the signable area of a building wall face, shall be permitted.
- b) The aggregate area of all wall signs located on any one face of any building shall not exceed ten percent (10%) of the building wall area up to 2000 square feet, or five percent (5%) of the building wall area if that area exceeds 2000 square feet.
- c) On multiple-story buildings, each tenant shall be permitted one (1) wall sign displayed on the wall face of the story occupied by that tenant, such that on multiple-story buildings there may be more than one wall sign per building wall face, but the aggregate area of said signs shall not exceed ten percent (10%) of the building wall area up to 2000 square feet, for five percent (5%) of the building wall area if that area exceeds 2000 square feet.
- d) All signs on a building shall be coordinated in color, style, lettering, size, and type.
- e) A sign is permitted on a separate and freestanding wall which is not a construction element of a building on a site. The area of a sign thereon shall not exceed ten percent (10%) of the area of the freestanding wall.

2. Window Signs

- a) Signs painted on, or otherwise permanently applied to, the window(s) of a business, shall be permitted. Window signs shall not exceed twenty-five percent (25%) of any uninterrupted glass area. Said interruptions shall include, but not be limited to, mullions, muntins, munions, and structural or applied support columns. All window signs on a building shall be coordinated in color, style, lettering, and size. A window sign shall not obscure visibility through the window in which it is located by means including, but not limited to, an opaque background.

3. Freestanding Signs

- a) One (1) freestanding, non-flashing, non-moving sign, not exceeding thirty-two (32) square

feet in sign area and not exceeding ten (10) feet in vertical height from the average grade of the ground surrounding the sign, is allowed on sites where the building is set back from the street line a distance of fifty (50) feet or more;

- b) The sign shall be set back a minimum of twenty-five (25) feet from each side line and fifteen (15) feet from the front and/or rear property lines. Said setbacks shall be measured to the outside dimension of the sign, and not to the pole;
- c) The sign may be double sided. Each side of a double-sided sign may be thirty-two (32) square feet;
- d) Where a structure or group of structures containing more than one (1) use exists on one (1) parcel, and all structures are set back a minimum of fifty (50) feet from the front property line, a freestanding sign, conforming to this subsection, shall be allowed, together with facade signs conforming to subsection F (1);
- e) Whenever a freestanding sign is permitted in accordance with the provisions of this subsection, said sign shall be permitted to contain, within the structure of the freestanding sign and within the ten (10) foot height requirement, an additional eight (8) square feet of marquee space for the display of temporary messages by means of changeable lettering.
- f) A monument sign shall be permitted in lieu of a freestanding sign, subject to the same limitations as a freestanding sign.

4. Directory Signs

- a) Each commercial or industrial complex which contains more than one legal use shall, as a whole, be permitted one (1) freestanding directory sign on the premises to be used for the purpose of notifying the public of the names of the various establishments located within the complex. No advertising of any sort shall be allowed on such sign other than to identify the complex itself;

- b) Said sign, in aggregate, shall not exceed fifteen (15) feet in height, measured from the top of said sign to the mean level of the ground surrounding the support of said sign;
- c) Each establishment name shall occupy no more than eight (8) square feet in total area;
- d) Each business identification shall be coordinated in size, color, lettering, and shape, such that no (1) name stands out among the remainder;
- e) An additional portion of the sign may identify the complex itself, which portion may not exceed thirty-two (32) square feet in area;
- f) The entire sign shall not exceed sixty (60) square feet in area.
- g) Where a structure or group of structures exists on one parcel, a directory sign shall be allowed, together with facade signs conforming to subsection F (1) herein, but a directory sign shall not be permitted in conjunction with (a) freestanding sign(s).
- h) A directory sign may be erected where the nearest point of any building is set back from the front property line a distance of fifty (50) feet or more.
- i) Directory signs shall not be permitted in the Business PB zone.

5. Projecting Signs

- a) A projecting sign, not extending more than thirty-six (36) inches from a building wall, not lower than seven and one-half (7.5) feet nor higher than the lowest point of the roof, and no larger than six (6) square feet in area, is permitted;
- b) Projecting signs may be double-faced, but may not exceed four (4) inches in depth;
- c) No projecting sign shall be located above a second or third floor windowsill line;
- d) One (1) projecting sign shall be permitted per business establishment, in addition to facade signs;

- e) When located in a shopping center or other multiple installation, projecting signs shall be coordinated in size, color, lettering, and shape;
- f) Any required approvals for signs overhanging a right-of-way shall be obtained prior to the issuance of a permit for a projecting sign.

6. Soffit Signs

- a) Soffit signs, not lower than seven and one-half feet above a sidewalk, and no larger than two (2) square feet in area, are permitted;
- b) Soffit signs may be double-faced, but may not exceed four (4) inches in depth;
- c) One (1) soffit sign shall be permitted per business establishment, in addition to facade signs;
- d) When located in a shopping center or other multiple installation, soffit signs shall be coordinated in size, color, lettering, shape, and location.

7. Menu Boards

- a) One (1) menu board shall be permitted per restaurant, in conjunction with a drive-through window;
- b) A menu board shall be one-sided, freestanding or attached to a wall, non-flashing and non-moving, and shall not exceed either thirty-two (32) square feet in area or five (5) feet in vertical height from the average grade surrounding the sign;
- c) A menu board shall be located at least twenty-five (25) feet from the front property line and from each side line, and fifteen (15) feet from the rear property line;
- d) A menu board shall not be located in a front yard or in a side yard along a side street, nor shall it be readable from a street.

8. Marquee - Attached

An attached marquee, extending more than twelve (12) inches from a theater, hotel, or sports arena, and not less than ten (10) feet above the

curb level at any point, is permitted. Such a marquee may extend to the curb line. Any temporary sign or information thereon shall not project above, below, or beyond the marquee. The marquee shall be approved pursuant to a site plan. The marquee shall be constructed of noncombustible materials, shall be securely supported from the building, and shall be properly drained.

9. Marquee - Freestanding

- a) Each theater, hotel, or sports arena shall be permitted one (1) freestanding marquee on the property to be used for the purpose of notifying the public of the current features at the facility;
- b) A freestanding marquee sign shall not exceed fifteen (15) feet in height, measured from the top of the sign to the mean level of the ground surrounding the support of the sign;
- c) The temporary lettering noting each event or feature shall be coordinated in size, color, and typeface;
- d) Each temporary listing shall not require a separate permit;
- e) An additional portion of the sign may identify the complex itself, but shall not exceed thirty-two (32) square feet in area;
- f) A freestanding marquee shall be located a minimum of twenty-five (25) feet from each side line and fifteen (15) feet from the front and rear property lines;
- g) Where a theater exists in addition to other businesses on one (1) lot, a freestanding marquee shall be allowed, either in conjunction with a freestanding sign conforming to subsection N (3) herein, or in conjunction with a directory sign conforming to subsection N (4) herein.

10. Gas Station Sign

- a) Gasoline stations which provide services in addition to selling gasoline, and located only in the Business A, Business B, Business C, Business D, Business E, Industrial A, Industrial B, or Industrial C Zoning Use Districts, shall be permitted one (1)

freestanding, non-flashing, non-moving sign on the premises;

- b) Said sign shall serve the express purposes of:
 - 1) identifying the gasoline retailer, 2) indicating the price(s) of the gasoline, and 3) indicating, in marquee fashion, prices of sale or special items and/or services. Said purposes shall be allowed a maximum of sixty percent (60%), twenty percent (20%), and twenty percent (20%) of the sign area, respectively;
- c) The maximum square footage shall only be achieved with the three components specified. No categories may be combined in any way.
- d) Said sign shall not exceed forty-eight (48) square feet in area, nor shall it exceed ten (10) feet in height from the average grade of the ground surrounding the sign;
- e) Said sign shall be located twenty-five (25) feet from each side line and fifteen (15) feet from the front and rear property lines;
- f) Said sign shall be used to the exclusion of all other temporary, freestanding, or directory signs otherwise provided for under this Section.

11. Awning Sign

A sign on an awning is permitted, subject to the following provisions:

- a) A movable awning may extend to within two (2) feet of the curb line;
- b) A fixed awning shall not project beyond the property line;
- c) The awning may display one (1) business name, or identifying sign, contained entirely within the largest uninterrupted flat surface of the awning;
- d) The sign thereon shall not exceed twenty five percent (25%) of the area of the largest uninterrupted flat surface.
- e) A wall sign shall not be permitted in conjunction with a sign on a fixed awning.

O. Time/Temperature Display or Electronic Message Center

A computerized time/temperature display or electronic message center shall be permitted by special permit of the Town Board subject to the following conditions:

- 1) On-premises only;
- 2) Only in the Business B, Business C (except along Route 25 and in the Hamlet of Wading River); Office/Service, and Business E Zoning Use Districts;
- 3) Shall be accessory to, and incorporated within the main structure of a freestanding sign, as follows:
 - a) Freestanding sign: no more than twenty-four (24) square feet in total area, and an aggregate square footage of all signs on the sign structure shall not exceed forty-eight (48) square feet;
 - b) Directory sign: no more than twenty-four (24) square feet in total area, and an aggregate square footage of the computerized time/temperature display and the shopping center identification shall not exceed forty-eight (48) square feet. Each business establishment name shall be permitted, in addition to the forty-eight (48) square feet, no more than six (6) square feet in total area.
- 4) A minimum of four hundred (400) lineal feet from any other time/temperature display;
- 5) A minimum time interval of five (5) seconds between flashed readings of time and temperature;
- 6) Shall exhibit the minimum display necessary to convey the intended message. No horizontal travelling or vertical scrolling moving messages, animation, or graphics shall be permitted.
- 7) Design review by Architectural Review Board.
- 8) Shall not exceed one time/temperature display for each freestanding or directory sign at the premises.

P. Off-Premises Directional Signs

1. One (1) standardized off-premises directional sign, in accordance with the further provisions of

this subsection, may be allowed per applicant, based upon the necessity for said off-premises directional sign as shown by the applicant. Upon showing of undue hardship, the Town Board may allow one (1) additional directional sign, but under no circumstances shall more than one (1) additional sign be allowed, nor shall any two (2) signs bearing the same information face the same lane of traffic;

2. Off-premises directional signs shall be eight (8) inches in height and thirty-six (36) inches in width. They shall be constructed of 3/4" exterior-grade plywood with black paint on all edges and on the reverse side. The face of the sign shall consist of white reflective Helvetica Medium lettering on Ronan Dark Blue (a/k/a Riverhead Town Blue) background with a three-quarter inch (3/4") white non-reflective border set one inch (1") within the edges of the sign. Commercial logos may be displayed in the customary colors;
3. A maximum of two (2) lines of copy shall be permitted. Where two (2) lines are used, one (1) line shall be three inches (3") in height and one line shall be two inches (2") in height. A white arrow, either vertical or diagonal and pointing in the general direction to be followed, shall display distances therein, stated to the nearest mile. Where the stated distance would be less than one mile, it shall be omitted. Arrows pointing to the right of vertical shall be on the right side of the sign, and arrows pointing left of vertical shall be on the left side of the sign, as appropriate. Businesses to the left shall appear above businesses to the right. Where more than one (1) business lies in the same direction, those closer shall appear above those more distant;
4. Posts shall be 4" x 4" CCA lumber, painted white, with pointed tops. Two posts shall support each sign installation. Said posts shall be a maximum of seven (7) feet in height from the average grade of the ground surrounding the sign, when there are three signs in an installation. The initial advertiser shall provide and maintain said posts, and may enter into an agreement with subsequent advertisers for continued maintenance;
5. A maximum of three (3) business signs shall be permitted on each sign installation. The top of the uppermost sign shall be set six inches (6")

below the top of the posts. Signs shall be spaced three inches (3") apart;

6. There shall be no exclusive right to any location. An advertiser shall not prohibit subsequent advertisers which have obtained necessary approvals;
7. Where more than one (1) sign installation is permitted within close proximity, said installations shall be no closer than two hundred feet (200') apart;
8. Off-premises directional signs shall be located as follows, and shall be subject to the prior approval, in writing, of the New York State Department of Transportation, the Suffolk County Department of Public Works, the Riverhead Superintendent of Highways, or the owner of private property, as applicable:
 - Where there is no curb or sidewalk: six feet (6') from the outside shoulder of the highway, but not less than eight feet (8') from the pavement to the near edge of the sign;
 - Where there is a curb but no sidewalk: four feet (4') from the curb to the near edge of the sign;
 - Where there is a curb and sidewalk: two feet (2') from the inside edge of the sidewalk to the near edge of the sign;
 - The sign shall face the flow of traffic nearest it;
 - Not less than two hundred feet (200') approaching and two hundred feet (200') beyond a traffic control sign or device, railroad grade crossing, or public highway intersection with a federal, state, or county route;
 - Not less than one hundred feet (100') approaching and one hundred feet (100') beyond Town highway intersections.
9. In its deliberation of the permit, public safety, including but not limited to visibility of and by motorists as well as pedestrians relative to the proposed sign location, shall be a primary consideration;

10. An annual renewal fee of fifty dollars (\$50) shall be required as a condition of the permit. Said fee shall constitute a guarantee on the part of the applicant that the sign shall be maintained in good repair;
11. The Town may establish in any zoning Use District, special public information centers, wherein directional signs may be located.

Q. On-Premises Directional Signs

Signs directing vehicular and/or pedestrian traffic on-premises shall be allowed, subject to site plan review and approval. Such signs may be double-faced but may not exceed four inches (4") in depth or three (3) feet in height, or two (2) square feet in area. The minimum setback for directional signs from any lot line or street line, where applicable, shall be five (5) feet. Directional signs shall be placed at least two (2) feet from any entry road, driveway, access, or other similar means of ingress and egress.

R. Historic Signs

Pursuant to the provisions of a special permit or site plan review, the Town Board may find that a particular sign is an historic sign. In making such a determination, the Board must find that the sign is of significant historic quality in terms of age or design, or by reason of its relationship to an historic restoration project. Examples of such signs may include, but not be limited to, signs of visible glass tubing (neon), incandescent signs, porcelain signs, painted wall signs, Cararra glass or Vitrolite signs on storefronts, cast aluminum or stainless steel lettering (usually three-dimensional and freestanding on or above a storefront), and barber poles. The Town Board may allow the reconstruction, repair, and maintenance of historic signs upon such terms as may be just and proper in addition to, or to the exclusion of, any other signs permitted by this Code. Any such sign must be structurally safe or capable of being made so without substantially altering its historical significance.

S. Dedicatory Signs

Names of buildings and dates of erection and dedicatory, memorial, or historical plaques, cut into a masonry surface or fabricated of bronze or other noncombustible material, not exceeding one (1) foot times the width of the face of the building in area in the former instance, nor exceeding four (4) square

feet in area in the case of a plaque, shall be permitted.

T. Public Information Centers

The Town may establish in any district special public information centers wherein directional signs approved by the Town Board may be located.

U. Non-Commercial Signs

Any sign authorized in this Section is allowed to contain noncommercial copy in lieu of any other copy.

V. Severability

If any subsection, paragraph, clause, phrase, or provision of this Section shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this Section as a whole or any part thereof, other than the part or provision so adjudged to be invalid or unconstitutional.

W. General Design Principles Applying to Signs

Decisions on review of sign shall be guided by the following general design principles:

1. Signs should be a subordinate part of the streetscape;
2. Signs should be as small as practicable, with the height bearing a direct relation to the eye level of the passengers or pedestrians who will read the sign;
3. Signs should be as close to the ground as possible, consistent with safety and legibility considerations;
4. A sign shall have an appropriate size relationship to the building upon which it is placed;
5. Wherever feasible, multiple signs should be combined into one (1) sign to avoid clutter;
6. A sign should not impair the visual effectiveness of neighboring signs;
7. Garish colors and materials shall be avoided;
8. Signs which have dark background colors and light letters are preferred in order to minimize the apparent size of signs within the streetscape;

9. Generally, signs on the same building should be within the same horizontal band, and be of a similar height;
10. Wall signs comprised of individual letters should be attached to the wall on a channel, so as to reduce the number of holes and eliminate the possibility of faded wall surfaces relative to that beneath individual letters;
11. Sign materials should be durable, requiring little maintenance; use of materials such as corrugated plastic, natural aluminum, bulbous plastic letters and non-textured plastic should be avoided;
12. The source and intensity of illumination should be appropriate to the type of sign, the use, and the character of the area;
13. Signs should contain a minimum number of elements for easier readability, as too many elements result in visual clutter which make the sign graphics ineffective.

Date: July 19, 1990

Revised: October 3, 1990
October 19, 1990
January 16, 1991
June 3, 1991
September 18, 1991
January 23, 1992
April 22, 1994
May 5, 1994
June 27, 1994
June 30, 1994
February 7, 1997
March 21, 1997
March 25, 1997

September 3, 2002

Adopted

TOWN OF RIVERHEAD

Resolution #923

ACCEPTS RESIGNATION OF DETENTION ATTENDANT

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

WHEREAS, Chief of Police David J. Hegermiller has received a letter of resignation submitted by Detention Attendant Robert Andruszkiewicz, effective August 21, 2002.

NOW, THEREFORE, BE IT RESOLVED that the letter of resignation submitted by Robert Andruszkiewicz is accepted.

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

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

Adopted

9/3/02

TOWN OF RIVERHEAD

Resolution # 924

APPOINTS A RECREATION SPECIALIST
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN LULL offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

RESOLVED, that Edward Kneski is hereby appointed to serve as a Recreation Specialist with the working title of a Pee Wee Soccer Instructor, effective September 16, 2002, to and including December 31, 2002, to be paid at the rate of \$25.00 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 Yes ___ No ___ Blass Yes ___ No ___

Densieski Yes ___ No ___ Lull Yes ___ No ___

Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___

THEREUPON DULY ADOPTED

¹ Resolution Rec Specialist Edward Kneski

Adopted

9/3/02

TOWN OF RIVERHEAD

Resolution # 925

APPOINTS A FILL-IN VOLLEYBALL LEADER
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS

RESOLVED, that Matthew Aug is hereby appointed to serve as a Fill-in Volleyball Leader, effective, September 3, 2002 to and including December 31, 2002 to be paid at the rate of \$10.00 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.

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON FULLY ADOPTED

¹ Rec. Doris /Res. Matthew Aug V-ball

Adopted

9/3/02

TOWN OF RIVERHEAD

Resolution # 926

**APPOINTS A FILL-IN PARK ATTENDANT II
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILMAN BLASS

offered the following resolution,

COUNCILMAN LULL

which was seconded by _____

RESOLVED, that Matthew Aug is hereby appointed to serve as a Fill-in Park Attendant II, effective, September 3, 2002 to and including December 31, 2002 to be paid at the rate of \$9.00 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.

THE VOTE

Sanders Yes No Blase Yes No
 Denisecki Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT _____
 THEREUPON DULY ADOPTED

¹ Rec. Doris /Res. Matthew Aug fill-in Park Att II

9/3/02

TOWN OF RIVERHEAD

Adopted

Resolution # 927

APPOINTS A P/T RECREATION AIDE (TEEN CENTER)
TO THE RIVERHEAD RECREATION DEPARTMENT

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

RESOLVED, that Matthew Aug is hereby appointed to serve as a P/T Recreation Aide for the Teen Center, effective, September 3, 2002 to and including December 31, 2002 to be paid at the rate of \$9.0834 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.

THE VOTE

Sanders ✓ Yes ___ No ___ Diaz ✓ Yes ___ No ___
 Denieski ✓ Yes ___ No ___ Lutz ✓ Yes ___ No ___
 Kozakiewicz ✓ Yes ___ No ___

THE RESOLUTION WAS ~~NOT~~ WAS NOT
 THEREUPON DULY ADOPTED

¹ Rec. Doris /Res. Matthew Aug TC

9/03/02

Adopted

TOWN OF RIVERHEAD

Resolution #928

APPOINTS RECREATION AIDES FOR THE PURPOSE OF BEING BASKETBALL LEADERS FOR THE RIVERHEAD RECREATION DEPARTMENT

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

RESOLVED, that the Town Board appoints the attached list of Recreation Aides for the purpose of being Basketball Leaders for the Recreation Department effective September 3, 2002 to and including December 31, 2002, and to serve at the pleasure of the Town Board and

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.

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

¹ Rec. Doris/ Resolution Bidy Blanket



*Recreation Department
200 Howell Avenue
Riverhead, NY 11901
(631) 727-5744*

**RECREATION DEPARTMENT APPOINTMENTS
9/3/02 TOWN BOARD MEETING**

<u>Last</u>	<u>First</u>	<u>Title</u>	<u>Start Date</u>	<u>End Date</u>	<u>Salary</u>
Bennett	Jenese	Recreation Aide	9/03/02	12/31/02	\$6.50
Bell	Shaneice	Recreation Aide	9/03/02	12/31/02	\$6.50
Dinkelmeyer	John	Recreation Aide	9/03/02	12/31/02	\$6.50
Manglavetti	Erica	Recreation Aide	9/03/02	12/31/02	\$6.50
Marengo	James	Recreation Aide	9/03/02	12/31/02	\$6.50
Monahan	Jerimiah	Recreation Aide	9/03/02	12/31/02	\$6.50
Rourke	Jessica	Recreation Aide	9/03/02	12/31/02	\$6.50
Stephenson	Kyle	Recreation Aide	9/03/02	12/31/02	\$6.50
Williams	Cherelle	Recreation Aide	9/03/02	12/31/02	\$6.50

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

¹ Rec.Doris/Resolution Biddy Blanket

9/3/02

Adopted

TOWN OF RIVERHEAD

Resolution # 929

APPOINTS A FILL-IN RECREATION AIDE / SKATEPARK
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN LULL

_____ offered the following resolution,

which was seconded by **COUNCILMAN DENFLESKI** _____

RESOLVED, that Adrienne Walters is hereby appointed to serve as a Fill-In Recreation Aide effective September 3, 2002 to and including December 31, 2002, to be paid at the rate of \$7.00 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.

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 LULLY ADOPTED

¹ Rec. Doris/ Resolution fill-in Rec. Aide skate Adrienne Walters

Adopted

9/3/02

TOWN OF RIVERHEAD

Resolution #930

APPOINTS A FILL-IN RECREATION AIDE / SKATEPARK TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILWOMAN SANDERS offered the following resolution,

which was seconded by COUNCILMAN DENESKI

RESOLVED, that Matthew Aug is hereby appointed to serve as a Fill-In Recreation Aide effective September 3, 2002 to and including December 31, 2002, to be paid at the rate of \$7.00 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.

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

¹ Rec. Doris/ Resolution fill-in Rec. Aide skate Matthew Aug

9/3/02

TOWN OF RIVERHEAD

Resolution # 931

**APPOINTS A RECREATION SPECIALIST
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILWOMAN BLASS _____ offered the following resolution,

which was seconded by **COUNCILMAN LULL** _____

RESOLVED, that Gail Benevente is hereby appointed to serve as a Recreation Specialist with the working title of an Dance Instructor, effective September 16, 2002, to and including December 31, 2002, to be paid at the rate of \$25.00 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 Yes No Blass Yes No
Densleski Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS NOT
THEREUPON ADOPTED

¹ Resolution Rec Specialist Gail Benevente

9/3/02

Adopted

TOWN OF RIVERHEAD

Resolution # 932

ADOPTS A LOCAL LAW ADDING A NEW CHAPTER 104 ENTITLED, "VEGETATION PROTECTION" OF THE RIVERHEAD TOWN CODE

COUNCILWOMAN SANDERS offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to add a new Chapter 104 entitled, "Vegetation" to the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 20th day of August, 2002 at 7:10 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law adding a new Chapter 104 "Vegetation Protection" to 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 Suffolk County Life and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Building Department; the Riverhead Police Department; the Planning 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
NOTICE OF ADOPTION

1738

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law adding a new Chapter 104 entitled, "Vegetation Protection" to the Riverhead Town Code at its regular meeting held on September 3, 2002 as follows:

VEGETATION PROTECTION

Chapter 104

§104-1. Short title.

This chapter shall be known and may be cited as the "Vegetation Protection Ordinance of the Town of Riverhead."

§104-2. Purpose and findings.

The Town Board of the Town of Riverhead finds that trees and other vegetation perform numerous important and essential functions, including but not limited to the stabilization and preservation of soil; maintenance of watershed areas which are essential to the Town's fresh water supply; absorption of air pollution and production of oxygen; establishment of natural barriers to noise and habitats for wildlife; and creation of a desirable aesthetic quality which is a key factor in the Town's existence as a rural resort community. The Town Board further finds that the destruction or removal of trees and other vegetation deprives all sectors of society of these benefits while disrupting ecological systems of which they are an integral part and that regulation of such destruction or removal will protect and preserve property within the Town and promote the general welfare and health of its inhabitants.

§104-3. Definitions.

In this chapter, unless the context requires otherwise, the following terms shall have the meanings indicated:

PERSON -- Shall not include any governmental body or subdivision or agent thereof.

VEGETATION -- Shall include trees, shrubs, bushes, grasses, flowers and similar plant life.

§104-4. Prohibitions.

It shall be unlawful for any person to mar, remove, damage, deface or destroy any vegetation as defined in this chapter, whether or not such vegetation is living, under any of the following circumstances:

On any public grounds or public property within the Town without the express written authorization of the Town Board or its duly designated agent.

§104-5. Applicability.

The provisions of this chapter shall apply to all publicly owned lands within the Town of Riverhead.

§104-6. Penalties for offenses.

Any person who shall violate any of the provisions of this chapter shall be guilty of a violation, punishable by a fine of not more than \$1,000 or by imprisonment for not more than 15 days, or by both such fine and imprisonment.

Dated: Riverhead, New York
September 3, 2002

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

BARBARA GRATTAN, Town Clerk

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

9/3/02

Adopted

TOWN OF RIVERHEAD

Resolution # 933

ADOPTS A LOCAL LAW AMENDING CHAPTER 54 ENTITLED, "UNSAFE BUILDINGS & COLLAPSED STRUCTURES" OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to amend Chapter 54 entitled, "Unsafe Buildings & Collapsed Structures" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 6th day of August, 2002 at 2:20 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 54 entitled, "Unsafe Buildings & Collapsed Structures", 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 Suffolk County Life and to post same on the signboard at Town Hall; and be it further

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

THE VOTE

Sanders Yes ___ No ___ Class Yes ___ No ___

Densieski Yes ___ No ___ Lull Yes ___ No ___

Kozakiewicz Yes ___ 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 54 entitled "Unsafe Buildings & Collapsed Structures" of the Riverhead Town Code at its regular meeting held on September 3, 2002.

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

Dated: Riverhead, New York
September 3, 2002

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

BARBARA GRATTAN, Town Clerk

September 3, 2002

Adopted

TOWN OF RIVERHEADResolution # 934**REFERS THE SPECIAL PERMIT PETITION
OF THE RIVERHEAD MARQUEE PLAZA, LLC
TO THE PLANNING BOARD****COUNCILMAN LULL**

offered the following

resolution, which was seconded by **COUNCILWOMAN SANDERS**

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Stuart Stein on behalf of the Riverhead Marquee Plaza, LLC to allow the construction of a multi-screen and two (2) restaurants on real property located at Route 58, Riverhead such real property more particularly described as Suffolk County Real Property Tax Map Numbers 0600-101-003 and 008; and 0600-119-01-006; and

WHEREAS, by resolution Number 212 of 2002, the Riverhead Town Board did declare themselves to be the lead agency in the Environmental Review of the petition; and

WHEREAS, in anticipation of the acceptance of a Final Environmental Impact Statement and adoption of agency findings, the Town Board desires to refer the petition to the Riverhead Planning Board for its report and recommendation.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be authorized to refer the petition to the Riverhead Planning Board for its report and recommendation; and

THE VOTESanders Yes NoBlass Yes NoDensieski Yes NoLull Yes NoKozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

Adopted

9/3/02

TOWN OF RIVERHEAD

Resolution # 935

DETERMINES SIGNIFICANCE ON SPECIAL PERMIT PETITION OF NORTH
SHORE FARMS, INC. AND AUTHORIZES TOWN CLERK TO PUBLISH AND
POST NOTICE OF PUBLIC HEARING

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 North Shore Farms, pursuant to Section 108-3, 108-45 (B) (5) and the Zoning District Use Schedule of the Town Code, to allow the processing of land clearing debris into mulch and for repair vehicles used by North Shore Express on property that is zoned Industrial A, such property being owned by North Shore Farms, Inc. and specifically known as SCTM No. 0600-98-1-14; and

WHEREAS, a full EAF and supporting documentation has been submitted in connection with the petition, and

WHEREAS, pursuant to Resolution 265-02 the Town Board classified the action as "unlisted" pursuant to 6 NYCRR Part 617 and declared lead agency status and referred the application to the Riverhead Planning Board for its review and recommendation, and

WHEREAS, on May 17, 2002, the Planning Board found that the EAF indicated "potentially significant adverse environmental impacts associated with the proposed use, that is, groundwater, plants and animals, aesthetic resources, public health and community character, and

WHEREAS, the Planning Board further resolved that the EAF "attending the petition did not provide adequate informational detail with respect to the mitigation of adverse impacts with respect to the emission of noise, dust, the potential for fire hazard and the generation of motor vehicle traffic upon the State Highway", and

WHEREAS, the Planning Board further resolved to reserve its report and recommendation to the Town Board pursuant to section 108-3 of the Town Code of the Town of Riverhead pending receipt of an Environmental Impact Statement from the applicant, and

WHEREAS, that based upon the aforementioned Planning Board resolution, and upon all of the information submitted by the applicant to date,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead, as lead agency pursuant to 6 NYCRR Part 617, based upon the information provided to it by the applicant hereby determines that the application as proposed may have significant adverse environmental impacts in that it 1) may create a material conflict with the community's current plans or goals as officially approved, 2) that it may have an adverse impact upon groundwater, plants and animals, aesthetic resources, public health, noise, dust, and traffic.

AND BE IT FURTHER,

RESOLVED, that pursuant 6 NYCRR 617.7 the Town Board of the Town of Riverhead hereby determines that the application may have significant adverse environmental impacts set forth above; and be it further

RESOLVED, that pursuant to 6 NYCRR 617.9 (a)(1), the Riverhead Town Board directs the applicant be required to prepare and submit a Draft Environmental Impact Statement; and be it further

RESOLVED, that pursuant to 6 NYCRR 617.8, the Riverhead Town Board hereby directs that the applicant prepare a draft scope of issues to be addressed in the Draft Environmental Impact Statement; and be it further

RESOLVED; that the Town Clerk be authorized to publish and post the attached Notice of Public Hearing, and be it further

RESOLVED, that the Town Clerk be authorized to forward a copy of this Resolution to the applicant.

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

**TOWN OF RIVERHEAD
NOTICE OF SCOPING MEETING**

PLEASE TAKE NOTICE, that a scoping meeting to be held pursuant to the New York State Environmental Conservation law and its attending regulations will take place on September 25, 2002 at 3:00 p.m., at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider the environmental impacts to be assessed in the preparation of North Shore Farms, Inc. to allow the processing of land clearing debris and vehicle repair upon real property located at Middle Country Road, (State Route 25), Calverton; such property more particularly described as SCTM No. 0600-98-1-14. A draft scope of environmental issues as prepared by the applicant will be available at the Office of the Town Clerk of the Town of Riverhead on or after Monday September 23, 2002, between the hours of 8:30 a.m. and 4:30 p.m.

Dated: September 3, 2002
Riverhead, New York

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
BARBARA GRATTAN, Town Clerk**

TOWN OF RIVERHEAD

Adopted

Resolution # 936

CALVERTON PARK - CDA

BUDGET ADJUSTMENT

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

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

914.012410.442105 PROPERTY LICENSES FROM:
\$20,000.

914.069800.549001 ADMIN. CHARGES OF GENERAL FUND TO:
\$20,000.

THE VOTE

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

SEPTEMBER 3, 2002

Adopted

TOWN OF RIVERHEAD

Resolution # 937

RIVERHEAD TOWN HUMAN SERVICES CENTER

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILMAN DENSIESKI 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:

406.071400.547900.40091	CONTINGENCY	FROM:	\$49,100.
406.071400.522150.40091	BLDG. CONSTRUCTION	TO:	\$44,900.
406.071400.543650.40091	ARCHITECTUAL SERVICES		4,200.

THE VOTE

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

SEPTEMBER 3, 2002

TOWN OF RIVERHEAD

Adopted

Resolution # 938

MID ROAD PROPERTIES WATER EXT. #70

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILWOMAN SANDERS offered the following resolution ,
which was seconded by COUNCILWOMAN BLASS

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

406.092705.421050.30067	DEVELOPER FEES	FROM:	\$262,000.
406.083200.523002.30067	CONSTRUCTION	TO:	\$211,000.
406.083200.543501.30067	ENGINEERING		30,000.
406.083200.543315.30067	LEGAL		7,000.
406.083200.547900.30067	CONTINGENCY		14,000.

THE VOTE

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

9/3/02

Adopted

TOWN OF RIVERHEAD

Resolution # 939

AUTHORIZATION TO PUBLISH BID FOR FOOD

COUNCILMAN LULL offered the following resolution,

which was seconded by **COUNCILWOMAN BLASS**

WHEREAS; the Town Clerk was authorized to publish and post a notice to bidders for FOOD and ;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the September 11th, 2002 issue of the Suffolk County Life and;

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the Nutrition Center 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 Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **FOOD** 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 SEPTEMBER 20TH, 2002.

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 FOOD.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

TOWN OF RIVERHEAD

Adopted

Resolution # 940

AWARDS BID FOR 2002 4 COLUMN VEHICLE LIFT FOR USE AT MUNICIPAL GARAGE FACILITY

COUNCILWOMAN SANDERS offered the following resolution,

which was seconded by COUNCILMAN LULL

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for 4 COLUMN VEHICLE LIFT and ;

WHEREAS, bids were received, opened and read aloud on the 26TH day of August, 2002 at 11:05 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders.

NOW THEREFORE BE IT

RESOLVED, that the bid for 4 COLUMN VEHICLE LIFT FOR USE AT MUNICIPAL GARAGE FACILITY ,be and hereby is, awarded to D.L. Carr Distributors for \$62,000.00, total price.

RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to D.L. Carr Distributors, Municipal Garage and 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 Declared Adopted

Adopted

9/3/02

Town of Riverhead

Resolution # 941

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

COUNCILWOMAN BLASK offered the following resolution, which was seconded
by COUNCILWOMAN SANDERS

WHEREAS, it is the desire of the Town of Riverhead to amend its FY1999 and FY2000 CDBG Programs; 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 Suffolk County Life on Wednesday, September 11, 2002; and

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	<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

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:

Year 2000

<u>Activity</u>	<u>Current</u>	<u>Proposed Change</u>	<u>Amended Budget</u>
Child Development Center	\$40,000.00	(\$40,000.00)	-\$0-
Wading River Pavillion	\$7.58	(\$7.58)	-\$0-
Public Facilities Improvements			
Fresh Pond Schoolhouse	-\$0-	\$40,188.28	\$40,188.28

Year 1999

Hulse Landing Roads	\$180.70	(\$180.70)	-\$0-
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Interested Citizens may submit comments on or before September 27, 2002 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 October 1, 2002. Town Board Meeting to be held at 7:00 p.m. at 200 Howell Avenue, Riverhead, NY 11901.

9/11/02 Suffolk County Life

Adopted

SEPTEMBER 3, 2002

TOWN OF RIVERHEAD

942

DESIGNATES ADDITIONAL DEPOSITORY OF TOWN FUNDS

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

WHEREAS, TBR #12 adopted January 2, 2002 designated Banks as Official Depositories for Town Funds pursuant to Town Law Section 64 (9), and

WHEREAS, Commerce Bank has requested to be added to the list of designated banks as Official Depositories for Town Funds.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that Commerce Bank be designated as one of the Official Depositories for Town Funds, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this Resolution to the Office of Accounting and Maryann Wowak Heilbrun, Receiver of Taxes.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

TOWN OF RIVERHEAD
Resolution # 943

1755
Adopted

**APPROVES A TEMPORARY SIGN PERMIT FOR DCAP INSURANCE
(BANNER)**

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

WHEREAS, a temporary sign permit application and sketch were submitted by Jeffrey Leibowitz for property located at 1280 Route 58, Riverhead, New York 11901, and

WHEREAS, pursuant to Section 108-56 C(5) of the Town 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 a three (3) month temporary sign permit application submitted by Jeffrey Leibowitz, and

BE IT FURTHER

RESOLVED, that said temporary sign shall be erected for a period not to exceed three (3) months from the date hereof, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Jeffrey Leibowitz, The Galaxy Agency, Inc., 1280 Route 58, Riverhead, New York 11901, the Building Department and Planning 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

September 3rd, 2002

TOWN OF RIVERHEAD

Resolution # 944

APPROVES SITE PLAN OF OMNIPOINT COMMUNICATIONS, INC.

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

WHEREAS, a site plan and elevations were submitted by Ominpoint Communications Inc., to affix 12 antennas to an existing 100 ft. wireless communication monopole with 3 associated equipment cabinets in an existing compound at the base, located at 390 Rte. 25, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-134-1-2.2; and

WHEREAS, the Planning Department has reviewed the site plan dated May 25, 2001, as prepared by Richard H. Schroeder, Jr., P.E., and elevations dated May 25, 2001, as prepared by Richard H. Schroeder, Jr., P.E., 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 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 Ominpoint Communications Inc., 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..

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Ominpoint Communications Inc., to affix 12 antennas to an existing 100 ft. wireless communication monopole with 3 associated equipment cabinets in existing compound at the base, located at 390 Rte. 25, Riverhead, New York, site plan dated May 25, 2001, as prepared by Richard H. Schroeder, Jr., P.E., and elevations dated May 25, 2001, as prepared by Richard H. Schroeder, Jr., P.E., 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, AT&T Wireless Service hereby authorizes and consents to the Town of Riverhead to enter premises at 390 Rte. 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 Larry Re', Esq., Munley, Meade, Nielson and Re', Attorneys at Law, 36 North New York Avenue, Huntington, New York 11743, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE

Sanders Yes No Blas Yes No
Densleski Yes No Lull Yes No
Kozaklewicz Yes No

THE RESOLUTION WAS WAS NOT
THEREUPON FULLY ADOPTED

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2002, made by AT&T Wireless Service, residing at 15 E. Midland Avenue, Paramus, New Jersey 07652, 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, AT&T Wireless Service hereby authorizes and consents to the Town of Riverhead to enter premises at 390 Rte. 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.

AT&T Wireless Service

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

Adopted

SEPTEMBER 3, 2002

TOWN OF RIVERHEAD

Resolution # 945

1999 DOWNTOWN SIDEWALK IMPROVEMENT

CAPITAL PROJECT

BUDGET ADJUSTMENT

COUNCILWOMAN BLASS offered the following resolution ,

which was seconded by ~~COUNCILMAN DENSIESKI~~

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

406.095031.485500.43003

TRANSFER FOR CDBG -GY02

FROM:
\$87,100.

406.0541100.541206.43003 SIDEWALK CONSTRUCTION

TO:
\$87,100.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

September 3, 2002

Adopted¹⁷⁶⁸

TOWN OF RIVERHEAD

Resolution # 946

AUTHORIZES THE TOWN OF RIVERHEAD TO ACCEPT A PROPOSAL FROM P&G COMPUTERS AND DESIGN

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

WHEREAS, the Chief of Police has requested that the Town Board review and accept a proposal submitted by P&G Computers and Design with regard to Computer Server and Networking needs for the Town of Riverhead Police Department; and,

WHEREAS, the Town Board has reviewed the proposal submitted by P&G Computers and Design.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead accepts the proposal submitted by P&G Computers and Design.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Police Chief David J. Hegermiller, P&G Computers and Design and the Office of Accounting.

THE VOTE

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

September 3, 2002

TOWN OF RIVERHEAD

Resolution # 947

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING – AMENDMENTS TO SECTION 108-64.4 OF THE RIVERHEAD TOWN CODE – AGRICULTURAL WORKER HOUSING

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

WHEREAS, the Town Board Agricultural Committee has recommended certain amendments to Section 108-64.4 of the Riverhead Zoning Ordinance in order to facilitate the appropriate development of agricultural housing within the proposed Agricultural Overlay Zone, and

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

THEREFORE BE IT

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

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 1st day of ~~October~~, 2002 at 7:25 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider certain amendments to Article XIII, Section 108-64.4 of the Riverhead Zoning Ordinance to facilitate the construction of agricultural worker housing within the proposed Agricultural Overlay Zone as identified in the Draft Town of Riverhead Comprehensive Plan. Copies of the proposed amendments will be available for inspection 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. beginning on Wednesday, September 11th, 2002.

DATED: September 3, 2002
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

DRAFT

108-64.4. Agricultural worker housing-permit requirements. [Added 4-3-1990]

A. The permit shall require that occupancy of agricultural worker housing shall be limited to persons employed on the farms of the applicant. Occupancy shall be by employees while they are employed in agricultural production. There shall be no rentals of this building. The building shall be subject to at least an annual inspection pursuant to Chapter 86 of the Riverhead Town Code by the Building Department of the Town of Riverhead. Said building shall, at all times, comply with all conditions of applicable laws, ordinances and rules governing its use and occupancy.

~~B. The permit shall be subject to site plan review pursuant to Article XXVI of the Riverhead Town Code.~~

~~C. B.~~ The permit shall require that construction of the camp to commence and be completed within one (1) year of the date of the granting of site plan approval.

~~D. C.~~ The owner of the premises shall be actively and primarily engaged in commercial agricultural production in the Town of Riverhead.

~~E. D.~~ The approval shall require that the camp buildings consist of a structure, which shall include bedrooms, kitchen, dining and living room, bathroom and utility room. The camp building shall have a separate bedroom for every two (2) persons and the building shall conform to the ~~site plan and the building shall be of masonry construction as per~~ New York State Fire Prevention and Building Code. All electrical and plumbing work shall comply with the New York State Fire Prevention and Building Code pre-fabricated buildings with HUD certification shall be allowed. Plans and specifications for the camp building shall be subject to the approval of the Building Inspector. All buildings must obtain and maintain New York State, Suffolk County and OSHA permits. In no event shall the subject building be occupied by more than twenty (20) persons without a further public hearing before the Town Board.

~~F. E.~~ ~~The site plan approval shall be conditioned upon the camp building being screened with plantings at the direction of the Planning Department.~~ The permit shall require a plan to be approved by resolution of the Town Board of the Town of Riverhead which shall include a property survey prepared by a licensed surveyor, the location of proposed buildings, the depiction of yard setbacks and the depiction of suitable screening and buffering of buildings from neighboring properties and public highways.

~~G. F.~~ The permit shall require that an agent shall be appointed annually by the owner to maintain order, assume responsibility for the day-to-day operations, maintenance of the camp and the conduct of camp employees. Such agent shall be a resident of Riverhead Town and shall be appointed by written agreement with name, address and phone number filed with the Town Clerk and Police Department. Such agent shall be responsible for the daily orderly operation of the camp and shall have the authority to correct immediately any comments or complaints made.

~~H. G.~~ The permit shall require that the subject premises shall be operated in accordance with the following conditions:

- (1) Compliance with all relevant Town of Riverhead ordinance and County Sanitary Code requirements.
- (2) No labor contractors shall be permitted on the premises.
- (3) Compliance with all state laws, including operation free from a pattern of violations of the Penal Law by camp residents, i.e., three (3) or more violations of Town Code or New York State Penal Law in eighteen (18) months shall construe patterns of violations.
- (4) Access to subject premises shall be permitted at all reasonable times to town officials and representatives.
- (5) That the agricultural worker housing shall be abandoned and the real property conform to all Town of Riverhead zoning requirements upon the conversion of the principal agricultural use

~~F. H.~~ A permit to operate agricultural worker housing shall be submitted to the Building Department by the property owner or his designated representative, which shall affirmatively state that the agricultural worker housing unit(s) are in compliance with this section. The Building Inspector, upon an inspection of the subject premises and a finding of compliance, shall issue a permit to operate agricultural worker housing.

~~J. I.~~ Failure of the applicant to comply with any of the stipulations enumerated herein shall be cause for revocation of the special permit after duly noticed hearing before the Town Board.

Strike out – Deletion
Underline - Addition

September 3, 2002

TOWN OF RIVERHEAD

Resolution # 948

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING – RIVERHEAD OUTDOOR LIGHTING ORDINANCE

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

WHEREAS, the Town Board is in receipt of a draft ordinance designed to regulate outdoor lighting in the furtherance of maintaining the rural character of the Town of Riverhead, and

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

THEREFORE BE IT

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

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

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 1st day of ~~October~~ September, 2002 at 7:20 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the addition of Article XXXXV – Outdoor Lighting to the Town of Riverhead Zoning Ordinance. The purpose of the local law is to regulate outdoor lighting in order to preserve the rural character of the Town of Riverhead while promoting public health, safety and welfare. Copies of the proposed local law will be available 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. beginning on Wednesday, September 11th, 2002.

DATED: September 3, 2002
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

ARTICLE XXXXV—OUTDOOR LIGHTING

108-246 Purpose

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

1. To provide safe roadways for motorists, cyclists and pedestrians;
2. To protect against direct glare and excessive lighting;
3. To ensure that sufficient lighting can be provided where needed to promote safety and security;
4. To prevent light trespass in all areas of the Town;
5. To protect and reclaim the ability to view the night sky;
6. To allow for flexibility in the style of lighting fixtures;
7. To provide lighting guidelines;
8. To provide assistance to property owners and occupants in bringing non-conforming lighting into conformance with this Article; and

108-247 General Provisions

A. Title – Article XXXXV together with the amendments thereto, shall be known and may be cited as the Town of Riverhead Lighting Ordinance.

108-248 Applicability

A. New Lighting.

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

108-249 Definitions.

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

Area light. A luminaire equipped with a lamp that produces over one thousand eight hundred (1,800) lumens. Area lights include, but are not limited to, streetlights, parking lot lights and yard lights. (See Table 1, for light output of various lamps).

Average horizontal footcandle. The average level of illuminance for a given situation (with snow cover if that is to be expected in the given situation) measured at ground level with the light meter placed parallel to the ground.

Eighty-five (85) degree cut-off type of luminaires. Luminaires that do not allow light to escape above an eighty-five (85) degree angle measured from a vertical line from the center of the lamp extended to the ground (see Figure 2)

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

Flood light. A lamp that produces up to one thousand eight hundred (1,800) lumens and is designed to flood a well-defined area with light. (See Table 1 for light output of various lamps)

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

Full cut-off luminaires. A luminaire designed and installed where no light is emitted at or above a horizontal plane running through the lowest point on the luminaire. (See Figure 1)

Fully shielded. The luminaire incorporates a solid barrier (the shield), which permits no light to escape through the barrier. (See Figure 4)

Glare. Stray, unshielded light striking the eye that may result in (a) nuisance or annoyance glare such as light shining into a window; (b) discomfort glare such as bright light causing squinting of the eyes; (c) disabling glare such as bright light reducing the ability of the eyes to see into shadows or (d) reduction of visual performance.

Holiday lighting. Strings of individual lamps, where the lamps are at least three inches apart and the output per lamp is not greater than fifteen (15) lumens.

Illuminance. The amount of light falling on any point of a surface measured in footcandles or lux.

IESNA. Illuminating Engineering Society of North America (IES or IESNA). The professional society of lighting engineers.

IESNA Recommended Practices. The current publications of the IESNA setting forth illuminance levels.

Lamp. The generic term for an artificial light source, to be distinguished from the whole assembly (see Luminaire). Commonly referred to as "bulb".

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

Light pollution. Any adverse effect of manmade light including, but not limited to, discomfort to the eye or diminished vision due to glare, light trespass, uplighting, the uncomfortable distraction to the eye, or any manmade light that diminishes the ability to view the night sky.

Light trespass. Light falling on the property of another or the public right-of-way when it is not required to do so.

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

Lumen. The unit used to quantify the amount of light energy produced by a lamp at the lamp. Lumen output of most lamps is listed on the packaging. For example, a 60-watt incandescent lamp produces 950 lumens while a 55-watt low-pressure sodium lamp produces 8000 lumens.

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

Maintained illuminance. The condition that occurs after 200 hours of lamp use prior to a point where luminaire cleaning is necessary. Measurements are taken at ground level with sensor parallel to the ground for horizontal illuminance and measured at 5 feet above ground with sensor perpendicular to the ground for vertical illuminance.

Non-essential lighting. Lighting that is not necessary for an intended purpose after the purpose has been served. Does not include any lighting used for safety and/or public circulation purposes.

Partially shielded. The luminaire incorporates a translucent barrier, the "partial shield" around the lamp that allows some light to pass through the barrier while concealing the lamp from the viewer. (See Figure 3)

Planning and Zoning Administrator. The Town of Riverhead Planning Director.

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

Temporary lighting. Lighting that is intended to be used for a special event for seven days or less.

Uplighting. Fully shielded lighting that is directed in such a manner as to shine light rays above the horizontal plane.

108-250 Outdoor Lighting Standards

A. General Standards

- i. All exterior lighting shall be designed, located and lamped in order to prevent:
 - a. Overlighting;
 - b. Energy waste;
 - c. Glare;
 - d. Light Trespass;
 - e. Skyglow.
- ii. All non-essential exterior commercial and residential lighting is encouraged to be turned off after business hours and/or when not in use. Lights on a timer are encouraged. Sensor activated lights are encouraged to replace existing lighting that is desired for security purposes.
- iii. Canopy lights, such as service station lighting shall be fully recessed or fully shielded so as to ensure that no light source is visible from or causes glare on public rights of way or adjacent properties.
- iv. Area lights. All area lights are encouraged to be eighty-five (85) degree full cut-off type luminaires.
- v. The Long Island Power Authority shall not install any luminaires after the effective date of this Article that lights the public right of way without first receiving approval for any such application by the Riverhead Town Board.

B. Type of Luminaires.

All exterior lighting shall use full cut-off luminaires with the light source downcast and fully shielded, with the following exceptions:

- a. Luminaires that have a maximum output of four hundred (400) lumens per fixture, regardless of number of lamps (equal to one forty [40] watt incandescent light), may be left unshielded provided the luminaire has an opaque top or is under an opaque structure. (see Figure 5).
- b. Luminaires that have a maximum output of one thousand (1,000) lumens per fixture, regardless of number of lamps (equal to one sixty [60] watt incandescent light) may be partially shielded provided the lamp is not visible, and the luminaire has an opaque top or is under an opaque structure. (See Figure 3)

- c. Floodlights with external shielding shall be angled provided that no light is directed above a twenty-five (25) degree angle measured from the vertical line from the center of the light extended to the ground, and only if the luminaire does not cause glare or light to shine on adjacent property or public rights-of-way (see Figure 6). Photocells with timers that allow a floodlight to go on at dusk and off by 11:00 p.m. are encouraged.
- d. Commercial holiday lighting lit between November 15 and January 15 of the following year,
- e. Sensor activated luminaires, provided:
 - 1. It is located in such a manner as to prevent glare and lighting onto properties of others or into a public right-of-way;
 - 2. The luminaire is set to only go on when activated and to go off within five minutes after activation has ceased;
 - 3. The luminaire shall not be triggered by activity off the property.
- f. Vehicular lights and all temporary emergency lighting needed by the Fire and Police Departments, or other emergency services.
- g. Uplighting for flags provided the flag is of a government and the maximum lumen output is one thousand three hundred (1,300) lumens. Flags are encouraged to be taken down at sunset to avoid the need for lighting.
- h. Lighting of radio, communication and navigation towers; provided the owner or occupant demonstrates that the Federal Aviation Administration (FAA) regulations can only be met through the use of lighting that does not comply with Article XXXXV, and that the provisions of Article XXXXV are otherwise met.
- i. Runway Lighting. Lighting on any landing strip or runway provided the owner or occupant demonstrates that the Federal Aviation Administration (FAA) regulations can only be met through the use of lighting that does not comply with this Article.
- j. Neon Lights. Neon lights permitted pursuant to the Town of Riverhead sign ordinance.
- k. Luminaries used for playing fields and outdoor recreational uses shall be exempt from the height restriction provided all other provisions of this Article are met and the light is used only while the field is in use.

- A. Parking area luminaries shall be no taller than seventeen (17) feet from the ground to their tallest point. Parking area lights are encouraged to be greater in number, lower in height and lower in light level, as opposed to fewer in number, higher in height and higher in light level.
- B. Freestanding luminaries on commercially used properties shall be mounted at a height equal to or less than the sum of $H=(D/3)+3$, where D is the distance in feet to the nearest property boundary, but shall not be higher than fifteen (15') from ground level to the top of the luminaries, whichever is less. Example:

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

- C. Streetlights used on arterial roads may exceed twenty (20) feet in height, with the recommendation by the Riverhead Town Board, and only with a finding that exceeding 20 feet is necessary to protect the safety of the residents of the Town of Riverhead.
- D. Luminaries used for playing fields and outdoor recreational uses shall be exempt from the height restriction provided all other provisions of this Article are met and the light is used only while the field is in use.

108-252 Illuminance and Type of Lamp

- A. Illuminance levels for parking lots, sidewalks, and other walkways affected by side-mounted building lights, and freestanding sidewalk lights (not streetlights) shall not exceed illuminance levels listed in the most current IESNA Recommended Practices. The Town of Riverhead recognizes that not every such area will require lighting.
- B. Parking lot lighting shall not exceed an overall average illumination of 1.5 footcandles.
- C. Streetlights shall be high-pressure sodium, low-pressure sodium or metal halide, unless otherwise determined that another type is more efficient. Streetlights along residential streets shall be limited to a seventy (70) watt high-pressure sodium (hps) light with a lumen output of sixty-four hundred (6400). Street lights along non-residential streets or at intersections shall be limited to one hundred (100) watts hps, with a lumen output of ninety-five hundred (9500), except that lights at major intersections on state highways shall be limited to two hundred fifty (250) watts hps. If a light type other than high-pressure sodium, is permitted,

then the equivalent output shall be the limit for the other light type (see Table 1).

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

108-253 Tables and Information Sheets.

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

108-254 Procedure.

- A. All applications for site plan review, use permits, planned unit developments, subdivision approvals, applicable sign permits, or building permits shall include lighting plans showing location, type, height, lumen output, and illuminance levels in order to verify that lighting conforms to the provisions of this Article. The Planning Director may waive the requirement for illuminance level information only, if the Lighting Administrator finds that the illuminance levels conform to this Article. For all other exterior lights which must conform to the requirements of this Article XXXXV, an application shall be made to the Town Board, showing location, type, height, lumen output and illuminance levels.
- B. The Town Board or Planning Board shall review any new exterior lighting or any existing exterior lighting on subject property that is part of an application for design review, conditional use permit, planned unit development, subdivision approval, applicable sign permits or building permit, to determine whether the exterior lighting complies with the standards of this Article XXXXV.
- C. For all other exterior lighting which must conform to the requirements of Article XXXXV, the Town Board or Planning Board shall issue a decision whether the exterior lighting complies with the standards of this Article XXXXV. All such decisions may be appealed to the Town of Riverhead Zoning Board of Appeals within thirty (30) days of the decision.

108-255 Violations and Legal Actions.

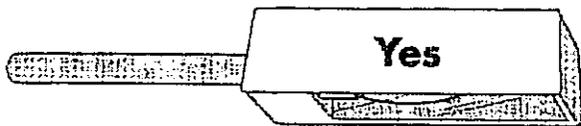
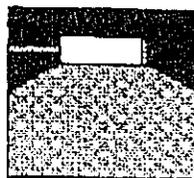
- A. If the Zoning Officer finds that any provision of this Article is being violated, the Zoning Officer shall give notice by hand delivery or by certified mail, return receipt requested, of such violation to the owner and/or to the occupant

of such premises, demanding that the violation be abated within thirty (30) days of the date of hand delivery or of the date of mailing of the notice. The Planning Department Staff shall be available to assist in working with the violator to correct said violation. If the violation is not abated within the thirty (30) day period, the Zoning Officer may institute actions and proceedings, either legal or equitable, to enjoin, restrain or abate any violations of this Article.

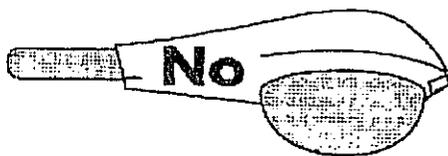
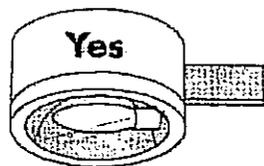
108-256—EFFECTIVE DATE

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

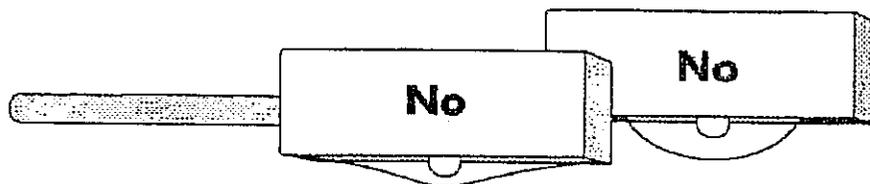
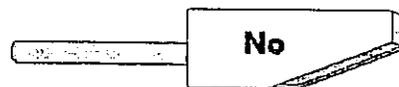
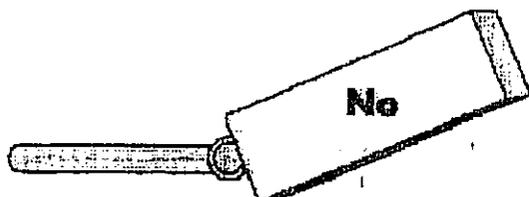
What is a True Full Cutoff Outdoor Lighting Fixture?



Flat glass lens, eliminates or minimizes direct glare, no upward throw of light. The housing for these fixtures are available in many styles.



Same fixture as above mounted incorrectly – defeating the horizontal mounting design. The fixture now produces direct glare, and can also produce uplight at steeper mounting angles.



Known as just "Cutoff" Center "drop" or "sag" lens with or without exposed bulb, produces direct glare.

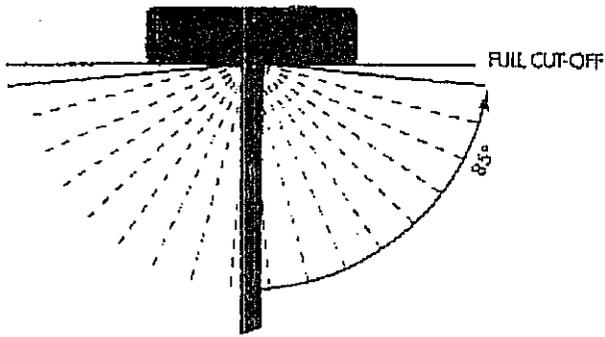


FIGURE 2
85° Full Cut-Off Fixture

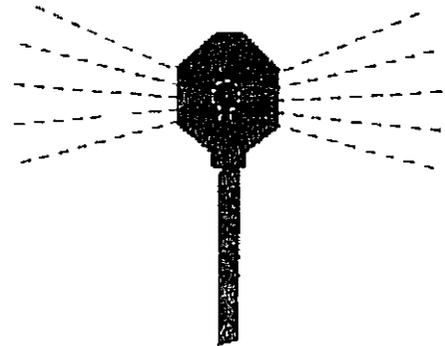


FIGURE 3
Partially Shielded
(translucent top - bulb not visible)

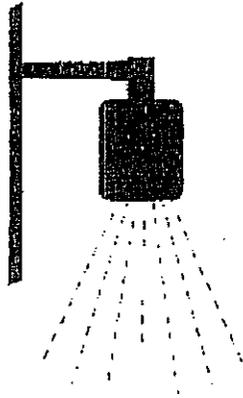


FIGURE 4
Shielded

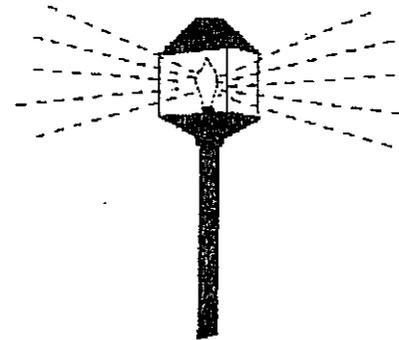


FIGURE 5
Unshielded with Opaque Top
(less than 375 lumens)

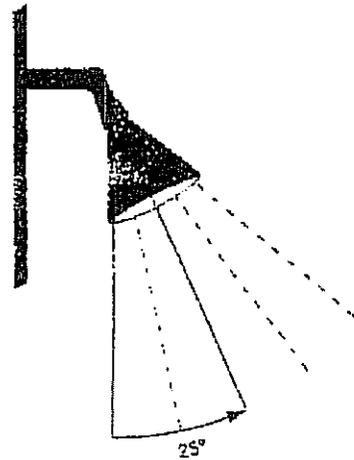


FIGURE 6
Angle of Flood Light
with External Shielding

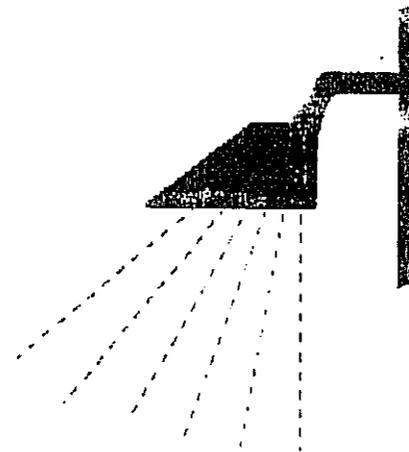


FIGURE 7
Directional Flood Light

Table 1

INITIAL RATED LIGHT OUTPUT OF VARIOUS LAMPS

(Information from Sylvania #PL-150, General Electric #9200 and Phillips #SG-100 large lamp catalogs)

LAMP TYPE OUTPUT	LAMP WATTAGE	INITIAL	LUMEN
INCANDESCENT LAMP (FROSTED) (Syl.)	25		235
INCANDESCENT LAMP (FROSTED) (Syl.)	40		375
INCANDESCENT LAMP (FROSTED) (Syl.)	60		890
INCANDESCENT LAMP (FROSTED) (Syl.)	100		1690
INCANDESCENT LAMP (FROSTED) (Syl.)	150		2850
INCANDESCENT FLOOD OR SPOT (G.E.)	75		765
INCANDESCENT FLOOD OR SPOT (G.E.)	120		1500
INCANDESCENT FLOOD OR SPOT (G.E.)	150		2000
QUARTZ HALOGEN LAMP (FROSTED) (Syl.)	42		665
QUARTZ HALOGEN LAMP (FROSTED) (Syl.)	52		885
QUARTZ HALOGEN LAMP (FROSTED) (Syl.)	72		1300
QUARTZ HALOGEN LAMP (FROSTED) (Syl.)	300		6000
QUARTZ HALOGEN LAMP (FROSTED) (Syl.)	500		10500
QUARTZ HALOGEN LAMP (FROSTED) (Syl.)	1000		21000
QUARTZ HALOGEN MINI FLOOD OR SPOT (G.E.) (12 volt MR-16 type)	20	260	
QUARTZ HALOGEN MINI FLOOD OR SPOT (G.E.) (12 volt MR-16 type)	42	630	
QUARTZ HALOGEN MINI FLOOD OR SPOT (G.E.) (12 volt MR-16 type)	50	895	
QUARTZ HALOGEN MINI FLOOD OR SPOT (G.E.) (12 volt MR-16 type)	75	1300	
FLUORESCENT LAMP (Phillips)	7		400
FLUORESCENT LAMP (Phillips)	9		600
FLUORESCENT LAMP (Phillips)	13		900
FLUORESCENT LAMP (Phillips)	22		1200
FLUORESCENT LAMP (Phillips)	28		1600
FLUORESCENT LAMP (G.E. cool white)	40		3150
LOW PRESSURE SODIUM LAMP (Phillips)	18		1800
LOW PRESSURE SODIUM LAMP (Phillips)	35		4800
LOW PRESSURE SODIUM LAMP (Phillips)	55		8000
LOW PRESSURE SODIUM LAMP (Phillips)	90		13500
LOW PRESSURE SODIUM LAMP (Phillips)	135		22500
LOW PRESSURE SODIUM LAMP (Phillips)	180		33000
HIGH PRESSURE SODIUM LAMP (DIFFUSE) (G.E.)	35		2250
HIGH PRESSURE SODIUM LAMP (DIFFUSE) (G.E.)	50		4000
HIGH PRESSURE SODIUM LAMP (DIFFUSE) (G.E.)	70		6400
HIGH PRESSURE SODIUM LAMP (DIFFUSE) (G.E.)	100		9500
HIGH PRESSURE SODIUM LAMP (DIFFUSE) (G.E.)	150		16000
HIGH PRESSURE SODIUM LAMP (DIFFUSE) (G.E.)	250		27500

HIGH PRESSURE SODIUM LAMP (DIFFUSE) (G.E.)	400	50000
MERCURY VAPOR LAMP (WHITE DELUXE) (Syl.)	100	4500
MERCURY VAPOR LAMP (WHITE DELUXE) (Syl.)	175	8500
MERCURY VAPOR LAMP (WHITE DELUXE) (Syl.)	250	11100
MERCURY VAPOR LAMP (WHITE DELUXE) (Syl.)	400	20100
METAL HALIDE LAMP (Coated) (G.E.)	32	2500
METAL HALIDE LAMP (Coated) (Venture)	50	3400
METAL HALIDE LAMP (Coated) (G.E.)	100	9000
METAL HALIDE LAMP (Coated) (G.E.)	175	15750
METAL HALIDE LAMP (Coated) (G.E.)	250	20500
METAL HALIDE LAMP (Coated) (G.E.)	400	36000

Table 2 lists the maximum lumen levels standards at various heights above ground level. It provides specific examples listing the common types of lighting sources, lumen levels, and permitted mounting heights.

Table 2
MOUNTING HEIGHT/LAMP OUTPUT RECOMMENDATIONS

MOUNTING HEIGHT (FEET)	MAX LUMENS
6	1,000
8	600 to 1,600
10	1,000 to 2,000
12	1,600 to 2,400
16	2,400 to 6,000
20	4,000 to 8,000
24	6,000 to 9,000
28	8,000 to 12,000
32	9,000 to 24,000
36	12,000 to 28,000
40	16,000 to 32,000

Table 3
MOUNTING HEIGHT RECOMMENDATIONS PER LAMP TYPE

Low Pressure Sodium

Wattage	180W	135W	90W	55W	35W	18W
Mounting Heights	>40'	30'-32'	28'	24'	16'-20'	10'
Initial Lumens	33000	22500	13500	8000	4800	1800
Mean Lumens	33000	22500	13500	8000	4800	1800
Lamp Wattage	180	135	90	55	35	18
Circuit Wattage	220	180	125	80	60	30
Initial Lum/watt	150	125	108	100	80	60
Mean Lum/watt	150	125	108	100	80	60
Annual KWH use	902	738	513	328	216	123

High Pressure Sodium

Wattage	400W	250W	200W	150W	100W	70W	50W	35W
Mounting Heights	>50'	32-36'	30'	28'	24'	20'	16'	12'
Initial Lumens	50000	28500	22000	16000	9500	6300	4000	2250
Mean Lumens	45000	25700	19800	14400	8550	5470	3600	2025
Lamp Wattage	400	250	200	150	100	70	50	35
Circuit Wattage	465	294	246	193	130	88	66	46
Initial Lum/watt	108	97	89	83	73	72	61	49
Mean Lum/watt	97	87	80	75	66	64	55	44
Annual KWH use	1907	1205	1009	791	533	361	271	189

Metal Halide

Wattage	1000 W	400W	250W	175W	150W	100W	70W	50W	32W
Mounting Heights	>60'	>36'	>30'	>28'	>24'	>20'	>16'	>12'	>10'
Initial Lumens	110000	36000	20500	16600	13000	9000	5500	3500	2500
Mean Lumens	88000	28800	17000	10350	8700	6400	4000	2500	1900
Lamp Wattage	1000	400	250	175	150	100	70	50	32
Circuit Wattage	1070	456	295	215	184	115	88	62	43
Initial Lum/watt	103	79	69	77	71	78	63	56	58
Mean Lum/watt	82	63	58	48	47	56	45	40	44
Annual KWH use	4387	1870	1210	882	754	472	361	254	176

Adopted

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 949

COUNCILMAN DENSIESKI

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:	
001.010100.542100	TOWN BOARD, OFFICE EXPENSES		\$500.
			TO:
001.010100.524000	TOWN BOARD, EQUIPMENT		\$500.
		FROM:	
001.031250.512100	J.A.B., OVERTIME		\$2,000.
001.031250.512100	J.A.B., HOLIDAY PAY		1,500.
			TO:
001.031250.542112	J.A.B, PROGRAMS		\$3,500.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

TOWN OF RIVERHEAD

Resolution # 950

EXTENDING BID CONTRACT FOR RECYCLE CONTAINERS & LIDS

COUNCILMAN DENSIESKI

offered the following resolution,

which was seconded by

COUNCILWOMAN BLASS

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for RECYCLE CONTAINERS & LIDS and ;

WHEREAS, THE Purchasing Department has requested the contract with Emerald Island Supply Co., originally awarded under Resolution # 382 adopted April 20, 1999, be extended until March 3, 2003 and;

WHEREAS, the above named vendor has agreed to extend the contract until March 3, 2003 for the same price being \$12.42 for container & lid and;

WHEREAS, the Town Board has reviewed said request.

NOW THEREFORE BE IT

RESOLVED, that the contract for RECYCLE CONTAINERS & LIDS be, and hereby is, extended to March 3, 2003; and

RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Emerald Island Supply Company, the Sanitation Department 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

SEPTEMBER 3, 2002

1770
Adopted

TOWN OF RIVERHEAD

ADOPTS EARLY RETIREMENT INCENTIVE

RIVERHEAD WATER DISTRICT

RESOLUTION # 951

At the meeting of the Riverhead Town Board, the governing body of the Riverhead Water District held at the Riverhead Town Hall, Riverhead, New York on September 3, 2002, the following resolution is offered by COUNCILWOMAN BLASS

which was seconded by COUNCILMAN DENSIESKI.

BE IT RESOLVED, that the Riverhead Town Board, the governing body of the Riverhead Water District does hereby elect to provide the benefits of Part A of Chapter 69 of the Laws of 2002 commencing on December 1, 2002 for all eligible employees who retire with an effective date of retirement set during the thirty day period beginning with and immediately following the commencement date and who are otherwise eligible as specified by Part A of Chapter 69, Laws of 2002.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

SEPTEMBER 3, 2002

TOWN OF RIVERHEAD

1771
Adopted

ADOPTS EARLY RETIREMENT INCENTIVE

RIVERHEAD SEWER DISTRICT

RESOLUTION # 952

At the meeting of the Riverhead Town Board, the governing body of the Riverhead Sewer District held at the Riverhead Town Hall, Riverhead, New York on September 3, 2002, the following resolution is offered by COUNCILMAN LULL

which was seconded by COUNCILWOMAN SANDERS.

BE IT RESOLVED, that the Riverhead Town Board, the governing body of the Riverhead Sewer District does hereby elect to provide the benefits of Part A of Chapter 69 of the Laws of 2002 commencing on December 1, 2002 for all eligible employees who retire with an effective date of retirement set during the thirty day period beginning with and immediately following the commencement date and who are otherwise eligible as specified by Part A of Chapter 69, Laws of 2002.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

09/03/02

Town of Riverhead

Resolution # 953

AUTHORIZES MATCH FOR EMPIRE ZONE ADMINISTRATION

COUNCILMAN DENSIESKI offered the following resolution, which

COUNCILMAN LULL

was seconded by _____:

WHEREAS, a portion of the Calverton Enterprise Park is a designated Empire Zone pursuant to Article 18B of the General Municipal Law, as amended;

WHEREAS, implementation of the Empire Zone program requires certain actions by the applicant municipalities including provision of matching funds for the appropriated state funds; and

WHEREAS, for the state budget year 7/02 to 6/03, New York State will provide a grant in the amount of \$47,000; and

WHEREAS, Suffolk County as joint applicant for the zone, will provide \$23,000 toward the match.

WHEREAS, the New York State Department of Economic Development has requested the TB commitment to specify the \$24,000 match to be in kind services.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Board authorizes matching funds in the amount of \$24,000 in in kind services for administration of the Suffolk County Empire Zone at the Calverton Enterprise Park.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Director Andrea Lohneiss, Empire Zone Coordinator Tracy Stark and Financial Administrator Jack Hansen.

THE VOTE

Sanders <i>abstain</i> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Blass <i>abstain</i> <input 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 Declared Adopted

RESOLUTION # 954 ABSTRACT #34-02 AUGUST 22, 2002 (TBM 09/03/02)				
COUNCILMAN LULL		offered the following Resolution which was seconded by		
COUNCILWOMAN BLASS				
FUND NAME	CD HOME	CHECKRUN TOTALS	GRAND TOTALS	
GENERAL TOWN	001	\$ 866,307.43	\$	866,307.43
POLICE ATHLETIC LEAGUE	004	\$ -	\$	-
TEEN CENTER	005	\$ 243.00	\$	243.00
RECREATION PROGRAM	006	\$ 24,912.08	\$	24,912.08
SR NUTRITION SITE COUNCIL	007	\$ 850.00	\$	850.00
D.A.R.E. PROGRAM FUND	008	\$ -	\$	-
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$	-
AG-FEST COMMITTEE FUND	021	\$ -	\$	-
HUMAN SERVICES FUND	022	\$ -	\$	-
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$	-
SRS DAYCARE BUILDING FUND	027	\$ 2,650.41	\$	2,650.41
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$	-
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$	-
EDZ FUND	030	\$ 536.75	\$	536.75
HIGHWAY	111	\$ 104,013.49	\$	104,013.49
WATER	112	\$ 64,750.06	\$	64,750.06
REPAIR & MAINTENANCE	113	\$ -	\$	-
RIVERHEAD SEWER DISTRICT	114	\$ 40,806.78	\$	40,806.78
REFUSE & GARBAGE COLLECTION	115	\$ 154,795.05	\$	154,795.05
STREET LIGHTING	116	\$ 30,508.08	\$	30,508.08
PUBLIC PARKING	117	\$ 4,176.29	\$	4,176.29
BUSINESS IMPROVEMENT DISTRICT	118	\$ 1,125.82	\$	1,125.82
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$	-
AMBULANCE DISTRICT	120	\$ 3,934.00	\$	3,934.00
CALVERTON SEWER DISTRICT	124	\$ 6,816.13	\$	6,816.13
RIVERHEAD SCAV WASTE DISTRICT	128	\$ 27,386.91	\$	27,386.91
WORKER'S COMPENSATION FUND	173	\$ 537.90	\$	537.90
RISK RETENTION FUND	175	\$ 649.05	\$	649.05
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$	-
MAIN STREET REHAB PROGRAM	177	\$ -	\$	-
REVOLVING LOAN PROGRAM	178	\$ -	\$	-
RESIDENTIAL REHAB	179	\$ -	\$	-
DISCRETIONARY/SMALL CITIES	180	\$ -	\$	-
CDBG CONSORTIUM ACCOUNT	181	\$ 1,865.04	\$	1,865.04
URBAN DEVEL CORP WORKING	182	\$ -	\$	-
RESTORE	184	\$ -	\$	-
PUBLIC PARKING DEBT	381	\$ -	\$	-
SEWER DISTRICT DEBT	382	\$ -	\$	-
WATER DEBT	383	\$ -	\$	-
GENERAL FUND DEBT SERVICE	384	\$ -	\$	-
SCAVENGER WASTE DEBT	385	\$ -	\$	-
TOWN HALL CAPITAL PROJECTS	406	\$ 405,667.04	\$	405,667.04
EIGHT HUNDRED SERIES	408	\$ -	\$	-
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$	-
NUTRITION CAPITAL IMP	441	\$ -	\$	-
CHIPS	451	\$ -	\$	-
YOUTH SERVICES	452	\$ 2,624.98	\$	2,624.98
SENIORS HELPING SENIORS	453	\$ 1,534.29	\$	1,534.29
EISEP	454	\$ 1,277.42	\$	1,277.42
SCAVENGER WASTE CAP PROJ	470	\$ -	\$	-
MUNICIPAL FUEL FUND	625	\$ -	\$	-
MUNICIPAL GARAGE	626	\$ 14,310.51	\$	14,310.51
TRUST & AGENCY	735	\$ 840,258.16	\$	840,258.16
SPECIAL TRUST	736	\$ -	\$	-
COMMUNITY PRESERVATION FUND	737	\$ -	\$	-
CDA-CALVERTON	914	\$ 77,905.28	\$	77,905.28
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$	-
JOINT SCAVENGER WASTE	918	\$ -	\$	-
CENTRAL CLEARING ACCOUNT	999	\$ -	\$	-
TOTALS		\$ 2,680,440.75	\$	2,680,440.75

THE VOTE

Sanders Yes No Blank Yes No

Densiesht Yes No Lull Yes No

Kozabkiewicz Yes No

THE RESOLUTION WAS NOT ADOPTED

THEREUPON ADOPTED

RESOLUTION # 954 ABSTRACT #35-02 AUGUST 28, 2002 (TBM 09/03/02)				
COUNCILMAN LULL		offered the following Resolution which was seconded by		
COUNCILWOMAN BLASS				
FUND NAME		CD NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$	21,502.55	\$ 21,502.55
POLICE ATHLETIC LEAGUE	004	\$	2,648.93	\$ 2,648.93
TEEN CENTER	005	\$	1,353.23	\$ 1,353.23
RECREATION PROGRAM	006	\$		\$
SR NUTRITION SITE COUNCIL	007	\$		\$
D.A.R.E. PROGRAM FUND	008	\$		\$
CHILD CARE CENTER BUILDING FUND	009	\$		\$
AG-FEST COMMITTEE FUND	021	\$		\$
HUMAN SERVICES FUND	022	\$		\$
YOUTH COURT SCHOLARSHIP FUND	025	\$		\$
SRS DAYCARE BUILDING FUND	027	\$		\$
COMMUNITY P.E.T.S. SHELTER	028	\$		\$
ANIMAL SPAY & NEUTERING FUND	029	\$		\$
EDZ FUND	030	\$		\$
HIGHWAY	111	\$	91,918.05	\$ 91,918.05
WATER	112	\$	9,882.78	\$ 9,882.78
REPAIR & MAINTENANCE	113	\$		\$
RIVERHEAD SEWER DISTRICT	114	\$	9,995.38	\$ 9,995.38
REFUSE & GARBAGE COLLECTION	115	\$		\$
STREET LIGHTING	116	\$	18,749.06	\$ 18,749.06
PUBLIC PARKING	117	\$	298.71	\$ 298.71
BUSINESS IMPROVEMENT DISTRICT	118	\$	457.28	\$ 457.28
TOR URBAN DEV CORP TRUST ACCT	119	\$		\$
AMBULANCE DISTRICT	120	\$	167.75	\$ 167.75
CALVERTON SEWER DISTRICT	124	\$	7,207.81	\$ 7,207.81
RIVERHEAD SCAV WASTE DISTRICT	128	\$	17,496.35	\$ 17,496.35
WORKER'S COMPENSATION FUND	173	\$	1,482.70	\$ 1,482.70
RISK RETENTION FUND	175	\$	95.00	\$ 95.00
UNEMPLOYMENT INSURANCE FUND	176	\$		\$
MAIN STREET REHAB PROGRAM	177	\$		\$
REVOLVING LOAN PROGRAM	178	\$		\$
RESIDENTIAL REHAB	179	\$		\$
DISCRETIONARY/SMALL CITIES	180	\$		\$
CDBG CONSORTIUM ACCOUNT	181	\$	1,603.00	\$ 1,603.00
URBAN DEVEL CORP WORKING	182	\$		\$
RESTORE	184	\$		\$
PUBLIC PARKING DEBT	381	\$	7,276.53	\$ 7,276.53
SEWER DISTRICT DEBT	382	\$		\$
WATER DEBT	383	\$	129,118.48	\$ 129,118.48
GENERAL FUND DEBT SERVICE	384	\$	55,421.28	\$ 55,421.28
SCAVENGER WASTE DEBT	385	\$	8,644.98	\$ 8,644.98
TOWN HALL CAPITAL PROJECTS	406	\$	35,086.56	\$ 35,086.56
EIGHT HUNDRED SERIES	408	\$		\$
WATER IMPROVEMENT CAP PROJ	409	\$		\$
NUTRITION CAPITAL IMPS	441	\$		\$
CHIPS	451	\$		\$
YOUTH SERVICES	452	\$		\$
SENIORS HELPING SENIORS	453	\$		\$
EISEP	454	\$		\$
SCAVENGER WASTE CAP PROJ	470	\$		\$
MUNICIPAL FUEL FUND	625	\$	2,197.93	\$ 2,197.93
MUNICIPAL GARAGE	628	\$	7,097.04	\$ 7,097.04
TRUST & AGENCY	735	\$	3,594.38	\$ 3,594.38
SPECIAL TRUST	736	\$		\$
COMMUNITY PRESERVATION FUND	737	\$		\$
CDA-CALVERTON	914	\$		\$
COMMUNITY DEVELOPMENT AGENCY	915	\$		\$
JOINT SCAVENGER WASTE	918	\$	16,900.00	\$ 16,900.00
CENTRAL CLEARING ACCOUNT	999	\$		\$
TOTALS		\$	450,195.72	\$ 450,195.72

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

Adopted

Resolution # 955

**ADOPTS LOCAL LAW AMENDING A LOCAL LAW ENTITLED
"COMMUNITY PRESERVATION FUND" OF THE CODE OF THE TOWN
OF RIVERHEAD**

COUNCILMAN DENISE SO offered the following resolution, was seconded

by COUNCILWOMAN BLASS

WHEREAS, a public hearing was held on September 3, 2002 on a proposed local law amending Chapter 14 entitled "Community Preservation Fund" by the addition of Article IV entitled "Extension of Effective Date for the Peconic Bay Region Community Preservation Fund" and comments on the proposed Local Law were heard by the Town Board; and

WHEREAS, the Town Board has carefully considered the proposed extension of the effective date of the Peconic Bay Region Community Preservation Fund; and

WHEREAS, the Peconic Bay Region Community Preservation Fund provides a vital source of revenue for the acquisition development rights and open space in the Town of Riverhead.

NOW THEREFORE BE IT RESOLVED, RESOLVED that the adoption of Local Law Number 27 of 2002 to be an unlisted action pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared, and be it further

RESOLVED, that the local law amending Chapter 14 entitled "Community Preservation Fund" by the addition of Article IV entitled "Extension of Effective Date for the Peconic Bay Region Community Preservation Fund" shall be adopted subject to the filing of the local law with the Secretary of State and after the approval of the local law by mandatory referendum at the general election to be held on November 5, 2002 by an affirmative vote of the qualified electors of the Town of Riverhead; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in **Suffolk Life** 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 and the following proposition via overnight courier to the Board of Elections so that it is received by the Board of Elections by September 6, 2002

Proposition

“SHALL LOCAL LAW NO. 27 OF 2002, ENTITLED ‘A LOCAL LAW AMENDING LOCAL LAW NO. 14 OF 1998 IN RELATION TO EXTENDING THE EXPIRATION DATE OF THE TWO PERCENT (2%) REAL ESTATE TRANSFER TAX FROM DECEMBER 31, 2010 TO DECEMBER 31, 2020 IMPOSED IN CONNECTION WITH THE TOWN COMMUNITY PRESERVATION FUND’ BE APPROVED?”

and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Planning Department, Accounting Department, Assessors Office, Town Attorney and the Office of the Supervisor.

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 14 entitled "Community Preservation Fund" by the addition of Article IV entitled "Extension of Effective Date for the Peconic Bay Region Community Preservation Fund" of the Riverhead Town Code at a regularly scheduled meeting held on September 3, 2002 as follows:

LOCAL LAW NO. 27 OF 2002

A LOCAL LAW amending Chapter 14 entitled "Community Preservation Fund" by the addition of Article IV entitled "Extension of Effective Date for the Peconic Bay Region Community Preservation Fund."

BE IT ENACTED by the Town Board of the Town of Riverhead as follows:

LOCAL LAW NO. OF 2002

A LOCAL LAW amending Local Law No. 14 of 1998 in relation to extending the expiration date of the two percent (2%) real estate transfer tax imposed in connection with the Town Community Preservation Fund and providing for payments to qualified school, fire, fire protection and ambulance districts located within the central pine barrens area

**ARTICLE IV
EXTENSION OF EFFECTIVE DATE FOR THE
PECONIC BAY REGION COMMUNITY PRESERVATION FUND**

14-32. Legislative Findings.

The Town Board hereby finds that in 1998, the New York State Legislature adopted Chapter 114 of the Laws of 1998 which authorized Towns in the Peconic Bay Region to establish Community Preservation Funds for the purpose of preserving land for open space, farmland preservation, historic preservation, and parks and recreation purposes. The revenue for said fund was to be derived from a two percent (2%) real estate transfer tax. This Town Board, by Local Law No. 14 of 1998, did implement the provisions of Chapter 114 of the Laws of 1998. Said Local Law was approved by the electors of the Town in a mandatory referendum on November 3, 1998. Pursuant to the provisions of said Local Law, the Town Community Preservation Fund went into effect on April 1, 1999.

The Town Community Preservation Fund has been an unparalleled success in preserving land for parks and conservation purposes. From April 1, 1999 through May 2002, the Community Preservation Fund in the Peconic Bay Region Towns has generated \$99.28 million for land preservation. The result has been the acquisition of thousands of acres of land for the public benefit.

Authorization for the two percent (2%) real estate transfer tax will expire at the end of the year 2010. The State has enacted Chapter 250 of the Laws of 2002, which authorizes the Towns to extend the expiration date of the tax until December 31, 2020.

The Town Board finds that such an extension is critical to the continued success of the Town's land preservation goals. It is estimated that an additional ten (10) years of the program, at current rates of revenue generation will provide more than \$300 million in additional revenue for the Peconic Bay Towns for land preservation. Further, by utilizing the Town Community Preservation Fund program in conjunction with State Revolving Loan programs or other conservation strategies, the Town can buy more land now before it is lost to development and before values escalate further.

The additional ten (10) years will provide the necessary revenue stream to fund such preservation strategies. This Local Law implements the ten (10) year extension.

14-33. Extension of the Expiration Date of the Real Estate Transfer Tax.

Notwithstanding any other provision of law to the contrary, the real estate transfer tax imposed by Local Law No. 14 of 1998 originally set to expire on December 31, 2010 shall be extended to December 31, 2020 and shall expire and be deemed to be repealed after December 31, 2020.

14-34. Proposition.

Pursuant to Section 2 of Chapter 250 of the Laws of 2002, this Local Law is subject to mandatory referendum. The following proposition shall be submitted to the electors of the Town at the general election to be held on November 5, 2002:

“SHALL LOCAL LAW NO. 27 OF 2002, ENTITLED ‘A LOCAL LAW AMENDING LOCAL LAW NO. 14 OF 1998 IN RELATION TO EXTENDING THE EXPIRATION DATE OF THE TWO PERCENT (2%) REAL ESTATE TRANSFER TAX FROM DECEMBER 31, 2010 TO DECEMBER 31, 2020 IMPOSED IN CONNECTION WITH THE TOWN COMMUNITY PRESERVATION FUND’ BE APPROVED?”

14-35. Severability.

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

14-36. Effective Date.

This Local Law shall take effect after filing with the Secretary of State and after approval at the general election to be held on November 5, 2002 by the affirmative vote of the qualified electors of the Town upon the proposition set forth in Section 14-34 of this local law.

THE VOTE

Sanders	✓	Yes	___	No	Blass	✓	Yes	___	No
Danielski	✓	Yes	___	No	Lutz	✓	Yes	___	No
Kozakiewicz	✓	Yes	___	No					

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

Dated September 3, 2002

TOWN OF RIVERHEAD

Resolution # 956

**Appoints Member to the
Conservation Advisory Council**

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

WHEREAS, Conservation Advisory Committee chairman George Bartunek has requested that the Town Board appoint a new member to fill an open vacancy on the Conservation Advisory Committee; and

WHEREAS, Riverhead Town resident Dennis Cole has expressed an interest in serving on the Conservation Advisory Committee.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead do and hereby appoints Dennis Cole to the Riverhead Conservation Advisory Committee; 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 Conservation Advisory Council, George Bartunek and Dennis Cole.

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

09/03/02

TOWN OF RIVERHEAD

Resolution # 957

**AUTHORIZES TOWN CLERK TO POST AND PUBLISH
NOTICE TO BIDDERS FOR RESIDENTIAL SOLID WASTE
COLLECTION AND DISPOSAL SERVICES**

COUNCILWOMAN SANDERS offered the following

resolution, which was seconded by **COUNCILWOMAN BLASS**

RESOLVED, that the Town Clerk be and is authorized to publish and post the attached Notice to Bidders in the September 11, 2002 issue of the official town newspaper for the Residential Solid Waste Collection and Disposal Services.

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Frank Isler, Esq, Office of Accounting and John Reeve, Sanitation Superintendent.

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

RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL SERVICES
Riverhead Refuse and Garbage District
Commencing January 1, 2003

Sealed bids will be received until 4:00 P.M. on October 8, 2002, by the Town Clerk, 200 Howell Avenue, Riverhead, New York, 11901, for the collection, removal and disposal of solid waste from residential dwelling units in each of six (6) Contract Bid Area commencing January 1, 2003. The contracts will be bid in the alternative, one alternative will be for a contract period of five (5) years and the other alternative will be for a period of three (3) years. The bids will be publicly opened and read aloud by the Town Clerk in the meeting room in Town Hall immediately after 4:00 p.m. on October 8, 2002.

Bid packages may be obtained on or after September 11, 2002, at the Town Clerk's Office between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.

Each bid must be submitted on the forms furnished by the Town of Riverhead with the bid package. Each envelope containing a bid must be sealed and must clearly show the name and address of the bidder and the letter designation of the contract Bid Area which the bid applies and must state:

BID FOR COLLECTION AND DISPOSAL OF SOLID WASTE

Each bid must be accompanied by a certified check or bid bond conforming to the bid bond form set forth in the bid documents in a sum not less than Five per cent (5%) of the bid price for 2003 and payable to the "Town of Riverhead". Failure or refusal to execute the Contract and deliver the required performance security and insurance certificates, within twenty (20) days after award of contract, will result in forfeiture of the check or bid bond as liquidated damages for abandoning the Contract.

A separate bid and bid security must be submitted for each Contract Bid Area within the Riverhead Refuse and Garbage District. The bid package will be annexed to and made a part of the executed Contract.

The Town of Riverhead reserves the right to reject any or all bids, to waive irregularities and/or informalities in any bid, and to make an award in any manner consistent with law, deemed in the best interest of the Town, including limiting the number of Contract Bid Areas awarded to any one bidder.

Dated at: Riverhead, New York
September 3, 2002.

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