

**PUBLIC COMMENT ON ANY REGULAR TOWN BOARD
RESOLUTION LISTED BELOW:**

- Res. #895 Authorizes Town Clerk to Publish and Post Notice of Public Hearing to Consider the Adoption of the 2009 Preliminary Annual Budget for the Town of Riverhead
- Res. #896 General Fund Budget Adjustment
- Res. #897 Sewer District Howell Avenue Pump Station Reconstruction Budget Adoption
- Res. #898 South Road – Wading River Improvement Project Budget Adoption
- Res. #899 Veterans Memorial Grant Capital Improvement Project Budget Adoption
- Res. #900 Baiting Hollow Club Water Extension Capital Project Budget Adjustment
- Res. #901 Bus Shelter Improvement Project Budget Adoption
- Res. #902 135 Old River Road Chapter 54 Budget Adoption
- Res. #903 Appoints A Call-In Recreation Aide to the Riverhead Recreation Department (Kathleen Pantaleo)
- Res. #904 Appoints a Call-In Recreation Aide/Youth Sports to the Riverhead Recreation Department (Amanda Commins)
- Res. #905 Ratifies the Appointment of a Call-In Part Time Recreation Leader Level I to the Riverhead Recreation Department (Daniel Dunn)
- Res. #906 Promotion to Maintenance Mechanic IV in the Highway Department (Walter O’Kula)
- Res. #907 Promotion to Construction Equipment Operator in the Highway Department (Waverly Atkins)
- Res. #908 Promotion to Construction Equipment Operator in the Highway Department (Richard Bates)

- Res. #909 Appoints Members to the Agricultural Advisory Committee (Drank Beyrodt, Jr. & David McLarin)
- Res. #910 Amends Resolution #20
- Res. #911 Appoints Member to Suffolk County/Town of Riverhead Empire Zone Administrative Board (Robert Dick)
- Res. #912 Amendment to Grumman Memorial Park License Agreement to Permit Termination of the Agreement Effective October 31, 2008
- Res. #913 Approves Extension of Security Posted by Birchwood at Wading River, LLC in Connection with the Subdivision Entitled, "Birchwood at Wading River – Section 2" (Road and Drainage Improvements)
- Res. #914 Approves Extension of Security Posted by Birchwood at Wading River, LLC in Connection with the Subdivision Entitled, "Birchwood at Wading River – Section 3" (Road and Drainage Improvement)
- Res. #915 Approves Extension of Security Posted by Birchwood at Wading River, LLC in Connection with the Subdivision Entitled, "Birchwood at Wading River- Section 4" (Road and Drainage Improvements)
- Res. #916 Resolution Declaring Surplus Property Subject to Permissive Referendum
- Res. #917 Authorizes Town Clerk to Publish and Post Notice to Bidders for Sealed Bids for Junk/Abandoned Vehicles
- Res. #918 Authorizes Town Clerk to Advertise for Bids Installation of Water Mains at Baiting Hollow Club Subdivision
- Res. #919 Authorization to Publish Advertisement for Pickup & Removal of Yard Waste Debris for the Town of Riverhead
- Res. #920 Authorizes Budget Modification to the 2000 Community Development Block Grant Program

- Res. #921 Authorizes Publication of Notice to Amend CDBG Program
- Res. #922 Declares Surplus Vehicles for Auction
- Res. #923 Authorizes the Town Clerk to Publish and Post Notice of Auction of Abandoned and Surplus Vehicles and all Other Unclaimed Property Being Held by the Police Department
- Res. #924 Adopts a Local Law Amending Chapter 108 Entitled, “Zoning”, Article LI Entitled, “Industrial C (IC) Zoning Use District of the Riverhead Town Code
- Res. #925 Adopts a Local Law Amending Chapter 108 Entitled, “Zoning”, Article XXVI Entitled “Site Plan Review” of the Riverhead Town Code
- Res. #926 Adopts a Local Law Amending Chapter 101 Entitled, “Vehicles and Traffic” of the Riverhead Town Code
- Res. #927 Awards Bid for Signage
- Res. #928 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, “Zoning” of the Riverhead Town Code (§108-175. and §108-179. – Pine Barrens Overlay District)
- Res. #929 Authorizes Town Clerk to Post and Publish Public Notice for Public Hearing to Consider a Local Law Which Would Adopt a Map Designating Non-Disturbance Pursuant to the Pine Barrens Overlay District (Riverhead Town Code Article XXXV) for the Former Naval Weapons Industrial Reserve Plant (NWIRP) Now Known as Enterprise Park at Calverton (EPCAL)
- Res. #930 Authorizes the Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, “Zoning” of the Riverhead Town Code (Planned Recreational Park (PRP) District
- Res. #931 Declares November 15th as “Riverhead Recycles Day”
- Res. #932 Authorizes the Town of Riverhead to Secure Premises Known as 135 Old River Road, Manorville, New York, 11949, SCTM #0600-146.00-2-008.02, Pursuant to Riverhead Town Code Chapter 54

- Res. #933 Authorizes the Supervisor to Execute an Agreement with Sav Mor Mechanical, Inc. to Maintain Heating, Ventilation and Air Conditioning Systems at Riverhead Town Hall
- Res. #934 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Residence B-80 (RB-80) Zoning Use District)
- Res. #935 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Agriculture Protection (APZ) Zoning Use District)
- Res. #936 Grants Special Use Permit Petition of New York SMSA Limited Partnership D/B/A Verizon Wireless (Holiday Inn Express)
- Res. #937 Accepts Retirement and Resignation of Town Clerk
- Res. #938 Appoints Diane Wilhelm to Fill Vacancy in Position of Town Clerk for the Town of Riverhead
- Res. #939 Pays Bills

OCTOBER 21, 2008

Adopted

TOWN OF RIVERHEAD

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE 2009 PRELIMINARY ANNUAL BUDGET FOR THE TOWN OF RIVERHEAD

RESOLUTION # 895

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

BE IT RESOLVED, that the Town Clerk be, and is hereby, directed to publish the attached Public Notice in the October 30, 2008 issue of The News Review.

THE VOTE

Buckley yes no Wooten yes no
Dunleavy yes no Blass yes no
Cardinale yes no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that a Public Hearing will be held on the 5th day of November, 2008 at 2:00 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider the adoption of the 2009 Annual Budget for the Town of Riverhead, which shall include the following specific items:

ELECTED OFFICIALS' SALARIES

<u>Position</u>	<u>Proposed Salary</u>
Town Supervisor	\$115,147
Town Board Councilpersons (4)	\$47,598
Town Receiver of Taxes	\$69,598
Town Assessors (3)	\$72,386
Town Clerk	\$72,386
Town Justices (2)	\$73,012
Highway Superintendent	\$81,846

PLEASE TAKE FURTHER NOTICE, that a copy of the Preliminary Budget is available in the Office of the Town Clerk for inspection during normal business hours, Monday through Friday, 8:30 a.m. – 4:30 p.m.

DATED: Riverhead, New York
October 21, 2008

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

October 21, 2008

Adopted

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 896

COUNCILMAN DUNLEAVY offered the following resolution,

which was seconded by COUNCILMAN BUCKLEY.

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

		<u>FROM</u>	<u>TO</u>
001.031200.524190	Boats – Rescue	4,038	
001.031200.524912	Scuba Gear Equipment		4,038

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

Adopted

TOWN OF RIVERHEAD

SEWER DISTRICT

HOWELL AVENUE PUMP STATION RECONSTRUCTION

BUDGET ADOPTION

RESOLUTION # 897

COUNCILMAN BUCKLEY

offered the following resolution,

which was seconded by COUNCILMAN WOOTEN.

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

		<u>FROM</u>	<u>TO</u>
406.095710.494200.20028	Serial Bond Proceeds	3,525,000	
406.019400.521000.20028	Capital Outlay - Land		150,000
406.081300.523012.20028	Construction		2,700,000
406.081300.543504.20028	Professional Service - Engineering		655,000
406.081300.547900.20028	Contingency		20,000

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale yes no

Resolution was was not therefore adopted

October 21, 2008

Adopted

TOWN OF RIVERHEAD

SOUTH ROAD – WADING RIVER
IMPROVEMENT PROJECT

BUDGET ADOPTION

RESOLUTION # 898

COUNCILMAN WOOTEN 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 adoption:

		<u>FROM</u>	<u>TO</u>
451.053589.492500.45107	CHIPS	15,000	
451.051100.523008.45107	Drainage Construction		15,000

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

October 21, 2008

Adopted

TOWN OF RIVERHEAD
VETERANS MEMORIAL GRANT
CAPITAL IMPROVEMENT PROJECT

BUDGET ADOPTION

RESOLUTION # 899

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

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

		<u>FROM</u>	<u>TO</u>
406.075200.492000.40162	NYS Aid – Veterans Affairs Division	15,000	
406.075200.540000.541162.40162	Historical Restoration Construction		15,000

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

Adopted

October 21, 2008

TOWN OF RIVERHEAD

BAITING HOLLOW CLUB WATER EXTENSION
CAPITAL PROJECT

BUDGET ADJUSTMENT

RESOLUTION # 900

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

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

		<u>FROM</u>	<u>TO</u>
406.092705.421050.60181	Developer Fees	14,500	
406.083200.543501.60181	Professional Svc – Engineer		14,500

THE VOTE

Wooten Yes No Buckley Yes No

Dunleavy Yes No Blass Yes No

Cardinale Yes No

October 21, 2008

Adopted

TOWN OF RIVERHEAD

BUS SHELTER
Improvement Project

BUDGET ADOPTION

RESOLUTION # 901

COUNCILMAN BUCKLEY offered the following resolution,
which was seconded by COUNCILMAN WOOTEN.

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

	<u>FROM</u>	<u>TO</u>
406.092680.466000.70060 Insurance Recoveries	4,250	
406.051120.523033.70060 Bus Shelter Installation		4,250

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

OCTOBER 21, 2008

Adopted

TOWN OF RIVERHEAD

135 OLD RIVER ROAD
CHAPTER 54

BUDGET ADOPTION

RESOLUTION # 902

COUNCILMAN WOOTEN 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 adoption:

		<u>FROM</u>	<u>TO</u>
406.010010.411000.41067	Real Property Taxes	9,775	
406.086660.540000.41067	Contractual Expense		7,500
406.086660.549001.41067	Administrative Fee		2,275

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

10/21/08

TOWN OF RIVERHEAD

Adopted

Resolution # 903

**APPOINTS A CALL-IN RECREATION AIDE
TO THE RIVERHEAD RECREATION DEPARTMENT**

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

RESOLVED, that Kathleen Pantaleo is hereby appointed to serve as a Call-In Recreation Aide effective October 22, 2008 to serve as needed on an at-will basis and 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):

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, Kathleen Pantaleo, the Office of Accounting and the Personnel Officer.¹

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

¹ Rec. Kelly/ Res C/I rec aide Kathleen Pantaleo

10/21/08

Adopted

TOWN OF RIVERHEAD

Resolution # 904

APPOINTS A CALL-IN RECREATION AIDE/ YOUTH SPORTS TO THE RIVERHEAD RECREATION DEPARTMENT

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

RESOLVED, that Amanda Commins is hereby appointed to serve as a Call-In Recreation Aide/ Youth Sports Level I effective October 22, 2008, to serve as needed on an at-will basis and to be paid at the rate of \$7.50 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

THE VOTE

Buckley	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Wooten	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
			Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

¹ Rec.Kelly/ Res CI rec aide Amanda Commins

10/21/08

Adopted

TOWN OF RIVERHEAD

Resolution # 905

**RATIFIES THE APPOINTMENT OF
A CALL-IN PART TIME RECREATION LEADER LEVEL I
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILMAN BUCKLEY

_____ offered the following resolution,

which was seconded by _____

COUNCILMAN WOOTEN

RESOLVED, that Daniel Dunn is hereby appointed as a Call-In Part time Recreation Leader Level I effective, October 16, 2008 to serve as needed on an at will basis to be paid at the rate of \$12.00 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; and

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward a copy of this Resolution to Daniel Dunn.¹

THE VOTE

Buckley	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Wooten	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
			Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no

THE RESOLUTION WAS _____ WAS NOT
THEREFORE DULY ADOPTED

¹ Rec. Tom/ Resolution. P/T Rec Leader – Daniel Dunn

Adopted

TOWN OF RIVERHEAD

Resolution # 906

PROMOTION TO MAINTENANCE MECHANIC IV
IN THE HIGHWAY DEPARTMENT

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

WHEREAS, the Highway Superintendent has requested a promotion of a Construction Equipment Operator to the position of Maintenance Mechanic IV; and

WHEREAS, in accordance with the terms of the CSEA contract, the position was duly posted (Posting# 23).

NOW, THEREFORE, BE IT RESOLVED, that Walter O’Kula is hereby promoted to the position of Maintenance Mechanic IV effective October 27, 2008 as found on Group 12 Step 18 of the Operational and Technical Salary Schedule.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Walter O’Kula, the Highway Superintendent, the Accounting Office and the Personnel Officer.

The Vote

Dunleavy Yes No
Blass Yes No
Buckley Yes No
Wooten Yes No
Cardinale Yes No

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

Adopted

TOWN OF RIVERHEAD

Resolution # 907

PROMOTION TO CONSTRUCTION EQUIPMENT OPERATOR
IN THE HIGHWAY DEPARTMENT

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

WHEREAS, the Highway Superintendent has requested a promotion of a Heavy Equipment Operator to the position of Construction Equipment Operator; and

WHEREAS, in accordance with the terms of the CSEA contract, the position was duly posted (Posting# 22).

NOW, THEREFORE, BE IT RESOLVED, that Waverly Atkins is hereby promoted to the position of Construction Equipment Operator effective October 27, 2008 as found on Group 9 Step 11 of the Operational and Technical Salary Schedule.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Waverly Atkins, the Highway Superintendent, the Accounting Office and the Personnel Officer.

The Vote

Dunleavy	Yes	No	<input checked="" type="checkbox"/>	Buckley	Yes	No	<input checked="" type="checkbox"/>
Blass	Yes	No	<input checked="" type="checkbox"/>	Wooten	Yes	No	<input checked="" type="checkbox"/>
Cardinale	Yes	No	<input checked="" type="checkbox"/>				

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

Adopted

TOWN OF RIVERHEAD

Resolution # 908

PROMOTION TO CONSTRUCTION EQUIPMENT OPERATOR
IN THE HIGHWAY DEPARTMENT

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

WHEREAS, the Highway Superintendent has requested a promotion of a Heavy Equipment Operator to the position of Construction Equipment Operator; and

WHEREAS, in accordance with the terms of the CSEA contract, the position was duly posted (Posting# 22).

NOW, THEREFORE, BE IT RESOLVED, that Richard Bates is hereby promoted to the position of Construction Equipment Operator effective October 27, 2008 as found on Group 9 Step 10A of the Operational and Technical Salary Schedule.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Richard Bates, the Highway Superintendent, the Accounting Office and the Personnel Officer.

The Vote

Dunleavy Yes No
Buckley Yes No
Blass Yes No
Wooten Yes No
Cardinale Yes No

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

10/21/08

Adopted

TOWN OF RIVERHEAD

Resolution # 909

Appoints Members to the Agricultural Advisory Committee

COUNCILMAN BUCKLEY offered the following resolution, which was

Seconded by COUNCILMAN WOOTEN.

WHEREAS, pursuant to Advisory Committee guidelines adopted by the Riverhead Town Board, a vacancy exists on the Agricultural Advisory Committee; and

WHEREAS, it is desirable for each Advisory Committee to have adequate representation; and

WHEREAS, Frank Beyrodt, Jr. and David McLarin have expressed interest in serving as volunteers on the Agricultural Advisory Committee;

NOW THEREFORE BE IT RESOLVED that the Riverhead Town Board hereby appoints Frank Beyrodt, Jr. and David McLarin to the Agricultural Advisory Committee.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the members of the Agricultural Advisory Committee, Frank Beyrodt, Jr. and David McLarin.

Z: Trina

THE VOTE

Buckley	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Wooten	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no			

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

Adopted

October 21, 2008

TOWN OF RIVERHEAD

Resolution # 910

AMENDS Resolution #20

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

WHEREAS, Resolution #20 was adopted January 2, 2008 setting the salaries of Police Officers for 2008

WHEREAS, The Police Captain's salary was adopted at \$138,696.21

WHEREAS, the salary of the Police Captain should have been adopted at \$143,966.66, reflecting a 3.8% cost of living increase for the 2008 year.

THEREFORE, BE IT RESOLVED, that resolution #20 be amended to reflect the Captain's salary at \$143,966.66.

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

The Vote

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

THE RESOLUTION WAS ~~WAS NOT~~

THEREFORE DULY ADOPTED

October 21, 2008

Adopted

TOWN OF RIVERHEAD

Resolution # 911

**APPOINTS MEMBER TO SUFFOLK COUNTY/TOWN OF RIVERHEAD
EMPIRE ZONE ADMINISTRATIVE BOARD**

COUNCILWOMAN BLASS Offered the following
Resolution, which was seconded by **COUNCILMAN DUNLEAVY**

WHEREAS, the Town of Riverhead, by Resolution Number 805-1997, authorized submission of an application to the State of New York Empire State Development Corporation for designation of the Calverton Enterprise Park as an Economic Development Zone, now known as Development Zone; and

WHEREAS, on June 3, 1998, Governor George Pataki did announce the designation of new zones to include the Calverton Enterprise Park in the Town of Riverhead, Suffolk County; and

WHEREAS, the implementation of the Empire Zone requires certain actions by the municipality including the establishment of a Zone Administrative Board to be responsible for the operation of the zone and its programs; and

WHEREAS, the Zone Administrative Board must include a representative of a local business, organized labor, community group organization, financial institution, education institution, local utility provider and zone area residents, as well as the Town Supervisor, Community Development Agency Director, the Suffolk County Executive; and

WHEREAS, members of the Zone Administrative Board must be appointed as their terms expire or to fill a vacancy for the terms remaining;

WHEREAS, Thomas Kohlmann, the representative for the financial institution has requested a leave of absence; and

WHEREAS, it is the desire of the Town Board of the Town of Riverhead to appoint Mr. Robert Dick to fill the vacancy representing a financial institution until the return or resignation of Mr. Thomas Kohlmann; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Riverhead hereby accepts the temporary leave of absence of Thomas Kohlmann and appoints Robert Dick to fill the vacancy on the Suffolk County/Town of Riverhead Empire Zone Administrative Board to complete the remaining term or until reappointment or replaced by the Riverhead Town Board; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Nick Anastasi at the Office of Suffolk County Executive Steve Levy, Robert Dick, care of Suffolk County National Bank; Randy Coburn, care of Empire State Development, and Tracy Stark, the Empire Zone Coordinator.

THE VOTE

Dunleavy Yes No Blass Yes No

Buckley Yes No Wooten Yes No

Cardinale Yes No

The Resolution Was Was Not

TLS/EZ

10/21/08

TOWN OF RIVERHEAD

Adopted

Resolution # 912

AMENDMENT TO GRUMMAN MEMORIAL PARK LICENSE AGREEMENT TO PERMIT TERMINATION OF THE AGREEMENT EFFECTIVE OCTOBER 31, 2008

COUNCILMAN DUNLEAVY

offered the following resolution and was

seconded by **COUNCILMAN BUCKLEY** :

WHEREAS, the Town of Riverhead entered into a license agreement with East End Aircraft L.I. Corp., a domestic not-for-profit corporation, to establish a monument for permanent display of an F-14 aircraft and walk of honor as a memorial to the thousands of dedicated employees of Grumman Aerospace who worked and lived in the Riverhead Community; and

WHEREAS, East End Aircraft L.I. Corp. designed plans and specifications for the creation of the Grumman Memorial Park and designated funds to construct the site in accordance with said plans; and

WHEREAS, in furtherance of the monument the Town of Riverhead entered into lease agreements with the United States Navy for the lease of aircraft to be used at Grumman Memorial Park; and

WHEREAS, Joseph Van de Wetering devoted considerable time and effort to all aspects Grumman Memorial Park, including planning, design, improvement and public access to the park; and

WHEREAS, East End Aircraft L.I. Corp. has notified the Town of its intention to terminate the license agreement effective October 31, 2008, one year prior to termination provision set forth in the license agreement, and will not exercise the option to renew its license agreement and thus East End Aircraft L. I. Corp. will relinquish all responsibility for improvement, maintenance, and public access to Grumman Memorial Park to the Town of Riverhead, and

NOW, THEREFORE, BE IT RESOLVED that the Town Board, on behalf of thousands of dedicated employees of Grumman Aerospace who worked and lived in the Riverhead Community and members of the public who have visited the memorial, commends the efforts and dedication of all members of East End Aircraft L.I. Corp. for design, creation and maintenance of Grumman Memorial Park and praises the individual efforts of Joseph Van de Wetering, and the Town of Riverhead agrees to terminate the license agreement effective October 31, 2008 and assumes all responsibility for improvement, maintenance, and public access to Grumman Memorial Park, and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to execute an agreement amending the term of the license agreement to terminate said license agreement effective October 31, 2008.

RESOLVED that the Office of the Town Clerk be, and hereby is, directed to forward a copy of this Resolution to East End Aircraft L.I. Corp, 300 South River Road, Calverton, New York 11933, Joseph Van de Wetering, P.O. Box 766, Calverton, NY 11933, Department of Engineering, Accounting Department and the Office of the Town Attorney.

WOOTEN YES NO BUCKLEY YES NO

DUNLEAVY YES NO BLASS YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

LAW OFFICES
PETER S. DANOWSKI, JR.
616 ROANOKE AVENUE
~~P.O. BOX 1179~~
RIVERHEAD, NY 11901

(631) 727-4900
FAX (631) 727-7451

JOHN R. TAGGART, ESQ.

COPY

October 1, 2008

Dawn Thomas, Esq.
Riverhead Town Attorney's Office
200 Howell Ave.
Riverhead, NY 11901

Re: Agreement Between Town of Riverhead and East End Aircraft L.I. Corp.

Dear Dawn:

I enclose a proposed one page Amendment to the original agreement between East End Aircraft L.I. Corp. and the Town of Riverhead.

I have suggested to Mr. Van deWetering that he should spend out any funds for any improvements to the site prior to turning over the property. It would be the intent of the not-for-profit corporation, as indicated by Mr. Van deWetering, to dissolve the corporation by year's end. I didn't believe it was necessary to do anything in more detail, if there is a consensus on the Town Board to approve the amendment.

Very truly yours,



PETER S. DANOWSKI, JR.

PSD:gsg
Encl.

cc: Joseph Van deWetering

**AMENDED AGREEMENT
BETWEEN
EAST END AIRCRAFT L.I. CORP.
AND THE TOWN OF RIVERHEAD**

THIS AMENDED AGREEMENT, entered into this _____ day of
October, 2008 by and between EAST END AIRCRAFT L.I. CORP., a domestic not-for-
profit corporation duly organized under the laws of the State of New York, with its
principal office located at 300 South River Road, Calverton, NY 11933, hereinafter
referred to as "EAST END" and the TOWN OF RIVERHEAD, a municipal corporation,
with its principal offices located at 200 Howell Avenue, Riverhead, NY 11901,
hereinafter referred to as "TOWN".

WITNESSETH:

WHEREAS, EAST END and the TOWN, by mutual agreement, have agreed to
amend the expiration date of the within Agreement;

It is hereby agreed that Paragraph 14 of said Agreement is amended to indicate an
expiration date of October 31, 2008, rather than October 31, 2009.

EAST END AIRCRAFT L.I. CORP.

BY: _____
JOSEPH VAN DEWETERING

THE TOWN OF RIVERHEAD

BY: _____
PHILIP CARDINALE,
Supervisor

10/21/08

Adopted

TOWN OF RIVERHEAD

Resolution # 913

APPROVES EXTENSION OF SECURITY POSTED BY BIRCHWOOD AT WADING RIVER, LLC IN CONNECTION WITH THE SUBDIVISION ENTITLED, "BIRCHWOOD AT WADING RIVER - SECTION 2" (ROAD AND DRAINAGE IMPROVEMENTS)

COUNCILMAN BUCKLEY offered the following resolution, was seconded by COUNCILMAN WOOTEN :

WHEREAS, the Riverhead Town Board, by Resolution #45 adopted on January 7, 2003, did accept security in the amount of \$627,000.00 representing road and drainage improvements to be completed in the subdivision entitled, "Birchwood at Wading River – Section 2"; and

WHEREAS, by letter from Michael Van Buren of Birchwood at Wading River, LLC, it has been requested that an extension be granted for the security posted representing the road and drainage improvements to be completed within the subdivision; and

WHEREAS, pursuant to Planning Board Resolution #90, dated November 20, 2007, it has been determined that a final extension be granted to December 1, 2008.

WHEREAS, Water Key Money in the amount of \$100,000.00 and Park and Recreation Fees in the amount of \$120,000.00 have been paid.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby approves the extension of time for the security posted representing the road and drainage improvements to be completed within the subdivision for an additional two-year period as provided by Riverhead Town Code Chapter 108-97 A. (4); and be it further

RESOLVED, that the Town Board hereby accepts the \$2,000.00 fee associated with such extension approval; and be it further

RESOLVED, that this extension shall extend the security posted representing the road and drainage improvements to be completed within the subdivision for a one-year period to December 1, 2008 (extension should have been requested on December 1, 2006); and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Birchwood Park, 135 Pinelawn Road, Suite 230 South, Melville, New York, 11747; and copies to the Planning Board; the Planning Department; the Building Department and the Town Attorney's Office.

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

10/21/08

Adopted

TOWN OF RIVERHEAD

Resolution # 914

APPROVES EXTENSION OF SECURITY POSTED BY BIRCHWOOD AT WADING RIVER, LLC IN CONNECTION WITH THE SUBDIVISION ENTITLED, "BIRCHWOOD AT WADING RIVER - SECTION 3" (ROAD AND DRAINAGE IMPROVEMENTS)

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

WHEREAS, the Riverhead Town Board, by Resolution #136 adopted on February 18, 2004, did accept security in the amount of \$501,000.00 representing road and drainage improvements to be completed in the subdivision entitled, "Birchwood at Wading River – Section 3"; and

WHEREAS, by letter from Michael Van Buren of Birchwood at Wading River, LLC, it has been requested that an extension be granted for the security posted representing the road and drainage improvements to be completed within the subdivision; and

WHEREAS, pursuant to Planning Board Resolution #90, dated November 20, 2007, it has been determined that a final extension be granted to December 1, 2008.

WHEREAS, Water Key Money in the amount of \$72,500.00 and Park and Recreation Fees in the amount of \$87,000.00 have been paid.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby approves the extension of time for the security posted representing the road and drainage improvements to be completed within the subdivision for an additional two-year period as provided by Riverhead Town Code Chapter 108-97 A. (4); and be it further

RESOLVED, that the Town Board hereby accepts the \$2,000.00 fee associated with such extension approval; and be it further

RESOLVED, that this extension shall extend the security posted representing the road and drainage improvements to be completed within the subdivision for a one-year period to December 1, 2008 (extension should have been requested on December 1, 2006); and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Birchwood Park, 135 Pinelawn Road, Suite 230 South, Melville, New York, 11747; and copies to the Planning Board; the Planning Department; the Building Department and the Town Attorney's Office.

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

10/21/08

Adopted

TOWN OF RIVERHEAD

Resolution # 915

APPROVES EXTENSION OF SECURITY POSTED BY BIRCHWOOD AT WADING RIVER, LLC IN CONNECTION WITH THE SUBDIVISION ENTITLED, "BIRCHWOOD AT WADING RIVER - SECTION 4" (ROAD AND DRAINAGE IMPROVEMENTS)

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

WHEREAS, the Riverhead Town Board, by Resolution #135 adopted on February 18, 2004, did accept security in the amount of \$272,000.00 representing road and drainage improvements to be completed in the subdivision entitled, "Birchwood at Wading River – Section 4"; and

WHEREAS, by letter from Michael Van Buren of Birchwood at Wading River, LLC, it has been requested that an extension be granted for the security posted representing the road and drainage improvements to be completed within the subdivision; and

WHEREAS, pursuant to Planning Board Resolution #90, dated November 20, 2007, it has been determined that a final extension be granted to December 1, 2008.

WHEREAS, Water Key Money in the amount of \$55,000.00 and Park and Recreation Fees in the amount of \$66,000.00 have been paid.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby approves the extension of time for the security posted representing the road and drainage improvements to be completed within the subdivision for an additional two-year period as provided by Riverhead Town Code Chapter 108-97 A. (4); and be it further

RESOLVED, that the Town Board hereby accepts the \$2,000.00 fee associated with such extension approval; and be it further

RESOLVED, that this extension shall extend the security posted representing the road and drainage improvements to be completed within the subdivision for a one-year period to December 1, 2008 (extension should have been requested on December 1, 2006); and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Birchwood Park, 135 Pinelawn Road, Suite 230 South, Melville, New York, 11747; and copies to the Planning Board; the Planning Department; the Building Department and the Town Attorney's Office.

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

10/21/08

Adopted

Town of Riverhead

Resolution # 916

**RESOLUTION DECLARING SURPLUS PROPERTY SUBJECT TO PERMISSIVE
REFERENDUM**

COUNCILMAN DUNLEAVY

_____ offered the following resolution, was seconded
by **COUNCILMAN BUCKLEY** _____ :

WHEREAS, the County of Suffolk is desirous of transferring real property described as S.C.T.M. Nos. 0600-126.00-01.00-002.003, acquired through a tax default, to the Town of Riverhead for municipal parking purposes, in exchange for property described as the southern portion of Hallett Avenue and as more fully described in Exhibit A, to the County of Suffolk for parking purposes; and

WHEREAS, upon notice to all interested property owners of the Town of Riverhead's intention to discontinue and abandon said portion of Hallett Avenue, and no objections having been filed, the Town of Riverhead, by Resolution No. 250 adopted at the March 18, 2008 Town Board Meeting, discontinued and abandoned that portion of Hallett Avenue in order to accomplish the mutual transfer of properties for parking purposes,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Riverhead in regular session duly convened hereby declares the southern portion of Hallett Avenue to be surplus property, and be it further

RESOLVED that the Town of Riverhead is hereby authorized to transfer said surplus property to the County of Suffolk and is further authorized to accept the transfer of property owned by the County of Suffolk described on the Suffolk County Tax Map as District 0600, Section 126.00, Block 01.00, Lot 002.003 for municipal parking purposes, and be it further

RESOLVED that the Supervisor is hereby authorized to execute and deliver to the County of Suffolk a deed conveying said southern portion of Hallett Avenue for parking purposes, and be it further

RESOLVED that this resolution shall be subject to a permissive referendum as provided in Article 7 of the New York State Town Law, and that the Town Clerk is directed to publish notice hereof, and be it further

WOOTEN YES NO BUCKLEY YES NO

DUNLEAVY YES NO BLASS YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

SCHEDULE A

That piece or parcel of property located in the Town of Riverhead, Suffolk County, New York, bounded and described as follows:

BEGINNING at a point on the Easterly side of Hallett Avenue at the Northwest corner of the land of the County of Suffolk; said point also being southerly from the corner formed by the Easterly line of Hallett Avenue and the Southerly line of Lincoln Street by bearing and distance South 33 degrees 19 minutes 40 seconds East a distance of 249.64 to the above said point or place of beginning;

RUNNING THENCE from said point or place of beginning along the land this day of the County of Suffolk and thence along the land of the Metropolitan Transit Authority South 33 degrees 18 minutes 00 seconds East, a distance of 214.36 feet to a point; thence still along the land of the Metropolitan Transit Authority the following three courses and distances:

South 66 degrees 48 minutes 00 seconds West, a distance of 37.53 feet to a point;
Thence North 84 degrees 19 minutes 17 seconds West, a distance of 16.15 feet to a point;
Thence North 33 degrees 18 minutes 00 seconds West, a distance of 197.61 feet to a point;

THENCE across Hallett Avenue North 56 degrees 41 minutes 10 seconds East, a distance of 49.50 feet to the Northwest corner of the land of the County of Suffolk and the point or place of BEGINNING.

Said parcel containing 10,342 square feet or 0.2374 acre.

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

Please take notice that the Town Board of the Town of Riverhead adopted a resolution on October 21, 2008 declaring and authorizing the transfer of surplus property owned by the Town of Riverhead, described as the southern portion of Hallett Avenue, Riverhead, New York, and further authorized the Town of Riverhead to accept the transfer of property owned by the County of Suffolk described on the Suffolk County Tax Map as District 0600, Section 126.00, Block 01.00, Lot 002.003 for municipal parking purposes. The exchange of said properties shall be subject to permissive referendum.

Dated: Riverhead, New York
October 21, 2008

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

10/21/08

TOWN OF RIVERHEAD

RESOLUTION # 917

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO BIDDERS FOR SEALED BIDS FOR JUNK/ABANDONED VEHICLES

Councilperson BUCKLEY offered the following resolution which was seconded by Councilperson WOOTEN.

RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to advertise for sealed bids for junk/abandoned vehicles.

BE IT FURTHER RESOLVED, sealed bids are to be opened and read aloud publicly on November 12, 2008, at 11:00 a.m. A report of said bid opening will be made to the Town Board, by the Town Clerk, the morning following the opening of the bids.

BY ORDER OF THE RIVERHEAD TOWN BOARD,

Barbara Grattan, Town Clerk

Dated: October 21, 2008
Riverhead, New York

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

NOTICE TO BIDDERS

TAKE NOTICE, that sealed bids will be received from licensed junk dealers only, by the Town Clerk, Town of Riverhead, 200 Howell Avenue, Riverhead, New York, until 11:00 a.m. on November 12, 2008, for a per vehicle bid on junk/abandoned vehicles, in possession of the Town of Riverhead, pursuant to Section 1224 of the Vehicle and Traffic Law of the State of New York, at which time and place they will be publicly opened and read aloud.

A Certificate of Non-collusion must accompany each bid. The Town of Riverhead reserves the right to reject any and all bids.

Bidders are required to enclose a valid, current Dismantelers License with sealed bid.

Conditions and Specifications may be obtained from the Town Clerk's Office, Town of Riverhead, 200 Howell Avenue, Riverhead, New York.

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD,

BARBARA GRATTAN
TOWN CLERK

RIVERHEAD TOWN POLICE DEPARTMENT

JUNK/ABANDONED VEHICLE BID

GENERAL CONDITIONS & SPECIFICATIONS:

1. Such sealed bid will be to enter into a contract between the Town of Riverhead and the successful bidder to purchase vehicles identified by the Town of Riverhead as junk/abandoned vehicles, pursuant to Section 1224 of the N.Y.S. Vehicle and Traffic Law.
 - a. The Town of Riverhead estimates one hundred fifty (150) to two hundred fifty (250) vehicles during the term of the contract.
2. The bid will be a bid per vehicle, individually, for each of the junked or abandoned vehicles which the Police Department has deemed junk/abandoned, pursuant to the N.Y.S. Vehicle and Traffic Law, Section 1224. Each bidder must be a licensed N.Y.S. Vehicular Dismanteler or Scrap Processor registered and certified pursuant to applicable provisions of Article 16, N.Y.S. Vehicle & Traffic Law. Each bidder will enclose a copy of the current license with the sealed bid and be able to produce a current valid license, during the contract period, upon demand.
3. The contract period will be from January 1, 2009 to December 31, 2010. However, the bid award may be extended upon mutual agreement of both parties provided there is no change to the original bid award.
4. All vehicles bid upon will be valued at or under \$1,250.00, as determined by the Riverhead Town Police Department, pursuant to Section 1224 of the N.Y.S. Vehicle and Traffic Law.
5. The successful bidder for the period 2009 – 2010 will meet the following conditions:
 - a. ~~Upon notification, the successful bidder will pick up, tow away, or cause to be removed and take possession of~~ vehicles designated and identified as junk/abandoned by the Police Department.
 1. Such notification and notice will be for lots of no less than three vehicles.

GENERAL CONDITIONS & SPECIFICATIONS:

Page 2

- b. At the time of such removal, the successful bidder will be required to present a certified check in full payment for those vehicles purchased, made payable to the Town of Riverhead.
- c. The successful bidder must agree to take the vehicles in an "as is" condition, as set by the Police Department.
- d. The successful bidder must agree to remove said vehicles within 72 hours of notification by the Police Department of the Town of Riverhead.
- e. The successful bidder must agree to the removal of said vehicles during normal business hours; i.e., Monday through Friday, 8:00 a.m. to 3:30 p.m.
- f. All necessary paperwork must be completed prior to removal of any vehicle or vehicles.

TOWN OF RIVERHEAD
200 HOWELL AVENUE
RIVERHEAD, NEW YORK 11901

The bid on individual Junk/Abandoned Vehicles as set forth on a list provided by the Town of Riverhead is:

\$ _____ each
_____ Dollars each

I/We fully understand that this bid is subject to the provisions of Section 103-A and 103-B of the General Municipal Law.

Date

Dealer/Agent

Address

City State Zip

The bid must be sealed and marked "Bid on Junk/Abandoned Vehicles" and delivered to the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, no later than 11:00 a.m. on November 12, 2008.

**TOWN OF RIVERHEAD
TOWN HALL
200 HOWELL AVENUE
RIVERHEAD, NEW YORK 11901**

CERTIFICATE OF NON-COLLUSION

STATE OF NEW YORK)
COUNTY OF SUFFOLK) ss:
TOWN OF RIVERHEAD)

_____ being duly sworn, deposes and says:

1. This bid or proposal has been independently arrived at without collusion with any other bidder or with any competitor or potential competitor;
2. This bid or proposal has not been knowingly disclosed, prior to the opening of bids or proposals for this project, to any other bidder, competitor, or potential competitor;
3. No attempt has been or will be made to induce any other person, partnership, or corporation to submit or not to submit a bid or proposal;
4. The person signing this bid or proposal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties of perjury, affirms the truth thereof, such penalties being applicable to the bidder as well as to the person signing on behalf of the bidder.
5. That attached hereto (if a corporate bidder) is a certified copy of a resolution authorizing the execution of this certificate by the signatory of this bid or proposal on behalf of the corporate bidder.

BY: _____

Sworn to before me this _____

day of _____, 200_____

10/21/08

Adopted

**AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS
INSTALLATION OF WATER MAINS AT
BAITING HOLLOW CLUB SUBDIVISION**

Adopted _____

Resolution # 918

Councilperson WOOTEN offered the following resolution
which was seconded by Councilperson BLASS,

RESOLVED, that the Town Clerk be and is hereby authorized to publish and
post the attached Notice to Bidders in the October 30, 2008, edition of The News
Review, with regard to receiving bids on Monday, November 10, 2008 for the
installation of water mains at Baiting Hollow Club Subdivision of the Riverhead
Water District, and be it further

RESOLVED, that the Town Clerk shall forward certified copies of this
resolution to Gary Pendzick, Wm. Rothaar, Dennis Kelleher, P.E. of H2M, and
Frank Isler, Esq.

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

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

NOTICE TO BIDDERS

The Town Board of Riverhead will receive bids for the “*Installation of Water Mains and Appurtenances*” for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, until **11:00 A.M.**, on **Monday, November 10, 2008**, at which time and place all bids will be publicly opened and read aloud for:

PROJECT NO.: RDWD 07-52,
Installation of Water Mains & Appurtenances
Baiting Hollow Club
Riverhead Town No.: 60181

Plans and specifications may be examined and obtained on or after *October 30, 2008* at the Office of the Town Clerk between the hours of 8:30 A.M. and 4:30 P.M. weekdays, except holidays or by visiting the Town of Riverhead website: www.riverheadli.com and click on “Bid Requests”.

Each proposal must be accompanied by a bid bond in the amount of five percent (5%) of the total bid, or a certified check made payable to the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

The right is reserved to reject any or all bids, to waive any informality, and to accept the lowest responsible bid.

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

ACTING AS THE GOVERNING BODY
OF THE RIVERHEAD WATER
DISTRICT

BARBARA GRATTAN, TOWN CLERK

DATED: October 30, 2008

October 21, 2008

Adopted

TOWN OF RIVERHEAD

Resolution # 919

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR PICKUP & REMOVAL OF YARD WASTE DEBRIS FOR THE TOWN OF RIVERHEAD

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN DUNLEAVY

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for proposals of PICKUP & REMOVAL OF YARD WASTE DEBRIS FOR THE TOWN OF RIVERHEAD and;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the OCTOBER 30, 2008 issue of the News Review and;

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the Purchasing Department.

THE VOTE

Buckley <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Wooten <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Dunleavy <input type="checkbox"/> Yes <input type="checkbox"/> No	Blass <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Cardinale <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

NOTICE TO BIDDERS

Sealed bids for the **PICKUP AND REMOVAL OF YARD WASTE DEBRIS FROM YOUNGS AVENUE YARD WASTE COLLECTION FACILITY** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00a.m. on NOVEMBER 7, 2008.**

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

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

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BIDS FOR PICKUP AND REMOVAL OF YARD WASTE DEBRIS.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

October 21, 2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 920

**AUTHORIZES BUDGET MODIFICATION TO THE
2000 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

COUNCILMAN DUNLEAVY

_____ offered the following resolution, which was

seconded by **COUNCILMAN BUCKLEY**
_____.

WHEREAS, the Town Board authorized publication of Public Notice with a 30-day comment period of a proposed budget modification to the 2000 Community Development Block Grant ("CDBG") program providing that \$8,238.89 in funds for Downtown Pedestrian Safety Improvement from the 2005 CDBG budget be used instead for the 2000 CDBG Milbrook Gables Clearance budget towards demolition for Town of Riverhead affordable home construction on Woodcrest Avenue; and

WHEREAS, such Public Notice was published in the official paper and no public comments were submitted during the 30-day comment period; and

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby authorizes a budget modification to the 2000 CDBG program providing that \$8,238.89 in funds for Downtown Pedestrian Safety Improvement from the 2005 CDBG budget be used instead for the 2000 CDBG Milbrook Gables Clearance budget towards demolition for Town of Riverhead affordable home construction on Woodcrest Avenue.

BE IT FURTHER RESOLVED, that the Town Clerk shall provide notification of this resolution to Joeseeph Sanseverino, Director Suffolk County Community Development, the CDD Director and the Accounting Department.

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

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

October 21, 2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 921

Authorizes Publication of Notice to Amend CDBG Program

COUNCILMAN BUCKLEY

_____ offered the following resolution,

which was seconded by _____

COUNCILMAN WOOTEN

WHEREAS, the Town of Riverhead desires to amend its FY2000 & FY 2005 Community Development Block Grant ("CDBG") Program; and

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

THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby authorized to publish the attached notice in the News Review on Thursday, October 30, 2008, and

BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Joseph Sanseverino, Director, Suffolk County Community Development and notification of this resolution to the Community Development Department and the Accounting Department.

THE VOTE

Blass Yes No

Wooten Yes No

Dunleavy Yes No

Buckley Yes No

Cardinale Yes No

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

**PUBLIC NOTICE
AMENDMENT TO TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

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

<u>Year 2005</u>	<u>Current</u>	<u>Proposed Change</u>	<u>Amended Budget</u>
Downtown Pedestrian Safety Improvement	\$4,376.04	-\$668.00)	\$3,708.04
<u>Year 2000</u>	<u>Current</u>	<u>Proposed Change</u>	<u>Amended Budget</u>
Milbrook Gables Clearance	\$33,676.00	+\$668.00	\$34,344.00

Interested citizens may submit comments on or before Friday, November 29th, 2008 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 December 2, 2008 Board Meeting to be held at 2:00 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, NY 11901.

Dated: October 30, 2008

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

BARBARA GRATTAN, TOWN CLERK

Adopted

October 21, 2008

STATUS _____

TOWN OF RIVERHEAD

DECLARES SURPLUS VEHICLES FOR AUCTION

RESOLUTION # 922

~~COUNCILMAN WOOTEN~~ offered the following resolution, which was seconded by

~~COUNCILWOMAN BLASS~~

WHEREAS, Town of Riverhead surplus vehicles have been salvaged for parts and are no longer usable; and

WHEREAS, it is the recommendation of the Police Department that these vehicles have no residual value and should be auctioned. The Police Department hereby requests that the Town Board excess these surplus vehicles so that they may be removed from the records.

NOW, THEREFORE BE IT

RESOLVED, that the following vehicles are hereby declared excess surplus and that they are to be disposed of at public auction on December 6, 2008.

TV-01	1995	Ford	Crown Victoria	2FALP71W5SX196323	White
TV-02	2001	Ford	Crown Victoria	2FAFP71W31X196395	White
TV-03	2004	Ford	Crown Victoria	2FAHP71W44X100318	White
TV-04	2004	Ford	Crown Victoria	2FAHP71WX4X100114	White
TV-05	2005	Ford	Crown Victoria	2FAHP71W55X126752	White
TV-06	2003	Ford	Crown Victoria	2FAFP71W53X118235	White
TV-07	1996	Ford Bus	E350 6900G	1FDJE30H5THB59904	White
TV-08	1996	Ford	E350	1FDJE30H7THB59905	White
TV-09	1994	Chevrolet	K3500	AGCHK34KXRE258651	White
TV-10	1995	GMC Packer	C6H042	1GDE6H1J8Sj515704	White
TV-11	1985	Ford	F900	1FDYL90N6FVA19489	White
TV-12	1984	Dodge	Caravan	2B4FK21C2ER183548	White
TV-13	1988	Ford	Utility	1FDYD80UXJVA37226	White

THE VOTE

WOOTEN YES NO BUCKLEY YES NO

DUNLEAVY YES NO BLASS YES NO

CARDINALE YES NO

THIS RESOLUTION WAS IS NOT
DECLARED DULY ADOPTED

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST NOTICE OF AUCTION OF ABANDONED AND SURPLUS VEHICLES AND ALL OTHER UNCLAIMED PROPERTY BEING HELD BY THE POLICE DEPARTMENT

RESOLUTION # 923

COUNCILWOMAN BLASS

offered the following resolution which was seconded by

COUNCILMAN DUNLEAVY

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Public Notice of Abandoned Vehicles to be sold at Public Auction, pursuant to Section 1224 of the Vehicle and Traffic Law of the State of New York, once in the October 30, 2008 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the notice to be posted on the sign board of the Town; and be it further

RESOLVED, that any and all other unclaimed property being held by the Police Department will also be available for public auction on December 6, 2008; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Police Chief David Hegermiller, the Municipal Garage, and the office of Accounting.

PLEASE TAKE NOTICE, that a public auction will be held on December 6, 2008 at 9:00 a.m. to be held at the Riverhead Town Impound Area, located on Route 58 in the Town of Riverhead as follows:

ABANDONED

AV-01	6015970	2004	Pontiac	Grand Prix	2G2WP522741286278	Black
AV-02	7004179	2001	Dodge	Ram 1500 Pickup	1B7HC16YXIS150877	Red
AV-03	70091456	2000	Mitsubishi	Galant	4A3AA46G1YE131236	Tan
AV-04	7016099	2000	Suzuki	Quad LH80	LM4AC11A3Y1105007	Yellow
AV-05	2019831	1990	Scooter	49CC GT	4024835	Red
AV-06	7019831/ 7019847	1997	Honda	Dirt Bike CR250	JH2ME0307VM903221	Wh/Blk
AV-07	8005628	1990	Boat 15'	Bow Rider	3262008	Red
AV-08	8006981	1990	23' Camper	Trailer Fleetwood	4142008	White
AV-09	8008996	1994	Kawasaki	Dirt Bike	JKADXNE16RA029256	Green
AV-10	8009758	2005	Dream	Dirt Bike	L4BPCHDJ252008393	Red
AV-11	8011288	2000	Honda	Quad	478T51206Y4015346	Yw/Blk
AV-12	8012693	1998	Suzuki	Dirt Bike	JSIDC13AXW2101346	White
AV-13	8013159	1980	Larson 17'	All American 170	LAR32333H192	White
AV-14	8015776	1970	18' Boat	Low Rider	---	Wh/Rd

SURPLUS

TV-01	1995	Ford	Crown Victoria	2FALP71W5SX196323	White
TV-02	2001	Ford	Crown Victoria	2FAFP71W31X196395	White
TV-03	2004	Ford	Crown Victoria	2FAHP71W44X100318	White
TV-04	2004	Ford	Crown Victoria	2FAHP71WX4X100114	White
TV-05	2005	Ford	Crown Victoria	2FAHP71W55X126752	White
TV-06	2003	Ford	Crown Victoria	2FAFP71W53X118235	White
TV-07	1996	Ford Bus	35C	1FDJE30H5THB59904	White
TV-08	1996	Ford	35C	1FDJE30H7THB59905	White
TV-09	1994	Chevrolet	K3500	AGCHK34KXRE258651	White
TV-10	1995	GMC Packer	C6H	1GDE6H1J8SJ515704	White
TV-11	1985	Ford	F900	1FDYL90N6FVA19489	White
TV-12	1984	Dodge	Caravan	2B4FK21C2ER183548	White
TV-13	1988	Ford	Utility	1FDYD80UXJVA37226	White

Vehicles may be inspected, prior to the auction, on December 5, 2008 between the hours of 9:00 a.m. to 2:00 p.m.

PLEASE TAKE NOTICE, that any and all other unclaimed property being held by the Police Department will also be available for public auction on December 6, 2008 at 9:00 a.m. to be held at the Riverhead Town Impound Area, located on Route 58 in the Town of Riverhead as follows:

ABANDONED

AV-01	6015970	2004	Pontiac	Grand Prix	2G2WP522741286278	Black
AV-02	7004179	2001	Dodge	Ram 1500 Pickup	1B7HC16YX1S150877	Red
AV-03	70091456	2000	Mitsubishi	Galant	4A3AA46GIYE131236	Tan
AV-04	7016099	2000	Suzuki	Quad LH80	LM4AC1A3Y1105007	Yellow
AV-05	2019831	1990	Scooter	49CC GT	4024835	Red
AV-06	7019831/ 7019847	1997	Honda	Dirt Bike CR250	JH2ME0307VM903221	Wh/Blk
AV-07	8005628	1990	Boat 15'	Bow Rider	3262008	Red
AV-08	8006981	1990	23' Camper	Trailer Fleetwood	4142008	White
AV-09	8008996	1994	Kawasaki	Dirt Bike	JKADXNE16RA029256	Green
AV-10	8009758	2005	Dream	Dirt Bike	L4BPCHDJ252008393	Red
AV-11	8011288	2000	Honda	Quad	478T51206Y4015346	Yw/Blk
AV-12	8012693	1998	Suzuki	Dirt Bike	JS1DC13AXW2101346	White
AV-13	8013159	1980	Larson 17'	All American 170	LAR32333H192	White
AV-14	8015776	1970	18' Boat	Low Rider	---	Wh/Rd

SURPLUS

TV-01	1995	Ford	Crown Victoria	2FALP71W5SX196323	White
TV-02	2001	Ford	Crown Victoria	2FAFP71W31X196395	White
TV-03	2004	Ford	Crown Victoria	2FAHP71W44X100318	White
TV-04	2004	Ford	Crown Victoria	2FAHP71WX4X100114	White
TV-05	2005	Ford	Crown Victoria	2FAHP71W55X126752	White
TV-06	2003	Ford	Crown Victoria	2FAFP71W53X118235	White
TV-07	1996	Ford Bus	35C	1FDJE30H5THB59904	White
TV-08	1996	Ford	35C	1FDJE30H7THB59905	White
TV-09	1994	Chevrolet	K3500	AGCHK34KXRE258651	White
TV-10	1995	GMC Packer	C6H	1GDE6H1J8SJ515704	White
TV-11	1985	Ford	F900	1FDYL90N6FVA19489	White
TV-12	1984	Dodge	Caravan	2B4FK21C2ER183548	White
TV-13	1988	Ford	Utility	1FDYD80UXJVA37226	White

Vehicles may be inspected, prior to the auction, on December 5, 2008 between the hours of 9:00 a.m. to 2:00 p.m.

DATED: Riverhead, New York
October 21, 2008

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

THE VOTE

WOOTEN YES NO BUCKLEY YES NO

DUNLEAVY YES NO BLASS YES NO

CARDINALE YES NO

THIS RESOLUTION WAS IS NOT
DECLARED DULY ADOPTED

Adopted

10/21/08

TOWN OF RIVERHEAD

Resolution # 924

ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING", ARTICLE LI ENTITLED "INDUSTRIAL C (IC) ZONING USE DISTRICT OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 108 entitled "Zoning", Article LI entitled "Industrial C (IC) Zoning Use District", Section 108-278 entitled "Uses", of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the on the 7th day of October, 2008 at 2:10 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 108 entitled "Zoning", Article LI entitled "Industrial C (IC) Zoning Use District", Section 108-278 entitled "Uses", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

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

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law amending, Chapter 108 entitled "Zoning", Article LI entitled "Industrial C (IC) Zoning Use District", Section 108-278 entitled "Uses", of the Riverhead Town Code at its regular meeting held on October 21, 2008. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**Chapter 108
Zoning**

**ARTICLE LI
Industrial C (IC) Zoning Use District**

§ 108-278. Uses.

In the IC Zoning Use District, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

A. Permitted uses:

- (1) Offices.
- (2) Warehouses.
- (3) Greenhouses.
- (4) Wholesale businesses.
- (5) Laboratories, including prototype manufacturing.
- (6) Vocational schools.
- (7) Golf courses.
- (8) Parks and playgrounds.
- (9) Equestrian facilities.
- (10) Commercial sports and recreation facilities.
- (11) Dog and horse training and boarding facilities.

B. Special Permit Uses:

- (1) Outdoor theaters (including bandshell, bandstand, amphitheater).
- (2) Sports arena.
- (3) Motor coach terminal.
- (4) Agricultural production upon real property seven (7) acres or greater lying within Scenic River Areas defined pursuant to the Order of the Commissioner of the New York State Department of Environmental Conservation dated September 18, 1990.

- (5) Dwelling, one family upon real property of four (4) acres or greater within Scenic River Areas defined pursuant to the Order of the Commissioner of the New York State Department of Environmental Conservation dated September 18, 1990.

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

- (1) Cafeteria for an office or other building, when contained within the building or ancillary structure on the same parcel, for the purpose of serving employees and their guests.
- (2) Retail uses, as accessory to wholesale business, subject to the following limitations:
 - (a) Retail use shall not exceed 10% of the gross floor area of the wholesale business or 3,000 square feet, whichever is less.
 - (b) The parcel shall have frontage on an arterial road.
 - (c) Retail uses shall be located at front of parcel and building.
 - (d) Off-street visitor parking shall be provided.
- (3) Day care, as accessory to an office use.
- (4) Outdoor recreation facilities, as accessory to an office use.
- (5) The sale at retail of homegrown or homemade products upon agriculturally used land provided that all retail uses shall be subject to site plan approval pursuant to Article XXVI of the Riverhead Town Code and the provisions of Chapter 108. The farmer may sell supporting farm products and farm products not grown by the farmer, provided that the area to the sale of said products at no time exceeds 40% of the total merchandising area.

*Underline represents addition(s)

Dated: Riverhead, New York
October 21 2008

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

10/21/08

TOWN OF RIVERHEAD

Resolution # 925

ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING", ARTICLE XXVI ENTITLED "SITE PLAN REVIEW" OF THE RIVERHEAD TOWN CODE

COUNCILMAN BUCKLEY offered the following resolution, was seconded by COUNCILMAN WOOTEN:

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 108 entitled "Zoning", Article XXVI entitled "Site Plan Review", Section 108-130 entitled "Review and approval required", of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the on the 7th day of October, 2008 at 2:25 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 108 entitled "Zoning", Article XXVI entitled "Site Plan Review", Section 108-130 entitled "Review and approval required", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

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

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law amending, Chapter 108 entitled "Zoning", Article XXVI entitled "Site Plan Review", Section 108-130 entitled "Review and approval required", of the Riverhead Town Code at its regular meeting held on October 21, 2008. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**CHAPTER 108
ZONING
ARTICLE XXVI
Site Plan Review**

§108-130 Review and approval required.

The following shall be subject to site plan review and require site plan approval by the Planning Board:

B. All other districts.

- (1) Any grading, clearing, cutting and filling, excavating or tree removal associated therewith.
- (2) (Reserved)
- (3) Any conversion, alteration, addition or repair of an existing land use or structure which requires a building permit and:
 - (a) Will effect a change to the exterior of the affected structure(s); or
 - (b) Will effect a change to the area of the site, including but not limited to parking, loading, paving, access and drainage.
- (4) Except as otherwise provided, site plan review and approval shall specifically not be required for:
 - (a) Single-family residential and uses accessory thereto;
 - (b) Agriculture and uses accessory thereto; however, permanent greenhouses to be used for retail sales will require site plan review and approval;
 - (c) Any grading, clearing, cutting and filling, excavating or tree removal associated therewith, necessary to single-family residence construction commenced upon issuance of a building permit for said construction;
 - (d) Any use permit issued pursuant to the requirements of § 108-73 of this chapter; or
 - (e) Signs;
 - (f) ~~In-kind~~ De minimis alterations as determined by the Planning Department and the Building Department. De minimis shall be limited to the carrying out for the maintenance, improvement or other alteration of any building which does not materially affect the external appearance of the building or site, i.e. replacement of doors, windows and the like.

(g) Existing commercial buildings with floor areas of no greater than 4,000 square feet shall not require formal site plan review by the appropriate board. However, such commercial buildings shall be subject to informal review by the Planning Department and shall be required to comply with all statutory provisions set forth in this article, including but not limited to parking, landscaping, handicapped access and lighting. The informal site plan review fee shall be charged at a rate of 50% of the site plan review fee charged pursuant to § 108-131B(3) of the Town of Riverhead Zoning Ordinance. Upon a determination of compliance by the Planning Department as set forth herein and transmitted to the Planning Board in writing, the Planning Board shall adopt a resolution approving the application.

[1] Statutory authority/supersession. Subsection B(4)(g) is adopted pursuant to Municipal Home Rule and the State Environmental Quality Review Act and its implementing regulations. It expressly supersedes any provisions of the Town Code of the Town of Riverhead and §§ 267, 267-a, 267-b, 267-c, 274-a, 274-b and 276 of the Town Law of the State of New York. In particular, Subsection B(4)(g) shall supersede and suspend those provisions of the Town Code and New York State law which require the Planning Board to accept, process and approve site plan applications within certain statutory periods. In addition, Subsection B(4)(g) shall supersede and suspend those provisions of the Town Code of the Town of Riverhead as well as the Town Law of the State of New York which require the Town Board to accept, process and approve site plans.

*Underline represents addition(s)

*Strikethrough represents deletion(s)

Dated: Riverhead, New York
October 21, 2008

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

10/21/08

TOWN OF RIVERHEAD

Resolution # 926

ADOPTS A LOCAL LAW AMENDING CHAPTER 101 ENTITLED "VEHICLES AND TRAFFIC" OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 101 entitled "Vehicles and Traffic", Article III entitled "Traffic Regulations", of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the on the 7th day of October, 2008 at 2:30 o'clock p.m. at Riverhead 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 101 entitled "Vehicles and Traffic", Article III entitled "Traffic Regulations", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

Buckley	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Wooten	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no			

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law amending, Chapter 101 entitled "Vehicles and Traffic", Article III entitled "Traffic Regulations", of the Riverhead Town Code at its regular meeting held on October 21, 2008. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

CHAPTER 101
VEHICLES AND TRAFFIC
ARTICLE III
Traffic Regulations

§ 101-3 Stop and yield intersections; railroad crossings; parking fields.

A. Stop intersections. The following intersections are designated as stop intersections, and stop signs shall be erected at such intersections as follows:

Intersection	Stop Sign on	Entrance From
Sound Road	Creek Road	East and West <u>North</u>

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

*Underline represents addition(s)

Dated: Riverhead, New York
October 21 2008

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

OCTOBER 21, 2008

TOWN OF RIVERHEAD

Resolution # 927

AWARDS BID FOR SIGNAGE

_____ COUNCILWOMAN BLASS
offered the following resolution, _____

which was seconded by _____ COUNCILMAN DUNLEAVY

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

WHEREAS, 2 bids were received and opened at 11:00 am on October 2, 2008, 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 SIGNAGE for the Town of Riverhead be and hereby is, awarded to WEDEL SIGNS & DENYS DESIGNS for prices on the attached sheets;

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby is authorized to forward a certified copy of this resolution to WEDEL SIGNS, DENYS DESIGNS and the Purchasing Department.

THE VOTE

Buckley Yes No

Wooten Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

BID SPECIFICATIONS FOR SIGNAGE BID

Item 1 – Town Facility Sign – Building Mount (single sided sandblasted)

\$3080.00 **DENYS DESIGNS**

Item 2 – Town Facility Sign – Stand alone, double sided, sandblasted, and installed

\$3855.22 **DENYS DESIGNS**

Item 3 – Town Facility Sign – Stand along, single sided, sandblasted, installed

\$3360.00 **DENYS DESIGNS**

Item 4 – Town Facility Sign – Building Mount (painted MDO, vinyl letters)

\$1090.75 **WEDEL SIGNS**

Item 5 – Town Facility Sign – Stand alone, double sided (painted MDO, vinyl letters)

\$1500.00 **DENYS DESIGNS**

Item 6 – Town Facility Sign – Stand alone, single sided (painted MDO, vinyl letters)

\$1315.75 **WEDEL SIGNS**

Item 7 – Municipal Parking Sign – Stand alone, double sided, sandblasted, installed

\$1080.00 **DENYS DESIGNS**

Item 8 – Recreational Equipment Sign – Stand along, single sided, painted MDO, installed

\$582.00 **WEDEL SIGNS**

10/21/08

Tabled

TOWN OF RIVERHEAD

Resolution # 928

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE
(§108-175. and §108-179. - Pine Barrens Overlay District)

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

RESOLVED, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" (Article XXXV - Pine Barrens Overlay District) of the Riverhead Town Code once in the October 30th, 2008 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

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

**TOWN OF RIVERHEAD
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 18th day of November, 2008 at 7:05 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

Chapter 108
ZONING
ARTICLE XXXV
Pine Barrens Overlay District

§108-175. Findings, legislative intent and purpose.

A. This Town Board finds and determines that the provisions of the Pine Barrens Overlay District were designed, in part, to protect the Pine Barrens Core and Compatible Growth areas.

This Town Board further finds that the provisions of the Pine Barrens Overlay District regarding land clearing must be clarified to insure that contiguous areas of land remain undisturbed to both protect habitats and to insure the continued proliferation of flora and fauna in the area.

This Town Board further determines that the needed clarification must be adopted before ownership of the affected lands pass from the Town of Riverhead to forestall any dispute over the intended meaning of the land clearing provisions.

This Town Board further finds and determines that the Long Island Pine Barrens Protection Act enacted by the State Legislature in 1993 recognized that the Towns within the Pine Barrens region are the natural guardians of the unique Pine Barrens land within the Town's jurisdiction through the exercise of their accepted zoning powers.

Therefore, it is the intent of this local law to enact certain clarifications of existing provisions to insure that the safeguards that the Town of Riverhead intended to impose regarding land clearing are observed.

B. A- In 1993, New York State adopted § 57-0119 of the Environmental Conservation Law ("ECL") entitled "Central Pine Barrens Joint Planning and Policy Commission." This Commission consists of five voting members: a member appointed by the Governor, the County Executive of Suffolk County and the Supervisors of the Towns of Riverhead, Brookhaven and Southampton. This Commission was formed to implement, manage and oversee land use within the Central Pine Barrens area on Long Island. ECL 57-0119(6)(a) gives the Commission the power to prepare, adopt and insure implementation of the Comprehensive Land Use Plan. ECL Article 57 recognizes the importance of the three local towns in regulating the implementation of the plan within the Central Pine Barrens region. The authority to establish a Comprehensive Land Use Plan is contained in ECL § 57-01021. In conformance with ECL Article 57 and the Comprehensive Land Use

Plan, the Town Board of the Town of Riverhead enacted § 108-175 of the Town Code of the Town of Riverhead entitled "Pine Barrens Overlay District." The intention of the original legislation adopted in 1995 and the resulting plan was that the local planning board and zoning powers and authority to regulate land uses by local municipalities within the Central Pine Barrens area would not be affected by said legislation and plan.

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

- (1) To protect, preserve and enhance the functional integrity of the Pine Barrens ecosystem and the significant natural resources thereof.
- (2) To protect the quality of surface water and groundwater.
- (3) To discourage piecemeal and scattered development, and to encourage the preservation of contiguous areas of open space and non-disturbed areas to the greatest extent practicable.
- (4) To promote active and passive recreational and environmental educational uses that are consistent with the Land Use Plan.
- (5) To accommodate development in a manner consistent with the long-term integrity of the pine barrens ecosystem and to ensure that the pattern of development is efficient and orderly.
- (6) To protect the pine barrens ecosystem from illegal activity within the boundaries of the Central Pine Barrens Area, in particular clearing of large tracts of land without the necessary approvals.

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

- (1) Preserving the pine barrens in their natural state thereby ensuring the continuation of the unique and significant ecologic, hydrogeologic and other resources representative of such environments.
- (2) Promoting compatible agricultural, horticultural and open space recreational uses within the framework of maintaining a pine barrens environment and minimizing the impact of such activities thereon.
- (3) Prohibiting or redirecting new construction or development.
- (4) Accommodating specific pine barrens management practices, such as prescribed burning, necessary to maintain the special ecology of the preservation area.
- (5) Protecting and preserving the quality of surface water and groundwater.
- (6) Protecting the pine barrens ecosystem from illegal activity within the boundaries of the Central Pine Barrens Area, in particular clearing of large tracts of land without the necessary approvals.

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

- (1) Preserving and maintaining the essential character of the existing pine barrens environment, including plant and animal species indigenous thereto and habitats thereof.
- (2) Protecting the quality of surface water and groundwater.

- (3) Discouraging piecemeal and scattered development.
 - (4) Encouraging appropriate patterns or compatible residential, commercial, agricultural, and industrial development in order to accommodate regional growth influences in an orderly way while protecting the pine barrens environment from the individual and cumulative adverse impacts thereof.
 - (5) Accommodating a portion of the development redirected from the Core Preservation Area.
 - (6) Allowing appropriate growth consistent with stated natural resource goals.
 - (7) Protecting the pine barrens ecosystem from illegal activity within the boundaries of the Central Pine Barrens Area, in particular clearing of large tracts of land without the necessary approvals.
- E. F. Although each of the zoning codes of the respective three towns contains penalty provisions for violations of the Code, no specific provisions are included for violations of regulations within the Central pine barrens area. Article 57 of the ECL does not specifically provide for an enforcement or penalty provision. The Towns of Riverhead, Brookhaven, and Southampton desire to discourage and prevent unauthorized and illegal land clearing activities, illegal dumping and other unauthorized uses within the core area and the compatible growth area of the Long Island Central Pine Barrens region. Any amendment to Article 57 of the ECL should be consistent with existing code enforcement provision in each of the three towns.
- F. G. This article, in addition to the purposes outlined above, is necessary to raise the potential penalties under the authority of the respective Town codes for unauthorized and illegal land clearing activities, as well as provide enforcement of other provisions of the respective Town code regarding the Long Island Central Pine Barrens region.

§ 108-179. Development within Compatible Growth Area.

- A. Development within the Compatible Growth Area (CGA) shall comply with the following standards:
- (1) All development subject to the provisions of Article 6 of the Suffolk County Sanitary Code shall meet the applicable requirements of the Suffolk County Department of Health.
 - (2) As determined by the State of New York or the County of Suffolk, any new public or private sewage treatment plant discharge shall be outside of the Core Preservation Area and shall be located north of the groundwater divide, as defined by the Suffolk County Department of Health Services, as site conditions permit.
 - (3) All development shall comply with the provisions of Articles 7 and 12 of the Suffolk Sanitary Code.
 - (4) All development involving significant discharges to groundwater and located proximate to public water supply wells shall require measures to mitigate impacts upon water quality as required under Article 17 of the New York State Environmental Conservation Law. The Suffolk County Department of Health Services' guidelines for private wells should be used for private wellhead protection.
 - (5) Development proposals for sites containing or abutting freshwater wetlands shall be separated by a non-disturbance buffer area which shall be in accordance with Article 24

of the New York State Environmental Conservation Law, the Wild, Scenic and Recreational Rivers Act (the Rivers Act) and Chapter 107 of the Code of the Town of Riverhead, whichever is most restrictive. Distances shall be measured horizontally from the wetland edge as mapped by the New York State Department of Environmental Conservation, field delineation or local ordinance. Stricter buffer areas may be established for wetlands as appropriate. Buffer areas shall be delineated on development plans with conditions imposed to assure the preservation of the freshwater wetland resource. Said conditions shall be set forth in a declaration of covenants, conservation easement or similar instrument.

- (6) Development proposals for sites within the regulated area of the New York Wild, Scenic and Recreational Rivers Act shall conform to the standards of the Act. Variances from the Act shall meet all requirements imposed by the State of New York in order to be deemed to have met the requirements of this standard. Additional relief from the Town of Riverhead Zoning Board of Appeals shall not be required.
- (7) All stormwater generated by development shall be recharged on site unless surplus capacity exists in an off-site drainage system. In the review of development plans, the Town Board shall encourage the use of natural recharge areas or drainage system design which result in minimal disturbance of native vegetation with the use of natural swales and depressions as an alternative to excavated recharge basins where feasible. Development plans should include the use of ponds only if such ponds are designed to retain stormwater and are not merely constructed for aesthetic purposes. Adequate measures should be employed to control soil erosion and stormwater runoff during construction, as per guidelines promulgated by the New York State Department of Environmental Conservation.
- (8) ~~Clearance.~~ Clearing.
 - (a) The proposed disturbance to natural vegetation, combined with previously disturbed areas, shall conform to the following ~~clearance~~ clearing standards:

Zoning Use District	Maximum Site Clearance <u>Clearing</u> (percentage)
RB-80	53%
APZ	53%
IA	65%
IC	65%
Business CR	65%
<u>Property within EPCAL LI, PIP, CO and PRP Districts</u>	<u>in conformance with map filed in the Department of Planning, as set forth in subsection 9 hereinafter</u>

- (b) The applicable ~~clearance~~ clearing percentage shall be calculated over the area of the entire

parcel, including but not limited to public highways, roadways, building sites, parking areas, drainage structures and recharge areas. Development plans shall delineate the existing naturally vegetated areas, shall calculate those portions of the site that are already cleared due to previous activities and shall contain calculations for the amount of disturbance of native vegetation and indicate the clearing limits thereof.

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

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

A. A map of the portion of Pine Barrens Overlay District within the fence line of the former Grumman facility now known as EPCAL, shall be adopted designating those areas of the EPCAL site where land clearing is prohibited. The areas where land clearing is prohibited shall constitute 35% of the overall site. Those areas contained on said map where land clearing is not prohibited may be cleared. The map may be modified from time to time by resolution of the Town Board.

B. Land subdivision maps and site plans outside of the EPCAL site shall also be designed to encourage the preservation of large unbroken blocks that provide for contiguous open spaces to be established when adjacent parcels are developed. Applications for subdivision and site plan shall contain calculations for clearing, and these limits shall become part of the filed map or approved drawings. Non-native vegetation species to be avoided are contained in Figure 5-2 of the Central Suffolk Pine Barrens Comprehensive Plan.

C.

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

Dated: Riverhead, New York
April 1, 2008

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

BARBARA GRATTAN, Town Clerk

10/21/08

Tabled

TOWN OF RIVERHEAD

Resolution # 929

AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE FOR PUBLIC HEARING TO CONSIDER A LOCAL LAW WHICH WOULD ADOPT A MAP DESIGNATING NON-DISTURBANCE AREAS PURSUANT TO THE PINE BARRENS OVERLAY DISTRICT (Riverhead Town Code Article XXXV) FOR THE FORMER NAVAL WEAPONS INDUSTRIAL RESERVE PLANT (NWIRP) NOW KNOWN AS ENTERPRISE PARK AT CALVERTON (EPCAL)

COUNCILMAN BUCKLEY

_____ offered the following resolution,

which was seconded by COUNCILMAN WOOTEN _____:

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a local law which would adopt a map designating non-disturbance areas pursuant to the Pine Barrens Overlay District (Riverhead Town Code Article XXXV) for the former Naval Weapons Industrial Reserve Plan (NWIRP) now known as Enterprise Park at Calverton (EPCAL) in the October 16th issue of News Review, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Building Department; the Planning Board; the Planning Department and the Office of Accounting, New York State Department of Environmental Conservation, Central Pine Barrens Joint Planning and Policy Commission.

				THE VOTE			
Buckley	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Wooten	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no		
Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no		
			Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no		
				THE RESOLUTION <input checked="" type="checkbox"/> WAS <input type="checkbox"/> WAS NOT			
				THEREFORE DULY ADOPTED			

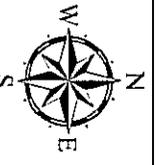
**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held on the 18th day of November 2008 at 7:10 pm, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider a local law to consider the adoption of a map designating non-disturbance areas pursuant to the Pine Barrens Overlay District (Riverhead Town Code Article XXXV) for the former Naval Weapons Industrial Reserve Plan (NWIRP) now known as Enterprise Park at Calverton (EPCAL) as shown on the map depicted below.

Dated: Riverhead, New York
October 21, 2008

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

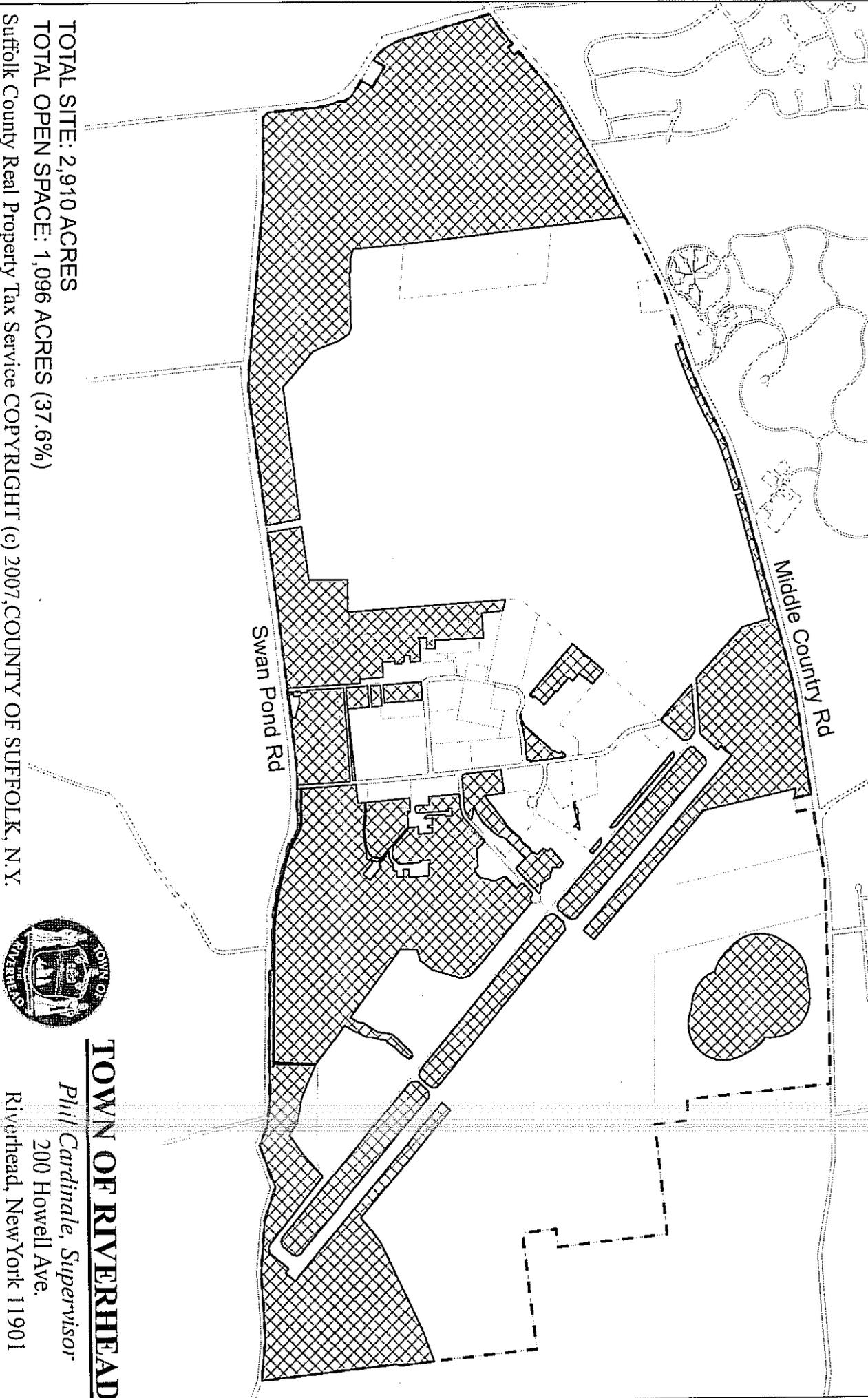
BARBARA GRATTAN, Town Clerk



map of
EPCAL/CALVERTON
OPEN SPACE

Legend

Open Space



TOTAL SITE: 2,910 ACRES
TOTAL OPEN SPACE: 1,096 ACRES (37.6%)
Suffolk County Real Property Tax Service COPYRIGHT (c) 2007, COUNTY OF SUFFOLK, N.Y.



TOWN OF RIVERHEAD
Phil Cardinale, Supervisor
200 Howell Ave.
Riverhead, New York 11901

Tabled

TOWN OF RIVERHEAD

Resolution # 930

AUTHORIZIES THE TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (Planned Recreational Park (PRP) District)

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

RESOLVED, the Town Clerk is hereby authorized to publish and post the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the October 30th, 2008 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

THE VOTE

Buckley yes no Wooten yes no
Dunfeavy yes no Blass yes no
Cardinale yes no

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 18th day of November, 2008 at 7:15 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

**ZONING
ARTICLE XLIV
PLANNED RECREATIONAL PARK (PRP) District**

§ 108-235. Purpose.

A parcel of land of 2,430 acres, a portion of the former Naval Weapons Industrial Reserve Plant at Calverton, located in west central Riverhead, comprised primarily of runways, open land and naturally vegetated areas and surrounding the Planned Industrial Park District, is to be transformed into a major regional family-oriented recreational amusement park and sports venue, drawing upon the leisure and tourism market of the east end of Long Island through its designation as a Planned Recreational Park (PRP) District. The purposes of such a designation are to attract private investment, increase the Town's tax base, create jobs and enhance the quality of life in the community and region. The district has good local and regional access and provides an opportunity to develop a comprehensive, attractive and uncongested environment. The district allows for the creation of a number of distinct regional, publicly accessible, destination, leisure and recreational complexes, through interrelated and mutually supporting facilities and drawing upon separate and distinct regional markets. The flexible regulatory framework provided for in the PRP District allows for innovation and maximum flexibility both in the use and design of these facilities in a single location. It also allows for a variety of activities to take place simultaneously, without generating multiple or separate vehicular trips, which together with encouragement of access through regional public transportation networks and a pedestrian and bicycle orientation reduces vehicular trips and energy requirements. A single set of development and design requirements is imposed for the district as a whole; however, the underlying use and dimensional requirements differ for each of the subdistricts within the overall PRP District.

§ 108-236. Underlying subdistricts created. (RESERVED)

~~A. The following separate and distinct subdistricts may, upon application to the Town Board, be so designated within the Planned Recreational Park District, provided that the particular subdistrict meets the minimum requirements as specified below:~~

- ~~(1) AP Amusement Park Subdistrict. Such a subdistrict shall comprise no more than 50% of the PRP District and shall have primary vehicular access from State Route 25 (Middle Country Road). Such a subdistrict shall be a single, contiguous parcel of land.~~
- ~~(2) HCC Hotel Conference Center Subdistrict. Such a subdistrict shall comprise no less than 2% and no more than 10% of the PRP District, shall be located contiguous to the Planned Industrial Park District, and shall have primary vehicular access from State Route 25 (Middle Country Road). Such a district shall be a single, contiguous parcel of land.~~
- ~~(3) SP Sports Park Subdistrict. Such a subdistrict shall comprise no more than 30% of the PRP District and shall be located contiguous to and shall include, in part or whole, an existing airport runway and shall have primary access from State Route 25 (Middle Country Road). Such a district shall be a single, contiguous parcel of land.~~
- ~~(4) FEC Family Entertainment Center Subdistrict. Such a subdistrict shall comprise no less than 5% and no more than 15% of the PRP District and shall have primary vehicular access from State Route 25 (Middle Country Road). Such a subdistrict shall be a single,~~

contiguous parcel of land.

- (5) ~~GC Golf Course Subdistrict. Such a subdistrict, or subdistricts if more than one are created, shall comprise no more than 30% of the PRP District.~~
 - (6) ~~OS Open Space Subdistrict. Such a subdistrict or subdistricts shall comprise no less than 40% of the PRP District and shall include the following lands:~~
 - (a) ~~The Pine Barrons Core Preservation Area located at the westerly end of the PRP District and comprising approximately 423 acres.~~
 - (b) ~~An undisturbed natural area of approximately 128 acres located to the north of Grumman Boulevard and west of McKay Lake.~~
 - (c) ~~A community park, of not less than 135 acres, to be located north of Swan Pond Road/Grumman Boulevard and west of the existing 10,000 runway.~~
 - (d) ~~A passive recreation park of not less than 27 acres incorporating an area containing rare and endangered species of fauna and flora, located in the northeasterly portion of the PRP District.~~
 - (e) ~~A natural buffer, 300 feet in width and comprised of approximately 20 acres of land, and located to the south of State Route 25 (Middle Country Road) directly opposite the Calverton National Cemetery.~~
 - (f) ~~A public golf course of not less than 160 acres and 18 regulation-sized golf holes and related facilities to be located north of the undisturbed natural area as described in § 108-236A(6)(b).~~
- B. ~~All development within these subdistricts shall conform to the provisions and standards as set forth in the underlying subdistrict in addition to the standards and provisions applying to the PRP District as a whole. Where there is a conflict between the standards of the PRP District and the underlying subdistrict or standards elsewhere in other Town codes, the standards of the underlying subdistrict shall apply.~~

§ 108-237. Development standards for PRP District.

- A. Building and site design and layout. The siting and layout of buildings, structures, parking areas, open spaces and other built elements shall be designed so as to provide an aesthetically vibrant, attractive and recreationally oriented environment. An emphasis on creative and innovative designs, colors, textures, materials, building shapes, massing and arrangements is encouraged. A focus on a particular design theme or overall organizing architectural concept within each of the subdistricts, as well as within the entire Planned Recreational Park District, is encouraged. While uniformity and bland design are specifically discouraged, measures to ensure harmony and continuity in architectural and landscape design between uses within and between subdistricts is emphasized. In addition, a great diversity in uses is encouraged in order to provide as wide an array of attractions and facilities as possible. Flexibility in location, size and type of buildings and structures has been provided with the specific purposes of encouraging creativity and the accomplishment of innovative and unique designs. Replication of designs from regional or national amusement parks, attractions or commercial recreation chains or franchises that already exist elsewhere in the state, region or country, is specifically discouraged.
- B. Signs. Signs within the interior of each subdistrict shall not be subject to height, size, type or locational controls, other than that no sign shall be higher than the permitted height for principal buildings within the subdistrict, or so designed or located as to primarily advertise or be directed to roadways or land uses outside of the PRP District, such as Grumman Boulevard/Swan Pond Road and State Route 25 (Middle Country Road), nor shall any signs be placed within a required buffer area. At the perimeter of the PRP District, signs shall be subject to the following restrictions: One freestanding sign for each subdistrict may be placed at the entrance from a primary road to the PRP District with a maximum of four such signs at each entrance, a maximum height of 30 feet, and an area no larger than 150 square feet per sign. On all arterial roads within the PRP District, signs shall be provided for the purposes of identification and vehicular control, including street signs and exterior directional signs. The provisions of such signs shall be of uniform height, color, typeface and material throughout the PRP District.

- C. Exterior lighting. The design and use of materials for exterior lighting along those portions of the primary roads which abut the PRP District and along all arterial roads within the PRP District shall be of uniform design. Uniformly designed exterior lighting shall be provided for all pedestrian pathways, bikeways and parking areas along such primary roadways and arterial roads linking the subdistricts. Such lighting shall also be provided in accordance with Illuminating Engineering Society standards and shall be installed by the developer at his or her expense. Pedestrian pathways throughout the PRP District, around buildings and across access or service roads or driveways shall be lighted to clearly identify their location. The design of lighting poles, fixtures and the spacing and height of lighting poles shall be uniform throughout a subdistrict. Directional lighting shall be arranged so as to minimize glare and reflection on properties adjacent to the PRP District and across subdistrict boundaries.
- D. Pedestrian Pathways and Bikeways. There shall be sidewalks or pedestrian pathways and bicycle paths provided throughout each subdistrict, except for those portions of the OS Open Space Subdistrict where the retention of the natural vegetation is encouraged. The types of material used for pedestrian pathways and bikeways, including pavement, curbs, planting and protective barriers, shall be uniform throughout the PRP District. The width of such pedestrian pathways need not be uniform but shall vary according to their use and the amount of pedestrian traffic anticipated to utilize them. Pedestrian pathways and bikeways shall wherever possible be separated from vehicular circulation and streets within the PRP District. The first developer in the district shall provide stubbed pathways at the boundaries of the subdistrict in order to permit linkage to subsequent developers. Subsequent developers shall provide pedestrian pathway and bikeway links to those paths already developed or approved, so as to provide a continuous and interconnecting pedestrian pathway and bikeway system throughout the district. Pedestrian paths shall not be less than five feet in width and, where used as a jogging path or bikeway in addition to a pedestrian pathway, shall not be less than eight feet in width.
- E. Common open space. ~~Open space areas within the PRP District, particularly those areas where vegetation has not been cleared pursuant to meeting the requirement of clearing a maximum of 65% of vegetation within the Pine Barrens Compatible Growth Area, shall be so designed and used as to protect the natural resources and qualities of the site, including the natural terrain, woodland, significant views and any unique and unusual features. The following regulations shall apply to these areas:~~
- (1) Clearing of brush and dead timber shall be required where necessary to eliminate fire hazards.
 - (2) Manual clearing of obstruction or jams from streams or waterways shall be required where necessary to ensure unimpeded flow, provided that no channelization shall be permitted.
 - (3) Hiking, jogging and bridle paths, utilizing natural ground surfacing such as stone or wood chips, may be constructed and maintained unless otherwise prohibited by Town or state law.
 - (4) Open space which is in a natural state shall otherwise be maintained undisturbed in its natural state. No garbage debris shall be permitted to accumulate except vegetation clipping properly maintained as compost heaps.
 - (5) Passive recreational use of open space natural areas shall be restricted to hiking, fishing, bird watching, horseback riding and canoeing or kayaking.
- (6) The foregoing regulations shall be applied in a manner that is compatible with the requirements of the map referred to in 108-179(8)(a)-(c).(9). To the extent that application of these regulations conflicts with the requirements of the aforesaid map, the requirements of the map shall apply.
- F. Landscaping. Shade trees shall be provided along roads, walkways and parking areas. Landscaped buffers or vegetative screening shall be provided around all parking, utility, refuse disposal areas and wherever else the Planning Board deems necessary to screen visually objectionable features. Landscaping shall be provided in all areas which contain neither buildings, paved surfaces or undisturbed naturally vegetated areas, including all public areas and around buildings. The landscaping plan shall provide for a variety and mixture of plant materials taking into consideration their susceptibility to disease, colors by season, textures, shapes, blossoms and foliage.

G. PRP roadways.

- (1) For the purposes of the PRP District, Grumman Boulevard/Swan Pond Road and State Route 25 (Middle Country Road) are designated as the primary access roads to the PRP. Access into the PRP District shall be provided at no more than two points along State Route 25, and three points along Grumman Boulevard/Swan Pond Road, and shall be at least 2,000 feet apart.
- (2) Arterial roads shall be provided within the PRP District to provide access from each of the subdistricts to Grumman Boulevard/Swan Pond Road and/or State Route 25 (Middle Country Road). Such arterial roads shall be located in such a manner as to provide safe, convenient and direct access from such primary roads to each of the subdistricts, without unduly interfering with traffic entering or exiting other subdistricts, or creating congestion at any of the access points along the primary access roads. All arterial roads shall be built to public road specifications and be open to the public at all times. Collector and access roads within each subdistrict may be either public or private streets. All roads shall have sufficient right-of-way and road width to accommodate traffic generated at the 30th highest peak hour of the year, taking into account the accumulated peak traffic of simultaneously operating planned recreational park facilities. The cost of providing and improving all roadways shall be the responsibility of the developers. The utilization of private vehicles as a means of transportation within the PRP District and for traveling from one subdistrict or amenity within the district to another is strongly discouraged. A parking plan which utilizes some form of public shuttle or transit system is strongly encouraged, as are walking or cycling pedestrian pathways and bikeways.

H. Materials, equipment and utilities. All materials and equipment, and utilities such as refuse containers, electrical substations, outdoor mechanical areas shall either be stored in a completely enclosed building or screened by means of a fence, wall, planting, landscaped berm or other suitable means.

I. Parking and loading.

- (1) Required parking and loading space shall be provided within the same parcel of land or subdistrict as the building or facility serviced, unless one or more collective shared off-street parking facilities are provided which are reasonably proximate to the facilities they serve, or where some form of frequently running, free shuttle service is provided. The use of shared and collective parking areas is encouraged, particularly where events and operations can be staged or scheduled in a manner so that the peak parking demands for the facilities so served do not coincide. The Planning Board may also permit a portion of the proposed parking and loading areas to remain unpaved but landscaped where it believes, or where credible evidence is presented, that more parking spaces than reasonably required for the proposed use or uses will be provided. If conditions change and additional parking is warranted, the Planning Board or its designated agent identified at the time of approval may require such an unpaved area to be paved. Such permission to defer paving of parking and loading spaces shall be predicated upon the applicant filing with the Planning Board and Town Clerk and recording at the Nassau County Recording Office deed restrictions drafted in a manner satisfactory to the Town Attorney, ensuring that the land will be used either as open space or parking.
- (2) All off-street parking and loading areas shall be bordered by vegetative screening or landscaped areas containing trees, shrubs and/or landscaped berms to shield automobiles from view. Wherever feasible, the Planning Board shall require that at least 10% of the total parking lot area be used for interior landscaping, to include trees and shrubs. Interior landscaping shall be distributed throughout all parking lots in planting islands to provide the maximum shade and buffer from noise and glare. At least one deciduous tree for every 20 spaces shall be required within the parking lot.
- (3) No parking or loading areas shall be permitted within any required buffer areas. No parking area shall be closer than 10 feet to any building or structure.
- (4) To the maximum extent possible, loading areas shall not be located within any front yard and shall be placed at such locations so as to minimize their visibility to the public and to be provided access separate from parking areas and driveways used by the public.

J. Emergency equipment. All buildings, structures and open spaces accessible to the public shall be accessible to emergency vehicles. Wherever a building or structure exceeds a height

of 40 feet, a roadway or other suitable surface capable of supporting heavy emergency equipment shall be located 20 feet from the base.

§ 108-238. Approval procedure.

- A. ~~Intent. The planned recreational park is envisioned to be a comprehensive single planned development, comprised of separate but interrelated subdistricts, each of which differ in use and function, but which together share basic infrastructural elements such as water, sewer, energy, vehicular and pedestrian circulation and open space. While it would be preferable for the entire district to be designed according to a single comprehensive development plan, its size may preclude single ownership and control. Thus, the approval procedures and the regulations of this article do allow certain smaller portions or parcels of land within the District to be planned, approved and developed separately, provided that such planning and development makes provision for the development of an infrastructure network and a layout which fits into, relates to and is compatible with other development planned, approved or anticipated in other parts of the planned recreational park. (RESERVED)~~
- B. Initial submission: schematic land use and infrastructure.
- (1) Network plan.
- (a) The first applicant to apply for an approval of a portion of the PRP District shall submit a concept development plan indicating:
- [1] The portion of the PRP District which he/she owns or controls and wishes to develop.
- [2] A layout of the basic infrastructural networks necessary to provide services to the portion the developer is seeking development approval for.
- [3] A schematic land use scheme, encompassing the rest of the land within the PRP District, showing generally the other uses or subdistricts to be developed in other portions of the PRP Districts and indicating how the overall land use and infrastructure network will function and interrelate.
- (b) The schematic land use and infrastructural network plan shall indicate such subdistricts and such infrastructure as is mandated by § 108-236, Underlying subdistricts created, and § 108-237, Development standards for PRP District.
- (2) This schematic land use and infrastructural network plan shall, upon approval, become the approved schematic development plan for the entire PRP District and shall only be amended if and when subsequent submissions for development approvals, as set out below, are approved.
- (3) The approving agency for the schematic land use and infrastructural network plan for the PRP District shall be the Town Board.
- (4) The initial approval and subsequent amendments to the schematic land use and infrastructural network plan shall not occur until the preliminary concept plan for that portion of the PRP District for which a development approval is being sought, as set out in § 108-238C, regarding concept plan approval, is approved. Once a concept plan for any portion of the PRP District has been approved, the schematic land use and infrastructural network plan for that portion of the PRP network shall be fixed and may not be amended without the full consent of the owner or developer of the approved portion.
- (5) All subsequent amendments to the schematic land use and infrastructural network plan shall be approved by the Town Board. Where there are any disagreements between two or more developers within the PRP District, as to the form or layout of the District for which concept plan approval has not already been granted, the Town Board shall be the final arbiter and decision maker. (RESERVED)
- C. Concept plan approval and designation of subdistricts.
- (1) Concurrently with the initial submission of a schematic land use and infrastructural network plan, the applicant shall also make application for approval of a concept plan for a portion of the PRP District which, when granted final approval pursuant to § 108-238D, Final plan approval, shall be designated as one or more subdistricts within the PRP District.

- (2) The concept plan shall meet the requirements of §§ 108-236 and 108-237.
- (3) The following information shall be submitted for concept plan approval:
- (a) A diagram or diagrams, at a scale of not less than one inch equals 100 feet, showing proposed land uses, including building footprints and parking areas, infrastructure, including main water and sewer lines and stormwater drainage facilities and proposed community facilities such as fire or police substations or public parks; historic and cultural features; a circulation plan, including major and minor vehicular routes, pedestrian pathways and bicycle and bridle trails; recreational facilities; ancillary retail facilities; and open space and natural areas.
 - (b) Conceptual diagrams, illustrations, perspective renderings or elevations of main buildings, structures and improvements, including proposed building materials and landscape treatments.
 - (c) Site functional diagrams, indicating the relationship of proposed infrastructure and recreational amenities to other portions of the PRP District and to the Town of Riverhead.
 - (d) Environmental suitability diagrams indicating the environmental suitability of land proposed for clearing and development versus those left in their natural state or those proposed to be used as landscaped open space.
 - (e) Preliminary staging or phasing plans.
 - (f) Density yield evaluations, including building floor areas, impervious coverage percentages, number of employees or residents generated, water and sewer consumption, amount of open space and approximate amount of stormwater runoff generated.
 - (g) A preliminary financial analysis, including land costs, infrastructure costs (roads, sewer, water and drainage, primarily), site development and construction costs, soft costs, development costs for community facilities and amenities, and preliminary estimates of membership, admission or user fees. A statement concerning the overall feasibility of the proposed development shall be included.
 - (h) An outline of the marketing, sales or promotion program.
 - (i) A community impact statement, including the proposed development's impact on community facilities and services.
 - (j) A fiscal impact analysis indicating that, at each stage or at the end of each phase of development, the revenues generated by the proposed development to the Town will not exceed the costs of providing services.
 - (k) A statement indicating the long-term ownership of common facilities and infrastructure, the designation of maintenance responsibilities for such areas and the structuring of developer, owner and Town roles in this regard. In this respect, the establishment of a community association with maintenance assessment and user fees shall be considered.
- (4) The procedure for the review and approval of the concept plan shall be the same as that required for a special permit, except for the submission requirements, which shall be in accordance with § 108-238C(3)(a) through (k). Following approval of the concept plan, and the initial approval or subsequent amendment of the schematic land use and infrastructural network plan, the Town Board shall designate the area encompassed by the approved concept plan as one or more subdistricts within the PRP District.

(RESERVED)

D. Final plan approval.

- (1) Following the approval of a concept plan and the designation of one or more subdistricts within the PRP District by the Town Board, subdivision Subdivision and site plan, as appropriate and necessary, shall be obtained in accordance with the requirements of Article XXVI, Site Plan Review, and Article XX, Subdivision Regulations. Where the standards of this article conflict with others in the Zoning Code, the standards of this article shall apply.
- (2) In addition to the standards and regulations required for site plan approval pursuant to

Article XXVI, Site Plan Review, of the Town Code, the following shall be required to be submitted for final approval: a detailed design vocabulary for all subsequent development within a subdistrict, including exterior building materials and glass; plant material and landscaping palette; architectural guidelines for style, size and height of buildings; building and ground maintenance schedules; conservation and resource management measures; a sign/graphics plan for all signs, advertising, brochures and business forms. All subsequent developers within the subdistrict shall adhere to the approved design vocabulary.

§ 108-239. AP-Amusement Park Subdistrict. Group A Uses and Dimensional Requirements.

A. Purpose. ~~The purpose of the AP-Amusement Park Subdistrict is to provide a family-oriented destination amusement park center for residents, tourists and day visitors to the area.~~

(RESERVED)

B. Permitted uses:

Amusement and video arcades

Amusement Parks

Animal exhibits

Archery Ranges

Arenas for boxing, basketball, baseball, cycling, football, hockey, ice skating, soccer, tennis or other sports

Athletic fields

Boat or canoe rental facilities and fishing piers

Botanical gardens and arboreta

Bowling alleys

Cable car operators

Carnivals

Circuses

Commercial museums and art galleries

Entertainment-oriented retail centers, including gift, souvenir and clothing, jewelry, photography, toy, antique, hobby, art, home decoration, beverages, confections, foodstuffs and stationery

Equestrian arenas, schools or facilities or riding academies and riding stables

Expositions and exhibition facilities

Fairs

Game parlors

Golf driving ranges, schools or practice facilities

Ice skating and roller rinks

Indoor or outdoor tennis, racquetball, basketball and other sports courts

Kiddie parks

Martial arts schools or facilities

Museums and art galleries

Outdoor or indoor concert or live performance facilities

Pitch-and-putt or miniature golf courses

Planeteria

Professional or semiprofessional sports club facilities

Race track for horses, automobiles or motorcycles

Rodeos

Scenic railroads for amusement

Scuba and skindiving facilities and instruction

Skiing facilities

Speedway operations

Sports instructional academies, schools, camps or facilities

Sporting events
Sports museums or halls of fame
Stadiums
Swimming pools, not including membership clubs

Theaters for live performances

Theme parks

Waterslides and wave pools

Zoological gardens, but not aquariums

C. Accessory uses.

Ancillary retail facilities, including the sale of beverages, books, clothing, confections, cosmetics, foodstuffs, gifts, periodicals, photo supplies, souvenirs, stationery and toys

Automatic Teller Machines

Bed-and-breakfasts and inns

Bus or transit stops or stations

Cabins and cottages, for transient lodging

Fences and walls

First aid stations and other emergency services

Health spas

Hotels

Infrastructural facilities

Motels

Off-street parking and loading facilities

Parks, open space and picnic areas

Police and fire substations

Restaurants, cafeterias and eating and drinking establishments

Security and management facilities

Signs

Timeshares and fractional ownership for non-primary-transient occupancy

Trash receptacles and enclosures

Uses customarily accessory and incidental to the principal uses, such as ticket sales; stables, vehicle maintenance, storage and repair; sports equipment sales and rental; and pro shops

D. General lot, yard and height requirements.

(1) For the overall amusement park:

(a) Minimum park area: 300 acres in contiguous parcels.

(b) Minimum park width: 1,000 feet.

(c) Minimum frontage on an arterial road: 3,000 feet.

(d) Maximum floor area ratio: ~~0.10~~ 0.20 in total for all buildings within the park.

(e) ~~Maximum vegetative clearance: 65% of the park area clearing.~~ Clearing shall be in accordance with Section 108-237E.

(f) ~~Minimum open space set aside or contribution: four acres of land within the OS Open Space Subdistrict for every six acres of land within the park, or a proportion thereof.~~ Minimum perimeter buffer: 100 feet in width along State Route 25 (Middle Country Road) and 100 feet in width along all other perimeters.

(g) ~~Minimum perimeter buffer: 300 feet in width along State Route 25 (Middle Country Road) and 100 feet in width along all other perimeters.~~ Maximum impervious coverage: 50% of all land within the park.

(h) ~~Maximum impervious coverage: 50% of all land within the park.~~ Maximum height: three stories or 40 feet, whichever is greater, for all buildings – except for exposition and exhibition facilities, hotels, timeshares and fractional ownership, indoor sports

arenas and outdoor stadiums – providing occupiable or habitable floor area, but six stories or 75 feet whichever is greater for exposition and exhibition facilities, hotels, timeshares and fractional ownership, and 120 feet for all other structures, provided that a setback of at least three feet for every one foot in vertical height above 40 feet is provided from the perimeter boundary of the park.

- (i) ~~Maximum height: three stories or 40 feet, whichever is greater, for all buildings providing occupiable or habitable floor area, but 120 feet for all other structures, provided that a setback of at least three feet for every one foot in vertical height is provided from the perimeter boundary of the park.~~

§108-239A. Group B Uses and Dimensional Requirements.

A. Permitted uses:

All terrain-vehicle course
Amusement and video arcades
Amusement parks
Auction houses
Bingo parlors, bridge clubs

Dance halls and studios
Discotheques and nightclubs
Farmers markets, arts and crafts markets, carnival or festival markets
Health clubs and gymnasiums
Movie theaters, not including drive-in theaters
Restaurants and eating and drinking establishments
Water skiing

B. Accessory uses:

Accessory uses permitted in §108-239.

C. General lot, yard and height requirements:

- (a) Minimum tract size: 20 acres
- (b) Minimum tract width: 500 feet
- (c) Minimum frontage on an arterial street: 500 feet.
- (d) Minimum floor area ratio: 0.20 in total for all buildings within the Development.
- (e) Maximum vegetation clearing: Clearing shall be in accordance with Section 108-237 (E).
- (f) Minimum perimeter buffer: 100 feet.
- (g) Maximum impervious coverage: 50% of all land within the Development.
- (h) Maximum height: three stories or 60 feet, whichever is the lesser.

§ 108-240. HCC Hotel-Conference Center Subdistrict Facilities.

~~A. Purpose. The purpose of the HCC Hotel-Conference Center Subdistrict is to create a hotel and conference center within the Planned Recreation Park District that provides transient lodging facilities to visitors to the park and to the region, as well as a destination for local, regional and national conferences, seminars and business meetings that can take advantage of the park's attractions, recreational facilities, leisure activities and natural environs. For the purpose of Section 240 only, the use "Hotel/Conference Center Facilities" shall include the following permitted facilities and accessory facilities, pursuant to the requirement set forth in (D) below.~~

B. Permitted uses:

Bed-and-breakfasts and inns

Cabins and cottages, for transient lodging
Health spas
Hotels, restricted to transient lodging facilities
Motels, restricted to transient lodging facilities
Recreational vehicle parks

C. Accessory uses:

Ancillary retail facilities oriented to guests meeting, visiting or lodging at the principal use, including but not limited to the sale of books, beverages, clothing, confections, cosmetics, drugs, dry goods, flowers, foodstuffs, gifts, jewelry, sporting goods, periodicals, photo supplies and stationery, and personal service establishments such as barber and beauty shops.

Automatic teller machines

Conference facilities, meeting rooms and ballrooms

Fences and walls

Health clubs and other indoor recreational facilities whose use is restricted to guests meeting at, visiting or lodging at the principal use or employees thereof

Off-street parking and loading facilities

Outdoor swimming pools, tennis courts, basketball and other sports courts, miniature golf courses, jogging and walking trails, whose use is restricted to guests lodging at the principal use or employees thereof

Restaurants, cafeterias and eating and drinking establishments

Security and management facilities

Signs

Trash receptacles and enclosures

D. General lot, yard and height requirements.

(1) ~~For the overall hotel-conference-center development:~~

- (a) ~~Minimum tract size: 50 acres. Minimum lot area: two acres for bed-and-breakfasts and inns; and five acres for all other uses.~~
- (b) ~~Minimum tract width: 500 feet.—Minimum lot width: 250 feet.~~
- (c) ~~Minimum tract frontage on an arterial road: 1,000 feet.—Minimum frontage on a street: 200 feet.~~
- (d) ~~Maximum floor area ratio: 0.20 in total for all buildings within the hotel-conference center development.—Minimum front yard depth: 50 feet for bed-and-breakfasts and inns; 75 feet for all other uses.~~
- (e) ~~Maximum vegetation clearance: 65% of the land within the hotel-conference center. Minimum side yards: 30 feet for bed-and-breakfasts and inns; 50 feet for all other uses.~~
- (f) ~~Minimum open space set aside or contribution: four acres of land within the OS Open Space Subdistrict for each six acres of land within the hotel-conference center development, or a proportion thereof.—Minimum rear yards: 50 feet for bed-and-breakfasts and inns; 75 feet for all other uses.~~
- (g) ~~Minimum perimeter buffer: 100 feet.—Maximum floor area ratio: 0.20 for bed-and-breakfasts and inns; 0.50 for all other uses.~~
- (h) ~~Maximum impervious coverage: 50%.~~
- (i) ~~Maximum height: two stories for bed-and-breakfasts and inns; six stories or 75 feet for all other uses, provided that a setback of three feet shall be provided from the perimeter of the hotel-conference development for every one foot in vertical height.~~

(2) ~~For each use or building within the hotel-conference-center development:~~

- (a) ~~Minimum lot area: two acres for bed-and-breakfasts and inns; and five acres for all other uses.~~

- (b) Minimum lot width: 250 feet.
- (c) Minimum frontage on a street: 200 feet.
- (d) Minimum front yard depth: 50 feet for bed-and-breakfasts and inns; 75 feet for all other uses.
- (e) Minimum side yards: 30 feet for bed-and-breakfasts and inns; 50 feet for all other uses.
- (f) Minimum rear yards: 50 feet for bed-and-breakfasts; 75 feet for all other uses.
- (g) Maximum floor area ratio: 0.20 for bed-and-breakfasts and inns; 0.50 for all other uses.
- (h) Maximum impervious coverage: 50%.
- (i) Maximum height: two stories for bed-and-breakfasts and inns; six stories or 75 feet for all other uses, provided that a setback of three feet shall be provided from the perimeter of the hotel-conference development for every one foot in vertical height.

§ 108-241. SP Sports Park Subdistrict. (RESERVED)

A. Purpose. The purpose of the SP Sports Park Subdistrict is to create family-oriented, publicly accessible, primarily outdoor, participatory or instructional, sports-oriented commercial recreation facilities, as well as stadiums, arenas or other facilities for professional or semiprofessional sports teams and for other spectator sports. Membership clubs shall be permitted, provided that they are also open to the public at large for a reasonable fee.

B. Permitted uses:

Archery ranges

Arenas for boxing, basketball, baseball, cycling, football, hockey, ice skating, soccer, tennis or other sports

Athletic fields

Aviation clubs or schools

Boat or canoe rental facilities and fishing piers

Equestrian arenas, schools or facilities or riding academies and riding stables

Golf driving ranges, schools or practice facilities

Indoor or outdoor tennis, racquetball, basketball and other sports courts

Martial arts schools or facilities

Pitch and putt or miniature golf courses

Professional or semiprofessional sports club facilities

Race tracks for horses, automobiles or motorcycles

Redeems

Scuba and skindiving facilities and instruction

Skiing facilities

Speedway operations

Sports instructional academies, schools, camps or facilities

Sports museums or halls of fame

Stadiums

Swimming pools, not including membership clubs

C. Accessory uses:

Uses customarily accessory and incidental to the principal uses, such as ticket sales; stables; vehicle maintenance, storage and repair; sports equipment sales and rental; and pro shops.

Accessory uses permitted in § 108-239 in the AP Amusement Park Subdistrict.

D. General lot, yard and height requirements:

(1) For the overall sports park:

- (a) Minimum park area: 100 acres in contiguous parcels.
- (b) Minimum park width: 500 feet.
- (c) Minimum frontage on an arterial road: 2,000 feet.
- (d) Maximum floor area ratio: 0.10 in total for all buildings in the park.
- (e) Maximum vegetation clearance: 65%.
- (f) Minimum open space set aside or contribution: four acres of land within the OS Open Space Subdistrict for each six acres of land within the park, or a proportion thereof.
- (g) Minimum perimeter buffer: 100 feet.
- (h) Maximum impervious coverage: 50%.
- (i) Maximum height: three stories or 40 feet for all buildings providing habitable or occupiable floor area, except indoor sports arenas or stadiums which, in addition to other permitted structures, shall not exceed a height of 120 feet, provided that a setback of at least three feet for every one foot in vertical height is provided from the perimeter of the park.

§ 108-242. FEC Family Entertainment Center Subdistrict. (RESERVED)

A. Purpose. The purpose of the FEC Family Entertainment Center Subdistrict is to provide family-oriented commercial recreation facilities as a destination for residents, tourists and visitors to the region, that will complement and not compete with the facilities within the amusement park and sports park subdistricts.

B. Permitted uses:

- Amusement and video arcades and game parlors
- Auction houses
- Bingo parlors, bridge clubs
- Bowling alleys
- Commercial museums and art galleries
- Dance halls and studios
- Discotheques and nightclubs
- Entertainment oriented retail centers, including gift, souvenir and clothing, jewelry, photography, toy, antique, hobby, art, home decoration, beverages, confections, foodstuffs and stationery
- Farmers markets, arts and crafts markets, carnival or festival markets
- Health clubs and gymnasiums
- Ice skating and roller rinks
- Indoor performance and concert facilities
- Movie theaters, not including drive-in theaters
- Restaurants and eating and drinking establishments

C. Accessory uses:

Accessory uses permitted in § 108-239 in the AP Amusement Park District

D. Lot, yard and height requirements:

- (1) Minimum tract size: 20 acres.
- (2) Minimum tract width: 500 feet.

- ~~(3) Minimum frontage on an arterial street: 500 feet.~~
- ~~(4) Maximum floor area ratio: 0.20 in total for all buildings within the family entertainment center development.~~
- ~~(5) Maximum vegetation clearance: 65% of all land in the family entertainment center development.~~
- ~~(6) Minimum open space set aside or contribution: four acres of land within the OS Open Space Subdistrict for each six acres of land within the family entertainment center development, or a proportion thereof.~~
- ~~(7) Minimum perimeter buffer: 100 feet.~~
- ~~(8) Maximum impervious coverage: 50% of all land within the development.~~
- ~~(9) Maximum height: three stories or 60 feet, whichever is the lesser.~~

§ 108-243. GC-Golf Course Subdistrict. Group C Uses and Dimensional Requirements.

A. Purpose. ~~The purpose of the GC-Golf Course Subdistrict is to create a privately owned but publicly accessible golf course development as a principal use, either independent and self-sustaining or in conjunction with a resort development, or in conjunction with a limited retirement or second-home residential development. (RESERVED)~~

B. Permitted uses:

Golf course resorts, provided that the lodging and/or conference facilities meet the requirements of the HCC Hotel-Conference Center Subdistrict and that the minimum tract size is 300 acres and includes at least two regulation-sized 18-hole golf courses.

Golf driving ranges, practice facilities or golf instruction schools open to the general public

Non-membership golf courses open to the general public

Par 3 or executive-sized golf courses open to the general public

C. Accessory uses:

Uses customary and incidental to golf courses, including clubhouses, restaurants and eating and drinking establishments and pro shops

Detached single-family residential homes, restricted to retirement or second-home occupancy, and only in conjunction with regulation-sized 18-hole golf courses, with a maximum of three single-family homes per hole or a total of 54 homes per golf course

For golf course resorts only, the following accessory uses shall be permitted: spa or health club facilities, tennis courts, swimming pools, jogging or walking trails, children's indoor or outdoor sports facilities, meeting and conference facilities, and transient lodging facilities restricted to guests, visitors and employees of the resort.

D. Lot, yard and height regulations.

- (1) Minimum tract size: 140 acres in contiguous parcels for golf courses and 300 acres for golf course resorts.
- (2) Minimum tract width: 1,000 feet.
- (3) Minimum frontage on an arterial street: 500 feet.
- (4) Minimum perimeter buffer: 25 feet for the golf course and 100 feet for all other buildings, structures or uses.
- (5) Maximum floor area ratio: 0.05 in total for all buildings in the golf course development.
- (6) Maximum vegetation clearance: 65% of all land in the golf course development.
- (7) Maximum impervious coverage: 50% of all land in the golf course development.
- (8) Maximum permitted height: three stories or 40 feet, whichever is the lesser.
- (9) Minimum open space set aside or contribution: four acres of land.

§ 108-244. OS-Open Space Subdistrict. (RESERVED)

- A. Purpose. ~~The purpose of the OS Open Space Subdistrict is to provide for the passive and active recreational needs of the residents of Riverhead, to ensure the preservation and protection of sensitive ecological land and resources in their natural state, and the provision of natural buffers adjacent to and for the protection of sensitive land uses and ecological features within the OS Open Space Subdistrict.~~
- B. Permitted uses:
- (1) ~~An 18-hole regulation-play public golf course of not less than 160 acres to be located to the north of the undisturbed natural area located west of McKay Lake and north of Grumman Boulevard, and provided that the vegetation clearance does not exceed 65%.~~
 - (2) ~~A community park with active and passive community sports and recreational facilities of not less than 135 acres, located north of Swan Pond Road/Grumman Boulevard and west of the existing ten-thousand-foot runway; and provided that the maximum vegetation clearance is no greater than 65%.~~
 - (3) ~~A nature preserve in the Pine Barrens Core Preservation area, located at the western end of the PRP District, comprising not less than 423 acres.~~
 - (4) ~~In all other areas of the OS Open Space District, the following uses may be established, provided that no more than 10% of the existing natural vegetation is cleared:~~
 - (a) ~~Nature preserves.~~
 - (b) ~~Hiking, nature trails, and bridle paths.~~
 - (c) ~~Canoeing and kayaking.~~
 - (d) ~~Fishing.~~
- G. Accessory uses:
- (1) ~~Uses customary and incidental to the principal permitted uses.~~
- D. Lot, area and height regulations.
- (1) ~~Minimum frontage on an arterial street: 100 feet.~~
 - (2) ~~Maximum floor area ratio: 0.05 for all buildings on the open space tract.~~
 - (3) ~~Maximum vegetation clearance: unless otherwise specified, no greater than 65%.~~

§ 108-245. Additional requirements.

- A. Performance criteria.
- (1) All development subject to the provisions of Article 6 of the Suffolk County Sanitary Code shall meet the applicable requirements of the Suffolk County Department of Health.
 - (2) As determined by the State of New York or the County of Suffolk, any new public or private sewage treatment plant discharge shall be outside of the Core Preservation Area and shall be located north of the groundwater divide, as defined by the Suffolk County Department of Health Services, as site conditions permit.
 - (3) All development shall comply with the provisions of Articles 7 and 12 of the Suffolk Sanitary Code.
 - (4) All development involving significant discharges to groundwater and located proximate to public water supply wells shall require measures to mitigate impacts upon water quality as required under Article 17 of the New York State Environmental Conservation Law. The Suffolk County Department of Health Services' guidelines for private wells should be used for private wellhead protection.
 - (5) Development proposals for sites containing or abutting freshwater wetlands shall be separated by a nondisturbance buffer area which shall be in accordance with Article 24 of the New York State Environmental Conservation Law, the Wild, Scenic and Recreational Rivers Act (the Rivers Act) Editor's Note: See Environmental Conservation Law § 15-2701 et seq. and Chapter 107 of the Code of the Town of Riverhead, whichever is most restrictive. Distances shall be measured horizontally from the wetland edge as mapped by the New York State Department of Environmental Conservation, field delineation or

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

- (6) Development proposals for sites within the regulated area of the New York Wild, Scenic and Recreational Rivers Act shall conform to the standards of the Act. Variances from the Act shall meet all requirements imposed by the State of New York in order to be deemed to have met the requirements of this standard. Additional relief from the Town of Riverhead Zoning Board of Appeals shall not be required.
- (7) All stormwater generated by development shall be recharged on site unless surplus capacity exists in an off-site drainage system. In the review of development plans, the Town Board shall encourage the use of natural recharge areas or drainage system design which result in minimal disturbance of native vegetation with the use of natural swales and depressions as an alternative to excavated recharge basins where feasible. Development plans should include the use of ponds only if such ponds are designed to retain stormwater and are not merely constructed for aesthetic purposes. Adequate measures should be employed to control soil erosion and stormwater runoff during construction, as per guidelines promulgated by the New York State Department of Environmental Conservation.
- (8) Clearing.
 - (a) ~~No more than 65% of the PRP District~~ Clearing shall only be permitted in the PRP District shall be cleared pursuant to the Central Pine Barrens Comprehensive Land Use Plan and the Pine Barrens Overlay District (Article XXXV) of the Zoning Code of the Town of Riverhead, and in accordance with Section 108-237 (E). The applicable clearance percentage shall be calculated over the entire parcel, including but not limited to public highways, roadways, building sites, parking areas, drainage structures and recharge areas. Development plans shall delineate the existing naturally vegetated areas, shall calculate those portions of the site that are already cleared due to previous activities, and shall contain calculations for the amount of disturbance of native vegetation and indicate the clearing limits thereof.
 - (b) To the extent that a portion of a site includes Core property, and for the purpose of calculating the clearing limits, the site shall be construed to be the combined Core and CGA portions. However, the Core portion may not be cleared without a hardship exemption.
- (9) ~~Land subdivision maps and site plans shall be designed to encourage the preservation of large unbroken blocks that provide for contiguous open spaces to be established when adjacent parcels are developed. Applications for subdivision and site plan shall contain calculations for clearing, and these limits shall become part of the filed map or approved drawings. Nonnative vegetation species to be avoided are contained in Figure 5-2 of the plan.~~ Land subdivision maps and site plans shall be designed in conformance with a map filed in the Department of Planning which map shall specify the areas within the PRP district where land clearing is prohibited. Those areas contained on said map where land clearing is not prohibited may be cleared.
- (10) Development projects shall place no more than 15% of the entire site in fertilizer-dependent vegetation. Development designs shall consider native planting suggestions made part of the plan.
- (11) ~~Development which will have a significant negative impact upon a habitat essential to those species identified on the New York State maintained lists as rare, threatened or of special concern, or upon the communities classified by the New York State Natural Heritage Program as G1, G2 or G3 or as S1, S2 or S3 or upon any federal listed endangered or threatened species, appropriate mitigation measures, as determined by the state, county or local government agency, shall be imposed to protect such species.~~
- (12) Development projects shall minimize disturbance of the natural grade and/or natural vegetation where slopes exceed 10%. Construction in areas with slopes exceeding 10% may be approved if the site design incorporates adequate soil stabilization and erosion control measures so as to mitigate negative environmental impacts. Where applicable, non-disturbance buffers shall be placed on those portions of the site where slopes

exceed 10%. Development plans shall include a slope analysis depicting existing slopes in the ranges of 0% to 10%, 11% to 15% and 15% or greater. Erosion and sediment control plans and details of retaining walls and erosion control structures shall be referred for construction in areas where slopes exceed 15% and for roads and driveways traversing slopes of 10%.

- (13) Prior to construction, soil erosion and sediment control plans shall be prepared and approved which achieve the following objectives:
 - (a) Minimize potential impacts associated with soil erosion and resulting in sedimentation of surface waters.
 - (b) Limit work areas to the immediate areas of construction in order to minimize disruption of adjacent lands.
- (14) In order to provide for orderly development and the efficient provision of infrastructure, applications for development projects depicting either open space or reserve areas shall specify the conditions of ownership and the use of such lands, and such conditions shall be set forth in the deed of dedication, declaration of covenants, conservation easement or similar instrument.
- (15) Where applicable, the use of planned industrial park development pursuant to the provisions of Article XX of this chapter shall be encouraged to preserve open spaces.
- (16) Any existing, expanded or new activity involving agricultural production or horticulture shall comply with best-management practices as set forth in the plan, as may be amended from time to time.
- (17) Development plans shall indicate established recreational and educational trails and trail corridors, active recreational sites, scenic corridors, roads, vistas and viewpoints, sites of historical or cultural significance, including historic districts, sites on the State or National Registers of Historic Places and historic structures listed on the State or National Registers of Historic Places, or recognized by local law or statute, sensitive archeological sites as identified by the New York State Historic Preservation Officer or the New York State Museum, within 500 feet of the proposed development, and shall provide adequate measures to protect such natural resources. The use of existing natural buffers or the restoration of degraded buffer areas, the use of signs or other man-made structures, consistent in style and scale with the community character, or other similar measures shall be taken to protect roadside areas as well as scenic and recreational resources.
- (18) All development shall comply with the applicable provisions of the Suffolk County Sanitary Code and all other applicable federal, state or local laws.
- (19) A buffer of 1,000 feet of and no more than 50% disturbance shall be permitted around breeding ponds pursuant to NYSDEC freshwater wetland permit requirements.
- (20) The approval of the New York State Historic Preservation Office for the establishment of a site-specific protocol for either the relocation of development or the retrieval of artifacts in the event of excavation shall be obtained in order to mitigate impacts upon archaeological resources within the PRP District.
- (21) The applicant shall submit a traffic study for the approval of the comprehensive development plan, which study shall identify and for which the applicant shall pay and implement measures to mitigate the impact of traffic generated by the full buildout of all development within the PRP District to the point where the effects of such buildout are comparable to future conditions without such development. Such mitigation measures shall include but not be limited to:
 - (a) Signal, timing, geometric improvements and regulatory measures.
 - (b) A restriction against additional vehicular access points along Seven Pond Road.
 - (c) The completion of off-site road improvements to be required by the New York Department of Transportation as a function of permit review for curb cuts along New York State Route 25.
 - (d) The geometric improvement of the intersection of Edwards Avenue and Route 25, if warranted by motor vehicle traffic generated by development in the PRP District.

(22) Development within the PRP District shall adhere to setbacks as required; notwithstanding such adherence, noise emanating from the PRP District shall comply with the Noise Ordinance of the Town of Riverhead, Editor's Note: See Ch. 81, Noise Control, which limits such noise levels from commercial and industrial properties to neighboring properties to 65 dBA. In the event that such noise levels are exceeded, such additional noise abatement measures, including increasing such setbacks or the provision of noise walls or the provision of berms, fences, vegetation and the like, shall be provided for. Such restrictions shall not apply to aircraft noise whose flights shall be restricted to daytime hours.

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

10/21/08

Adopted

Town of Riverhead

Resolution # 931

DECLARES NOVEMBER 15TH AS "RIVERHEAD RECYCLES DAY"

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

WHEREAS, there are initiatives in communities and municipalities aimed at limiting and even eliminating the use of plastic bags; and

WHEREAS, it is estimated that in the United States, citizens throw away some 100 billion plastic bags after they have been used to transport a prescription home from the drugstore or a quart of milk from the grocery store. About 2 percent of these bags are recycled, the rest end up in landfills where they can remain for centuries. This is the equivalent of wasting nearly 12 million barrels of oil.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Riverhead Town Board recognizes November as a month to celebrate the concept of recycling and that the Riverhead Town Board hereby declares November 15th as "Riverhead Recycles Day"; and be it further

RESOLVED, because the Town Board feels that recycling is of major importance, the Town Board asks the store owner or manager, to help make customers more aware of the importance of recycling plastic bags or not using them at all. Most grocery chains are now offering their customers reusable bags at very reasonable costs. The Riverhead Town Board is asking stores that offer such bags to make them more accessible to the customer by having these bags available at each check-out counter and having check-out clerical staff offer the bags to customers; and be it further

RESOLVED, that the Riverhead Town Board is asking stores that have access to reusable bags, to offer them free to customers on Saturday, November 15th, 2008.

THE VOTE

Buckley	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Wooten	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
			Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

10/21/08

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 932

AUTHORIZES THE TOWN OF RIVERHEAD TO SECURE PREMISES KNOWN AS 135 OLD RIVER ROAD, MANORVILLE, NEW YORK, 11949, SCTM# 0600/146.00-02-008.02, PURSUANT TO RIVERHEAD TOWN CODE CHAPTER 54

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

WHEREAS, Chapter 54 of the Riverhead Town Code entitled, "Unsafe Buildings and Collapsed Structures" authorizes the Riverhead Town Board to secure premises determined by the Building Inspector or Code Enforcement Official to be unsafe to the public; and

WHEREAS, a cement foundation/basement purportedly owned by Martin Metzner located at 135 Old River Road, Manorville, New York, 11949, Suffolk County Tax Map number 0600/146.00-02-008.02, has been determined by Riverhead Town Code Enforcement Officer (CEO) Nicole Buckner to be unsafe to the public by reason of an unsecured cement foundation/basement approximately eight to ten feet in depth and two to three feet above surrounding grade thereby creating an attractive nuisance and immediate dangerous condition; and

WHEREAS, the unsecured cement foundation/basement poses an immediate safety threat to the residents of and visitors to the Town of Riverhead, especially children; and

WHEREAS, Riverhead Town Code Enforcement Officer Nicole Buckner believes upon information and belief that the subject premises has been abandoned for over three years; and

WHEREAS, CEO Nicole Buckner has represented that the subject premises should be immediately secured to prevent physical injury to residents, visitors and especially children; and

WHEREAS, Riverhead Town Code section 54-6(F)(2) authorizes the Riverhead Town Board to secure the subject premises utilizing general Town funds; and

WHEREAS, Riverhead Town Code section 54-6(F)(3) authorizes the Riverhead Town Board to reimburse general Town funds for the cost of work performed or the services rendered at its discretion by assessment or levy upon lots or parcels of land where such work was performed and/or such services rendered so much of the actual cost as were actually incurred upon each lot or parcel and the charge therefore shall be assessed and collected in the same manner and in the same time as other ad valorem Town charges.

NOW THEREFORE BE IT RESOLVED, that the Town of Riverhead's Investigation Unit/Code Enforcement and/or the Town of Riverhead's Building & Grounds Department or any other designated town department is authorized to secure the cement foundation/basement at 135 Old River Road, Manorville, New York, 11949 subject to the Riverhead Town Building Code.

BE IT FURTHER RESOLVED that the cost of work performed and/or the services rendered shall be paid from general Town funds if needed and then shall be a charge upon the assessment or levy of the subject property upon completion of the work performed and services rendered and shall be collected in the same manner and in the same time as other ad valorem Town charges.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to: CEO Nicole Buckner, Town Investigation Unit; Buildings and Grounds Department; Leroy Barnes, Building Department; Office of the Supervisor; Town of Riverhead Police Department; Town Engineering Department; Tax Receiver; Assessor's Office and the Office of the Town Attorney and Martin Metzner at his last know address.

THE VOTE

Wooten
Dunleavy

Yes No
 Yes No

Buckley
Blass

Yes No
 Yes No

Cardinale

Yes No

This Resolution Was Was Not
Thereupon Duly Declared Adopted

Adopted

10/21/08

TOWN OF RIVERHEAD

RESOLUTION # 933

AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH SAV MOR MECHANICAL, INC. TO MAINTAIN HEATING, VENTILATION AND AIR CONDITIONING SYSTEMS AT RIVERHEAD TOWN HALL

COUNCILMAN BUCKLEY, offered the following resolution, which was seconded by COUNCILMAN WOOTEN.

WHEREAS, the Town of Riverhead wishes to maintain the heating, ventilation and air conditioning systems at Riverhead Town Hall; and

WHEREAS, Sav Mor Mechanical, Inc. is interested and capable of providing maintenance of the Town Hall's heating, ventilation and air conditioning systems.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized to execute the attached agreement with Sav Mor Mechanical, Inc. to maintain the heating, ventilation and air conditioning systems at Riverhead Town Hall.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Frank Schiavone, President, Sav Mor Mechanical, Inc., 30-B Howard Place, Ronkonkoma, NY 11779; Town Engineering Department and the Office of the Town Attorney.

THE VOTE

Wooten	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Buckley	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Dunleavy	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		

The Resolution Was Was Not Thereupon Duly Declared Adopted

SERVICE AGREEMENT

This Agreement made the _____ day of _____, 2008 between the TOWN OF RIVERHEAD (hereinafter "Town"), a municipal corporation organized and existing under the laws of New York, with its office located at 200 Howell Avenue, Riverhead, New York, 11901, and SAV MOR MECHANICAL, Inc.. (hereinafter "Sav Mor"), a corporation existing under the laws of the State of New York with a principal place of business at 30-B Howard Place, Ronkonkoma, New York 11779.

In consideration of the mutual promises herein contained, Town and Sav Mor agree as follows:

1. SCOPE OF SERVICES

During the terms of this Agreement, Sav Mor shall provide Heating, Ventilation, and Air Conditioning maintenance of the Town of Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York 11901, more specifically delineated in Schedule A as attached.

2. TERM OF AGREEMENT

The Agreement shall commence on August 1, 2008 and terminate on July 31, 2009.

3. PAYMENT

For these services the Town of Riverhead will pay Sav Mor a fee of \$3,080.00.

4. PUBLICITY

Sav Mor shall not, without the prior written consent of Town, in any manner advertise or publish the fact that Town has entered into this Agreement with Sav Mor. Sav Mor shall not, without the prior written consent of the Town, provide, release or make available for inspection any document, data, or written material of any kind without the prior written consent of at least three members of the Town Board or by resolution of the Town Board.

5. ASSIGNMENT AND SUBCONTRACTING

Performance of any part of this Agreement may not be subcontracted nor assigned without, in each case, the prior written consent of at least three members of the Town Board or by resolution of the Town Board.

6. TERMINATION

This Agreement may be terminated at any time by either party upon 30 days written notice to the other party. In the event of such termination, Town shall have no further obligation to Sav Mor except to make any payments which may have become due under this Agreement.

7. RECORDS

~~Sav Mor shall keep accurate records of the time spent in the performance of services hereunder.~~

The Town shall, until the expiration of seven years after final payment under this Agreement, have access to and the right to examine any directly pertinent books, documents, papers and records of Sav Mor involving transactions related to this Agreement.

8. CHANGES

The Town, by resolution of the Town Board or written request by at least three members of the Town Board, within the general scope of this Agreement, may, at any time by written notice to Sav Mor, issue additional instructions, require additional services or direct the omission of services covered by this Agreement. In such event, there will be made an equitable adjustment in price and time of performance, but any claim for such an adjustment must be made within 15 days of the receipt of such written notice. In the event that Sav Mor determines that a change order is required, Sav Mor shall obtain written approval of the Town, by resolution or written consent of at least three members of the Town Board, and if the change shall require the payment of additional compensation, Sav Mor must obtain the written approval of three members of the Town Board or resolution of the Town Board for the additional compensation prior to commencement of work regarding the change order. It is agreed and understood that no oral agreement, conversation, or understanding between Sav Mor and the Town, its departments, officers, agents and employees shall effect or modify any of the terms or obligations of this Agreement or schedules annexed hereto and made a part hereof.

9. NOTICES

Any notice shall be considered as having been given: (i) to Town of Riverhead if mailed by certified mail, postage prepaid to Town of Riverhead, Attention: Dawn C. Thomas, Town Attorney, 200 Howell Avenue, Riverhead, NY 11901; or (ii) to Sav Mor if mailed by certified mail, postage prepaid to Sav Mor Mechanical, Attention: Frank Schiavone, 30-B Howard Place, Ronkonkoma, NY 11779.

10. COMPLIANCE WITH LAWS

Sav Mor shall comply with all applicable federal, state and local laws and ordinances and regulations in the performance of its services under this Agreement. Sav Mor will notify Town immediately if Sav Mor's work for Town becomes the subject of a government audit or investigation. Sav Mor represents that company has not been convicted of fraud or any other felony arising out of a contract with any local, state or federal agency. In carrying out the work required hereunder, Sav Mor agrees not to make any communication to or appearance before any person in the executive or legislative branches of the local, state or federal government for the purpose of influencing or attempting to influence any such persons in connection with the award, extension, continuation, renewal, amendment or modification of any contract or agreement. Sav Mor may perform professional or technical services that are rendered directly in the preparation, submission or negotiation activities preceding award of a Town agreement/contract or to meet requirements imposed by law as a condition for receiving the award but only to the extent specifically detailed in the statement of work. Professional and technical services are limited to advice and analysis directly applying Sav Mor's professional or technical discipline.

11. INSURANCE, INDEMNITY AND LIABILITY

Sav Mor shall carry Comprehensive General Liability Insurance and, if applicable, worker's compensation insurance. Sav Mor hereby indemnifies and holds the Town, its departments, officers, agents and employees, harmless against any and all claims, actions or demands against Town, its departments, officers, agents and employees and against any and all damages,

liabilities or expenses, including counsel fees, arising out of the acts or omissions of Sav Mor under this Agreement.

12. CONFLICT OF INTEREST

Sav Mor hereby represents and covenants that neither it nor any of its employees or representatives has or shall have, directly or indirectly, any agreement or arrangement with any official, employee or representative of the Town of Riverhead which any such official, employee, representative shall receive either directly or indirectly anything of value whether monetary or otherwise as the result of or in connection with any actual or contemplated application before any department of the Town, or contract with the Town for sale of any product or service. Sav Mor further represents and covenants that neither it nor any of its employees or representatives has offered or shall offer any gratuity to the Town, its officers, employees, agents or representatives with a view toward obtaining this Agreement or securing favorable treatment with respect hereto. Sav Mor further represents that it will not engage in any activity which presents a conflict of interest in light of its relationship with Town.

13. DISCLOSURE

The Town shall have the right, in its discretion, to disclose the terms and conditions of this Agreement (as it may be amended from time to time), including but not limited to amounts paid pursuant hereto, to agencies of the local, state and federal government.

14. DISPUTES

If Sav Mor fails to perform any of its obligations hereunder in accordance with the terms hereof then, after reasonable notice to Sav Mor not to exceed thirty (30) days and an opportunity for Sav Mor to cure such failure (except in case of emergency), the Town may (but shall not be obligated to) cure such failure at the expense of Sav Mor and the amount incurred by the Town in connection with such care shall be payable by Sav Mor to Town on demand. Notwithstanding the above, any dispute arising under this Agreement which is not settled by Agreement of the parties may be settled by appropriate legal proceedings. Pending any decision, appeal or judgment in such proceedings or the settlement of any dispute arising under this Agreement, Sav Mor shall proceed diligently with the performance of this Agreement in accordance with the decision of Town.

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

Phil Cardinale, Supervisor
Town of Riverhead
200 Howell Avenue
Riverhead, NY 11901

Frank Schiavone, President
Sav Mor Mechanical, Inc.
30-B Howard Place
Ronkonkoma, NY 11779

10/21/08

Adopted

TOWN OF RIVERHEAD

Resolution # 934

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (Residence B-80 (RB-80) Zoning Use District)

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

RESOLVED, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the October 30, 2008 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

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

TOWN OF RIVERHEAD

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 18th day of November, 2008 at 7:20 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

**Chapter 108
Zoning**

**ARTICLE V
Residence B-80 (RB-80) Zoning Use District**

§ 108-16. Uses.

In the RB-80 Zoning Use District, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

- B. Specially permitted uses, by special permit of the Town Board.
- (1) Bed-and-breakfast.
 - (2) Overhead electrical power transmission and distribution lines in excess of 13 kilovolts.
 - (3) Educational institution without boarding facilities or dormitories, private.
 - (4) Day-care facility conducted in a residence.
 - (5) Golf course (standard), with or without clubhouse.
 - (6) An accessory dwelling unit with a maximum living area of 1,000 square feet on a lot of 10 acres or more, provided that the total number of dwelling units yielded by the original subdivision creating such lot is not exceeded.
 - (7) Professional offices of attorneys, architects, medical doctors, or dentists provided that the subject real property conforms to the following conditions:
 - (a) the property is improved with a single family residence at the time of the adoption of this local law.
 - (b) the professional office use shall be within the building footprint of the existing single family residence.
 - (c) the property has frontage along New York State Route 25 between Route 105 and the town boundary with the Town of Southold.
- Underline represents addition(s)
 - Overstrike represents deletion(s)

Dated: Riverhead, New York
October 21, 2008

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

BARBARA GRATTAN, Town Clerk

10/21/08

Adopted

TOWN OF RIVERHEAD

Resolution # 935

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO
CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED,
"ZONING" OF THE RIVERHEAD TOWN CODE
(Agriculture Protection (APZ) Zoning Use District)**

COUNCILWOMAN BLASS

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

RESOLVED, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the October 30, 2008 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

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

TOWN OF RIVERHEAD

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 18th day of November, 2008 at 7:25 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

Chapter 108

Zoning

ARTICLE VI

Agriculture Protection Zoning Use District (APZ)

§ 108-22. Uses.

In the APZ, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

- B. Specially permitted uses, by special use permit of the Town Board.
- (1) Golf course (standard), with or without clubhouse.
 - (2) Bed-and-breakfast.
 - (3) Overhead electrical power transmission and distribution lines in excess of 13 kilovolts.
 - (4) Kennel, commercial.
 - (5) Educational institution without boarding facilities or dormitories, private.
 - (6) Day-care facility conducted in a residence.
 - (7) An accessory dwelling unit on lot of 10 acres or more with a maximum living area of 1,000 square feet, provided that the total number of dwelling units yielded by the original subdivision creating such lot is not exceeded.
 - (8) Professional offices of attorneys, architects, medical doctors, or dentists provided that the subject real property conforms to the following conditions:
 - (a) the property is improved with a single family residence at the time of the adoption of this local law.
 - (b) the professional office use shall be within the building footprint of the existing single family residence.
 - (c) the property has frontage along New York State Route 25 between Route 105 and the town boundary with the Town of Southold.

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

Dated: Riverhead, New York
October 21, 2008

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

BARBARA GRATTAN, Town Clerk

October 21, 2008

TOWN OF RIVERHEAD

Adopted

Resolution # 936

**Grants Special Use Permit of New York SMSA Limited Partnership
D/B/A Verizon Wireless**

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

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Verizon Wireless pursuant to Article XLI of the Code of the Town of Riverhead to affix twelve (12) wireless communication antennae to an existing building located at Route 58, Riverhead; such real property more particularly described as Suffolk County Tax map Number 0600-119-1-9.4, and

WHEREAS, the owner of the premises, Jaral Riverhead Corp., has given permission to Verizon Wireless to make such petition, and

WHEREAS, by resolution dated June 19, 2007, the Riverhead Town Board did declare themselves to be the Lead Agency pursuant to 6NYCRR Part 617 and did further determine the action to be Unlisted, and

WHEREAS, the action was referred to the Suffolk County Planning Commission for its report and recommendation; such Planning Commission considering the matter to be one of local determination, and

WHEREAS, a public hearing was held by this Town Board on June 6, 2008 with the applicant's attorney appearing and presenting proof in the form of expert affidavits and reports from Savik and Murry, LLP. Consulting Engineers, Spinnet Corporation, Brisling Appraisal Co., Inc. Mr. Nashua Myth (Radio Frequency Engineer) and Mr. Daniel Jalisco, P.E. to address the criteria set forth in Article XLI 108-216 B (2) of the Riverhead Town Code including, but not limited to: gap in service such that affixing the

proposed antennae to existing building will allow the utility to provide reliable and adequate telecommunications service to residents; proximity to residential structures and residential district boundaries; site and surrounding topography; and suitable or alternative technologies. In addition to above, the applicant filed a detailed report that the proposed antennae and the radio frequency electromagnetic emissions comply with FCC regulations, and

WHEREAS, the Riverhead Town Board has carefully considered the merits of the special use permit petition, the SEQRA record created to date, the report of the Planning Department, the report of the Suffolk County Planning Commission, the commentary made at the relevant public hearing as well as all other relevant planning, Zoning and environmental information and criteria set forth in the Code of the Town of Riverhead with respect to telecommunications antennae and public utilities and determines as follows:

NOW, BE IT THEREFORE

RESOLVED, that in the matter of the special permit application of Verizon Wireless, the Riverhead Town Board hereby makes the following findings:

- (i) The property lies within the Business Center Zoning Use District which provides for wireless communication antennas as a special permitted use, and
- (ii) The current use of the property as a hotel, the size of the property and proposed location of the antennae and equipment cabinets upon the lot meets all setback and lot coverage requirements, and
- (iii) The application seeks permission of a public utility to provide and improve telecommunications service to residents in the immediate surrounding area and individuals traveling upon and through the Town, and

- (iv) The applicant has satisfactorily addressed the general code provisions outlined in 108-214 including but not limited to inventory of existing sites, aesthetic requirements and reduction of visual obtrusiveness, and
- (v) The applicant has satisfactorily addressed the criteria set forth in code provisions outlined in 108-216 including but not limited proximity to residential structures and residential district boundaries, nature of existing on adjacent and nearby properties, location of existing sites and need for location at site to provide reliable coverage, and ingress and egress to site, and
- (vi) The public interest is served by permitting applicant to affix twelve (12) panel antennae with equipment cabinets to the building existing upon the premises, and

BE IT FURTHER

RESOLVED, that the proposed action will not result in significant adverse impacts to either the natural or social environment and that an Environmental Impact Statement need not be prepared, and

BE IT FURTHER

RESOLVED, that based upon its findings, the Riverhead Town Board hereby grants the special permit petition of Verizon Wireless to allow the affixing of twelve (12) antennae upon an existing building together with accessory equipment cabinet upon real property located at Old Country Road, Riverhead, New York; such real property more particularly described as Suffolk County Tax Map Number 0600-119-1-9.4, and

BE IT FURTHER

RESOLVED, that a copy of this resolution be forwarded to New York SMSA Limited Partnership D/B/A Verizon Wireless or agent, the Building Department, the Town Attorney, the Fire Marshal, the Accounting Department and that a copy be scanned on to the Town Hall Share Drive for future reference.

THE VOTE

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

TOWN OF RIVERHEAD

Resolution # 937

ACCEPTS RETIREMENT AND RESIGNATION OF TOWN CLERK

COUNCILMAN BUCKLEY offered the following resolution and was seconded by COUNCILMAN WOOTEN:

WHEREAS, Barbara Grattan, Town Clerk of the Town of Riverhead, has expressed her desire to retire from public service and resign from her position as Town Clerk for the Town of Riverhead effective November 5, 2008; and

WHEREAS, it is with great sorrow that the Town Board of the Town of Riverhead must accept said resignation,

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby accepts the resignation of Barbara Grattan effective November 5, 2008, and be it further

RESOLVED that the Office of the Town Clerk be, and hereby is, directed to file this Resolution in the Office of the New York State Secretary of State and to forward a certified copy of same to Barbara Grattan and the Office of Accounting.

WOOTEN YES NO BUCKLEY YES NO
DUNLEAVY YES NO BLASS YES NO
 YES NO
THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

Tabled

10/21/08

TOWN OF RIVERHEAD

Resolution # 938

APPOINTS DIANE WILHELM TO FILL VACANCY IN POSITION OF TOWN CLERK FOR THE TOWN OF RIVERHEAD

COUNCILMAN WOOTEN offered the following resolution and was

seconded by COUNCILWOMAN BLASS :

WHEREAS, Barbara Grattan, Town Clerk of the Town of Riverhead, has regretfully expressed her desire to retire and has requested that her retirement and resignation become effective November 5, 2008; and

WHEREAS, pursuant to Town Law §64(5) the Town Board is authorized to make appointments to fill vacancies in town offices; and

WHEREAS, pursuant to Town Law §64(5) and Public Officers Law §42 the town board may appoint a qualified person to fill the vacancy of an elective office; and

WHEREAS, the Diane Wilhelm is a Deputy Town Clerk with a civil service title as Senior Account Clerk Typist; and

WHEREAS, the Town Board approves Diane Wilhelm's request for a leave of absence until December 31, 2009 from her position as Senior Account Clerk Typist to permit her to accept an appointment to the position of Town Clerk for the Town of Riverhead; and

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Riverhead that Diane Wilhelm, Deputy Town Clerk for the Town of Riverhead, be and hereby is appointed Town Clerk, for a term effective November 5, 2008 and ending upon the commencement of the calendar year next succeeding the first annual election at which the vacancy may be filled, at an annual salary of \$71,036.00; pro-rated for the remainder of 2008, and

BE IT FURTHER RESOLVED that the Office of the Town Clerk is hereby directed to forward a certified copy of this resolution to Diane Wilhelm, and

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

WOOTEN YES ___ NO BUCKLEY YES ___ NO

DUNLEAVY YES ___ NO BLASS YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

Adopted

RESOLUTION # <u>939</u> ABSTRACT #08-41 October 09, 2008 (TBM 10/21/08)				
Councilman Buckley offered the following Resolution which was seconded by				
Councilman Wooten				
FUND NAME		10/8/08 CD	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1		729,532.20	729,532.20
POLICE ATHLETIC LEAGUE	4		1,621.60	1,621.60
RECREATION PROGRAM FUND	6		11,784.82	11,784.82
ECONOMIC DEVELOPMENT ZONE FUND	30		2,663.92	2,663.92
HIGHWAY FUND	111		61,807.11	61,807.11
WATER DISTRICT	112		135,551.80	135,551.80
RIVERHEAD SEWER DISTRICT	114		71,014.55	71,014.55
REFUSE & GARBAGE COLLECTION DI	115		5,089.67	5,089.67
STREET LIGHTING DISTRICT	116		43,228.39	43,228.39
PUBLIC PARKING DISTRICT	117		2,879.54	2,879.54
AMBULANCE DISTRICT	120		895.48	895.48
EAST CREEK DOCKING FACILITY FU	122		966.88	966.88
CALVERTON SEWER DISTRICT	124		3,761.01	3,761.01
RIVERHEAD SCAVANGER WASTE DIST	128		21,168.28	21,168.28
WORKERS' COMPENSATION FUND	173		6,454.93	6,454.93
RISK RETENTION FUND	175		2,328.77	2,328.77
UNEMPLOYMENT INSURANCE RESERVE	176		1,686.00	1,686.00
CDBG CONSORTIUM ACOUNT	181		540.44	540.44
TOWN HALL CAPITAL PROJECTS	406	18,448,000.00	607,251.19	19,055,251.19
YOUTH SERVICES CAP PROJECT	452		4,238.43	4,238.43
SENIORS HELP SENIORS CAP PROJE	453		2,757.06	2,757.06
MUNICIPAL GARAGE FUND	626		14,813.97	14,813.97
TRUST & AGENCY	735		504,072.84	504,072.84
COMMUNITY PRESERVATION FUND	737		1,558.35	1,558.35
TOTAL ALL FUNDS		18,448,000.00	2,237,667.23	20,685,667.23

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

RESOLUTION # <u>939</u> ABSTRACT #08-41 October 09, 2008 (TBM 10/21/08)				
Councilman Buckley offered the following Resolution which was seconded by				
Councilman Wooten .				
FUND NAME		10/8/08 CD	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1		729,532.20	729,532.20
POLICE ATHLETIC LEAGUE	4		1,621.60	1,621.60
RECREATION PROGRAM FUND	6		11,784.82	11,784.82
ECONOMIC DEVELOPMENT ZONE FUND	30		2,663.92	2,663.92
HIGHWAY FUND	111		61,807.11	61,807.11
WATER DISTRICT	112		135,551.80	135,551.80
RIVERHEAD SEWER DISTRICT	114		71,014.55	71,014.55
REFUSE & GARBAGE COLLECTION DI	115		5,089.67	5,089.67
STREET LIGHTING DISTRICT	116		43,228.39	43,228.39
PUBLIC PARKING DISTRICT	117		2,879.54	2,879.54
AMBULANCE DISTRICT	120		895.48	895.48
EAST CREEK DOCKING FACILITY FU	122		966.88	966.88
CALVERTON SEWER DISTRICT	124		3,761.01	3,761.01
RIVERHEAD SCAVANGER WASTE DIST	128		21,168.28	21,168.28
WORKERS' COMPENSATION FUND	173		6,454.93	6,454.93
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CDBG CONSORTIUM ACOUNT	181		540.44	540.44
TOWN HALL CAPITAL PROJECTS	406	18,448,000.00	607,251.19	19,055,251.19
YOUTH SERVICES CAP PROJECT	452		4,238.43	4,238.43
SENIORS HELP SENIORS CAP PROJE	453		2,757.06	2,757.06
MUNICIPAL GARAGE FUND	626		14,813.97	14,813.97
TRUST & AGENCY	735		504,072.84	504,072.84
COMMUNITY PRESERVATION FUND	737		1,558.35	1,558.35
TOTAL ALL FUNDS		18,448,000.00	2,237,667.23	20,685,667.23

10/21/08

940

Adopted

TOWN OF RIVERHEAD

AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS AND MORTGAGEE OF THE PROPERTY LOCATED AT FAIRWAY DRIVE, WADING RIVER, NEW YORK

Dunleavy offered the following resolution, was seconded by Blass:

WHEREAS, the Town Board has determined that the property situated at Fairway Drive, Wading River, New York, (Suffolk County Tax Map # 0600-057-01.00-1.31) is being used and occupied in violation of various sections of the Code of the Town of Riverhead;

NOW, THEREFORE, BE IT RESOLVED, that Dawn C. Thomas, Town Attorney for the Town of Riverhead is authorized to institute legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the property situated at Fairway Drive, Wading River, New York, (Suffolk County Tax Map # 0600-057-01.00-1.31) in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property; and be it further

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

WOOTEN YES ___ NO BUCKLEY YES ___ NO

DUNLEAVY YES ___ NO BLASS YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT DECLARED DULY ADOPTED

Adopted

Tabled

September 3, 2008

TOWN OF RIVERHEAD

Resolution # 750

APPROVES STIPULATION OF AGREEMENT

COUNCILMAN DUNLEAVY

offered the following

resolution, which was seconded by COUNCILMAN WOOTEN

WHEREAS, A STIPULATION OF AGREEMENT DATE September 3, 2008 has been conditionally agreed to by the CSEA and the Town.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the stipulation of agreement dated September 3, 2008.

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

The Vote

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

THE RESOLUTION WAS WAS NOT

THEREFORE DULY ADOPTED

* 10/21/08 Town Board Meeting

All voted yes to UNTABLE

All voted yes to ADOPT

STIPULATION OF AGREEMENT

This Stipulation of Agreement is made and entered into this 3rd day of September 2008 by and between the Town of Riverhead ("the Town") and the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Riverhead Unit ("CSEA").

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

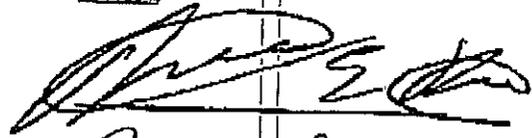
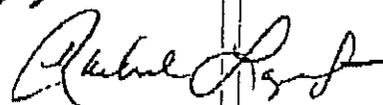
WHEREAS, it is the desire of both parties to re-evaluate the positioning of the Civil Service title of Network and Systems Technician.

NOW THEREFORE, it is agreed as follows:

1. The Civil Service title of Network and Systems Technician which is currently found on the Administrative Salary Schedule in Group 3 shall be reassigned to Group 4 on the Administrative Salary Schedule effective September 3, 2008.
2. This Stipulation of Agreement is subject to ratification by the Town Board and if the Town Board fails to ratify, this agreement is hereby null and void.

Town of Riverhead

CSEA

September 3, 2008

Tabled

TOWN OF RIVERHEAD

Resolution # 755

REASSIGN NETWORK AND SYSTEMS TECHNICIANS

COUNCILMAN WOOTEN offered the following resolution, which was seconded by COUNCILMAN BUCKLEY

WHEREAS, a Stipulation of Agreement dated September 3, 2008 has been conditionally agreed to by the CSEA and the Town reassigning the position of the Civil Service title of Network and Systems Technician on the Administrative Salary Schedule.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to said stipulation Network and Systems Technician Theresa Davis is hereby reassigned to Group 4, Step (6) on the Administrative Salary Schedule, and Network and Systems Technician Martin Lynch is hereby reassigned to Group 4, Step 3A of the Administrative Salary Schedule, both effective for September 8, 2008.

BE IT FURTHER, RESOLVED that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Theresa Davis, Martin Lynch, the Personnel Officer and the Office of Accounting.

10/21/08

*All voted yes to UNTABLE

All voted yes to ADOPT

The Vote

Wooten	Yes	No	Buckley	Yes	No
Dunleavy	Yes	No	Blass	Yes	No
Cardinal		Yes		No	

THE RESOLUTION WAS WAS NOT

THEREFORE DULY ADOPTED