

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

- #1119 Water Department Budget Adjustment
- #1120 General Fund – Insurance Budget Adjustment
- #1121 Authorizes Amendment to Resolutions #1076 - #1084
Capital Project Number (45104)
- #1122 Establishes Times and Dates of Regular Meetings of the
Town Board for 2008
- #1123 Appoints Member to Town of Riverhead/Suffolk County
Empire Zone Administrative Board (Stephen Patterson)
- #1124 Authorization to Publish Advertisement for Disposal of
Demolition & Construction Debris 2008
- #1125 Authorization to Publish Advertisement for Disposal of
Town of Riverhead Generated Municipal Solid Waste
- #1126 Authorizes Legal Action Against the Owners, Tenants,
Occupants and Mortgagee of the Property Located at
141 Fairway Drive, Wading River, New York
- #1127 Reappoints Student Intern to the Accounting
Department (William Torre)
- #1128 Rescinds Resolution #1114 of November 20, 2007
(Authorizes Town Clerk to Publish and Post a Public
Notice of Public Hearing to Consider a Proposed Local
Law to Amend Chapter 106 Entitled “Waterways” of the
Riverhead Town Code) (§106-8 Speed; Reckless
Operation)
- #1129 Adopts a Local Law Amending Chapter 106 Entitled
“Waterways” of the Riverhead Town Code

- #1130 Approves Chapter 90 Application of Jedediah Hawkins Inn (Christmas Tree Lighting Ceremony – December 7, 2007)
- #1131 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 (§108-64 Prefabricated Dwellings)
- #1132 Authorizes Public Hearing for a Local Law Setting Service Connection Fees Riverhead Water District
- #1133 Calls Public Hearing on Special Permit of Peconic Line-X
- #1134 Awards Bid for Rain Gear
- #1135 Approves the Application for Fireworks Permit of Riverhead Business Improvement District (December 31, 2007)
- #1136 Rescinds Resolution #390 of 2007 (Adopts a Local Law Amending Chapter 108 Entitled “Zoning” of the Riverhead Town Code (Agriculture Protection Zoning Use District (APZ)
- #1137 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) (Residence A-80 (RA-80) Zoning Use) (Agriculture Protection (APZ) Zoning Use District) (Cluster Development)
- #1138 Ratifies the Authorization for 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 (Article VIII – Accessory Apartments)
- #1139 Authorization to Republish Advertisement for 2008 Type III Emergency Vehicle (Ambulance)

- #1140 Authorizing the Town of Riverhead to Order an Appraisal for Property Located on the North Side of Second Street, East of Roanoke Avenue, Riverhead, New York
- #1141 Authorizes the Town Attorney to Execute a Stipulation of Settlement in a Lawsuit (Hulse, et al V. TOR)
- #1142 Authorizes the Town Attorney to Execute a Stipulation of Settlement in a Lawsuit (TOR v. O'Neill)
- #1143 Accepts Resignation of a Deputy Highway Superintendent
- #1144 Sets Sewer Rent for Mill Pond Commons 2007/2008
- #1145 Authorizes Town Clerk to Publish and Post Notice of Public Hearing Special Permit of the Historic Village of Jamesport (Bistro)
- #1146 Authorizes Town Clerk to Publish and Post Notice of Public Hearing – Special Permit of the Historic Village of Jamesport (Professional Office)
- #1147 General Fund Budget Adjustment
- #1148 Pays Bills

December 4, 2007

Adopted

TOWN OF RIVERHEAD

WATER DEPARTMENT

BUDGET ADJUSTMENT

RESOLUTION # 1119

COUNCILMAN BARTUNEK

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

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

	<u>FROM</u>	<u>TO</u>
406.083200.547900.30087 Special Items – Contingency	15,000	
406.083200.543501.30087 Professional Services - Engineering		15,000

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

December 4, 2007

Adopted

TOWN OF RIVERHEAD

GENERAL FUND - INSURANCE

BUDGET ADJUSTMENT

RESOLUTION # 1120

COUNCILMAN DENSIESKI

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

WHEREAS, an insurance check was received in the amount of \$17,264.39 to cover the damages and replacement costs to a bus shelter.

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

		<u>FROM</u>	<u>TO</u>
001.092680.466000	Insurance Recovery	17,025.00	
001.014400.524000	Engineering Equipment		17,025.00

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

DECEMBER 4, 2007

Adopted

TOWN OF RIVERHEAD

AUTHORIZES AMENDMENT TO RESOLUTIONS #1076 – #1084

CAPITAL PROJECT NUMBER

RESOLUTION # 1121

COUNCILWOMAN BLASS

_____ offered the following
resolution, which was seconded by _____

COUNCILMAN DUNLEAVY

WHEREAS, the adopted resolutions #1076 - #1084 for nine road reconstruction projects were assigned different project numbers, and

WHEREAS, it is beneficial to assign the same project number to each resolution #1076 - #1084 for the Reconstruction and Road Resurfacing Projects.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the amendment of Town Board Resolutions # 1076 - # 1084 adopted November 20, 2007 to reflect the same appropriation Capital Project Number of 45104.

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

December 4, 2007

Adopted

Town of Riverhead

Resolution # 1122

ESTABLISHES TIMES AND DATES OF REGULAR MEETINGS OF

THE TOWN BOARD FOR 2008

COUNCILMAN DUNLEAVY

_____ offered the following resolutions, which was seconded

by COUNCILMAN BARTUNEK.

WHEREAS, that during the year 2008, all regular meetings of the Town Board will be held twice monthly in Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York; the first to be held on the first Tuesday of the month at 2:00 p.m. and the second to be held on the third Tuesday of the month at 7:00 p.m. Exceptions include meetings that will be held in Town Hall at 2:00 p.m. on Wednesday, January 2, 2008, at 2:00 pm on Wednesday, February 6, 2008, at 7:00 pm on Wednesday, February 20, 2008, at 2:00 pm on Wednesday, September 3, 2008, at 2:00 pm on Wednesday, November 5, 2008 and at 2:00 pm on Tuesday, December 30, 2008. The meeting at 2:00 p.m. on Wednesday, January 2, 2008 will replace the meeting scheduled for the first Tuesday in January; the meeting at 2:00 pm on Wednesday, February 6, 2008 will replace the meeting scheduled for the first Tuesday in February; the meeting at 7:00 p.m. on Wednesday, February 20, 2008 will replace the meeting scheduled for the third Tuesday in February; the meeting at 2:00 p.m. on Wednesday, September 3, 2008 will replace the meeting scheduled for the first Tuesday in September; the meeting at 2:00 p.m. on Wednesday, November 5, 2008 will replace the meeting scheduled for the first Tuesday in November; the meeting at 2:00 pm on Tuesday, December 30, 2008 is an annual end of the year meeting; the March 18, 2008 meeting will be held at Riley Avenue Elementary School in Calverton at 7:00 pm; the May 20, 2008 meeting will be held at the Senior Citizen Human Resource Center in Aquebogue at 7:00 pm; the August 19, 2008 meeting will be held at the George Young Community Center in Jamesport at 7:00 pm; the September 16, 2008 meeting will be held at the Wading River Congregational Church at 7:00 pm.

NOW, THEREFORE BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the attached notice in the December 13, 2007 issue of *The News-Review* and to post same on the signboard(s) in Town Hall.

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

TOWN BOARD MEETING TIMES AND DATES

PLEASE TAKE NOTICE, pursuant to a resolution of the Town Board of the Town of Riverhead duly adopted on December 4, 2007, that during the year 2008, all regular meetings of the Town Board will be held twice monthly in Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York; the first to be held on the first Tuesday of the month at 2:00 p.m. and the second to be held on the third Tuesday of the month at 7:00 p.m. Exceptions include meetings that will be held in Town Hall at 2:00 p.m. on Wednesday, January 2, 2008, at 2:00 pm on Wednesday, February 6, 2008, at 7:00 pm on Wednesday, February 20, 2008, at 2:00 pm on Wednesday, September 3, 2008, at 2:00 pm on Wednesday, November 5, 2008 and at 2:00 pm on Tuesday, December 30, 2008. The meeting at 2:00 p.m. on Wednesday, January 2, 2008 will replace the meeting scheduled for the first Tuesday in January; the meeting at 2:00 pm on Wednesday, February 6, 2008 will replace the meeting scheduled for the first Tuesday in February; the meeting at 7:00 p.m. on Wednesday, February 20, 2008 will replace the meeting scheduled for the third Tuesday in February; the meeting at 2:00 p.m. on Wednesday, September 3, 2008 will replace the meeting scheduled for the first Tuesday in September; the meeting at 2:00 p.m. on Wednesday, November 5, 2008 will replace the meeting scheduled for the first Tuesday in November; the meeting at 2:00 pm on Tuesday, December 3, 2008 is an annual end of the year meeting; the March 18, 2008 meeting will be held at Riley Avenue Elementary School in Calverton at 7:00 pm; the May 20, 2008 meeting will be held at the Senior Citizen Human Resource Center in Aquebogue at 7:00 pm; the August 19, 2008 meeting will be held at the George Young Community Center in Jamesport at 7:00 pm; the September 16, 2008 meeting will be held at the Wading River Congregational Church at 7:00 pm.

MEETING DATE	MEETING PLACE	MEETING TIME
January 2 (Wednesday)	Town Hall	2:00 p.m.
January 15	Town Hall	7:00 p.m.
February 6 (Wednesday)	Town Hall	2:00 p.m.
February 20 (Wednesday)	Town Hall	7:00 p.m.
March 4	Town Hall	2:00 p.m.
March 18	Riley Avenue Elementary School	7:00 p.m.
April 1	Town Hall	2:00 p.m.
April 15	Town Hall	7:00 p.m.
May 6	Town Hall	2:00 p.m.

May 20	Senior Citizen Human Resource Center	7:00 p.m.
June 3	Town Hall	2:00 p.m.
June 17	Town Hall	7:00 p.m.
July 1	Town Hall	2:00 p.m.
July 15	Town Hall	7:00 p.m.
August 5	Town Hall	2:00 p.m.
August 19	George Young Community Center	7:00 p.m.
September 3 (Wednesday)	Town Hall	2:00 p.m.
September 16	Wading River Congregational Church	7:00 p.m.
October 7	Town Hall	2:00 p.m.
October 21	Town Hall	7:00 p.m.
November 5 (Wednesday)	Town Hall	2:00 p.m.
November 18	Town Hall	7:00 p.m.
December 2	Town Hall	2:00 p.m.
December 16	Town Hall	7:00 p.m.
December 30	Town Hall	2:00 p.m.

Dated: Riverhead, New York
December 4, 2007

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

THE VOTE

Dunleavy yes no Bartunek yes no
 Blass yes no Densieski yes no
 Cardinale yes no

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

December 4, 2007

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1123

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

COUNCILMAN BARTUNEK

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

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 Empire 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; and

WHEREAS, the position set forth in the bylaws for a representative of the EPCAL site has been vacant since the resignation of RDC Director Mark Miller; and

WHEREAS, it is the desire of the Town Board of the Town of Riverhead to appoint Stephen Patterson to serve as the EPCAL representative in Class A, Patterson having served as a 10 year Director of the Riverhead Development Corp.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby appoints Stephen Patterson to serve as the EPCAL representative in

Class A to the Town of Riverhead/Suffolk County Empire Zone Administrative Board until reappointment or replacement by the Riverhead Town Board; and

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Office of Suffolk County Executive Steve Levy, c/o Nick Anastasi, Economic Development, P.O. Box 6100 Hauppauge, NY 11788; Stephen Patterson, 3 Waterview Court, Riverhead, NY 11901; the Town of Riverhead Attorney's Office; Randy Coburn (Empire Zones Program Director, care of Empire State Development); Riverhead Community Development Agency; and the Empire Zone Coordinator.

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

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

December 4, 2007

Adopted

TOWN OF RIVERHEAD

Resolution # 1124

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR DISPOSAL OF
DEMOLITION & CONSTRUCTION DEBRIS 2008
COUNCILMAN DENSIESKI

_____ offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for proposals for DISPOSAL OF DEMOLITION & CONSTRUCTION DEBRIS and;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the DECEMBER 13, 2007 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 Sanitation Department and the Purchasing Department.

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

The Resolution Was Was Not

Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the **DISPOSAL OF DEMOLITION & CONSTRUCTION DEBRIS** for use by the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:05 a.m. on DECEMBER 21, 2007.**

Bid packets, including Specifications, may be obtained on the Town of Riverhead website 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 DISPOSAL OF DEMOLITION & CONSTRUCTION DEBRIS.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

DECEMBER 4, 2007

Adopted

TOWN OF RIVERHEAD

Resolution # 1125

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR DISPOSAL OF TOWN OF RIVERHEAD GENERATED MUNICIPAL SOLID WASTE

COUNCILWOMAN BLASS

_____ offered the following resolution,

COUNCILMAN DUNLEAVY

which was seconded by _____

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for processing & disposal of MUNICIPAL SOLID WASTE from the Town of Riverhead departments and,

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the DECEMBER 13TH, 2007 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 Sanitation Superintendent and the Purchasing Department.

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed bids for the **DISPOSAL OF MUNICIPAL SOLID WASTE** for the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m. on December 21, 2007.**

Bid packets, including Specifications, may be obtained on the Town of Riverhead website at www.riverheadli.com or 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 DISPOSAL OF MUNICIPAL SOLID WASTE.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

12/4/07

Adopted

TOWN OF RIVERHEAD

Resolution # 1126

AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS AND MORTGAGEE OF THE PROPERTY LOCATED AT 141 FAIRWAY DRIVE, WADING RIVER, NEW YORK

COUNCILMAN DUNLEAVY

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

WHEREAS, the Town Board has determined that the property situated at 141 Fairway Drive, Wading River, New York is being used and occupied in violation of various sections of the Code of the Town of Riverhead and the New York State Uniform Fire Prevention and Building Code;

NOW, THEREFORE, BE IT HEREBY 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 structure situated at 141 Fairway Drive, Wading River, New York in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property and the structure situated upon such; 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 against the owners, tenants, occupants and/or mortgagee of said property for their illegal use, occupancy and maintenance of said property.

THE VOTE

Dunleavy yes ___ no Bartunek yes ___ no
Blass yes ___ no Densieski yes ___ no
Cardinale yes ___ no

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

December 4, 2007

Adopted

TOWN OF RIVERHEAD

Resolution # 1127

REAPPOINTS STUDENT INTERN TO THE ACCOUNTING DEPARTMENT

COUNCILMAN BARTUNEK

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

WHEREAS, the need for a Student Intern exists in the Accounting Department,
and

WHEREAS, the recommendation of the Financial Administrator and the
Personnel Officer has been received.

NOW, THEREFORE, BE IT RESOLVED, that effective December 26, 2007
through January 25, 2008 William Torre is hereby reappointed to the position of Student
Intern II at the hourly rate of \$10.00.

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

The Vote

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

THE RESOLUTION ~~X~~ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

December 4, 2007

Adopted

TOWN OF RIVERHEAD

Resolution # 1128

RESCINDS RESOLUTION #1114 OF NOVEMBER 20,2007 (AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW TO AMEND CHAPTER 106 ENTITLED "WATERWAYS" OF THE RIVERHEAD TOWN CODE) (§ 106-8 SPEED; RECKLESS OPERATION)

COUNCILMAN DENSIESKI

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

WHEREAS, pursuant to Resolution #1114 adopted by the Riverhead Town Board on November 20,2007, the Town Clerk was authorized to publish and post a public notice to consider a local law to amend Chapter 106 entitled "Waterways" of the Riverhead Town Code in the December 18, 2007 issue of the News Review; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby rescinds Resolution #1114 of November 20, 2007; and be it further

RESOLVED, that the Town Clerk shall provide a copy of this resolution to the Riverhead Bay Constable, and the Office of the Town Attorney.

THE VOTE

DUNLEAVY YES ___ NO BARTUNEK YES ___ NO

BLASS YES ___ NO DENSIESKI YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION ~~X~~ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

December 4, 2007

Adopted

TOWN OF RIVERHEAD

Resolution # 1120

ADOPTS A LOCAL LAW AMENDING CHAPTER 106 ENTITLED "WATERWAYS" OF THE RIVERHEAD TOWN CODE

COUNCILWOMAN BLASS

offered the following resolution, which was seconded by

COUNCILMAN DUNLEAVY

WHEREAS, the Town Clerk was authorized to post and publish notice to all interested persons to consider a local law amending Chapter 106 entitled, "Waterways" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on January 17, 2007 at Town Hall, 200 Howell Avenue, Riverhead, New York, time and place specified in said public notice, and all persons wishing to be heard, were heard.

NOW THEREFORE BE IT 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 the Town Clerk be and is hereby authorized to forward a copy of this resolution to the Riverhead Bay Constable, and the Office of the Town Attorney.

THE VOTE

DUNLEAVY	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	BARTUNEK	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
BLASS	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	DENSIESKI	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
CARDINALE	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO			

THIS 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 106 entitled, "Waterways" of the Riverhead Town Code at a regular meeting held on December 4, 2007. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

§ 106-8. Speed; reckless operation.

- I. No person shall use a boat equipped or operated with an outboard motor in excess of 10 horsepower on the Peconic River.

.Underline represents additions(s)

DATED: December 4, 2007
Riverhead, New York
BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
BARBARA GRATTAN, TOWN CLERK

TOWN OF RIVERHEAD

Resolution # 1130

**APPROVES CHAPTER 90 APPLICATION OF JEDEDIAH HAWKINS INN
(Christmas Tree Lighting Ceremony – December 7, 2007)**

COUNCILMAN DUNLEAVY

_____ offered the following resolution, was seconded by

COUNCILMAN BARTUNEK :

WHEREAS, on November 12, 2007, the Jedediah Hawkins Inn had submitted a Chapter 90 Application for the purpose of conducting a Christmas Tree Lighting Ceremony to be held on their property located at 400 South Jamesport Avenue, Jamesport, New York, on Friday, December 7, 2007, between the hours of 6:00 p.m. and 8:00 p.m.; and

WHEREAS, the Jedediah Hawkins Inn has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

WHEREAS, the Town Board of the Town of Riverhead has declared itself "Lead Agency" in accordance with 6 NYCRR 617.6(b); and

WHEREAS, the applicable Chapter 90 Application fee has been paid; and

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

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

NOW THEREFORE BE IT RESOLVED, that Town of Riverhead hereby determines the action to be an "Unlisted" action in accordance with 6 NYCRR 617.7(a) and hereby issues a Negative Declaration pursuant to 6 NYCRR 617.7(a)(2); and be it further

RESOLVED, that the Chapter 90 Application of the Jedediah Hawkins Inn for the purpose of conducting a Christmas Tree Lighting Ceremony to be held on their property located at 400 South Jamesport Avenue, Jamesport, New York, on Friday, December 7, 2007, between the hours of 6:00 p.m. and 8:00 p.m., is hereby approved; and be it further

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

RESOLVED, that this approval is subject to the provisions of Riverhead Town Code Chapter 81 - "Noise Control", Chapter 108-56 - "Signs" and any other section of the Riverhead Town Code that may pertain to this event; and be further

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

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Jedediah Hawkins Inn, P.O. Box 634, 400 South Jamesport Avenue, Jamesport, New York, 11947; and copies to the Riverhead Fire Marshal; the Riverhead Police Department and the Office of the Town Attorney.

THE VOTE

Dunleavy yes ___ no ___ Bartunek yes ___ no ___
Blass yes ___ no ___ Denisleski yes ___ no ___
Cardinale yes ___ no ___

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

12/4/07

Adopted

TOWN OF RIVERHEAD

Resolution # 1131

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 (\$108-64 Prefabricated dwellings.)

COUNCILMAN BARTUNEK

_____ offered the following resolution, was seconded by

COUNCILMAN DENSIESKI

RESOLVED, the Town Clerk be and is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" (Article XIII Supplementary Use Regulations) of the Riverhead Town Code once in the December 13, 2007 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

THE VOTE

Dunleavy yes ___ no ___ Bartunek yes ___ no ___
Blass yes ___ no ___ Densieski yes ___ no ___
Cardinale yes ___ no ___

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

**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 27th day of December, 2007 at 2:10 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

Chapter 108
Zoning
Article XIII
Supplementary Use Regulations

§ 108-64. Prefabricated dwellings.

No building or other structure which is prefabricated or which is constructed, manufactured, built or fabricated at a place other than the site on which it is to be located or used shall be used as a dwelling, except in a mobile home park or travel trailer park, and except as a pre-existing stick built home, and except as a seasonal agricultural dwelling under §108-64.4 of this chapter, unless:

- A. It complies with the provisions of the laws, ordinances, rules and regulations of all governmental entities having jurisdiction over the subject property.
- B. It is affixed to the site by means of a permanent foundation.
- C. It shall have been authorized by a special permit of the Board of Appeals as hereinafter provided in § 108-76 of this chapter. In the case of a petition for a special permit for prefabricated dwelling(s) relating to a filed subdivision map, the Zoning Board of Appeals may approve any number of special permits for structures to be constructed upon lots within the subject subdivision subsequent to a single petition and hearing, provided that the appropriate filing fee has been collected for each lot to receive a special permit.
- D. It is a temporary trailer (prefabricated dwelling). Notwithstanding Subsections A through C above, there shall be permitted the installation of a trailer (prefabricated dwelling) in which a family or individuals may live in a residential or agricultural zone under the following circumstances:
 - (1) The trailer (prefabricated dwelling) must be for the temporary use and occupation of an individual or group of individuals whose residence has either been so damaged by fire or by some act of God as to render the residence uninhabitable or whose principal residence is being remodeled on a property utilized for agriculture.
 - (2) The trailer (prefabricated dwelling) must be placed on the same plot as the house which is being rebuilt or on a contiguous parcel with the owner's consent.
 - (3) A permit shall be obtained from the Building Department within 72 hours of placing the trailer (prefabricated dwelling) on a lot. The fee for the permit shall be \$50.

- (4) A certificate of occupancy shall be obtained from the Building Department within 21 days of placing the trailer (prefabricated dwelling) on a lot.
- (5) Such trailer shall be permitted to remain on a lot for six months with one six-month extension upon application to the Zoning Board of Appeals. No further extensions are permitted and it shall be mandatory that the trailer be removed at the end of the time permitted. If the trailer is not removed, there shall be a fine of \$15 per day on the owner of the trailer for each day that it remains beyond the time limit. If the trailer remains in violation for more than 10 days, the Building and Zoning Administrator or Building Inspector or his representative may, after notifying the owner of said trailer in person or by letter, return receipt requested, cause the trailer to be removed. The expense of such removal and any storage charges resulting shall be paid by the owner of the trailer, and, if said cost is not paid within 10 days of notification to the owner, the Building and Zoning Administrator may advertise the public sale of the trailer (prefabricated dwelling) in the official paper of the Town and sell it to the highest bidder. The moneys realized from the sale shall be applied to any fines outstanding and to reimburse the Town for any expense incurred in moving and storing the trailer (prefabricated dwelling). If there shall be any excess, it shall be remitted to the former owner of the trailer (prefabricated dwelling).

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

Dated: Riverhead, New York
December 4, 2007

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

BARBARA GRATTAN, Town Clerk

12/4/07

Adopted

**AUTHORIZES PUBLIC HEARING FOR A LOCAL
LAW SETTING SERVICE CONNECTION FEES
RIVERHEAD WATER DISTRICT**

Adopted _____

Resolution # 1132

COUNCILMAN DENSIESKI

Councilperson _____ offered the following resolution
which was seconded by Councilperson COUNCILWOMAN BLASS

WHEREAS, H2M, consulting engineers to the Riverhead Water District, has submitted their written report "Evaluation of Key Money Fees" dated November, 2007, and

WHEREAS, the Riverhead Town Board, as governing body of the Riverhead Water District, wishes to call a public hearing to consider a local law to amend the Town Code to implement the recommendations of the H2M study, as follows:

New language:

105-2C. No service shall be activated until the owner of the property to be served has paid in full the fee required as set forth in Table No. 11 as set forth below:

Table No. 11 (SEE ATTACHED)

Section 105-2.2C shall remain in its entirety, except the words "of \$2,500" shall be replaced with the following language: as required by Section 105-2C.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board will hold a public hearing on the 2nd day of January, 2008, at 2:05 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to amending the Riverhead Town Code to implement the recommendations of the H2M study dated November, 2007, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in full in the December 20, 2007, edition of The News Review, and be it further

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

BY ORDER OF THE RIVERHEAD
TOWN BOARD
BARBARA GRATTAN
TOWN CLERK

Dated: December 4, 2007
Riverhead, NY

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

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

TABLE NO. 11

**RIVERHEAD WATER DISTRICT
EVALUATION OF KEY MONEY FEES
PROPOSED DEVELOPMENT CATEGORIES FOR KEY MONEY ASSESSMENTS**

PROPERTY LANDUSE/DEVELOPMENT CATEGORY	TO BE ASSESSED KEY MONEY FEE	ASSESSMENT METHOD
A. Outside of District Boundaries		
1. Single Lot - Residential Existing or Proposed	Yes	\$7,120/unit
2. All Residential Developments	Yes	\$7,120/unit
3. All Commerical and Retail	Yes	\$10.70/gallon water use est. ⁽¹⁾
B. Inside District Boundaries		
1. Existing Single Lot Residential (private well to public water)	No	---
2. Existing Vacant Single Lot Residential	No	---
3. Vacant to Minor Subdivision - Residential	No	---
4. Vacant to Major Subdivision Residential	Yes	\$6,052/unit
5. Vacant to Commercial	Yes	\$9.10/gallon water use est. ⁽¹⁾
6. Existing Commerical - Change In Use (no change in water service size)	No	---
7. Existing Commerical - Change In Use (requiring change in water service size)	Yes	\$9.10/gallon water use est. minus credit for existing water use ⁽¹⁾

NOTES:

⁽¹⁾ - Water Use estimate to be based on SCDHS standards for on-site septic system design plus an irrigation factor based on square footage of landscaping times a 1" per week irrigation rate as per Cornell Cooperative Extension recommendations.

December 4, 2007

Adopted

TOWN OF RIVERHEAD

Resolution # 1133

Calls Public Hearing on Special Permit of Peconic Line-X

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

WHEREAS, the Riverhead Town Board by resolution #1117 of 11/29/07 amended resolution #1090 of 11/20/07 regarding the special permit petition of Peconic Line-X to omit the optional referral to the Riverhead Planning Board and to reaffirm its lead agency status and the Type II classification of the action for the operation of a motor vehicle repair facility within an existing 2,600sq.ft. building on a 0.24ac. parcel zoned Business Center (BC); such property more particularly described as SCTM 0600-111-1-19, and

WHEREAS, the amended resolution did not address the public hearing necessary to the special permit, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby authorizes the Town Clerk to publish the following notice of public hearing in the December 13th issue of the News Review and to forward a certified copy of this resolution to the applicant or his agent.

THE VOTE

Dunleavy ~~Yes~~ No

Bartunek ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Cardinale ~~Yes~~ No

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

Public Hearing Notice

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York on December 18, 2007 at 7:25 PM to consider the special use permit of Peconic Line-X for the operation of a motor vehicle repair facility within an existing 2,600sq.ft. building on a 0.24ac. parcel zoned Business Center (BC); such property more particularly described as SCTM 0600-111-1-19.

Dated: Riverhead, New York
December 13, 2007

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

December 4, 2007

Adopted

TOWN OF RIVERHEAD

AWARDS BID FOR RAIN GEAR

RESOLUTION # 1134

COUNCILMAN DUNLEAVY

_____ offered the following resolution,

which was seconded by _____ COUNCILMAN BARTUNEK

WHEREAS, the Town of Riverhead advertised for bids for RAIN GEAR; and

WHEREAS, the Town received two bids; and

WHEREAS, only one bidder could not provide the various sizes and delivery time requested;

NOW, THEREFORE, BE IT RESOLVED, that the bid for RAIN GEAR is hereby awarded to GEARWORK MARINE INDUSTRIAL, INC. for prices attached and;

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to GEARWORK MARINE INDUSTRIAL, INC., and the Purchasing Department.

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

Bid Form for
Professional Rain Gear

Parka Brand - Grundens Model - B1199 40

Size (Regular)

Large 73.00 X-Large 73.00 2X 73.00

3X 88.50 4X 88.50

Size (Tall)

Large 79.50 X-Large 79.50 2X 79.50

3X 94.50

Bib Pants Brand - Grundens Model - Herkules 16

Size (Regular)

Large 74.00 X-Large 74.00 2X 74.00

3X 89.50 4-X 89.50

Size (Tall)

Large 81.50 X-Large 81.50 2X 81.50

3X 96.50

Name of Bidder Gearworks Machine Industrial, Inc

Address of Bidder 82 Columbus Ave, Riverhead, NY, 11921

Telephone 631-369-1140 Fax 631-369-5048

Anticipated Delivery Date after Order 2 weeks

12/4/07

TOWN OF RIVERHEAD

Adopted

Resolution # 1135

**APPROVES THE APPLICATION FOR FIREWORKS PERMIT OF
RIVERHEAD BUSINESS IMPROVEMENT DISTRICT
(December 31, 2007)**

COUNCILMAN BARTUNEK

_____ offered the following resolution, was seconded by

_____ COUNCILMAN DENSIESKI

WHEREAS, on November 29, 2007, the Riverhead Business Improvement District had submitted a Fireworks Permit Application for the purpose of conducting a fireworks display to be held at Grangebél Park, Riverhead, on Monday, December 31, 2007 at 8:00 p.m.; and

WHEREAS, the Town Attorney is in a certificate of insurance from the fireworks company (Pyro Engineering, Inc., d/b/a Bay Fireworks) naming the Town of Riverhead as an additional insured and has determined that same is satisfactory as to its form.

NOW THEREFORE BE IT RESOLVED, that the Fireworks Permit Application of the Riverhead Business Improvement District, for the purpose of conducting a fireworks display to be held at Grangebél Park, Riverhead, on December 31, 2007 at 8:00 p.m., is hereby approved with the following conditions:

- receipt of a completed Fireworks Permit Application executed by the Chief of the Riverhead Department and the Riverhead Fire Marshal and
- The required fire suppression equipment and personnel shall be provided by the Riverhead Fire Department whom must be at the site prior to commencement of fireworks display.
- Scheduling a pre-event inspection between 12:00 noon and 2:00 p.m. on the day of the event having the Fireworks technician(s), the Riverhead Fire Marshal and the Riverhead Fire Chief in attendance.
- Fireworks and technicians must arrive at Grangebél Park no later than 2:00 p.m. on the day of the event.
- Fireworks technician must have photo identification and present same to Fire Marshal upon request.
- Bay Fireworks shall provide all steel fireworks racks or (Connecticut Style) wood racks for this show
- Fire Marshal to be present 60 minutes prior to commencement of display for purpose of final inspection and safety review.

- Fireworks display shall be limited to shells not larger than 3" in diameter.
- Fire Marshal shall have final authorization to allow the fireworks display or cancel the display if there are unsafe conditions, lightning and/or winds in excess of 30 miles per hour; and be it further

RESOLVED, that employees of the Riverhead Buildings and Grounds Department, the Riverhead Police Department, the Riverhead Highway Department, the Sanitation Department and the Fire Marshal Office are hereby authorized to utilize overtime expenditures to ensure the necessary public safety and security in connection with this event; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Riverhead Business Improvement District, P.O. Box 913, Riverhead, New York, 11901; Pyro Engineering, Inc., d/b/a Bay Fireworks, 110 Route 110, Suite 102, Huntington Station, New York, 11746; and copies to the Riverhead Fire Department; the Riverhead Fire Marshal; the Riverhead Police Department and the Office of the Town Attorney.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

12/4/07

Adopted

TOWN OF RIVERHEAD

Resolution # 1136

RESCINDS RESOLUTION #390 OF 2007
(ADOPTS A LOCAL LAW AMENDING CHAPTER 108
ENTITLED "ZONING" OF THE RIVERHEAD TOWN CODE)
(Agriculture Protection Zoning Use District (APZ))

COUNCILMAN DENSIESKI offered the following resolution, was seconded

by

COUNCILWOMAN BLASS :

WHEREAS, pursuant to Resolution #390, dated April 17, 2007, the Town Board adopted a local law to amend Chapter 108 entitled "Zoning" of the Riverhead Town Code; and

WHEREAS, it has been determined that there are additional changes to be made in the contents of the local law as adopted in said resolution.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead hereby rescinds Resolution #390, dated April 17, 2007; and be it further

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

THE VOTE

Dunleavy yes ___ no ___ Bartunek yes ___ no ___
Blass yes ___ no ___ Densieski yes ___ no ___
Cardinale yes ___ no ___

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

4/17/07

Adopted

TOWN OF RIVERHEAD

Resolution # 390

ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING"
OF THE RIVERHEAD TOWN CODE
(Agriculture Protection Zoning Use District (APZ))

COUNCILMAN BARTUNEK

_____ offered the following resolution, was seconded by

COUNCILMAN DENSIESKI

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 20th day of March, 2007 at 7:10 o'clock p.m. at the Riley Avenue Elementary School, Riley Avenue, Calverton, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 108 "Zoning", 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 the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Planning Board; the Riverhead Planning Department; the Riverhead Zoning Board of Appeals; the Riverhead Building Department and the Office of the Town Attorney.

THE VOTE

<i>[Signature]</i> Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Densieski	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no			

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

**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" of the Riverhead Town Code at its regular meeting held on April 17, 2007. Be it enacted by the Town Board of the Town of Riverhead as follows:

**Chapter 108
Zoning**

**ARTICLE VI
Agriculture Protection Zoning Use District (APZ)**

§ 108-26.1. Guidelines.

The following guidelines are to be applied in addition to subdivision regulations (Article XX) and cluster development (Article XIX) and shall apply to all cluster subdivisions within the APZ:

- A. In order to better preserve agricultural vistas, the cluster subdivision plat shall be designed so as to situate agricultural lots along Sound Avenue or NYS Route 25.
- B. The cluster subdivision plat must locate and arrange the residential lots so as to protect, to the maximum extent practicable, that portion of the tract preserved for agricultural use.
- C. The cluster subdivision plat must depict an arrangement of residential lots so as to reduce, to the maximum extent practicable, any nuisance or conflict between residential and agricultural uses, both within the tract and in relation to adjoining and nearby tracts and to demonstrate compatibility of the cluster plat with existing residential development and agricultural land uses.
- D. The residential portion of the cluster subdivision plat must be so laid out, and protected during construction, as to remain as harmonious to the greatest extent practicable with the natural environment minimizing the clearing of treed areas, the grading of earth, removal of soils, and precluding the disturbance of surface waters and wetlands and other similar disturbances of the natural environment pursuant to Chapter 107 of the Riverhead Town Code.
- E. The agricultural lots of a cluster subdivision plat must be so laid out as to provide for a minimum lot size of 10 acres, a minimum building area of one acre, contiguity with existing agricultural tracts, bounding of prime agricultural soils and retention of all storm water runoff.
- F. The cluster subdivision tract must demonstrate the ways in which scenic vistas are being considered or enhanced and shall depict a lot arrangement which has considered the visual impact of residential development upon such vistas.
- G. ~~The Planning Board shall not cluster lots in order to create golf courses,~~

playgrounds, tennis courts, swimming pools or any other amenity as required open space. The purpose of the cluster plan is to preserve agricultural land for agricultural use and other natural features to the greatest extent practicable.

G. As the purpose of this Article is to conserve agricultural lands to the greatest extent practicable, the Planning Board shall not approve cluster subdivisions which set aside open space to be used as golf courses, playgrounds, tennis facilities or any other outdoor recreational facilities. In the review of applications for cluster subdivisions which preserve existing golf courses or any other outdoor recreational activity, the Planning Board shall observe the following guidelines:

- 66
- (i) The yield shall be ~~fifty percent (50%)~~ of the yield allowed in the applicable zoning use district.
 - (ii) Cluster subdivisions shall be limited to homeowner association or realty subdivisions. The Planning Board shall not entertain or approve condominium maps pursuant to Article XXIX of the Town of Riverhead Zoning Ordinance.
 - (iii) All residential units shall be restricted to owners of the age of 55 years or older.

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

Dated: Riverhead, New York
April 17, 2007

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

BARBARA GRATTAN, Town Clerk

12/4/07

Adopted

TOWN OF RIVERHEAD

Resolution # 1137

**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)
(Residence A-80 (RA-80) Zoning Use)
(Agriculture Protection (APZ) Zoning Use District)
(Cluster Development)**

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 December 13, 2007 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

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

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 27th day of December, 2007 at 2:05 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 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.~~
 - (5) ~~(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.

§ 108-19.2. Guidelines.

The following guidelines are to be applied in addition to subdivision regulations (Article XX) and cluster development (Article XIX) and shall apply to all cluster subdivisions within the RB-80 Zoning Use District:

G. The Planning Board may review applications for cluster subdivisions which preserve golf courses that exist as of the date of enactment of the amendment of this local law, subject to the following restrictions:

- (a) The yield shall be sixty six percent (66%) of the yield allowed in the applicable zoning use district.

- (b) As set forth in 108-329, there shall be no allocation of preservation credits made for the real property improved with a golf course, including that portion designated for the residential cluster.
- (c) Cluster subdivisions shall be limited to homeowner association realty subdivisions. The Planning Board shall not entertain or approve condominium maps pursuant to Article XXIX of the Town of Riverhead Zoning Ordinance.
- (d) All residential units shall be restricted to owners and occupants of the age of 55 years or older with the following exceptions:
 - (1) A husband and wife under the age of 55 years who is resident with his or her spouse who is 55 years of age or over
 - (2) Children and grandchildren residing with their parents or grandparents where one of said parents or grandparents with whom the child or children or grandchild or grandchildren is/are residing is 55 years of age or older, provided that said child or children or grandchild or grandchildren are over the age of 19 years.
 - (3) Adults under 55 years of age may be admitted as permanent residents if it is established to the satisfaction of the Town Board that the presence of such person is essential for the physical care and economic support of the eligible older person.

ARTICLE VA
Residence A-80 (RA-80) Zoning Use District

§ 108-20.2. Uses.

- B. Specially permitted uses, by special use 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.~~
 - (5) (6) An accessory dwelling unit on a 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.

§ 108-20.7. Guidelines.

- E. The Planning Board may review applications for cluster subdivisions which preserve golf courses that exist as of the date of enactment of the amendment of this local law, subject to the following restrictions:
- (a) The yield shall be sixty six percent (66%) of the yield allowed in the applicable zoning use district.
 - (b) As set forth in 108-329, there shall be no allocation of preservation credits made for the real property improved with a golf course, including that portion designated for the residential cluster.
 - (c) Cluster subdivisions shall be limited to homeowner association realty subdivisions. The Planning Board shall not entertain or approve condominium maps pursuant to Article XXIX of the Town of Riverhead Zoning Ordinance.
 - (d) All residential units shall be restricted to owners and occupants of the age of 55 years or older with the following exceptions:
 - (1) A husband and wife under the age of 55 years who is resident with his or her spouse who is 55 years of age or over
 - (2) Children and grandchildren residing with their parents or grandparents where one of said parents or grandparents with whom the child or children or grandchild or grandchildren is/are residing is 55 years of age or older, provided that said child or children or grandchild or grandchildren are over the age of 19 years.
 - (3) Adults under 55 years of age may be admitted as permanent residents if it is established to the satisfaction of the Town Board that the presence of such person is essential for the physical care and economic support of the eligible older person.

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.

~~(1)~~ ~~(2)~~ Bed-and-breakfast.

~~(2)~~ ~~(3)~~ Overhead electrical power transmission and distribution lines in excess of 13 kilovolts.

~~(3)~~ ~~(4)~~ Kennel, commercial.

~~(4)~~ ~~(5)~~ Educational institution without boarding facilities or dormitories, private.

~~(5)~~ ~~(6)~~ Day-care facility conducted in a residence.

~~(6)~~ ~~(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.

§ 108-26.1. Guidelines.

H. The Planning Board may review applications for cluster subdivisions which preserve golf courses that exist as of the date of enactment of the amendment of this local law, subject to the following restrictions:

(a) The yield shall be sixty six percent (66%) of the yield allowed in the applicable zoning use district.

(b) As set forth in 108-329, there shall be no allocation of preservation credits made for the real property improved with a golf course, including that portion designated for the residential cluster.

(c) Cluster subdivisions shall be limited to homeowner association realty subdivisions. The Planning Board shall not entertain or approve condominium maps pursuant to Article XXIX of the Town of Riverhead Zoning Ordinance.

(d) All residential units shall be restricted to owners and occupants of the age of 55 years or older with the following exceptions:

(1) A husband and wife under the age of 55 years who is resident with his or her spouse who is 55 years of age or over.

(2) Children and grandchildren residing with their parents or grandparents where one of said parents or grandparents with whom the child or children or grandchild or grandchildren is/are residing is 55 years of age or older, provided that said

child or children or grandchild or grandchildren are over the age of 19 years.

- (3) Adults under 55 years of age may be admitted as permanent residents if it is established to the satisfaction of the Town Board that the presence of such person is essential for the physical care and economic support of the eligible older person.

ARTICLE XIX
Cluster Development

§ 108-87. Yield plan and cluster plan; requirements and procedure for approval by Planning Board.

H. The Planning Board may review applications for cluster subdivisions which preserve golf courses that exist as of the date of enactment of the amendment of this local law, subject to the following restrictions:

- (a) The yield shall be sixty six percent (66%) of the yield allowed in the applicable zoning use district.
- (b) As set forth in 108-329, there shall be no allocation of preservation credits made for the real property improved with a golf course, including that portion designated for the residential cluster.
- (c) Cluster subdivisions shall be limited to homeowner association realty subdivisions. The Planning Board shall not entertain or approve condominium maps pursuant to Article XXIX of the Town of Riverhead Zoning Ordinance.
- (d) All residential units shall be restricted to owners and occupants of the age of 55 years or older with the following exceptions:
 - (1) A husband and wife under the age of 55 years who is resident with his or her spouse who is 55 years of age or over.
 - (2) Children and grandchildren residing with their parents or grandparents where one of said parents or grandparents with whom the child or children or grandchild or grandchildren is/are residing is 55 years of age or older, provided that said child or children or grandchild or grandchildren are over the age of 19 years.
 - (3) Adults under 55 years of age may be admitted as permanent residents if it is established to the satisfaction of the Town Board that the presence of such person is essential for the physical care and economic support of the eligible older person.

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

Dated: Riverhead, New York
December 4, 2007

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

BARBARA GRATTAN, Town Clerk

TOWN OF RIVERHEAD

Resolution # 1138

RATIFIES THE AUTHORIZATION FOR 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 (Article VIII – Accessory Apartments)

COUNCILMAN DUNLEAVY

_____ offered the following resolution, was seconded

by COUNCILMAN BARTUNEK _____:

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 December 6, 2007 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

THE VOTE

Dunleavy yes ___ no ___ Bartunek yes ___ no ___
Blass yes ___ no ___ Densieski yes ___ no ___
Cardinale yes ___ no ___

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 18th day of December, 2007 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:

Chapter 108
Zoning
Article VIII
Accessory Apartments

§108-34. Purpose and intent.

It is the intent and purpose of this article to allow accessory apartments within the Residence A-40, Residence B-40, Residence A-80, Residence B-80 and Agricultural Protection Zoning Use Districts to provide the opportunity for the development of small rental housing units designed to meet the housing needs of median income families, both young and old, and relatives of families residing in the Town of Riverhead and to implement the housing elements and goals of the Town of Riverhead Comprehensive Plan (Town of Riverhead Planning Board et. al. 2003) by allowing accessory apartments in designated zoning districts. It is also the intent of this article to increase compliance with building and fire codes, property maintenance, preserve property values and the health safety and welfare of the community.

A. Findings.

The Town Board finds that there exist many benefits associated with the creation of accessory apartments on residential lots with existing detached single family dwellings, including providing a cost-effective means of accommodating necessary residential development by making better use of existing infrastructure and reducing the need to provide new infrastructure; increasing the supply of workforce housing without increased government subsidies and regulations; benefiting older homeowners, single parents, young home buyers and the disabled; integrating workforce housing more uniformly in the community; providing homeowners with revenue to meet rising homeownership costs, and by meeting growth management goals by creating more housing opportunities within existing developed neighborhoods.

B. Standards.

- (1) Owner occupancy required. The owners of the real property upon which the accessory apartment is located shall reside within either the principal dwelling unit or the accessory apartment unit. A property owner shall own only one accessory apartment within the Town of Riverhead and only one accessory apartment per Suffolk County Tax Lot shall be permitted. Accessory apartments shall not be permitted within an existing two-family

- or multi-family dwelling.
- (2) Location on a lot. An accessory apartment may be located within the principal single family dwelling or within an accessory building.
 - (3) Accessory apartment size. The minimum habitable area for an accessory apartment shall be a minimum of 300 square feet and a maximum of 650 square feet and shall not exceed forty percent (40%) of the habitable area of the principal dwelling of which the apartment is accessory. In no event may there be more than one (1) bedroom per accessory apartment.
 - (4) Exterior appearance. The entry to an accessory apartment located within the principal dwelling shall be designed such that the appearance of the dwelling, to the degree reasonably feasible, remain as a single family dwelling.
 - (5) Off-Street Parking. In addition to off-street parking requirements for single family dwellings set forth in Chapter 108 "Parking Schedule", there shall be located a minimum of two (2) 9' x 18' off-street parking stalls for an accessory apartment unit. The parking areas and driveways shall be paved with asphalt, concrete, bluestone or such other similar surfaces.
 - (6) The principal structure, as well as the accessory apartment, must comply with all requirements of this article and all applicable provisions of the Town Code of the Town of Riverhead, Suffolk County Department of Health Services, New York State Uniform Fire Prevention and Building Code, and any and all such other agencies having jurisdiction.
 - (7) Inspection. The Building Department Administrator for the Town of Riverhead Building Department or his designated representative is authorized to make or cause to be made inspections, upon reasonable notice, to determine the condition of the dwellings and compliance with the provisions of this article to safeguard the health, safety, and welfare of the public.
 - (8) Duration. All permits issued hereunder shall be valid for an initial period of three (3) years and shall be renewable for successive periods of up to five (5) years at the discretion of the Accessory Apartment Board.
 - (9) New Construction. No permit shall be issued for an accessory apartment within any structure until a period of three (3) years has elapsed from the date of issuance of the relevant certificate of occupancy. Nothing contained in this subsection shall be construed to prohibit the construction of an addition to a principal building.
 - (10) Amnesty. For the detached single family dwellings that illegally have an accessory apartment, the owner shall have one year from the enactment of this article to make application, without penalty as set forth in Chapter 52-18, for an accessory apartment and as set forth in 108-35(6) of this article, the applicant/owner shall have 90 days of issuance of the building permit to comply with all requirements of this article, including but not limited to, review and approval by the Accessory Apartment Review Board, and all applicable provisions of the Town Code of the Town of Riverhead, Suffolk County Department of Health Services, New York State Uniform Fire Prevention and Building Code, and any and all such other agencies having jurisdiction.

§108-35. Applications.

- (1) There shall be submitted to Building Department the following:
 - (a) An application to the Building Department for pre-approval of occupancy and use, together with plans by a licensed design professional and any such other plans, documents or surveys required by the Building Department;
 - (b) An application to the Building Department for all necessary building permits;
 - (c) An application to the Accessory Apartment Review Board for an accessory apartment permit.
- (2) The Applicant shall make part of any application for pre-approval of occupancy and use and building permit, an approval of the Suffolk County Department of Health Services, if required.
- (3) The Accessory Apartment Review Board as part of its application, may require the applicant to submit supporting documents including but not limited to floor plans, surveys, photographs, and/or exterior renderings.
- (4) The application for the transfer of an accessory apartment permit to a subsequent property owner shall be completed on such forms and in such a manner as prescribed by the Accessory Apartment Review Board.
- (5) The application must be supplied by the owners of the property and the applicant shall be required to file an acknowledgment with the Town of Riverhead stating that the accessory apartment permit or any extensions thereof shall terminate upon the death of the signator or the survivor of the signator, upon the transfer of title to said premises, upon the signator no longer occupying the premises as their principal residence or upon a conviction for a violation of this article.
- (6) The applicant will be required to file a form stating that the subject dwelling(s) shall conform with all with all requirements of this article, all applicable provisions of the Town Code of the Town of Riverhead, Suffolk County Department of Health Services, New York State Uniform Fire Prevention and Building Code. The applicant will be required to meet pertaining standards within 90 days of the building permit or the accessory apartment permit will become null and void.

§108-36. Fees.

- (1) The fee for an accessory apartment permit for the initial three year period shall be \$500.00. The renewal fee for the subsequent five year periods shall be \$250.00.
- (2) Upon failure to obtain a certificate of occupancy within the total allotted time, the first re-application fee will be \$300. For a second failure to obtain the certificate of occupancy in the allotted time, the second re-application fee will be \$500. For any and all subsequent re-applications, the fee will be \$500.00.
- (3) The fee for the transfer of an unexpired term of an accessory apartment permit shall be \$50.00.

§108-37. Accessory Apartment Review Board.

- (1) The Accessory Apartment Review Board shall consist of three members appointed by the Town Board, one of whom shall be designated Chairman. The Town Board may provide for compensation to be paid to said members and provide for such other expenses as may be necessary and proper. Of the members of the Board first appointed, one shall hold office for the term of one year, one for the term of two years and one for the term of three years; provided, however, that the Town Board may, by resolution, increase the number of members of the Accessory Apartment Review Board to five members and provide for their compensation, and thereafter such additional members shall be appointed for terms of one year and three years respectively. Their successors shall be appointed for the term of three years from and after the expiration of the terms of their predecessors in office
- (2) The Accessory Apartment Review Board shall hear and decide applications for accessory apartments pursuant to the standards enumerated in section 108-36 of this article.
- (3) The Accessory Apartment Review Board shall adopt rules necessary to the conduct of its affairs in keeping with the provisions of this article. Meetings shall be held at the call of the Chairman and at such other times as the Board may determine. The Board shall keep minutes of its proceedings and records of its examinations and other official actions, all of which shall be a public record.
- (4) All applications made to the Board shall be in writing, on forms prescribed by the Board. The Accessory Apartment Review Board shall fix a reasonable time for the hearing of the application and give public notice thereof, as well as due notice to the applicant. The applicant shall mail notice of the hearing by either certified or registered mail, return receipt requested, to every property owner as shown on the current Riverhead assessment rolls, owning property immediately adjacent and contiguous to that of the applicant. For purposes of this section, property separated from that of the application by a public road or right-of-way shall be deemed contiguous.
- (5) The following shall be submitted with such application:
 - (a) A copy of the notice sent to property owners.
 - (b) A list, in duplicate, containing the names and addresses of the owners to whom notices were sent.
 - (c) Return receipts.
 - (d) An affidavit of mailing of the aforesaid notices.
 - (e) A valid certificate of occupancy issued at least three years prior to the date of application.
 - (f) Proof of ownership.
 - (g) Proof of residency.
 - (h) Personal Identification.
 - (i) Three (3) surveys giving the exact description and location of property with all existing and proposed structures and setback from all property lines.

- (6) Revocation. The Accessory Apartment Review Board shall retain the right to revoke any accessory apartment permit issued hereunder should the applicant or applicant's tenant violate any provision of this article, any condition imposed upon the issuance of the special permit, or violation of the provisions of the Town Code of the Town of Riverhead. Said revocation shall be after a hearing held on notice to the applicant and, if known, the tenant. As an alternative to revocation, the Accessory Apartment Review Board may continue the permit on a probationary basis, and in such event, it may revoke the permit without further notice to the applicant or tenant upon a violation of any conditions attached to the probationary permit.
- (7) Lapse of accessory apartment permit. Every application for accessory apartment permit granted by the Accessory Apartment Review Board shall be and become null and void and of no further force and effect unless the applicant obtains a building and zoning permit for work to be done and/or change of use no later than 30 days after approval is granted by the Accessory Apartment Review Board.
- (8) No person shall create or occupy an accessory apartment without obtaining an accessory apartment permit from the Accessory Apartment Review Board and a certificate of occupancy for said use from the Building Division.
- (9) The article shall sunset upon the issuance of the five hundredth (500th) accessory apartment permit.

§108-38. Appeals.

All appeals from the determination of the Accessory Apartment Review Board or from any administrative determination regarding interpretation of any provision of this article shall solely be by an Article 78 proceeding. This shall be the exclusive remedy of any aggrieved party.

- Underline represents addition(s)

Dated: Riverhead, New York
December 4, 2007

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

BARBARA GRATTAN, Town Clerk

Adopted

DECEMBER 4, 2007

TOWN OF RIVERHEAD

Resolution # 1139

AUTHORIZATION TO REPUBLISH ADVERTISEMENT FOR 2008 TYPE III EMERGENCY VEHICLE (AMBULANCE) COUNCILMAN BARTUNEK

_____ offered the following resolution,

which was seconded by _____ COUNCILMAN DENSIESKI

WHEREAS, the Town Clerk is authorized to republish and post a notice to bidders for proposals for 2008 TYPE III EMERGENCY VEHICLE (AMBULANCE) and;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the DECEMBER 13TH, 2007 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 Ambulance Chief and the Purchasing Department.

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

NOTICE TO BIDDERS

Sealed bids for the purchase of "2008 TYPE III CLASS I EMERGENCY VEHICLE (AMBULANCE)" for the use by the Town of Riverhead will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York 11901 until 11:10 A.M. on December 21st, 2007.

Instructions for bidders, specifications and forms may be obtained at the office of the Town Clerk at the Town Hall Monday through Friday between the hours of 8:30 A.M. and 4:30 P.M. or by visiting the Town of Riverhead website at www.riverheadli.com , click on "Bid Requests".

All bids will be submitted on the bid form provided. Any and all exceptions to the specifications will be listed on a separate sheet of paper bearing the designation "Exceptions to the Specifications", and attached to the bid form.

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

All bids will be submitted in a sealed envelope bearing the designation "BID on 2008 TYPE III CLASS I EMERGENCY VEHICLE (AMBULANCE)" and addressed to: TOWN CLERK, TOWN OF RIVERHEAD, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
BARBARA A. GRATTAN, TOWN CLERK**

12/04/07

Adopted

TOWN OF RIVERHEAD

Resolution # 1140

AUTHORIZING THE TOWN OF RIVERHEAD TO ORDER AN APPRAISAL FOR PROPERTY LOCATED ON THE NORTH SIDE OF SECOND STREET, EAST OF ROANOKE AVENUE, RIVERHEAD, NEW YORK

COUNCILMAN DENSIESKI

_____ offered the following resolution and was seconded by _____ COUNCILWOMAN BLASS _____ :

WHEREAS, the Town of Riverhead and its government has steadily expanded in recent years and, as a result, the space currently being utilized by the Town limits the Town's ability to centralize its offices and expand departments, personnel and services; and

WHEREAS, in order to accommodate the Town's growth and the Town's desire to increase services and staff for its citizens, the Town Board is desirous of obtaining information necessary to consider purchase of unimproved real property located on the north side of Second Street, east of Roanoke Avenue, Riverhead, New York, designated on the Suffolk County Tax Map as 600-127-1-17, 600-127-1-19, 600-127-1-22.2, 600-127-1-41, 600-127-1-44, 600-127-2-29, 600-129-2-46.1,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Riverhead is authorized to retain the services of John S. Goess, Appraiser, for the purposes of providing professional services regarding fair market value of the subject property, and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Office of the Town Attorney.

DUNLEAVY ✓ YES ___ NO BARTUNEK ✓ YES ___ NO
BLASS ✓ YES ___ NO DENSIESKI ✓ YES ___ NO
CARDINALE ✓ YES ___ NO

THIS RESOLUTION X IS ___ IS NOT DECLARED DULY ADOPTED

December 4, 2007

Adopted

TOWN OF RIVERHEAD

Resolution # 1141

AUTHORIZES THE TOWN ATTORNEY TO EXECUTE A STIPULATION OF SETTLEMENT IN A LAWSUIT (HULSE, et al V. TOR)

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

WHEREAS, the certain parties brought an action against the Town of Riverhead relating to certain actions taken by the Town Board, and

WHEREAS, the parties, without making any admission to the merits of the claims asserted in the lawsuit have determined it to be in the best interests of the Town of Riverhead to resolve the matter,

NOW, THEREFORE be it

RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Attorney to execute the stipulation of settlement, that has been approved by the Town Board and be it further

RESOLVED, that the Town Clerk is hereby directed to send a copy of this resolution to Patricia Dempsey, Esq. and the Town Attorney.

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

Z: Dawn Thomas

December 4, 2007

Adopted

TOWN OF RIVERHEAD

Resolution # 1142

AUTHORIZES THE TOWN ATTORNEY TO EXECUTE A STIPULATION OF SETTLEMENT IN A LAWSUIT (TOR v. O'NEILL)

COUNCILMAN DUNLEAVY

_____ offered the following resolution, which was

seconded by COUNCILMAN BARTUNEK

[Handwritten signatures]

WHEREAS, the Town of Riverhead initiated litigation in the Supreme Court to enforce the Town Code of the Town of Riverhead, and

WHEREAS, the parties to the lawsuit have determined that it would be in the best interests of the parties to resolve the matter,

NOW, THEREFORE be it

RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Attorney to execute the So Ordered Stipulation of Settlement that has been approved by the Town Board; and be it further

RESOLVED, that the Town Clerk is hereby directed to send a copy of this resolution to Eileen Powers, Esq. and the Town Attorney.

DUNLEAVY YES NO BARTUNEK YES NO
BLASS YES *abstain* NO DENSIESKI YES NO
CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

Councilman Bartunek offered the resolution to be tabled, which was seconded by Councilwoman Blass.

The VOTE: Dunleavy, NO, Bartunek, YES, Blass, YES, Densieski, NO, Cardinale, NO. The resolution to table, was not adopted.

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

See VOTE ABOVE.

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1143

ACCEPTS RESIGNATION OF A DEPUTY HIGHWAY SUPERINTENDENT

COUNCILMAN BARTUNEK

_____ offered the following resolution, which was seconded

by COUNCILMAN DENSIESKI :

WHEREAS, the Town has received a letter from Highway Superintendent Mark Kwasna, setting forth Ronald Caffrey's, Deputy Highway Superintendent, intention to resign his position as Deputy Highway Superintendent, and, pursuant to Article VI of his employment contract, his intention to retreat back into an existing or created position of Highway Labor Crew Leader,

NOW, THEREFORE, BE IT RESOLVED that this Town Board hereby accepts the resignation of Ronald Caffrey as Deputy Highway Superintendent effective December 31, 2007 and simultaneously reinstates Ronald Caffrey to Highway Labor Crew Leader, effective January 1, 2008 as found in Group 12, Step 19, of the Operational and Technical Salary Schedule and he shall receive Department wide seniority in the Highway Department based upon continuous service commencing August 31, 1981, and all vacation, personal and sick time accumulated during the period of time he held the position as Deputy Highway Superintendent shall be carried over to his position as Highway Labor Crew Leader.

BE IT FURTHER RESOLVED that the Town Clerk be and hereby is directed to forward a copy of this Resolution to Ronald Caffrey, the Highway Department, the Accounting Office and the Personnel Office.

The Vote

Dunleavy ~~Yes~~ No

Bartunek ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Cardinale ~~Yes~~ No

THE RESOLUTION ~~X~~ WAS WAS NOT

THEREFORE DULY ADOPTED

Adopted

12/4/07

SETS SEWER RENT FOR MILL POND COMMONS
RIVERHEAD SEWER DISTRICT

Resolution # 1144

Adopted _____

COUNCILMAN DENSIESKI

Councilperson _____ offered the following resolution
which was seconded by Councilperson COUNCILWOMAN BLASS,

WHEREAS, Riverhead Town Code Section 87-4 permits the Riverhead Town Board, as governing body of the Riverhead Sewer District, to determine sewer rents on an equitable basis where metered water used is substantially greater than the quantity of sewage generated, and

WHEREAS, Mill Pond Commons on Elton Street, Riverhead, has demonstrated that the quantity of metered water is overstated due to onsite irrigation, which water is not treated by the Sewer District,

NOW, THEREFORE, BE IT

RESOLVED, that the sewer rent for Mill Pond Commons shall be calculated on the basis of 65% of the metered water for the 2007/2008 tax bill, and be it further

RESOLVED, that the Town Clerk shall forward a copy of this resolution to the Assessors Office, Tax Receiver, Michael Reichel, Accounting Department, and Frank A. Isler, Esq.

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

THE VOTE

Dunleavy yes ___ no Bartunek yes ___ no
Blass yes ___ no Densieski yes ___ no
Cardinale yes ___ no

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

TOWN OF RIVERHEAD

Resolution # 1145

Authorizes Town Clerk to Publish and Post Notice of Public Hearing
Special Permit of the Historic Village of Jamesport

COUNCILWOMAN BLASS (2) Bistros)

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

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Robert Stromski, RA as authorized representative of Jul-Bet Enterprises, LLC pursuant to Article XXVIA and Article LII, Section 108-282B (1) and (4) of the Riverhead Town Code to allow the construction of two (2) bistros within a proposed commercial center upon real property located at the Main Road, Jamesport, New York; such real property more particularly described as Suffolk County Tax Map Number 0600-68-1-35, and

WHEREAS, an expanded Full Environmental Assessment Form and supporting documentation was submitted as part of the petition, and

WHEREAS, the Riverhead Planning Department has reviewed these materials and has determined the petition to be an Unlisted action pursuant to 6NYCRR Part 617 for which coordinated review is optional and in this case unnecessary, and

WHEREAS, by resolution dated October 4, 2007, the Riverhead Planning Board did issue its report and recommendation to the Riverhead Town Board, and

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

THEREFORE BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the following notice of public hearing.

THE VOTE

DUNLEAVY YES NO BARTUNEK YES NO

BLASS YES NO DENSIESKI YES NO

CARDINALE YES NO

THIS RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at the Riverhead Town Hall Meeting Room at 200 Howell Avenue, Riverhead, New York, on the 15th day of January 2008 at 7:05 o'clock pm, to consider the special permit petition of Jul-Bet Enterprises, LLC to allow the construction of two (2) bistros on real property located at the Main Road, Jamesport, New York; such real property more particularly described as SCTM No. 0600-68-1-35.

Dated: Riverhead, New York
December 4, 2007

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

December 4, 2007

Adopted

TOWN OF RIVERHEAD

Resolution # 1146

**Authorizes Town Clerk to Publish and Post Notice of Public Hearing -
Special Permit of the Historic Village of Jamesport
COUNCILMAN DUNLEAV(2) Professional Offices)**

_____ offered the following resolution, which was seconded
by, _____ **COUNCILMAN BANTUNEK** _____

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Robert Stromski, RA as authorized representative of Jul-Bet Enterprises, LLC pursuant to Article XXVIA and Article LII, Section 108-282B (1) and (4) of the Riverhead Town Code to allow the construction of two (2) professional offices within a proposed commercial center upon real property located at the Main Road, Jamesport, New York; such real property more particularly described as Suffolk County Tax Map Number 0600-68-1-35, and

WHEREAS, an expanded Full Environmental Assessment Form and supporting documentation was submitted as part of the petition, and

WHEREAS, the Riverhead Planning Department has reviewed these materials and has determined the petition to be an Unlisted action pursuant to 6NYCRR Part 617 for which coordinated review is optional and in this case unnecessary, and

WHEREAS, by resolution dated October 4, 2007, the Riverhead Planning Board did issue its report and recommendation to the Riverhead Town Board, and

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

THEREFORE BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the following notice of public hearing.

THE VOTE

DUNLEAVY YES ___ NO ___ BARTUNEK YES ___ NO ___

BLASS YES ___ NO ___ DENSIESKI YES ___ NO ___

CARDINALE YES ___ NO ___

THIS RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at the Riverhead Town Hall Meeting Room at 200 Howell Avenue, Riverhead, New York, on the 15th day of January 2008 at 7:05 o'clock pm, to consider the special permit petition of Jul-Bet Enterprises, LLC to allow the construction of two (2) professional offices on real property located at the Main Road, Jamesport, New York; such real property more particularly described as SCTM No. 0600-68-1-35.

Dated: Riverhead, New York
December 4, 2007

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

December 4, 2007

Adopted

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 1147

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by COUNCILMAN BARTUNEK

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

		<u>FROM</u>	<u>TO</u>
001.090600.584500	Health Insurance	160,000	
001.031200.543100	Auditor – Contractual Expenses		80,000
001.080200.543310	Planning – Legal Consultants		20,000
001.080200.543950	Planning Consultant		60,000

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

Adopted

RESOLUTION # <u>1148</u> ABSTRACT #07-44 November 21, 2007 (TBM 12/04/07)				
offered the following Resolution which was seconded by				
FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1		783,992.24	783,992.24
POLICE ATHLETIC LEAGUE	4		370.72	370.72
RECREATION PROGRAM FUND	6		327.71	327.71
TOWN BOARD SPECIAL PROGRAM FUN	24		740.76	740.76
ECONOMIC DEVELOPMENT ZONE FUND	30		2,919.21	2,919.21
HIGHWAY FUND	111		69,886.15	69,886.15
WATER DISTRICT	112		56,832.73	56,832.73
RIVERHEAD SEWER DISTRICT	114		36,975.86	36,975.86
REFUSE & GARBAGE COLLECTION DI	115		17,027.33	17,027.33
STREET LIGHTING DISTRICT	116		8,562.13	8,562.13
PUBLIC PARKING DISTRICT	117		821.24	821.24
EAST CREEK DOCKING FACILITY FU	122		10,922.88	10,922.88
CALVERTON SEWER DISTRICT	124		1,630.52	1,630.52
RIVERHEAD SCAVANGER WASTE DIST	128		13,671.27	13,671.27
WORKERS' COMPENSATION FUND	173		2,491.46	2,491.46
CDBG CONSORTIUM ACOUNT	181		624.9	624.9
TOWN HALL CAPITAL PROJECTS	406		10,734.67	10,734.67
LOCAL ST & HIGHWAY CAP PROJECT	451		70,000.00	70,000.00
YOUTH SERVICES CAP PROJECT	452		4,550.92	4,550.92
SENIORS HELP SENIORS CAP PROJE	453		2,436.17	2,436.17
MUNICIPAL FUEL FUND	625		41,567.73	41,567.73
MUNICIPAL GARAGE FUND	626		18,923.79	18,923.79
TRUST & AGENCY	735		911,448.70	911,448.70
COMMUNITY PRESERVATION FUND	737		475,625.80	475,625.80
TOTAL ALL FUNDS			2,543,084.89	2,543,084.89

Adopted

RESOLUTION # _____ ABSTRACT #07-45 November 29, 2007 (TBM 12/04/07)				
_____ offered the following Resolution which was seconded by _____				
FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1		111,375.28	111,375.28
POLICE ATHLETIC LEAGUE	4		115.00	115.00
RECREATION PROGRAM FUND	6		5,353.14	5,353.14
ECONOMIC DEVELOPMENT ZONE FUND	30		36.17	36.17
HIGHWAY FUND	111		13,517.19	13,517.19
WATER DISTRICT	112		34,245.94	34,245.94
RIVERHEAD SEWER DISTRICT	114		19,774.92	19,774.92
REFUSE & GARBAGE COLLECTION DI	115		198.30	198.30
STREET LIGHTING DISTRICT	116		295.73	295.73
EAST CREEK DOCKING FACILITY FU	122		290.00	290.00
CALVERTON SEWER DISTRICT	124		4,862.10	4,862.10
RIVERHEAD SCAVANGER WASTE DIST	128		9,342.21	9,342.21
WORKERS' COMPENSATION FUND	173		786.78	786.78
CDBG CONSORTIUM ACOUNT	181		446.78	446.78
SEWER DISTRICTS DEBT SERVICE	382		1,218.77	1,218.77
WATER DISTRICT DEBT SERVICE	383		7,539.33	7,539.33
GENERAL FUND DEBT SERVICE	384		1,077,131.51	1,077,131.51
SCAVANGER WASTE DISTRICT DEBT.	385		997.52	997.52
TOWN HALL CAPITAL PROJECTS	406		2,119,213.27	2,119,213.27
YOUTH SERVICES CAP PROJECT	452		157.12	157.12
MUNICIPAL GARAGE FUND	626		20,981.60	20,981.60
TRUST & AGENCY	735		14,232.34	14,232.34
COMMUNITY PRESERVATION FUND	737		6,263.50	6,263.50
CALVERTON PARK - C.D.A.	914		110.22	110.22
TOTAL ALL FUNDS			3,448,484.72	3,448,484.72