

# TOWN OF RIVERHEAD

## RESOLUTION

WHEREAS, the Town of Riverhead has suffered an immeasurable loss at the passing of Councilman John Lombardi; and

WHEREAS, the Riverhead Town Board, here present representing the people of the Town of Riverhead wishes to express profound sadness at the untimely passing of John Lombardi; and

WHEREAS, the Riverhead Town Board wishes to add its sincere condolences to his family and to those of the many who knew and admired him; and

WHEREAS, the Town of Riverhead is diminished by the loss of an individual known for his genuine regard for its citizens as well as an unselfish devotion to duty.

NOW, THEREFORE, BE IT

RESOLVED, by the members of the Town Board of the Town of Riverhead, at its meeting assembled this 6th day of March 1991 hereby express our sorrow at the passing of John Lombardi, and extend to his family our most sincere condolences; and

BE IT FURTHER

RESOLVED, that a suitably engrossed copy of this resolution be prepared and presented to the family of John Lombardi.

3/6/91

217

# 141 **DECLARES LEAD AGENCY AND DETERMINES ENVIRONMENTAL SIGNIFICANCE OF RIVERHEAD WATER DISTRICT EXTENSION NUMBER 44 - SOUTH WADING RIVER**

Councilperson Prusinowski offered the following resolution, which was seconded by Councilperson Stark:

**WHEREAS**, the Riverhead Town Board has authorized the preparation of an engineering report for a proposed extension of the Riverhead Water District in order to make available to residents the highest quality drinking water, such extension known as Extension Number 44 - South Wading River, and

**WHEREAS**, the improvements proposed for this extension will be constructed in conjunction with an overall plan to increase and improve the water distribution facilities of the Riverhead Water District, and

**WHEREAS**, the Riverhead Planning Department has prepared an Environmental Assessment Form describing both the scope of the extension and the potential environmental impacts, and

**WHEREAS**, no potentially large impacts were discovered as a result of an examination of the Part 2 of the aforementioned Environmental Assessment Form, and

**WHEREAS**, the Riverhead Planning Department recommends that, due to its location and scope, the South Wading River Extension Number 44 be considered a Type I Action without a significant impact upon the environment and that an Environmental Impact Statement need not be prepared, and

**WHEREAS**, the New York State Environmental Conservation Law requires coordinated review of all Type I Actions;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Planning Director be authorized to initiate coordinated review in the matter of Extension Number 44 of the Riverhead Water District, and

**BE IT FURTHER**

**RESOLVED**, that review will be coordinated with the New York State Department of Environmental Conservation and the New York State Comptroller.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

3/6/91  
# 142

218

DECLARES EMERGENCY PUMP REPLACEMENT FOR RIVERHEAD WATER DISTRICT

COUNCILPERSON Stark offered the following resolution, which was seconded by COUNCILPERSON Prusinowski :

WHEREAS, it is necessary that Pump #1, located in the Main Plant at 1035 Pulaski Street, Riverhead, New York, be replaced; and

WHEREAS, it is necessary that this effort be undertaken immediately due to concern of the demand peak season beginning in less than four (4) months; and

WHEREAS, an estimate for purchase of a new pump is approximately \$25,000.00; and

WHEREAS, delay in the purchase of the new pump may result in a hazard to the health, safety and welfare of the residents of the Town of Riverhead.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby declares the installation of a Pump #1 at the Main Plant of the Riverhead Water District an emergency; and be it further

RESOLVED, that the new pump shall be purchased from Delta Well & Pump Company, Inc., at an approximate cost of \$23,000.00, to be installed as soon as possible; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Gary J. Pendzick, Pierre G. Lundberg, Esq., John J. Hansen and William Heard.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janbski, yes.

The resolution was thereupon duly declared adopted.

3/6/91<sup>143</sup>

# \_\_\_\_\_

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO  
BIDDERS RE: WATER SERVICE MATERIALS FOR USE BY THE  
RIVERHEAD WATER DISTRICT

COUNCILPERSON Civiletti offered the following resolution, which was seconded by COUNCILPERSON Stark :

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached notice to bidders for water service materials for use by the Riverhead Water District in the March 13, 1991, issue of the Suffolk County Life.

DATED: Riverhead, New York  
March 5, 1991.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes,  
Janoski, yes.

The resolution was thereupon duly declared adopted.

3/6/91

220

TOWN OF RIVERHEAD  
NOTICE TO BIDDERS

Sealed bids for the purchase of water service materials for the use of

RIVERHEAD WATER DISTRICT, 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 March, 25, 1991.

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

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

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

All bids are to be submitted in a sealed envelope bearing the designation, water service materials.

DATED: March 5, 1991

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

IRENE J. PENDZICK, Town Clerk

# 144

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO CONSIDER THE ESTABLISHMENT OF A COMMUNITY RESIDENTIAL FACILITY TO BE OPERATED BY CATHOLIC CHARITIES

COUNCILPERSON Prusinowski offered the following resolution, which was seconded by COUNCILPERSON Stark :

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider the establishment of a community residential facility for retarded adults sponsored through Catholic Charities.

TOWN OF RIVERHEAD  
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 19th day of March, 1991, at 8:05 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider the proposal of Catholic Charities to establish and operate a community residential facility for retarded adults at 4 Hilton Court, Aquebogue, New York. Comment will also be accepted from interested persons with regard to possible alternate sites for said proposed community residential facility.

Dated: Riverhead, New York  
March 5, 1991.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

3/6/91

# 145

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE  
TO CONSIDER AMENDMENT TO CHAPTER 108 OF THE RIVERHEAD  
TOWN CODE ENTITLED "ZONING"

COUNCILPERSON Stark offered the following resolution, which was seconded by COUNCILPERSON Prusinowski :

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider amendment to Section 108-3 of the Riverhead Town Code once in the March 20, 1991, issue of the Suffolk County Life:

TOWN OF RIVERHEAD  
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 2nd day of April, 1991, at 7:45 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider amendment to Section 108-3 of the Riverhead Town Code as follows:

108-3. Definitions.

INDUSTRY, NONNUISANCE - Any industry which is not detrimental to the environment in which it is located by reason of the emission of noise, smoke, odor, dust, gas, glare, heat, liquid, fire hazards, industrial waste, transportation and traffic ~~and which does not include any open storage yard or outdoor processing of materials.~~

Dated: Riverhead, New York  
March 6, 1991.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

3/6/91

223

146

# \_\_\_\_\_ ACCEPTS RESPONSE TO COMMENTARY ON DRAFT ENVIRONMENTAL IMPACT STATEMENT OF OMNI TECHNICAL SERVICES

Councilperson Civiletti offered the following resolution, which was seconded by Councilperson Prusinowski:

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition for the development of a non-nuisance industry within the Industrial 'B' and Business 'CR' Zoning Use Districts upon a parcel of land located on the south side of New York State Route 25, Calverton, approximately 2,700 + feet west of Peconic Avenue (Suffolk County Tax Map Number 0600-116-1-1); such petition submitted by Omni Technical Services, and

WHEREAS, the Riverhead Town Board by Resolution #317 of 1990 has declared itself to be the Lead Agency in this matter and has determined the action to require the preparation of an Environmental Impact Statement, and

WHEREAS, the Planning Department has, by letter dated June 21, 1990, submitted to the applicant a written scope of environmental issues to be addressed within the Draft Environmental Impact Statement, and

WHEREAS, the Riverhead Town Board by Resolution #654 of 1990 had accepted the Draft Environmental Impact Statement, and

WHEREAS, the Draft Environmental Impact Statement was transmitted to both involved agencies and parties of interest as required by the New York State Environmental Conservation Law, and

WHEREAS, in its review of the Draft Environmental Impact Statement, the Town Board of the Town of Riverhead made commentary upon the Draft Environmental Impact Statement upon the recommendation of the Planning Department, and

WHEREAS, the Town Board, as Lead Agency, authorized the Planning Director to identify those relevant comments made by involved agencies and parties of interest and transmit this information to the applicant, and

WHEREAS, the Riverhead Town Board is in receipt of a Response to Commentary which addresses all of the relevant environmental issues and comments as identified by the Lead Agency;

NOW, THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board, as Lead Agency, considers the SEQR record created with respect to the special permit petition of Omni Technical Services, in particular the scoping record, the Draft Environmental Impact Statement, the commentary upon the Draft Environmental Impact Statement, and the Response to Commentary submitted by the applicant, to form a complete Final Environmental Impact Statement, and

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janbski, yes.

The resolution was thereupon duly declared adopted.

3/6/91

BE IT FURTHER

RESOLVED, that the Planning Director be authorized to publish and post a Notice of Completion of a Final Environmental Impact Statement as required by the New York State Environmental Conservation Law.

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons on a local law to amend the provisions of the Coastal Protection and Conservation Law pursuant to Article 14 of the New York State Environmental Conservation Law and Section 19 of Municipal Home Rule Law and

WHEREAS, a public hearing was held on the 11th day of February, 1991, at 7:30 o'clock p.m., at Town Hall, 202 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

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

That the adoption of the local law entitled "Town of Riverhead Coastal Protection and Conservation Law" pursuant to Article 14 of the New York State Environmental Conservation Law and Section 19 of Municipal Home Rule Law be and is hereby adopted, which local law gives the Town of Riverhead the responsibility and authority to implement and administer a coastal erosion management program within its jurisdiction. A copy of the entire local law may be obtained from the Town Clerk during regular business hours Monday through Friday from 9:00 a.m. to 4:00 p.m. and be it

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution once in the Suffolk County Life and to post same on the signboard at Town Hall, and be it further

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

Passed: Riverhead, New York  
March 7, 1991

IN WITNESS WHEREOF I have hereunto set my hand and the seal of the Town of Riverhead  
LENN J. PETERSON, Town Clerk

The vote, aye, 10; nay, 0; abstain, 0.  
The resolution was thereupon duly declared adopted.

3/6/1991

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# \_\_\_\_\_ ADOPTS LOCAL LAW ENTITLED "COASTAL EROSION HAZARD LAW"

COUNCILPERSON Prusinowski offered the following resolution, which was seconded by COUNCILPERSON Stark:

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to consider the adoption of the Coastal Erosion Hazard Law pursuant to Article 34 of the New York State Environmental Conservation Law and Section 10 of Municipal Home Rule Law; and

WHEREAS, a public hearing was held on the 19th day of February, 1991, at 7:50 o'clock p.m., at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

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

That the adoption of the local law entitled "Town of Riverhead Coastal Erosion Hazard Law" pursuant to Article 34 of the New York State Environmental Conservation Law and Section 10 of Municipal Home Rule Law be and is hereby adopted, which local law gives the Town of Riverhead the responsibility and authority to implement and administer a coastal erosion management program within its jurisdiction. A copy of the entire local law may be obtained from the Town Clerk during regular business hours Monday through Friday from 8:30 a.m. to 4:30 p.m.; and be it

RESOLVED, that the Town Clerk be and is hereby authorized to publish a copy of this resolution once in the Suffolk County Life and to post same on the signboard at Town Hall; and be it further

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

Dated: Riverhead, New York  
March 6, 1991.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes,  
Janoski, yes.

The resolution was thereupon duly declared adopted.

## CHAPTER 12

## ARTICLE I

## INTRODUCTION

- Section 12-1 Enactment. Pursuant to the provisions of Article 34 of the New York State Environmental Conservation Law and Section 10 of the Municipal Home Rule Law, the Town of Riverhead, County of Suffolk, State of New York, hereby enacts by local law # 1 of 1991, this local law.
- Section 12-2 Title. This local law shall be known and may be cited as the Town of Riverhead Coastal Erosion Hazard Area Law.
- Section 12-3 Effective Date. This local law shall take effect twenty (20) calendar days from certification by the commissioner of New York State Department of Environmental Conservation, which is the date of this local law's adoption and filing pursuant to Section 27 of the Municipal Home Rule Law, or the date of filing the official maps, whichever is later.
- Section 12-4 Purpose. The Town of Riverhead hereby assumes the responsibility and authority to implement and administer a coastal erosion management program within its jurisdiction pursuant to Article 34 of New York State Environmental Conservation Law. In addition, it is the purpose of this local law to:
- A. Establish standards and procedures for minimizing and preventing damage to structures from coastal flooding and erosion and to protect natural protective features and other natural resources.
  - B. Regulate in coastal areas subject to coastal flooding and erosion, land use and development activities so as to minimize or prevent damage or destruction to man-made property, natural protective features, other natural resources, and to protect human life.
  - C. Regulate new construction or placement of structures in order to place them a safe distance from areas of active erosion and the impacts of coastal storms to ensure that these structures are not prematurely destroyed or damaged due to improper siting, as well as to prevent damage to natural protective features and other natural resources.
  - D. Restrict public investment in services, facilities, or activities which are likely to encourage new permanent development in erosion hazard areas.

- E. Regulate the construction of erosion protection structures in coastal areas subject to serious erosion to assure that when the construction of erosion protection structures is justified, their construction and operation will minimize or prevent damage or destruction to man-made property, private and public property, natural protective features, and other natural resources.

Section 12-5 Findings. The Town of Riverhead finds that the coastal erosion hazard area:

- A. Is prone to erosion from action of the Long Island Sound and related water bodies. Such erosion may be caused by the action of waves, currents running along the shore, and wind-driven water and ice. Such areas are also prone to erosion caused by the wind, runoff of rain water along the surface of the land, or groundwater seepage, as well as by human activities such as construction, navigation and certain forms of recreation.
- B. Experiences coastal erosion which causes extensive damage to publicly and privately owned property and to natural resources as well as endangering human lives. When this occurs, individuals and private businesses suffer significant economic losses, as do the Town and the State economies, either directly through property damage or indirectly through loss of economic return. Large public expenditures may also be necessary for the removal of debris and damaged structures and replacement of essential public facilities and services.
- C. Experiences erosion-related problems that are often contributed to by man's building without considering the potential for damage to property, by undertaking activities which destroy natural protective features such as dunes or vegetation, by building structures intended for erosion prevention which may exacerbate erosion conditions on adjacent or nearby property, and by water action produced by wakes from boats.
- D. Is the subject of programs which foster erosion protection structures, either with private or public funds, which are costly, often only partially effective over time, and may even be harmful to adjacent or nearby properties. In some sections of the Town major erosion protection structures of great length would be required to effectively reduce future damages due to erosion.
- E. Incorporates nearshore areas which dissipate a substantial amount of wave energy before it is

expended on beaches, bluffs, or dunes by causing waves to collapse or break. Nearshore areas also function as reservoirs of sand, gravel, and other unconsolidated material for beaches. Sandbars, which are located in nearshore areas, control the orientation of incoming waves and promote the development ice cap formations which help protect shorelines during winter storms. The roots of aquatic vegetation in nearshore areas bind fine grained silts, clays, and organic matter to form a cohesive bottom that resists erosion.

- F. Incorporates beaches which buffer shorelands from erosion by absorbing wave energy that otherwise would be expended on the toes of bluffs or dunes. Beaches that are high and wide protect shorelands from erosion more effectively than beaches that are low or narrow. Beaches also act as reservoirs of sand or other consolidated material for longshore littoral transport and offshore sandbar and shoal formation.
- G. Incorporates dunes which prevent over-topping and store sand for coastal processes. High, vegetated dunes provide a greater degree of protection than low, un-vegetated ones. Dunes are of the greatest protective value during conditions of storm-induced high water. Because dunes often protect some of the most biologically productive areas as well as developed coastal areas, their protective value is especially great. The key to maintaining a stable dune system is the establishment and maintenance of beach grass or other vegetation on the dunes and assurance of a supply of nourishment sand to the dunes.
- H. Incorporates bluff areas which protect shorelands and coastal development by absorbing the often destructive energy of open water. Bluffs are a source of depositional material for beaches and other unconsolidated natural protective features.
- I. Includes natural features as identified by the State of New York and by the Town of Riverhead and that the Riverhead Town Board finds that by this regulation, the Town of Riverhead hereby retains and exercises its home rule powers.
- J. The adoption of this local law has been mandated by the State of New York and by the New York State Department of Environmental Conservation, but for this mandate this Town Board would not adopt this local law.

Section 12.6 Definitions

The following terms used in this local law have the meaning indicated, unless the context clearly requires otherwise.

- A. ADMINISTRATOR - Town of Riverhead Planning Board is the local official responsible for administering and enforcing this local law.
- B. BEACH - The zone of unconsolidated earth that extends landward from the mean low water line to the seaward toe of a dune or bluff whichever is most seaward. Where no dune or bluff exists landward of a beach, the landward limit of a beach is 100 feet landward from the place where there is a marked change in material or physiographic form or from the line of permanent vegetation, whichever is most seaward. Shorelands subject to seasonal or more frequent overwash or inundation are considered to be beaches.
- C. BLUFF - Any bank or cliff with a precipitous or steeply sloped face adjoining a beach or a body of water. The waterward limit of a bluff is the landward limit of its waterward natural protective feature. Where no beach is present, the waterward limit of a bluff is mean low water. The landward limit is 25 feet landward of the receding edge or, in those cases where there is no discernible line of active erosion, 25 feet landward of the point of inflection on the top of the bluff. The point of inflection is that point along the top of the bluff where the trend of the land slope changes to begin its descent to the shoreline.
- D. COASTAL EROSION HAZARD AREA MAP - The final map as approved by the Riverhead Town Board and any amendments thereof issued by the Commissioner of the New York State Department of Environmental Conservation, which delineates boundaries of Coastal Erosion Hazard Areas subject to regulation under this law.
- E. COASTLINE AND COASTAL WATERS - The lands adjacent to the Town's coastal waters is the coastline. Coastal waters are The Long Island Sound.
- F. DEBRIS LINE - A linear accumulation of waterborne debris deposited by high waters on a beach.
- G. DUNE - A ridge or hill of loose, windblown, or artificially placed earth the principal component of which is sand.
- H. EROSION - The loss or displacement of land along the coastline due to the action of waves, currents, wind-driven water, waterborne ice, or other impacts of storms.

It also means the loss or displacement of land due to the action of wind, runoff of surface waters, or groundwaters, or groundwater seepage.

I. EROSION HAZARD AREA - An area of the coastline which is a structural hazard area, or a natural protective feature area.

J. EROSION PROTECTION STRUCTURE - A structure specifically designed to reduce or prevent erosion such as a groin, jetty, revetment, breakwater, or artificial beach nourishment project.

K. EXISTING STRUCTURE - A structure and appurtenances in existence or one where construction has commenced or one where construction has not begun but for which a building permit has been issued prior to the effective date of this local law.

L. GRADING - A redistribution of sand or other unconsolidated earth to effect a change in profile.

M. MAJOR ADDITION - An addition to a structure resulting in a 25 percent or greater increase in the ground area coverage of the structure other than an erosion protection structure or a pier, dock, or wharf. The increase will be calculated as the ground area coverage to be added, including any additions previously constructed under a Coastal Erosion Management Permit, divided by the ground area coverage of the "existing structure" as defined in EXISTING STRUCTURE.

N. MEAN LOW WATER - The approximate average low water level for a given body of water at a given location, determined by reference to hydrological information concerning water levels or other appropriate tests.

O. MOVABLE STRUCTURE - A structure designed and constructed to be readily relocated with minimum disruption of the intended use. Mobile homes and structures built on skids or piles and not having a permanent foundation are examples of movable structures.

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

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

- R. NEARSHORE AREA - Those lands under water beginning at a mean low water line and extending waterward in a direction perpendicular to the shoreline to a point where mean low water depth is 15 feet, or to a horizontal distance of 1,000 feet from the mean low water line, whichever is greater.
- S. NORMAL MAINTENANCE - Periodic replacement or repair of same-kind structural elements or protective coatings which do not change the size, design or function of a functioning structure. A functioning structure is one which is fully performing as originally designed at the time that normal maintenance is scheduled to begin. Normal maintenance of a structure does not require a Coastal Erosion Management Permit.
- T. PERSON - Any individual, public or private corporation, political subdivision, government agency, public improvement district, partnership, association, firm, trust, estate, or any other legal entity whatsoever.
- U. POINT OF INFLECTION - That point along the top of the bluff where the trend of the land slope changes to begin its descent to the shoreline.
- V. PRIMARY DUNE - The most waterward major dune where there are two or more parallel dunes within a coastal area. Where there is only one dune present, it is the primary one. Occasionally one or more relatively small dune formations exist waterward of the primary dune. These smaller formations will be considered to be part of the primary dune for the purposes of this local law. The waterward limit of a primary dune is the landward limit of its fronting beach. The landward limit of the primary dune is 25 feet landward of its landward toe.
- W. RECEDING EDGE - The most landward line of active erosion, or in cases where there is no discernible line of active erosion, it is the most waterward line of permanent vegetation.
- X. RECESSION RATE - The rate, expressed in feet per year, at which an eroding shoreline moves landward.
- Y. REGULATED ACTIVITY - The construction, modification, restoration or placement of a structure, or major addition to a structure, or any action or use of land which materially alters the condition of land, including grading, excavating, dumping, mining, dredging, filling, or other disturbance of soil. Regulated activity does not include routine agricultural operations involving cultivation and harvesting or the implementation of practices recommended in a soil and water conservation plan as defined in Section 3(12) of the Soil and Water

Conservation Districts Law provided that such agricultural operations and implementation of practices will not be construed to include any activity that involves the construction or placement of a structure. Regulated activity does include the restoration of a preexisting, nonconforming structure which is damaged or destroyed by events not related to coastal flooding or erosion.

Z. RESTORATION - The reconstruction without modification of a structure, the cost of which equals or exceeds 50 percent of the estimated full replacement cost of the structure at the time of restoration. Modifications, however, may be allowed if they do not exceed preexisting size limits and are intended to mitigate impacts to natural protective features and other natural resources.

AA. SECONDARY DUNE - The major dune immediately landward of the primary dune. The waterward limit of a secondary dune is the landward limit of its fronting primary dune. The landward limit of a secondary dune is 25 feet landward of its landward toe.

BB. SIGNIFICANT FISH AND WILDLIFE HABITAT - Those habitats which are essential to the survival of a large portion of a particular fish or wildlife population; support rare or endangered species; are found at a very low frequency within a geographic area; support fish or wildlife populations having significant commercial or recreational value; or that would be difficult or impossible to replace.

CC. STRUCTURAL HAZARD AREA - Those shorelands located landward of natural protective features and having shorelines receding at a long term average recession rate of one foot or more per year. The inland boundary of a structural hazard area is calculated by starting at a landward limit of the fronting natural protective feature and measuring along a line perpendicular to the shoreline a horizontal distance landward which is 40 times the long term average annual recession rate.

DD. STRUCTURE -- Any object constructed, installed or placed in, on, or under land or water including, but not limited to: a building, permanent shed; deck; in-ground and above-ground pool; garage; mobile home; road; public service distribution, transmission, or collection system; tanks; docks; piers; wharf; groins; jetties; seawalls; bulkheads; breakwaters; revetments; artificial beach nourishment; or any addition to or alteration of the same.

EE. TOE - the lowest point on a slope of a dune or bluff.

FF. UNREGULATED ACTIVITY - Excepted activities that are not regulated by this local law which include but are not

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

GG. - VEGETATION - Plant life capable of surviving and successfully reproducing in the area or region and which is compatible with the environment of the coastal erosion hazard area.

## ARTICLE II

### REGULATIONS

Section 12-7 Areas. The Coastal Erosion Hazard Area is hereby established to classify land and water areas within the Town of Riverhead, based upon shoreline recession rates or the location of natural protective features. The boundaries of the area are established on the final map prepared by the New York State Department of Environmental Conservation under Section 34-0104 of the New York State Environmental Conservation Law and by the Town of Riverhead which adopts and incorporates the final map entitled "Coastal Erosion Hazard Area Map of the Town of Riverhead."

Section 12-8 Requirements. No person may engage in any regulated activity in an Erosion Hazard Area as depicted on the Coastal Erosion Hazard Areas Map of the Town of Riverhead as amended, without first obtaining a Coastal Erosion Management Permit. No Coastal Erosion Management Permit is required for unregulated activities.

Section 12-9 General Standards. A Coastal Erosion Management Permit will be issued only with a finding by the Administrator that the proposed regulated activity:

- A. Is reasonable and necessary, considering reasonable alternatives to the proposed activity and the extent to which the proposed activity requires a shoreline location.
- B. Is not likely to cause a measurable increase in erosion at the proposed site and at other locations.
- C. Prevents, if possible, or minimizes adverse effects on natural protective features and their functions and protective values, existing erosion protection structures, and natural resources.

Section 12-10 Structural Hazard Area Restrictions. The following restrictions apply to regulated activities within Structural Hazard Areas:

- A. A Coastal Erosion Management Permit is required for the installation of public service distribution, transmission, or collection systems for gas, electricity, water, or wastewater. Systems installed along the shoreline must be located landward of the shoreline structures.
- B. The construction of non-movable structures or placement of major non-movable additions to an existing structure is prohibited.
- C. Permanent foundations may not be attached to movable structures, and any temporary foundations are to be removed at the time the structure is moved. Below grade footings will be allowed if satisfactory provisions are made for their removal.
- D. No movable structure may be located closer to the landward limit of a bluff than 25 feet.
- E. No movable structure may be placed or constructed such that according to accepted engineering practice, its weight places excessive groundloading on a bluff.
- F. Plans for landward relocation of movable structures must be included with each application for a permit. Movable structures which have been located within a Structural Hazard Area pursuant to a Coastal Erosion Management Permit must be removed before any part of the structure is within 10 feet of the receding edge. The last owner of record, as shown on the latest assessment roll, is responsible for removing that structure and its foundation, unless a Removal

Agreement was attached to the original Coastal Erosion Management Permit. With the attachment of a Removal Agreement to the Coastal Erosion Management Permit, the landowner or the signator is responsible for the landward relocation of movable structures. Removal Agreements may be made when the last owner of record and the owner of the structure are different with the approval of the Town at the time the permit is issued.

- G. Debris from structural damage which may occur as a result of sudden unanticipated bluff edge failure, dune migration, or wave or ice action must be removed within sixty (60) days of the damaging event.
- H. Any grading, excavation, or other soil disturbance conducted within a Structural Hazard Area must not direct surface water runoff over a bluff face.

Section 12-11 Nearshore Area Restrictions. The following restrictions apply to regulated activities in nearshore areas:

- A. Excavating, grading, mining, or dredging which diminishes the erosion protection afforded by nearshore area is prohibited, except construction or maintenance of navigation channels, bypassing sand around natural and man-made obstructions and artificial beach nourishment, all of which require a Coastal Erosion Management Permit.
- B. Clean sand or gravel of an equivalent or slightly larger grain size is the only material which may be deposited within nearshore areas. Any deposit will require a Coastal Erosion Management Permit.
- C. All development is prohibited in nearshore areas unless specifically provided for by this local law.

Section 12-12 Beach Area Restrictions. The following restrictions apply to regulated activities in beach areas:

- A. Excavating, grading, or mining which diminishes the erosion protection afforded by beaches is prohibited.
- B. Clean sand or gravel of an equivalent or slightly larger grain size is the only material which may be deposited within beach areas. Any deposit will require a Coastal Erosion Management Permit which may be issued only for expansion or stabilization of beaches.
- C. Active bird nesting and breeding areas must not be disturbed unless such disturbance is pursuant to a specific wildlife management activity approved in writing by the Administrator.

- D. All development is prohibited on beaches unless specifically provided for by this local law.

Section 12-13 Dune Area Restrictions.

The following restrictions apply to regulated activities in dune areas:

A. In primary dune areas:

- (1) Excavating, grading, or mining on primary dunes is prohibited.
- (2) Clean sand of a compatible type and size is the only material which may be deposited. Any deposit requires a Coastal Erosion Management Permit.
- (3) All deposits must be vegetatively stabilized using species tolerant of the conditions at the site and must be placed so as to increase the size of, or restore a dune or dune area.
- (4) Active bird nesting and breeding areas must not be disturbed unless such disturbance is pursuant to a specific wildlife management activity approved in writing by the Administrator.
- (5) Non-major additions to existing structures are allowed on primary dunes pursuant to a Coastal Erosion Management Permit and subject to permit conditions concerning the location, design, and potential impacts of the structure on the primary dune.
- (6) Stone revetments or other erosion protection structures compatible with primary dunes will only be allowed at the waterward toe of primary dunes, and must not interfere with the exchange of sand between primary dunes and their fronting beaches.

B. In secondary dune areas:

- (1) All deposits must be clean sand of a compatible type and size, and all grading must be performed so as to increase the size of, or restore, a dune or former dune area.
- (2) Excavating, grading, or mining must not diminish the erosion protection afforded by them.
- (3) Non-major additions to existing structures are allowed on secondary dunes pursuant to a Coastal Erosion Management Permit.

- (4) Permitted construction, reconstruction, restoration, or modifications must be built on adequately anchored pilings such that at least 3 feet of open space exists between the floor joists and the surface of the secondary dune; and the permitted activity must leave the space below the lowest horizontal structural members free of obstructions.
- C. All other activities and development in dune areas are prohibited unless specifically provided for by this local law.
- D. The restoration of existing structures on dune areas that are damaged or destroyed by events not related to coastal flooding or erosion may be undertaken without a Coastal Erosion Management Permit.

Section 12-14 Bluff Area Restrictions. The following activities are prohibited on bluffs:

- A. Excavating or mining except when in conjunction with conditions stated in a Coastal Erosion Management Permit issued for minor alterations in construction of an erosion protection structure or for provision of shoreline access.
- B. All development unless specifically allowed by Section 12-13 of this local law.
- C. Disturbance of active bird nesting and breeding areas unless such disturbance is pursuant to a specific wildlife management activity approved through a Coastal Erosion Management Permit.
- D. Soil disturbance that directs surface water runoff over a bluff face.

Activities specifically allowed under this Section are:

- A. Minor alteration of a bluff done in accordance with conditions stated in a Coastal Erosion Management Permit issued for new construction, modification or restoration of an erosion protection structure.
- B. Bluff cuts done in accordance with conditions stated in a Coastal Erosion Management Permit issued for the provision of shoreline access, where:
  - (1) Cut is made in a direction perpendicular to the shoreline.
  - (2) Ramp slope may not exceed 1:6.

- (3) Side slopes may not exceed 1:3 unless terraced or otherwise structurally stabilized.
  - (4) Side slopes and other disturbed non-roadway areas must be stabilized with vegetation or other approved physical means.
  - (5) Completed roadway must be stabilized and drainage provided for.
- C. New construction, modification or restoration of walkways or stairways done in accordance with conditions of a Coastal Erosion Management Permit.
  - D. Non-major additions to existing structures pursuant to a Coastal Erosion Management Permit.
  - E. The restoration of existing structures on bluff areas that are damaged or destroyed by events not related to coastal flooding or erosion may be undertaken without a Coastal Erosion Management Permit.

Section 12-15 Erosion Protection Structure Requirements. The following requirements apply to the construction, modification, or restoration of erosion protection structures:

- A. The construction, modification, or restoration of erosion protection structures must:
  - (1) Not be likely to cause a measurable increase in erosion at the development site or at other locations.
  - (2) Minimize, and if possible, prevent adverse effects upon natural protective features, existing erosion protection structures, and natural resources such as significant fish and wildlife habitats.
- B. All erosion protection structures must be designed and constructed according to generally accepted engineering principles, and demonstrate a likelihood of success in controlling long-term erosion. The protective measures must have a reasonable probability of controlling erosion on the immediate site for a minimum of 30 years.
- C. All materials used in such structures must be durable and capable of withstanding inundation, wave impacts, weathering, and other effects of storm conditions for a minimum of 30 years. Individual component materials may have a working life of less than 30 years only when a maintenance program ensures that they will be regularly maintained and replaced as necessary to attain the required 30 years of erosion protection.

- D. A long-term maintenance program must be included with every permit application of construction, modification, or restoration of an erosion protection structure. The maintenance program must include specifications for normal maintenance of degradable materials. To assure compliance with the proposed maintenance programs, a bond may be required.

Section 12-16 Traffic Control. Motorized and non-motorized traffic must comply with the following restrictions:

- A. Motor vehicles must not travel on vegetation, must operate waterward of the debris line, and when no debris line exists, must operate seaward of the line of mean high water.
- B. Motor vehicle traffic is prohibited on primary dunes, except for officially designated crossing areas, and on bluffs.
- C. Pedestrian passage across primary dunes must utilize elevated walkways and stairways or other specially designed dune crossing structures.

### ARTICLE III

#### EMERGENCY ACTIVITIES

Section 12-17 Applicability. The requirements of this local law do not apply to emergency activities that are necessary to protect public health, safety, or welfare, including preventing damage to natural resources. Whenever emergency activities are undertaken, damage to natural protective features and other natural resources must be prevented, if possible, or minimized.

Section 12-18 Notification to Administrator. The Administrator must be notified by the person responsible for taking the emergency measures within 2 working days from the commencement of an emergency measure and a description of the problem and activities provided. The description must be in written form, outline the public health or safety or resource for which protection was sought, and relate the measures which were taken to secure the protection.

Section 12-19 Improper or Insufficient Notification. If the Administrator determines that a regulated activity has been undertaken without a Coastal Erosion Management Permit, and does not meet the emergency activity criteria, then the Administrator will order the immediate cessation of the activity. In addition, the Administrator may require:

- A. Removal of any structure that was constructed or placed without a Coastal Erosion Management Permit, and
- B. The return to former conditions of any natural protective feature that was excavated, mined, or otherwise disturbed without a Coastal Erosion Management Permit.

#### ARTICLE IV

#### VARIANCES AND APPEALS

- Section 12-20 Variances from Standards and Restrictions. Strict application of the standards and restrictions of this local law may cause practical difficulty or unnecessary hardship. When this can be shown, such standards and restrictions may be varied or modified provided that the following criteria are met:
- A. No reasonable, prudent, alternative site is available.
  - B. All responsible means and measures to mitigate adverse impacts on natural systems and their functions and values have been incorporated into the activity's design at the property owner's expense.
  - C. The development will be reasonably safe from flood and erosion damage.
  - D. The variance requested is the minimum necessary to overcome the practical difficulty or hardship which was the basis for the requested variance.
  - E. Where public funds are utilized, the public benefits must clearly outweigh the long-term adverse effects.
- Section 12-21 Format and Procedure. Any request for a variance must be in writing and specify the standard, restriction, or requirement to be varied and how the requested variance meets the criteria of Section 12-20 of this local law. The burden of demonstrating that the requested variance meets those criteria rests entirely with the applicant.
- Section 12-22 Fees. Each variance request must be accompanied by the required fee or fees as established by the Town legislative body under separate resolution.
- Section 12-23 Expiration. Any construction activity allowed by a variance granted by the Coastal Erosion Hazard Board of Review must be completed within 1 year from the date of approval or approval with modifications or conditions. Variances expire at the end of this 1 year period without further hearing or action by the Coastal Erosion Hazard Board of Review.

Section 12-24 Coastal Erosion Hazard Board of Review. The Town of Riverhead Zoning Board of Appeals is hereby designated as the Coastal Erosion Hazard Board of Review and has the authority to:

- A. Hear, approve, approve with modification or deny requests for variances or other forms of relief from the requirements of this local law.
- B. Hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Administrator in the enforcement of this local law, including any order requiring an alleged violator to stop, cease and desist.

Section 12-25 Appeal. The Coastal Erosion Hazard Board of Review may, in conformance with the provisions of this local law, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination of the Administrator, including stop or cease and desist orders. Notice of such decision will forthwith be given to all parties in interest. The rules and procedures for filing appeals are as follows:

- A. Appeals must be filed with the Municipal Clerk within 30 days of the date of the adverse decision.
- B. All appeals made to the Coastal Erosion Hazard Board of Review must be in writing on standard forms prescribed by the Board. The Board will transmit a copy to the Commissioner of the New York State Department of Environmental Conservation for his information.
- C. All appeals must refer to the specific provisions of this local law involved, specify the alleged errors, the interpretation thereof that is claimed to be correct and the relief which the appellant claims.

Section 12-26 Appeal to the Court. Any person or persons, jointly or severally aggrieved by a decision by the Coastal Erosion Hazard Board of Review or any officer, department, or Board of the Town may apply to the Supreme Court for review by a proceeding under Article 78 of the Civil Practice Law and Rules.

Section 12-27 Fees. Applications for Coastal Erosion Management Permits and appeals must be accompanied by a money order or personal check made payable to the Town of Riverhead as follows:

- A. Construction or placement of structures other than erosion protection structures, docks, piers, and wharves, forty dollars (\$40).

- B. Excavation, grading, mining, or filling at:
- (1) 100 cubic yards or less, twenty-five dollars (\$25).
  - (2) 100-1,000 cubic yards, fifty dollars (\$50).
  - (3) 1,001 cubic yards or greater, one hundred dollars (\$100).
- C. Dredging at:
- (1) 100 cubic yards or less, twenty-five dollars (\$25).
  - (2) 100-1,000 cubic yards, fifty dollars (\$50).
  - (3) 1,001 cubic yards or greater, one hundred dollars (\$100).
- D. Construction or modification of docks, piers, or wharves:
- (1) Fixed docks, thirty-five dollars (\$35).
  - (2) Solid fill docks, fifty dollars (\$50).
  - (3) Floating docks on piles or fixed dock, ramp, and float combination, twenty-five dollars (\$25).
- E. Construction or modification of erosion protection structures:
- (1) Structures not exceeding 100 linear feet, fifty dollars (\$50).
  - (2) Structures greater than 100 linear feet, one hundred dollars (\$100).
- F. Appeal of coastal erosion permit denial, fifty dollars (\$50).
- G. Any project or activity not described in this Section, fifty dollars (\$50).

#### ARTICLE V

#### ADMINISTRATION AND ENFORCEMENT

**Section 12-28 Coastal Erosion Management Permits.** A Coastal Erosion Management Permit will be issued for regulated activities which comply with the General Standards restrictions, and requirements of the applicable sections of this local law, providing the following is adhered to:

- A. The application for a Coastal Erosion Management Permit must be made upon the form provided by the Administrator and must include the following minimum information:
- (1) A description of the proposed activity.
  - (2) A topographical survey drawn to a suitable scale showing the location and natural features of the proposed activity, as well as a depiction of those boundaries appearing on the approved Coastal Erosion Hazard Area Map.
  - (3) Any additional information the Administrator may require to properly evaluate the proposed activity.
- B. Each application for a Coastal Erosion Management Permit must be accompanied by the required fee or fees as established by the Town.
- C. Permits will be issued by, and bear the name and signature of the Chairman of the Planning Board, and will specify the:
- (1) Activity or operation for which the permit is issued.
  - (2) Address or location where the activity or operation is to be conducted.
  - (3) Name and address of permittee.
  - (4) Permit number and date of issuance.
  - (5) Period of permit validity. If not otherwise specified, a permit will expire 1 year from the date of issuance.
  - (6) The terms and conditions of the approval.
- D. When more than one Coastal Erosion Management Permit is required for the same property or premises under this local law, a single permit may be issued listing all activities permitted and any conditions, restrictions or bonding requirements. Revocation of a portion or portions of such consolidated permits will not invalidate the remainder.
- E. A Coastal Erosion Management Permit may be issued with such terms and conditions as are necessary to ensure compliance with the policies and provisions of this local law and the policies of the Town of Riverhead.

- F. When an application is made for a Coastal Erosion Management Permit, variance thereto, or other form of approval required by this local law, and such activity is subject to other permit, variance, hearing, or application procedures required by another federal, state or local regulatory agency pursuant to any federal, state, or local law or ordinance, the Planning Director shall, at the request of the applicant, consolidate and coordinate the application, permit, variance and hearing procedures as required by each regulatory agency into a single, comprehensive hearing and review procedure. However, nothing contained in this section shall be deemed to limit or restrict any regulatory agencies, which are properly a party to such a consolidated review proceeding, from the independent exercise of such discretionary authority with respect to the issuance, denial or modification of such permits, variances or other forms of approval as they may have been granted by law.

Section 12-29 Bonds. The Town may require a bond or other form of financial security. Such bond or security must be in an amount, with such surety and conditions as are satisfactory to the Town so as to ensure compliance with the terms and conditions stated in the Coastal Erosion Management Permit.

Section 12-30 Administrator. The authority for administering this local law is hereby conferred upon the Administrator. The Administrator has the power and duty to:

- A. Apply the regulations, restrictions, and standards or other provisions of this local law.
- B. Explain to applicants the map which designates the land and water areas subject to regulation and advise applicants of the standards, restrictions and requirements of this local law.
- C. Review and take appropriate actions on completed applications.
- D. Issue and sign all approved permits.
- E. Serve as the primary liaison with the New York State Department of Environmental Conservation.
- F. Keep official records of all permits, inspections, inspection reports, recommendations, actions of the Coastal Erosion Hazard Board of Review, and any other reports or communications relative to this local law or request for information from the New York State Department of Environmental Conservation.

- G. Perform normal and customary administrative functions required by the Town Code relative in and relating to this local law.
- H. Have, in addition, powers and duties as are established in, or reasonably implied from this local law as are necessary to achieve its stated purpose.

Section 12-31 Enforcement. The authority for enforcing this local law is hereby conferred upon the Ordinance Inspector. The Ordinance Inspector has the power and duty to:

- A. Transmit written notice of violations to property owners or to other responsible persons.
- B. Perform compliance inspections.
- C. Prepare and submit reports to the Administrator.
- D. Have powers and duties as are established in, or reasonably implied from, this local law as are necessary to achieve its stated purpose.

Section 12-32 Interpretation. The provisions, regulations, procedures, and standards of this local law will be held to be the minimum requirements necessary to carry out the purposes of this local law.

Section 12-33 Conflicts. The provisions of this local law will take precedence over any other laws, ordinances, or codes in effect in the Town to the extent that the provisions of this local law are more stringent than such other laws, ordinances, or codes. A Coastal Erosion Management Permit issued pursuant to this local law does not relieve the permit applicant from the responsibility of obtaining other permits or approvals as may be necessary nor does it convey any rights or interest in real property.

Section 12-34 Severability. The provisions of this local law are severable. If any clause, sentence, paragraph, subdivision, section or part is adjudged invalid by a court of competent jurisdiction, the effect of such order or judgment does not affect or invalidate any other provisions of this local law or their application to other persons and circumstances.

Section 12-35 Environmental Review. All regulated activities are subject to the review procedures required by the New York State Environmental Quality Review Act (SEQR), Article 8 of the New York State Environmental Conservation Law. The applicant may be required to submit information necessary for compliance with SEQR in addition to information required under this local law.

Section 12-36 Violations and Penalties. A violation of this local law is hereby declared to be an offence punishable by a fine not exceeding \$250.00 or imprisonment for a period not to exceed 6 months or both. Each day's continued violation of this local law will constitute a separate additional violation. Nothing herein will prevent the proper local authorities of the Town from taking such other lawful actions or proceedings as may be necessary to restrain, correct, or abate any violation of this local law.

#### ARTICLE VI

#### AMENDMENTS

Section 12-37 Procedure. The Town Board may, on its motion or on petition, or on recommendation from the Planning Board, amend, supplement or repeal the provisions, regulations, procedures or standards of this local law.

When an amendment is duly proposed, the Town Board must:

- A. Notify the Commissioner of the New York State Department of Environmental Conservation in writing of all proposed amendments, and whether such amendment conforms to the minimum standards of a certified program.
- B. Issue public notice and conduct a hearing on all proposed amendments pursuant to Municipal Home Rule Law Section 20.
- C. Refer the proposed amendment at least 30 days prior to the public hearing, in writing to the Planning Board, unless initiated thereby, for its review of the amendment and its report to the Town Board of recommendations thereon, including a full statement of reasons for such recommendations.

Section 12-37 Commissioner Approval. After enactment the amendment must be sent to the Commissioner of Environmental Conservation for Certification.

Section 12-38 Recording. After an amendment to this local law has been initially reviewed and found to be in conformance by the Commissioner of the New York State Department of Environmental Conservation; has completed the public hearing process and intergovernmental review; has been finally approved and adopted by the Town Board; and has been certified by the Commissioner of the New York State Department of Environmental Conservation, the Town Clerk will as prescribed by Section 27 of the Municipal Home Rule Law:

A. Record the amended local law in the Municipal Clerk's Minute Book and in the Recorded Book of Local Laws.

B. File the amended local law within 5 days after adoption as follows:

- (1) 1 copy in the Clerk's office.
- (2) 1 copy in the Office of the State Comptroller.
- (3) 3 copies in the Office of the Secretary of State.
- (4) 1 copy with the Commissioner of the New York State Department of Environmental Conservation.

BY ORDER OF THE TOWN BOARD  
IN THE TOWN OF RIVERHEAD

THOMAS J. FENDLECK, Town Clerk

The vote was: 3-0, yes; 0-0, no; 0-0, abstain.  
The resolution was thereupon duly declared adopted.

3/6/98

#

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE TO  
BIDDERS RE: IMPROVEMENTS TO HOWELL M. REEVE PARK

COUNCILPERSON Stark offered the following resolution, which was seconded by COUNCILPERSON Prusinowski:

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached notice to bidders for Howell M. Reeve Park Improvements at Roanoke in the March 20, 1991, issue of the Suffolk County Life.

DATED: Riverhead, New York  
March 4, 1990.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes,  
Janoski, yes.

The resolution was thereupon duly declared adopted.

IRENE J. PENDZICK, TOWN CLERK  
TOWN OF RIVERHEAD  
RIVERHEAD, NEW YORK, 11901

March 20, 1991

3/6/91

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NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that SEALED BIDS for the construction of road, parking lot, and drainage facilities, in 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, until 11:00 A.M. prevailing time, on Monday, April 8, 1991 at which time and place they will be publicly opened and read for the following contract:

HOWELL M. REEVE PARK IMPROVEMENTS  
AT ROANOKE, TOWN OF RIVERHEAD,  
SUFFOLK COUNTY, NEW YORK

Plans and specifications may be obtained on or after Monday, March 25, 1991, at Town Hall, 200 Howell Avenue, Riverhead, New York, upon deposit of Fifty Dollars, (\$50.00) for each set furnished. Deposits shall be made by cash, certified check or bank money order. No exceptions shall be made.

Deposits for plans and specifications will be refunded to bidders who return these within ten (10) days in good condition; other deposits will either be partially or not refunded if the plans and specifications have not been returned in good condition within thirty (30) days after bids have been opened.

Each proposal must be accompanied by a certified check or bid bond in the amount of five percent (5%) of the total bid, made payable to Joseph F. Janoski, Supervisor, Town of Riverhead, as set forth in the Information to Bidders.

The Town Board reserves the right to reject any or all bids, to waive any informalities, and to accept such alternate bids which, in the opinion of the Town Board, will be in the best interests of the Town of Riverhead.

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

IRENE J. PENDZICK, TOWN CLERK  
TOWN OF RIVERHEAD  
RIVERHEAD, NEW YORK, 11901

DATED: March 20, 1991

NB-1

3/6/91  
I49

# \_\_\_\_\_ AUTHORIZES ATTENDANCE OF ASSESSOR AT SEMINAR

Councilperson Civiletti offered the following resolution which was seconded by Councilperson Prusinowski.

WHEREAS, New York State is hosting a seminar entitled "Appraisal Approaches" to be held in Utica, New York on March 18-22, 1991; and

WHEREAS, this is a state mandated course where all related expenses will be reimbursed by the State of New York.

NOW, THEREFORE, BE IT RESOLVED, that Madeline Regula be and is hereby authorized to attend said seminar and further authorized the use of a Town vehicle; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Madeline Regula, Leroy Barnes, Jr. and the Office of Accounting.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

3/6/91  
# 150

APPROVES REDUCTION IN SITE PLAN BOND

COUNCILPERSON Prusinowski offered the following resolution, which was seconded by COUNCILPERSON Stark:

WHEREAS, the Town Board, by Resolution #814 adopted December 18, 1990, approved the site plan of Mohring Enterprises, Inc., for a gas station, convenience store and car wash; and

WHEREAS, pursuant to Section 108-133 of the Code of the Town of Riverhead, a bond or other security in the amount of five percent (5%) of the cost of construction must be posted prior to the issuance of a building permit; and

WHEREAS, the Town Board may waive or reduce the amount of the bond upon a showing of a significant hardship.

NOW, THEREFORE, BE IT

RESOVLED, that the Town Board finds that a bond or other security in the amount of \$25,000.00 would, in this case, result in a significant hardship; and be it further

RESOLVED, that the Building Department is authorized to accept a bond or other security in the amount of \$5,000.00 to assure the completion of site improvements pursuant to Section 108-133 of the Code of the Town of Riverhead, and upon the posting of same to issue building permits; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Allen M. Smith, Esq., attorney for Mohring Enterprises, Inc., the Planning Department, the Building Department and the Town Attorney's Office.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janbski, yes.  
The resolution was thereupon duly declared adopted.

3/6/91  
151

# \_\_\_\_\_ APPOINTS HOME AIDE

Councilperson Stark offered the following resolution which was seconded by Councilperson Prusinowski

RESOLVED, that Grace Baxter be and is hereby appointed to the position of CSE Home Aide with the Town of Riverhead at the hourly rate of compensation of \$6.13 effective March 5, 1991; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Grace Baxter, Lyn McDonald and the Office of Accounting.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes.  
The resolution was thereupon duly declared adopted.

3/6/91

253

#

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE  
TO CONSIDER AMENDMENTS TO ARTICLE XX OF THE RIVERHEAD  
TOWN CODE ENTITLED "SUBDIVISION REGULATIONS"

COUNCILPERSON Civiletti offered the following resolution, which was seconded by COUNCILPERSON Prusinowski :

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider amending Section 108-97B(14)(c) of the Riverhead Town Code:

TOWN OF RIVERHEAD  
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 19th day of March, 1991, at 7:40 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider amending Section 108-97B(14)(c) of the Riverhead Town Code as follows:

108-97. Major subdivision.

B. General requirements. The subdivider shall observe the following general requirements and principles of land subdivision.

(14) Park and playground sites.

(c) Where the Planning Board deems it to be in the best interest to require the developer to deposit a cash payment or where the developer proposes to make a deposit of cash, the amount to be paid shall be at the rate of two thousand dollars (\$2,000.) per each lot in the subdivision effective immediately. In lieu of a cash payment, the developer may post a bond or letter of credit equal to the total fee as required herein. The term of such bond or letter of credit shall extend for a period of two (2) years and six (6) months. After two (2) years from the date of issuance of the bond or letter of credit, the balance of the fee covering all the lots shall be due. The Town Board may extend the due date upon proof that the bond or letter of credit remains in full force and effect. The Clerk of the Planning Board shall maintain a log of the expiration dates of all such bonds. Where such cash or letter of credit is deposited, the fee of two thousand dollars (\$2,000.) shall be paid to the Town of Riverhead prior to the issuance of each certificate of occupancy by the Building Inspector.

3/6/91

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Dated: Riverhead, New York  
March 5, 1991.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

Underscore represents addition(s).  
~~Overstrike~~ represents deletion(s).

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes,  
Janoski, yes.

The resolution was thereupon duly declared adopted.

# 153 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING

Councilperson Prusinowski offered the following resolution, which was seconded by Councilperson Stark:

WHEREAS, the Riverhead Town Board is in receipt of a petition for a Special Permit for the reestablishment of a home heating oil storage and sale/distribution from existing tanks which are part of an existing gas station within the Residence A Zoning Use District (Suffolk County Tax Map Number 0600-74-1-27.1); such petition submitted by Clifford Kitz, and

WHEREAS, the Riverhead Town Board has declared itself to be the Lead Agency in this matter and has determined the action to be Unlisted without a significant impact upon the environment which will not require the preparation of an Environmental Impact Statement, and

WHEREAS, the subject Special Permit requires a public hearing as provided by the Riverhead Town Code;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be authorized to publish the attached notice of public hearing in the March 6, 1991, edition of the official paper of the Town of Riverhead, and

BE IT FURTHER

RESOLVED, that this matter be referred to the Riverhead Planning Board for its report and recommendation.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

TOWN OF RIVERHEAD  
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 19th day of March, 1991, at 8:00 p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the Special Permit application of Clifford Kitz for the reestablishment of a home heating oil storage and sale/distribution from existing tanks which are part of an existing gas station within the Residence A Zoning Use District.

Dated: Riverhead, New York  
March 6, 1991

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

PLEASE TAKE NOTICE, that a public hearing will be held on the 19th day of March, 1991, at 8:00 p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider the application of Clifford Kitz for the reestablishment of a home heating oil storage and sale/distribution from existing tanks which are part of an existing gas station within the Residence A Zoning Use District of the Riverhead Town Code as follows:

11-1. Purpose, as amended, purposes.

For the purpose of creating the Town Justice of the Peace of the Town of Riverhead in the disposition of offenses in relation to traffic violations pursuant to the provisions of Article 14-B, Sections 311 and 312 of the General Municipal Law authorized, there be hereby established a Traffic Violations Bureau.

11-2. Jurisdiction of Traffic Court.

The Court shall be in charge of the Traffic Violations Bureau, and the court shall be open between 9:00 a.m. and 4:00 p.m. 212 days a year, 21 p.m.

11-5. Duties of Bureau.

D. If it is shown that a person fails to comply with a notice as provided in this chapter or fails to make appearance pursuant to a summons directed or appointed to the Traffic Violations Bureau as provided by this chapter, the Traffic Violations Bureau shall forthwith have a complaint entered against such person and issue a Criminal Summons or a warrant for the arrest. The Traffic Violations Bureau shall not assess any fines for such person, but shall consider every such person entirely under the jurisdiction of the court.

F. The Traffic Violations Bureau shall perform such other or additional duties and keep such other and additional records as shall be prescribed by the Town Justice of the Peace of the Town of Riverhead.

3/6/91  
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# \_\_\_\_\_

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE  
TO CONSIDER AMENDMENTS TO CHAPTER 41 OF THE RIVERHEAD  
TOWN CODE ENTITLED "TRAFFIC VIOLATIONS BUREAU"

COUNCILPERSON Stark offered the following resolution, which was seconded by COUNCILPERSON Prusinowski :

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider amendments to Chapter 41 of the Riverhead Town Code:

TOWN OF RIVERHEAD  
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 19th day of March, 1991, at 7:45 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider amendments to various sections of Chapter 41 of the Riverhead Town Code as follows:

41-1. Bureau established; purpose.

For the purpose of assisting the Town Justices ~~of the Peace~~ of the Town of Riverhead in the disposition of offenses in relation to traffic violations pursuant to the provisions of Article 14-B, Sections 370, 371 and 372 of the General Municipal Law authorized, there is hereby established a Traffic Regulations Bureau.

41-2. Person in charge; hours.

The Court Clerk shall be in charge of the Traffic Violations Bureau, and the said Bureau shall be open between ~~9:00 a.m. and 4:00 p.m.~~ 8:30 a.m. and 4:30 p.m.

41-6. Duties of Bureau.

D. In the event that an person fails to comply with a notice as provided in this chapter or fails to make appearance pursuant to a summons directing an appearance in the Traffic Violations Bureau as provided by this chapter, the Traffic Violations Bureau shall forthwith have a complaint entered against such person and secure and issue a Criminal Summons or a warrant for his arrest. The Traffic Violations Bureau shall not accept any fines for such person, but shall consider every such person entirely under the jurisdiction of the court.

F. the Traffic Violations Bureau shall perform such other or additional duties and keep such other and additional records as shall be prescribed by the Town Justices ~~of the Peace~~ of the Town of Riverhead.

3/6/91  
Dated: Riverhead, New York  
March 5, 1991.

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BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

Underscore represents addition(s).  
~~Overstrike~~ represents deletion(s).

PLEASE TAKE NOTICE, that a public hearing will be held on  
the 19th day of March, 1991, at 9:50 o'clock p.m. at Town Hall,  
250 Howell Avenue, Riverhead, New York, to hear all interested  
persons to consider amendments to various sections of Chapter 100  
of the Riverhead Town Code as follows:

100-5. Time period for compliance; removal of vehicle upon  
non-compliance.

In the event that an owner, occupant or person having charge  
of private property or other person responsible for such parked  
vehicle is found guilty of a violation of this Chapter, such  
person shall be given a reasonable period of time to either  
remove the vehicle or bring it into compliance with this Chapter.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes,  
Janoski, yes.

The resolution was thereupon duly declared adopted.

100-7. Enforcement.

The provisions of this chapter shall be enforced by the  
Police Department and/or the Department Inspector of the Town of  
Riverhead.

Dated: Riverhead, New York  
March 5, 1991.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

Underscore represents addition(s).  
~~Overstrike~~ represents deletion(s).

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes,

Janoski, yes.

The resolution was thereupon duly declared adopted.

3/6/91<sub>155</sub>

# \_\_\_\_\_ AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE  
TO CONSIDER AMENDMENTS TO CHAPTER 100 OF THE RIVERHEAD  
TOWN CODE ENTITLED "VEHICLES, JUNKED & ABANDONED"

COUNCILPERSON Civiletti offered the following  
 resolution, which was seconded by COUNCILPERSON Prusinowski :

RESOLVED, that the Town Clerk be and is hereby authorized to  
 publish and post the following public notice to consider  
 amendments to Chapter 100 of the Riverhead Town Code:

TOWN OF RIVERHEAD  
 PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on  
 the 19th day of March, 1991, at 7:50 o'clock p.m. at Town Hall,  
 200 Howell Avenue, Riverhead, New York, to hear all interested  
 persons to consider amendments to various sections of Chapter 100  
 of the Riverhead Town Code as follows:

100-5. Time period for compliance; removal of vehicle upon  
 noncompliance.

In the event that an owner, occupant or person having charge  
 of private property or other person responsible for such junked  
 vehicle is found guilty of a violations of this chapter, such  
 person shall be given a reasonable period of time to either  
 remove the vehicle or bring it into compliance with this Chapter.  
 If such a vehicle is not either removed or brought into  
 compliance with this chapter within a reasonable time, the Town  
~~Justice of the Peace~~ of the Town of Riverhead may issue an order  
 directing the removal of said motor vehicle by the Riverhead Town  
 Police, ~~or by a person engaged in the towing business within the~~  
~~Town of Riverhead.~~

100-9. Enforcement.

The provisions of this chapter shall be enforced by the  
 Police Department and/or the Ordinance Inspector of the Town of  
 Riverhead.

Dated: Riverhead, New York  
 March 5, 1991.

BY ORDER OF THE TOWN BOARD  
 OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

Underscore represents addition(s).  
~~Overstrike~~ represents deletion(s).

The vote, Stark, yes, Prusinowski, yes, Civiletti, yues,  
 Janoski, yes.  
 the resolution was thereupon duly declared adopted.

3/6/91  
# 156

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE TO CONSIDER AMENDMENTS TO CHAPTER 101 OF THE RIVERHEAD TOWN CODE

COUNCILPERSON Prusinowski offered the following resolution, which was seconded by COUNCILPERSON Stark :

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider amendments to various sections of Chapter 101 of the Riverhead Town Code:

TOWN OF RIVERHEAD  
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 19th day of March, 1991, at 7:55 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider amendments to various sections of Chapter 101 of the Riverhead Town Code, which amendments are available for public review at the Town Clerk's Office during regular busienss hours Monday through Friday from 8:30 a.m. to 4:30 p.m.

Dated: Riverhead, New York  
March 5, 1991.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes.  
The resolution was thereupon duly declared adopted.

&lt;resolutions&gt;101.changes

ARTICLE I  
Definitions

## 101-1. Definitions.

- B. Other definitions. The following words and phrases, which are not defined by Article 1 of the Vehicle and Traffic Law, shall have the meanings respectively ascribed to them in this section for the purpose of this chapter:

HOLIDAYS -- New Year's Day, Martin Luther King's Birthday, Lincoln's Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Election Day, Veteran's Day, Thanksgiving Day and Christmas Day.

ARTICLE III  
Traffic Regulations

## 101-3. Stop and yield intersections; railroad crossings.

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

Intersection	Stop Sign on	Entrance From
Church Lane	<del>Premenade</del> <u>Promenade</u> Drive	North
<del>Country Road No. 58</del>	<del>Ostrander Avenue</del>	<del>North and South</del>
County Road No. 58	<del>Pulaski Street</del> <u>Mill Road</u>	<del>South</del> <u>East</u>
<u>County Road No. 58</u>	<u>Eastbound Ramp of Pulaski Street on to the Eastbound Lane of County Road No. 58</u>	<u>South</u>
<del>County Road No. 58</del>	<del>Twomey Avenue</del>	North
<del>Depot Lane</del> <u>South Jamesport Avenue</u>	4th Street	East and west
<del>Depot Lane</del> <u>South Jamesport Avenue</u>	Front Street	East and west
<del>Depot Lane</del> <u>South Jamesport Avenue</u>	North Railroad Avenue	West
<del>Depot Lane</del> <u>South Jamesport Avenue</u>	Peconic Bay Boulevard	East

Intersection	Stop Sign on	Entrance From
<del>Depot Lane</del> <u>South Jamesport Avenue</u>	2nd Street	East and west
<del>Depot Lane</del> <u>South Jamesport Avenue</u>	6th Street	West
<del>Depot Lane</del> <u>South Jamesport Avenue</u>	South Railroad Avenue	West
<del>Depot Lane</del> <u>South Jamesport Avenue</u>	3rd Street	East and west
East Avenue	1st Street <u>Parking Field</u>	West
<u>Mill Road</u>	<u>Pulaski Street</u>	<u>East and West</u>
<del>Northville Turnpike</del>	<del>Newton Avenue</del>	South
<del>Osborne Avenue</del>	<del>Court Street</del>	<del>East and west</del>
<del>Osborne Avenue</del>	<del>Harrison Avenue</del>	North
<del>Osborne Avenue</del>	<del>Pulaski Street</del>	<del>East and west</del>
<del>Pulaski Street</del>	<del>Parkway Street</del>	North
Roanoke Avenue	1st Street <u>Parking Field</u>	East
<u>Riverside Drive</u>	<u>North Corwell Avenue</u>	<u>North</u>
<del>Signal Siegal Avenue</del>	Charles Street	West
<del>Signal Siegal Avenue</del>	Lewis Street	West
<del>Sound Avenue</del>	<del>Union Avenue</del>	South
<u>Union Avenue</u>	<u>Cross River Drive</u>	<u>South</u>
<u>Sound Avenue</u>	<u>Cross River Drive</u>	<u>South</u>

B. Yield intersections. The following intersections are designated as yield intersections, and yield signs shall be erected at entrances to such intersections as follows:

Intersection	Yield Sign on	Entrance From
Church Lane	Phillips <del>and</del> <u>Lane</u>	North

C. Railroad crossing. ~~All motor vehicles approaching railroad crossings that intersect with public highways and that are not protected by gates and/or signal devices shall make a full stop.~~ Where a stop sign is erected at a railroad grade crossing, all motor vehicles shall stop within fifty (50)

feet but not less than fifteen (15) feet from such railroad tracks before traversing such crossing.

#### 101-4. One-way streets.

The streets or portion thereof listed below are hereby designated as one-way streets, and traffic shall travel on such only in the direction indicated:

Street	Direction	Limits
<del>Driveways at Roanoke</del>	North	
<del>Shopping Plaza leading to and from Route 58</del>	(entrance only)	

#### 101-7. Turns.

The following turns in the designated areas are hereby defined:

Sign	Location
Right Turn Only	<u>West Exit</u> off roadway leading from Roanoke Avenue Shopping Plaza to County Road No. 58

### ARTICLE IV Traffic Control Signals

#### 101-9. Installation and maintenance.

Pursuant to authority granted by Section 1660 of the Vehicle and Traffic Law, traffic control signals shall be installed, maintained and operated at the following intersections and other locations:

#### Intersections

<del>Route No.</del> <u>County Road</u> No. 58 (Old Country Road) and Osborne Avenue
<del>Route No.</del> <u>County Road</u> No. 58 (Old Country Road) and Northville Turnpike
<del>Route No.</del> <u>County Road</u> No. 58 (Old Country Road) and Ostrander Avenue

### ARTICLE V Parking, Standing and Stopping

#### 101-10. Parking prohibited.

Street	Side	Location
Roanoke Avenue	Both	From its intersection with <u>2nd Avenue</u> <u>Sound Avenue</u> to a point 175 feet south of its terminus on the Long Island Sound
Railroad Street	North	To a point 70 feet West <u>of its intersection with Roanoke Avenue</u>

Street	Side	Location
<del>Pier Avenue</del>	Both	<del>From its intersection with Sound Avenue to its terminum on Long Island Sound.</del>
<del>Sound Shore Road</del>	Both	<del>From its intersection with Pier Avenue to its intersection with Penny's Landing Road.</del>
<del>2nd <u>Sound</u> Road</del>	Both	<del>Between North Country Road and Creek Road.</del>
<del>Old Country Road</del>	Both	<del>Between the point where said County Route 58 intersects with New York State Route 25 at its westerly terminus and a point where County Route 58 intersects with New York State Route 25 at its easterly terminus.</del>
<del>Roanoke Avenue</del>	East	<del>From the railroad right-of-way south 60 feet.</del>
<del>Peconic Avenue</del>	West	<del>Along curbs immediately adjacent to Burns Park.</del>
<del>Peconic Avenue</del>	West	<del>Along the curb immediately adjacent to the Riverhead Savings Bank for a distance of 20 feet north of the curb cut to Riverhead Savings Bank.</del>

**101-10.1. ~~Parking, standing and stopping prohibited except for emergency and police vehicles.~~**

The parking, standing or stopping of vehicles is hereby prohibited, ~~except for emergency and police vehicles,~~ in certain locations as follows:

Street/Area	Side	Location
Roanoke Shopping Plaza (A&P) Tax Map No. 108-3-18		Along the roadways that enter and exit from the Plaza to <u>Route County Road No. 58</u>
Roanoke Shopping Plaza (A&P) Tax Map No. 108-3-18		Northwest corner of <u>Route County Route No. 58</u> and Roanoke Avenue
<u>Lewis Street</u>	<u>North</u>	<u>From a point 167 feet from its intersection with Melene Avenue 140 feet along the northerly side</u>

Street/Area	Side	Location
<u>Hulse Landing Road, Wading River, New York</u>		<u>The parking area of the Wading River Fire Department substa- tion located on Hulse Landing Road, Wading River, New York</u>

~~101-10.2. Parking standing or stopping prohibited except for  
volunteer firemen.~~

~~The parking, standing or stopping of vehicles is hereby  
prohibited, except for those owned and/or operated by volunteer  
firemen, in certain locations as follows:~~

<del>Street/Area</del>	<del>Side</del>	<del>Location</del>
<del>Hulse Landing Road, Wading River, New York</del>		<del>The parking area of the Wad- ing River Fire Department sub-station located on Hulse Landing Road, Wading River, New York</del>

<del>Lewis Street</del>		<del>From a point 167 feet from its intersection with Melene Avenue 140 feet along the northerly side</del>
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101-11. No parking certain hours.

Parking is hereby prohibited during the hours designated  
upon the following described streets or portions thereof on  
school days:

Street	Side	Hours	Location
Osborne Avenue	East	7:30 a.m. to	<del>From a point 275 fee north of Pulaski Street to a point 375 feet North of Pulaski Street From its intersection with Pulaski Street north to a point 375 feet from said intersection</del>
<del>South Jamesport Avenue</del>	<del>East</del>	<del>7:30 a.m. to 3:30 p.m.</del>	<del>Along the Jamesport School property</del>

101-12. No parking certain hours; roads leading to water.

Parking is hereby prohibited during the hours designated  
upon any street or portion thereof as follows:

Street	Side	Hours	Location
<del>South Jamesport Avenue (in the</del>	<del>Both</del>	<del>6:00 a.m. to 10:00 p.m.</del>	<del>Beginning at the Front Street intersection and</del>

Street	Side	Hours	Location
<del>Hamlet of South Jamesport</del>			<del>thence southerly to South Jamesport Avenue's southerly terminus</del>

101-14. Parking prohibited except for buses.

- A. The parking of vehicles except buses is hereby prohibited between the hours of 8:00 a.m. and 5:00 p.m., except on Sundays and holidays, in the following locations:

Street	Side	Location
<del>Roanoke Avenue</del>	<del>East</del>	<del>Commencing 117 feet north of East Main Street (Route 25) and thence northerly to a point 182 feet therefrom</del>
<del>Peconic Avenue</del>	<del>West</del>	<del>Beginning at a point 225 feet south of the intersection of Main Street (Route 25) and Peconic Avenue (Route 24) and thence 46 feet south therefrom</del>

ARTICLE VI  
Removal and Storage of Vehicles

101-22. Procedure, storage and charges.

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

ARTICLE VII  
Parking Meters

101-29. Parking meter regulations.

- D. Collections. In respect to the collection of fees deposited in meters, it shall be the duty of the Police Department Parking Meter Officer to make regular collection of such fees and deposit the same as

required by law, giving receipts for such deposits to the Supervisor.

101-32. Enforcement; duties.

B. Violation reports. The Parking Meter Officer, ~~Town Constable~~ and police officers shall report to the Riverhead Justice Court all apparent violations of this Article, and such report shall include the registration plate number of the vehicle involved, the number or exact location of the parking meter involved, the date and time of the violation, the exact nature of the offense and the name of the operator, if ascertainable, together with other pertinent facts.

Underscore represents addition(s)  
~~Overstrike~~ represents deletion(s)

3/6/91

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RESOLUTION \_\_\_\_\_ AUTHORIZING PUBLICATION OF NOTICE OF PUBLIC HEARING

Councilperson Stark offered the following resolution which was seconded by Councilperson Prusinowski.

WHEREAS, the Town of Riverhead is required by the United States Department of Housing and Urban Development to amend its B87 Small Cities Community Development Block Grant program; and

WHEREAS, such an amendment requires notification of the public, including a public hearing, prior to obligation of funds.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby directed to publish the attached legal notice of public hearing in the Suffolk County Life on March 6, 1991; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to Andrea Lohneiss, Community Development Director.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

NOTICE OF PUBLIC HEARING

Please take notice that a public hearing will be held on the 19th day of March, 1991, at 8:05 p.m. in the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons with regard to an amendment to the Town of Riverhead's B87 Community Development Block Grant application.

The amendment proposes a reallocation of \$55,000 from the proposed Town of Riverhead Community Center due to the unavailability of matching funds to construct the facility to be utilized instead for site improvements at Grangebél Park. Activities to be undertaken include sidewalk improvements and curbing along Peconic Avenue, lighting improvements within the park, bulkhead repair and replacement, landscaping, walkway improvements and replacement of a pedestrian bridge. The national objectives to be met by this public facilities project will be low and moderate income benefit and the elimination of spot blight.

The hearing will provide citizens of the Town of Riverhead the opportunity to comment on this proposed amendment. Written comments may also be submitted to the Town of Riverhead, attention: Town Clerk, 200 Howell Avenue, Riverhead, New York 11901.

Further information concerning the amendment may be obtained at the Community Development office, Town Hall.

BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, TOWN CLERK

RESOLUTION 158 AUTHORIZING PUBLICATION OF NOTICE REGARDING AFFORDABLE HOUSING PROGRAM

Councilperson Civiletti offered the following resolution which was seconded by Councilperson Prusinowski

WHEREAS, the Town of Riverhead is undertaking the development of a residential subdivision known as Osborne Meadows, to be subsidized with federal funds; and

WHEREAS, the twenty-one homes are to be constructed for sale to low and moderate income first-time buyers.

THEREFORE, BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached copy as a quarter page display advertisement in the Suffolk Life on Wednesday, March 6, 1991 and in the News Review on Thursday, March 7, 1991 and on the Travelers Watchman on Thursday March 7, 1991.

BE IT FURTHER RESOLVED, that a certified copy be provided to Andrea Lohneiss, Community Development Director.

138,700  
637,950  
540,150  
842,450  
544,650

Application packages are available at:

Tom Clark's Office  
290 Howell Avenue  
Riverhead, New York 11901

Community Development Office  
290 Howell Avenue  
Riverhead, New York 11901

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes.  
The resolution was thereupon duly declared adopted.

This project is a joint venture of the Town of Riverhead and the United States Department of Housing and Urban Development. No person shall on the grounds of race, color, national origin, age, or handicap, be excluded from participation in or be subjected to discrimination in any program or activity funded, in whole or in part, by Federal funds.

3/6/91

**TOWN OF RIVERHEAD  
AFFORDABLE HOUSING PROGRAM**

The Town of Riverhead is undertaking the development of a residential subdivision known as Osborne Meadows to include construction of 21 single family detached homes for sale through a lottery to qualified low and moderate income families. Applicants must not have owned a home within the last three years and must be able to meet the mortgage qualifying requirements. Priority will be given to households of more than one and to applicants who either live or work within the Town of Riverhead. Purchase prices will range from approximately \$63,000 to \$70,000.

To qualify for homeownership, applicants must have total household incomes below the following limits.

<u>FAMILY SIZE</u>	<u>MAXIMUM ANNUAL INCOME</u>
1	\$25,000
2	\$28,550
3	\$32,150
4	\$35,700
5	\$37,950
6	\$40,150
7	\$42,450
8	\$44,650

Application packages are available at:

Town Clerk's Office  
200 Howell Avenue  
Riverhead, New York 11901

Community Development Office  
200 Howell Avenue  
Riverhead, New York 11901

All applications must be completed in full and returned to the Town of Riverhead, P.O. Box 893, Riverhead, New York 11901 on or before March 31, 1991.

This project is a joint venture of the Town of Riverhead and the United States Department of Housing and Urban Development. No person shall on the grounds of race, color, national origin, age, or handicap, be excluded from participation in or be subjected to discrimination in any program or activity funded, in whole or in part, by Federal funds.

3/6/91

# 159

CORRECTS RESOLUTION #11 SETTING TOWING AND STORAGE FEES

COUNCILPERSON Prusinowski offered the following resolution, which was seconded by COUNCILPERSON Stark :

WHEREAS, Resolution #11 adopted January 2, 1991, set towing and storage fees for vehicles pursuant to Section 101-22 of the Riverhead Town Code; and

WHEREAS, the Police Department has asked that clarification be made as to the purpose of the fees.

NOW, THEREFORE, BE IT

RESOVLED, that Resolution #11 adopted January 2, 1991, be corrected to read as follows:

Fee for <u>impoundment</u> . . . . .	\$100.00 flat fee
Fee for storage . . . . .	\$ 20.00 per day

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 Police Department.

\*Underscore represents correction.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

3/6/91  
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# \_\_\_\_\_ GRANTS EASEMENT TO MAVIN REALTY, INC. (GOLD'S GYM)

COUNCILPERSON Stark offered the following resolution, which was seconded by COUNCILPERSON Prusinowski :

WHEREAS, the Town Board had received a request from Gold's Gym, Mavin Realty Enterprises, East Main Street, Riverhead, New York, for a special permit to provide 100% lot coverage in a Business D Zoning Use District; and

WHEREAS, the Town Board adopted Resolution #138 on February 19, 1991, approving the special; and

WHEREAS, Gold's Gym wishes to acquire from the Town of Riverhead Parking District an easement of 2' x 45' for the construction of a wall and interior space.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board finds:

1. That the conveyance of the 2' x 45' easement will not interfere with Town or Parking District purposes;
2. That the proposed improvements will benefit the Town of Riverhead and, in particular, the Riverhead Parking District;
3. The Town Board is acting on behalf of the Riverhead Parking District pursuant to Section 198 of Town Law; and be it further

RESOLVED, that the Supervisor be and is hereby authorized to execute any and all documents necessary to effectuate the conveyance of a 2' x 45' easement to Gold's Gym; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Gold's Gym, the Supervisor's Office and the Town Attorney's Office.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes,  
Janoski, yes.  
The resolution was thereupon duly declared adopted.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes,  
Janoski, yes.  
The resolution was thereupon duly declared adopted.

3/6/91

# \_\_\_\_\_ AUTHORIZES SUPERVISOR TO EXECUTE GRANT AGREEMENT FOR  
INFRASTRUCTURE DEMONSTRATION PROGRAM FUNDS RE: OSBORNE  
MEADOWS

COUNCILPERSON Civiletti offered the following resolution, which was seconded by COUNCILPERSON Prusinowski :

WHEREAS, the Town of Riverhead has been awarded a grant in the amount of \$105,000.00 from the New York State Housing Finance Agency pursuant to Private Housing Finance Law; and

WHEREAS, these grant funds are to be used to finance actual and necessary costs of infrastructure development in the Town of Riverhead affordable housing project known as "Osborne Meadows".

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute an Infrastructure Development Demonstration Program Grant Agreement between the Town of Riverhead and the New York State Housing Finance Agency; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Supervisor Janoski, Andrea Lohneiss and the Town Attorney's Office.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

## TOWN OF RIVERHEAD

RESOLUTION # 162

AWARDS BID FOR ONE (1) 1985 6 WHEEL CAB AND CHASSIS TRUCK

COUNCILPERSON Prusinowski OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY COUNCILPERSON Stark.

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS ON THE PURCHASE OF ONE (1) 1985 6 WHEEL CAB AND CHASSIS TRUCK FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, BIDS WERE RECEIVED AND READ ALOUD ON THE 25TH OF FEBRUARY AT 11:00 A.M. AT THE TOWN HALL, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK THE DATE, TIME AND PLACE GIVEN IN THE NOTICE TO BIDDERS, AND

WHEREAS, ONE BID WAS RECEIVED

NOW, THEREFORE, BE IT RESOLVED, THAT THE BID FOR THE PURCHASE OF ONE (1) 1985 6 WHEEL CAB AND CHASSIS TRUCK BE AND IS HEREBY AWARDED TO TRUX, INC., 1655 OLD COUNTRY ROAD, RIVERHEAD, NEW YORK 11901 IN THE AMOUNT OF \$13,475.00.

AND BE IT FURTHER RESOLVED, THAT THE TOWN CLERK BE AND IS HEREBY AUTHORIZED TO FORWARD A CERTIFIED COPY OF THIS RESOLUTION TO TRUX, INC. AND THE RIVERHEAD HIGHWAY DEPARTMENT.

CBB

CBB

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

TOWN OF RIVERHEAD

163

RESOLUTION #

AWARDS BID FOR ONE (1) 1984 10 WHEEL DIESEL DUMP TRUCK

COUNCILPERSON Stark OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY COUNCILPERSON Prusinowski

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS ON THE PURCHASE OF ONE (1) 1984 10 WHEEL DIESEL DUMP TRUCK FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

WHEREAS, BIDS WERE RECEIVED AND READ ALOUD ON THE 25TH OF FEBRUARY AT 11:15 A.M. AT THE TOWN HALL, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK THE DATE, TIME AND PLACE GIVEN IN THE NOTICE TO BIDDERS, AND

WHEREAS, ONE BID WAS RECEIVED

NOW, THEREFORE, BE IT RESOLVED, THAT THE BID FOR THE PURCHASE OF ONE (1) 1984 10 WHEEL DIESEL DUMP TRUCK BE AND IS HEREBY AWARDED TO TRUX, INC., 1655 OLD COUNTRY ROAD, RIVERHEAD, NEW YORK 11901 IN THE AMOUNT OF \$32,470.00.

AND BE IT FURTHER RESOLVED, THAT THE TOWN CLERK BE AND IS HEREBY AUTHORIZED TO FORWARD A CERTIFIED COPY OF THIS RESOLUTION TO TRUX, INC. AND THE RIVERHEAD HIGHWAY DEPARTMENT.

CBB

*CBB*

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

## TOWN OF RIVERHEAD

RESOLUTION #

164

AWARDS BID FOR ONE (1) 1991 F-350 FORD UTILITY TRUCK

COUNCILPERSON Civiletti OFFERED THE FOLLOWING RESOLUTION WHICH WAS SECONDED BY COUNCILPERSON Prusinowski

WHEREAS, THE TOWN CLERK WAS AUTHORIZED TO ADVERTISE FOR BIDS ON THE PURCHASE OF ONE (1) 1991 F-350 FORD UTILITY TRUCK FOR THE USE OF THE RIVERHEAD HIGHWAY DEPARTMENT, AND

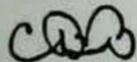
WHEREAS, BIDS WERE RECEIVED AND READ ALOUD ON THE 25TH OF FEBRUARY AT 11:30 A.M. AT THE TOWN HALL, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK THE DATE, TIME AND PLACE GIVEN IN THE NOTICE TO BIDDERS, AND

WHEREAS, TWO BIDS WERE RECEIVED

NOW, THEREFORE, BE IT RESOLVED, THAT THE BID FOR THE PURCHASE OF ONE (1) 1991 F-350 FORD UTILITY TRUCK BE AND IS HEREBY AWARDED TO LUCAS FORD LINCOLN MERCURY, 3245 HORTONS LANE, P.O. BOX 1575, SOUTHOLD, NEW YORK 11971, IN THE AMOUNT OF \$23,774.00

AND BE IT FURTHER RESOLVED, THAT THE TOWN CLERK BE AND IS HEREBY AUTHORIZED TO FORWARD A CERTIFIED COPY OF THIS RESOLUTION TO LUCAS FORD LINCOLN MERCURY AND THE RIVERHEAD HIGHWAY DEPARTMENT.

CBB



The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

3/6/91  
165

# \_\_\_\_\_ APPOINTS PART-TIME DETENTION ATTENDANT

Councilperson Prusinowski offered the following resolution which was seconded by Councilperson Stark.

RESOLVED, that John Maddox be and is hereby appointed to the position of Part-time Detention Attendant with the Town of Riverhead Police Department at the hourly rate of compensation of \$11.20 effective March 5, 1991; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to John Maddox, Chief Grattan and the Office of Accounting.

The Vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

~~REAPPOINT~~ REAPPOINTS ROY SOKOLOSKI TO ARCHITECTURAL REVIEW BOARD

Councilperson Stark offered the following resolution, which was seconded by Councilperson Prusinowski:

WHEREAS, the term of service of Roy Sokoloski with the Town of Riverhead Architectural Review Board does expire November 17, 1990, and

WHEREAS, Roy Sokoloski has expressed his willingness to serve on said Board;

NOW, THEREFORE, BE IT

RESOLVED, that Roy Sokoloski be and is hereby reappointed to membership on the Town of Riverhead Architectural Review Board effective November 18, 1990, for a three-year term which expires November 17, 1993, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Roy Sokoloski and Richard Hanley, Planning Director.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

3/6/91  
167

# \_\_\_\_\_ AUTHORIZES SUPERVISOR TO EXECUTE JET SKI LEASE AGREEMENT FOR USE BY BAY CONSTABLE

COUNCILPERSON Civiletti offered the following resolution, which was seconded by COUNCILPERSON Prusinowski :

RESOLVED, that the Supervisor be and is hereby authorized to execute a lease agreement with Hampton Watercraft & Marine for the lease of a Yamaha jet ski for use by the Bay Constable, said lease to be at a cost of \$1.00; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Hampton Watercraft & Marine, the Riverhead Police Department, the Bay Constable and the Town Attorney's Office.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes.  
The resolution was thereupon duly declared adopted.

# 3/6/91 REAPPOINTS JOAN R. ROGERS TO ARCHITECTURAL REVIEW BOARD

Councilperson Prusinowski offered the following resolution, which was seconded by Councilperson Stark:

WHEREAS, the term of service of Joan R. Rogers with the Town of Riverhead Architectural Review Board does expire November 17, 1990, and

WHEREAS, Joan R. Rogers has expressed her willingness to serve on said Board;

NOW, THEREFORE, BE IT

RESOLVED, that Joan R. Rogers be and is hereby reappointed to membership on the Town of Riverhead Architectural Review Board effective November 18, 1990, for a three-year term which expires November 17, 1993, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Joan R. Rogers and Richard Hanley, Planning Director.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

3/6/91

282

# 169 AUTHORIZES ATTENDANCE OF OFFICERS AT SEMINAR

Councilperson Stark offered the following resolution which was seconded by Councilperson Prusinowski

WHEREAS, the New York Street Crime Prevention Coalition will be sponsoring the quarterly Board of Directors meeting to be held in Albany, New York on April 8-11, 1991; and

NOW, THEREFORE, BE IT RESOLVED, that an officer from the Town of Riverhead Police Department be and is hereby authorized to attend; and

BE IT FURTHER RESOLVED, that all related expenses incurred by this officer will be fully receipted upon his return and thereafter reimbursed by the Accounting Department; and

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

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes,  
Janoski, yes.

The resolution was thereupon duly declared adopted.

3/6/91

Date \_\_\_\_\_

170

No. \_\_\_\_\_

COUNCILPERSON Civiletti offered the following resolution which was seconded by COUNCILPERSON Prusinowski.

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

BUDGET ADJUSTMENT  
TWO BEARS CAPITAL PROJECT

440.092705.421050.60044	DEVELOPER FEES	\$60,000.00
440.036200.543900.60044	CONSULTANT FEE	\$40,000.00
440.036200.540000.60044	CONTRACTUAL EX.	20,000.00

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Riverhead, New York  
March 6, 1991

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. FENNELLY, Town Clerk

Proposed additions:  
Proposed deletions:

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

3/6/91

171

#

AUTHORIZES TOWN CLERK TO PUBLISH & POST PUBLIC NOTICE  
TO CONSIDER AMENDMENT TO ARTICLE XXIX OF THE RIVERHEAD  
TOWN CODE ENTITLED "CONDOMINIUM MAPS"

COUNCILPERSON Prusinowski offered the following resolution, which was seconded by COUNCILPERSON Stark:

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the following public notice to consider amending Section 108-146 of the Riverhead Town Code once in the March 20, 1991, issue of the Suffolk County Life:

TOWN OF RIVERHEAD  
PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 2nd day of April, 1991, at 7:40 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider amending Section 108-146(A) of the Riverhead Town Code as follows:

108-146. Condominium map approval.

- A. The Planning Board is hereby empowered to approve condominium maps for filing with the Clerk of the County of Suffolk subject to all applicable rules and regulations and the payment of an amount equal to two thousand dollars (\$2,000.) per dwelling unit to the Town of Riverhead. In lieu of a cash payment, the developer may post a bond or letter of credit equal to the total fee as required herein. The term of such bond or letter of credit shall extend for a period of two (2) years and six (6) months. After two (2) years from the date of issuance of the bond or letter of credit, the balance of the fee covering all the lots shall be due. The Town Board may extend the due date upon proof that the bond or letter of credit remains in full force and effect. The Clerk of the Planning Board shall maintain a log of the expiration dates of all such bonds. Where such cash or letter of credit is deposited, the fee of two thousand dollars (\$2,000.) shall be paid to the Town of Riverhead prior to the issuance of each certificate of occupancy by the Building Inspector.

Dated: Riverhead, New York  
March 5, 1991.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

IRENE J. PENDZICK, Town Clerk

Underscore represents addition(s).

~~Overstrike~~ represents deletion(s).

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

3/6/91  
172

285

# \_\_\_\_\_ PROTESTS THE ISSUANCE OF TEMPORARY ROOMING HOUSE PERMIT BY SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES TO THE BAYVIEW HOTEL, S. JAMESPORT.

Councilperson Stark offered the following resolution, which was seconded by Councilperson Prusinowski.

WHEREAS, the Suffolk County Department of Health Services does on an annual basis issue roominghouse permits to various multiple-family residences throughout the Town of Riverhead; and

WHEREAS, in 1990, the Suffolk County Department of Health Services did issue a conditional roominghouse permit to the multi-family dwelling known as "The Bayview Hotel" located in South Jamesport; and

WHEREAS, said conditional roominghouse permit was issued despite existing sanitary, building and fire code violations; and

WHEREAS, annual inspection of this facility was again conducted on February 27, 1991 by the Suffolk County Department of Health Services and the Town of Riverhead Fire Marshal; and

WHEREAS, said inspection again revealed obvious violations and hazards existing; and

WHEREAS, the Suffolk County Department of Health Services observed deplorable conditions which affect the public health of the residents and which destroy the integrity and character of the community; and

WHEREAS, rooming house permits are annually granted to "The Bayview Hotel" with obvious disregard to local opinion and objection and despite existing code violations; and

WHEREAS, by condoning the conditions of this property, Suffolk County has become a partner in the subsidizing of substandard housing in our community; and

WHEREAS, we recognize that it is crucial to provide safe and adequate temporary housing for those in need; however, this facility reaps the benefits of our taxpayer dollars without concern for its residents as is evident by the condition of this facility; and

WHEREAS, The County of Suffolk by continually licensing this facility despite objections by the Town of Riverhead has blatantly disregarded the zoning authority of the Town of Riverhead.

NOW, THEREFORE, BE IT RESOLVED, The Riverhead Town Board, here present representing the people of the Town of Riverhead, wishes to send to Suffolk County a formal protest of the following:

1. The waste of public funds which are directed to a facility which fails to provide safe and adequate housing to social service recipients of Suffolk County.

2. The issuance of the temporary roominghouse permit to the facility known as "The Bayview Hotel".

3. The previous licensing and current licensing of the facility known as "The Bayview Hotel" at South Jamesport; and

BE IT FURTHER RESOLVED, we do implore Dr. David Harris, Commissioner of the Suffolk County Department of Health Services, to review and re-evaluate the temporary permit and further licensing by the Suffolk County Department of Health Services of this facility; and

BE IT FURTHER RESOLVED, we do implore the members of the Suffolk County Legislature, Suffolk County Executive Halpin, and Commissioner Harris to amend the Suffolk County Sanitary Code to repeal Article XIV - Housing, Hygiene and Occupancy; and

BE IT FURTHER RESOLVED, the Town Clerk be and is hereby directed to forward a certified copy of this resolution to each member of the Suffolk County Legislature, Clerk of the Suffolk County Legislature, Suffolk County Executive Halpin, Dr. David Harris, and Wm. Welsh, President, Jamesport/South Jamesport Civic Association.

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

# 173 APPOINTS MAINTENANCE MECHANIC II TO THE RIVERHEAD SEWER  
SCAVENGER WASTE DISTRICT

Councilperson Stark offered the following  
resolution which was seconded by Councilperson Prusinowski

WHEREAS, a position of Maintenance Mechanic II presently  
exists in the Riverhead Sewer/Scavenger Waste District; and

WHEREAS, this position has been duly posted and advertised,  
and those interested have been interviewed;

NOW, THEREFORE, BE IT RESOLVED, that Howard W. Gassert is  
hereby appointed to the position of Maintenance Mechanic II  
effective March 11, 1991, at an annual salary of \$21,464.98  
Group 7 Step P of the Operational and Technical Salary Structure  
of the CSEA contract; and

BE IT FURTHER RESOLVED that the Town Clerk is hereby  
authorized to forward a certified copy of this resolution to  
Howard W. Gassert, 242 Hubbard Avenue, Riverhead, New York;  
Michael Reichel, Superintendent of the Sewer/Scavenger Waste  
Districts; and the Office of Accounting.

The vote, Stark, yes, Prusinowski, yes, Civiletti, abstain,  
Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTION NUMBER 174

DATE

ABSTRACT #

3/6/91

COUNCILMAN Prusinowski

offered the following resolution, which

288

was seconded by COUNCILMAN

Stark

RESOLVED, that the SUPERVISOR be, and is hereby authorized to pay the following vouchers: 9000 -9000

*****ACCOUNTS*****		*****TOTALS*****	
GENERAL TOWN	001		\$15190.25
PARKING METER	002		
AMBULANCE	003		
POLICE ATHLETIC LEAGUE	004		
TEEN CENTER	005		
RECREATION PROGRAM	006		\$49.50
HIGHWAY	111		
WATER	112		\$2013.05
REPAIR & MAINTENANCE	113		
SEWER	114		
STREET LIGHTING	116		
PUBLIC PARKING DIST.	117		
SELF-INSURANCE	174		\$4883.59
RISK RETENTION FUND	175		
MAIN STREET REHAB	177		
ECONOMIC REVOLVING LOAN	178		
RESIDENTIAL REHAB	179		
DISCRETIONARY	180		
PUBLIC PARKING DEBT	381		
SEWER DEBT	382		
WATER DEBT	383		
GENERAL TOWN DEBT	384		
SCAVENGER WASTE DEBT	385		
TOWN HALL CAPITAL PROJECTS	406		\$119098.00
EIGHT HUNDRED SERIES	408		
WATER IMPROVEMENTS	409		
CHIPS LOCAL STREETS & HIGHWAYS	451		
YOUTH SERVICE	452		
SENIORS HELPING SENIORS	453		
EISEP	454		
JOINT SCAVENGER WASTE	918		
MUNICIPAL FUEL	625		\$718.59
MUNICIPAL GARAGE	626		(\$14.10)
TRUST & AGENCY	735		\$349100.86
*****GRAND TOTAL*****			\$491039.74

The vote, Stark, yes, Prusinowski, yes, Civiletti, yes, Janoski, yes,  
 The resolution was thereupon duly declared adopted.