

B.G. Town Clerk's Office

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

AUGUST 19TH, 2003

**Edward Densieski, Councilman
James Lull, Councilman**

**Barbara Blass, Councilwoman
Rose Sanders, Councilwoman**

**Barbara Grattan, Town Clerk
Dawn Thomas, Town Attorney**

ELECTED OFFICIALS

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

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

DEPARTMENT HEADS

**John J. Hansen
Leroy E. Barnes, Jr.
Andrea Lohneiss
Ken Testa
Richard Hanley
Chief David Hegermiller
Judy Doll
John Reeve
Michael Reichel
Gary Pendzick**

**Accounting Department
Building Department
Community Development
Engineering Department
Planning Department
Police Department
Senior Services
Sanitation Department
Sewer District
Water Department**

Call to Order and Salute to the Flag

Approves Minutes of July 15th and August 5, 2003 and
Special Board Meeting of August 8, 2003

Sull

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

REPORTS

B. B. Abstein
4 yes

JUVENILE AID BUREAU: Monthly Report for July, 2003

APPLICATIONS

SHOWS & EXHIBITION PERMITS:

- ✓ ABC CARPET-Sept. 5 to 7th Retail Sales
- ✓ Helen's Country Plant Farm-Sept. to Oct. Hayrides
- ✓ Martha Clara Vineyards-Aug 22-Fundraiser
- ✓ Railroad Museum L.I.-Aug. 23 & 24-Festival
- ✓ Rhd. Foundation for Marine Research-Oct. 25th 5K FOOT RACE
- ✓ DARKSIDE PRODUCTIONS-SEPT. TO NOV. HAUNTED HOUSE
- ✓ LIVING WATER FULL GOSPEL CHURCH-SEPT. 6TH -YOUTH RALLY

SITE PLAN: AMENDED: RIVERHEAD CHARTER SCHOOL

CORRESPONDENCE

TWOMEY, LATHAM, SHEA & KELLEY,
NORTHVILLE BEACH CIVIC ASSOCIATION RE: MASTER PLAN
G.J. & JUDITH HEINGARTNER, VINCE TALDONE

LISA GALJANIC: RE: RIVERHEAD BLUES FESTIVAL

PETITION: 37 NAMES IN SUPPORT OF THE OPENING OF
LYRICAL CHILDREN'S PRE-SCHOOL.

PUBLIC HEARINGS

- 7:00 P.M. THE CONSIDERATION OF THE ADOPTION OF AN AMENDMENT ENTITLED, "ECONOMIC DEVELOPMENT ZONE.
- 7:10 P.M. THE CONSIDERATION OF A LOCAL LAW TO AMEND CHAPTER 58 ENTITLED, "DOGS."
- 7:15 P.M. THE PETITION OF NF GOLF RESORTS
- 7:20 P.M. THE PETITION OF AQUEBOGUE GOLF RESORTS

PUBLIC COMMENT ON ANY RESOLUTIONS LISTED

BELOW:

REGULAR TOWN BOARD MEETING:

- Res. 921 Appoints Maintenance Mechanic II in the Buildings & Grounds Dept. (D. Demarest)
- Res. 922 Appoints a P/T Recreation Aide (Teen Center) to the Riverhead Recreation Dept. (K. Hasty)
- Res. 923 Appoints a Fill-In Volleyball Leader to the Riverhead Recreation Dept. (J. Nowack)
- Res. 924 Appoints a Fill-In Volleyball Leader to the Riverhead Recreation Dept. (K. Hasty)
- Res. 925 Approves Application of Martha Clara Vineyards, LLC
- Res. 926 Approves Application of Liberty Travel
- Res. 927 Approves Application of Helen's Country Plant Farm (Hayrides)
- Res. 928 Adopts a Local Law Amending Chapter 95 Entitled, "Taxation" of the Riverhead Town Code
- Res. 929 Approves Application of Speedworld FX
- Res. 930 Amends Resolution #908 of 2003 (Approves Application of Riverhead Country Fair)
- Res. 931 Adopts a Local Law to Amend Chapter 101 Entitled, "Vehicles & Traffic" of the Riverhead Town Code (101-10 – Parking Prohibited)
- Res. 932 Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law to Repeal and Replace Chapter 90 Entitled, "Special Events" of the Riverhead Town Code
- Res. 933 Approves the Application of ABC Carpet & Home (Tanger)

- Res. 934 Authorizes Town of Riverhead to Remove Rubbish, Debris and the Cutting of Grass and Weeds from Property Pursuant to Chapter 96 Entitled, "Trash, Rubbish and Refuse Disposal" of the Riverhead Town Code (780 Old Country Road)
- Res. 935 Authorizes Town of Riverhead to Remove Rubbish, Debris and the Cutting of Grass and Weeds from Property Pursuant to Chapter 96 Entitled, "Trash, Rubbish and Refuse Disposal" of the Riverhead Town Code (1725 Old Country Road)
- Res. 936 Authorizes Town of Riverhead to Remove Rubbish, Debris and the Cutting of Grass and Weeds from Property Pursuant to Chapter 96 Entitled, "Trash, Rubbish and Refuse Disposal" of the Riverhead Town Code (411 Old Country Road)
- Res. 937 Accepts 5% Security Bond of T.R.W. Realty LLC (Racanelli Construction Company, Inc.)
- Res. 938 Authorizes Match for Empire Zone Administration
- Res. 939 Approves Application of Martha Clara Vineyards (Prudential Financial Co. Fundraiser)
- Res. 940 Approves Temporary Sign Permits of Timothy Hill Children's Ranch (Country Western Day)
- Res. 941 Authorizes Town of Riverhead to Remove Rubbish, Debris and the Cutting of Grass and Weeds from Property Pursuant to Chapter 96 Entitled, "Trash, Rubbish and Refuse Disposal" of the Riverhead Town Code (307 Griffing Avenue)
- Res. 942 Approves Application of Darkside Productions, Inc. (Haunted House)
- Res. 943 Approves Application of Darkside Productions, Inc. (Haunted House)

- Res. 944 Awards Bid for Disposal of Town of Riverhead
Demolition and Construction Debris
- Res. 945 Approves Application of Darkside Productions, Inc.
(Haunted House)
- Res. 946 Workers Comp Fund Budget Adjustment
- Res. 947 Construction Equipment Operator Promotion
- Res. 948 Heavy Equipment Operator Promotion (J. Scruggs)
- Res. 949 Construction Equipment Operator Promotion (E. Reeve)
- Res. 950 Heavy Equipment Operator Promotion (M. Kozakiewicz)
- Res. 951 Heavy Equipment Operator Promotion (W. Fink)
- Res. 952 Heavy Equipment Operator Promotion (R. Bates)
- Res. 953 Heavy Equipment Operator Promotion (W. Atkins)
- Res. 954 Heavy Equipment Operator Promotion (J. Apicello)
- Res. 955 Ratifies Appointment of Full Time Bus Driver in the
Nutrition Department
- Res. 956 Revises Town Grants Policy Statement
- Res. 957 Transfer & Promotes Employee to the Department of
Buildings and Grounds (C. Grzegorzcyk)
- Res. 958 Amends Terms and Conditions of Deputy Tax Receiver
- Res. 959 Line Road Road Improvement Capital Project
(Manorville) Budget Adjustment
- Res. 960 Oakwood Drive Road Improvement Capital Project
Budget Adjustment (Manorville)
- Res. 961 Horton Court Road Improvement Capital Project
(Manorville) Budget Adjustment

- Res. 962 Baiting Hollow Lane, Baiting Drive & Hollow Court Road Improvement Capital Project Budget Adjustment
- Res. 963 Midway Drive Road Improvement Capital Project (Manorville) Budget Adjustment
- Res. 964 Fanning Blvd. Road Improvement Capital Project (Manorville) Budget Adjustment
- Res. 965 Oak Drive Road Improvement Capital Project (Manorville) Budget Adjustment
- Res. 966 Approves Special Permit Petition of Lyrical Children's Preschool
- Res. 967 Approves Special Permit Petition of Patricia Wysocki (Five Kids School Supply)
- Res. 968 Refers Change of Zone Petition of Traditional Links, LLC to the Riverhead Planning Board
- Res. 969 Approves Site Plan of Jay Tranchina (T-Jay's Transmissions)
- Res. 970 Approves Site Plan of TC 58, LLC (Formerly Felice Enterprises)
- Res. 971 Authorizes Supervisor to Execute Vitagrants Distribution Agreement.
- Res. 972 Authorizes Supervisor to Execute Agreement for Clerical & Administrative Services for Vitagrants
- Res. 973 Amends Resolution Number 539 of 2002-Granting of Special Permit of TC 58, Inc.
- Res. 974 Pays Bills

AUGUST 19, 2003

1682
Adopted

TOWN OF RIVERHEAD

Resolution # 921

**APPOINTS MAINTENANCE MECHANIC II
IN THE BUILDINGS & GROUNDS DEPARTMENT**

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

WHEREAS, a vacancy now exists in Buildings & Grounds, and

WHEREAS, this position was duly posted, posting #16, advertised and interviews have been conducted, and

WHEREAS, the recommendation of the Personnel Committee and the Department Head has been received.

NOW, THEREFORE, BE IT RESOLVED, that effective September 8, 2003 David Demarest is appointed to the position of Maintenance Mechanic II as found on Group 7, Step P of the Salary Administration Schedule, and

BE IT FURTHER, RESOLVED, that as a condition of employment in this title the employee must possess a clean, valid, NYS Commercial Drivers License within six months of the date of appointment.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to David Demarest, the Engineering Department and the Office of Accounting.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

Adopted

8/19/03

TOWN OF RIVERHEAD

Resolution # 922

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

COUNCILMAN LULL offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

RESOLVED, that Kim Hasty is hereby appointed to serve as a P/T Recreation Aide for the Teen Center, effective, September 1, 2003 to and including December 31, 2003 to be paid at the rate of \$9.0834 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

THE VOTE

Sanders Yes No Bless Yes No

Densleki Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

¹ Rec. Doris /Res. Kim Hasty TC

8/19/03

TOWN OF RIVERHEAD

Resolution # 923

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

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN LULL

RESOLVED, that John Nowack is hereby appointed to serve as a Fill-in Volleyball Leader, effective, September 1, 2003 to and including December 31, 2003 to be paid at the rate of \$10.00 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

THE VOTE

Sanders Yes No Blass Yes No
 Donsieski Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT
 THEREUPON DEEPLY ADOPTED

¹ Rec. Doris /Res. John Nowack V-ball

Adopted

8/19/03

TOWN OF RIVERHEAD

Resolution # 924

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

COUNCILMAN LULL offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

RESOLVED, that Kim Hasty is hereby appointed to serve as a Fill-in Volleyball Leader, effective, September 1, 2003 to and including December 31, 2003 to be paid at the rate of \$10.00 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

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

1 Rec. Doris /Res. Kim Hasty V-ball

8/19/03

TOWN OF RIVERHEAD

Resolution # 925

APPROVES APPLICATION OF MARTHA CLARA VINEYARDS, LLC
(PIG ROAST)

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

WHEREAS, Martha Clara Vineyards, LLC has submitted an application for the purpose of conducting a Pig Roast having music and a tent to be held at 6025 Sound Avenue, Jamesport, New York, between the hours of 1:00 p.m. and 5:00 p.m. on August 30, 2003; and

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

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

NOW THEREFORE BE IT RESOLVED, that the application of Martha Clara Vineyards, LLC for the purpose of conducting a Pig Roast having music and a tent to be held at 6025 Sound Avenue, Jamesport, New York, between the hours of 1:00 p.m. and 5:00 p.m. on August 30, 2003 is hereby approved; and be it further

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

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Martha Clara Vineyards, LLC, Attn: Jacqueline Entenmann, 6025 Sound Avenue, Riverhead, New York, 11901; Bruce Johnson, Riverhead Fire Marshal and Chief David Hegermiller, Riverhead Police Department.

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

Withdrawn

8/19/03

TOWN OF RIVERHEAD

Resolution # 926

APPROVES APPLICATION OF LIBERTY TRAVEL

~~COUNCILMAN DENSIESKI~~

offered the following resolution, was seconded by

~~COUNCILWOMAN BLASS~~

WHEREAS, Liberty Travel has submitted an application for the purpose of conducting a fund raiser to benefit "1 in 9: The Long Island Breast Cancer Action Coalition", which will include a tent, music, prizes to be raffled off, child face-painting and balloon animals to be located at 635 Old Country Road, Riverhead, New York, to be held on August 24, 2003 between the hours of 11:00 a.m. and 4:00 p.m.; and

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

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

NOW THEREFORE BE IT RESOLVED, that the application of Liberty Travel for the purpose of conducting a fund raiser to benefit "1 in 9: The Long Island Breast Cancer Action Coalition", which will include a tent, music, prizes to be raffled off, child face-painting and balloon animals to be located at 635 Old Country Road, Riverhead, New York, to be held on August 24, 2003 between the hours of 11:00 a.m. and 4:00 p.m., is hereby approved; and be it further

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Liberty Travel, 635 Old Country Road, Riverhead, New York, 11901; the Riverhead Fire Marshal and Chief Hegermiller, Riverhead Police Department.

THE VOTE

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

THE RESOLUTION WAS WAS NOT

THEREUPON DULY

Withdrawn

Adopted

8/19/03

TOWN OF RIVERHEAD

Resolution # 927

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

COUNCILWOMAN BLASS

offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

WHEREAS, Helen's Country Farm has submitted an application for the purpose of conducting hayrides at the location of 1299 Main Road, Jamesport, New York, to be held on the following dates:

September 7th, 13th, 14th, 20th, 21st, 27th, and 28th, 2003
October 4th, 5th, 6th, 11th, 12th and 18th, 2003

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

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

NOW THEREFORE BE IT RESOLVED, that the application of Helen's Country Farm for the purpose of conducting hayrides at the location of 1299 Main Road, Jamesport, New York, to be held on the aforementioned dates, is hereby approved; and be it further

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Helen's Country Plant Farm, 1299 Main Road, Jamesport, New York, 11947, the Riverhead Fire Marshal and Chief Hegermiller, Riverhead Police Department.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

Adopted

8/19/03

TOWN OF RIVERHEAD

Resolution # 928

ADOPTS A LOCAL LAW AMENDING CHAPTER 95 ENTITLED, "TAXATION" OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post the attached public notice to consider a local law to amend Chapter 95 entitled, "Taxation" of the Riverhead Town Code once in the Traveler-Watchman, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and

WHEREAS, a public hearing was held on the 5th day of August, 2003 at 2:30 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 95 entitled, "Taxation" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

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

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 95 entitled, "Taxation" of the Riverhead Town Code at its regular meeting held on August 19, 2003 as follows:

**Chapter 95
TAXATION**

§ 95-25. Conditions for exemption.

No exemption shall be granted:

A. If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of ~~\$26,900~~ \$29,900.00. "Income tax year" shall mean the twelve-month period for which the owner or owners filed a federal personal income tax return, or if no such return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum, except where the husband or wife or ex-husband or ex-wife is absent from the property due to divorce, legal separation or abandonment, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed ~~\$26,900~~ \$29,900.00.

Dated: Riverhead, New York
August 19, 2003

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

BARBARA GRATTAN, Town Clerk

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

8/19/03

Adopted

TOWN OF RIVERHEAD

Resolution # 929

APPROVES APPLICATION OF SPEEDWORLD FX

COUNCILMAN LULL

offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

WHEREAS, Speedworld FX has submitted an application for the purpose of conducting a car show to be located in the Peconic Plaza Shopping Center at 162 Old Country Road, Riverhead on September 7, 2003 having a rain date of September 21, 2003, between the hours of 8:00 a.m. and 9:00 p.m.; and

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

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

NOW THEREFORE BE IT RESOLVED, that the application of Speedworld FX for the purpose of conducting a car show to be located in the Peconic Plaza Shopping Center at 162 Old Country Road, Riverhead on September 7, 2003 having a rain date of September 21, 2003, between the hours of 8:00 a.m. and 9:00 p.m. is hereby approved; and be it further

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

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

THE VOTE

Sanders Yes ___ No ___ Blass Yes ___ No ___
Densieski Yes ___ No ___ Lull Yes ___ No ___

Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
THEREUPON FULLY ADOPTED

Adopted

8/19/03

TOWN OF RIVERHEAD

Resolution # 930

AMENDS RESOLUTION #908 OF 2003 (APPROVES APPLICATION OF RIVERHEAD COUNTRY FAIR)

COUNCILWOMAN SANDERS offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby amends Resolution #908 adopted by the Riverhead Town Board on August 5, 2003 to reflect a correction of both the date of the Country Fair and the rain date. The correct date of the Riverhead Country Fair shall be October 12, 2003, having a rain date of October 19, 2003; and be it further

RESOLVED, that all other terms and conditions of Resolution #908 shall remain in full force and effect; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Country Fair/Townscape, Inc., c/o James Lull, Councilman; Ken Testa, P.E.; Bruce Johnson, Riverhead Fire Marshal and Chief David Hegermiller, Riverhead Police Department.

THE VOTE

Sanders Yes ___ No ___ Blass Yes ___ No ___

Densieski Yes ___ No ___ Lull Yes ___ No ___

Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

Blain

Adopted

8/19/03

TOWN OF RIVERHEAD

Resolution # 931

ADOPTS A LOCAL LAW TO AMEND CHAPTER 101 ENTITLED "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE (101-10 - PARKING PROHIBITED)

COUNCILWOMAN BLASS offered the following resolution, was seconded by

COUNCILMAN LULL :

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

WHEREAS, a public hearing was held on the 5th day of August, 2003 at 2:35 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that the local law amending Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Highway Department and the Police Department.

THE VOTE

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

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code at its regular meeting held on August 19, 2003 as follows:

**Vehicles and Traffic
Article V
Parking, Standing and Stopping**

§ 101-10. Parking prohibited.

The parking of vehicles is hereby prohibited in the locations as follows:

Name of Street	Side	Location
<u>Fishel Avenue</u>	<u>East</u>	<u>From its intersection with the northeasterly corner of East Main Street commencing at a point in the westerly direction 94 feet running thence in a westerly direction to a point 86 feet running thence in a northerly direction to a point 60 feet</u>

Dated: Riverhead, New York
August 19, 2003

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

BARBARA GRATTAN, Town Clerk

* Underline represents addition(s)

8/19/03

TOWN OF RIVERHEAD

Resolution # 932

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW TO REPEAL AND REPLACE CHAPTER 90 ENTITLED, "SPECIAL EVENTS" OF THE RIVERHEAD TOWN CODE

COUNCILMAN DENSIESKI

offered the following resolution,

which was seconded by COUNCILMAN LULL:

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a proposed local law to consider a local law to repeal and replace Chapter 90 entitled, "Special Events" of the Riverhead Town Code, once in the August 28, 2003 issue of the Traveler-Watchman, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

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

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

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 3rd day of September, 2003 at 7:25 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to repeal and replace Chapter 90 entitled, "Special Events" of the Riverhead Town Code.

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

Dated: Riverhead, New York
August 19, 2003

BY ORDER OF THE BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATAN, Town Clerk

Chapter 90**SPECIAL EVENTS**

- § 90-1. Repealer.
- § 90-2. Definitions.
- § 90-3. Licensing.
- § 90-4. Conditions for granting permit.
- § 90-5. Review of application; public hearings; approval or denial of permit.
- § 90-6. Application fees.
- § 90-7. Modification or recession of permit.
- § 90-8. Other approvals.
- § 90-9. Alcoholic beverages.
- § 90-10. Persons prohibited from attending.
- § 90-11. Prohibited conduct.
- § 90-12. Prohibited exhibitions.
- § 90-13. Hours.
- § 90-14. Severability.
- § 90-15. Penalties for offenses.

GENERAL REFERENCES

- Alcoholic beverages - See Ch. 46.
- Sunday activities - See Ch. 93
- Fire Prevention - See Ch 64
- Outdoor Assembly - See Ch 83

§ 90-1. Repealer.

The Shows and Exhibitions Ordinance of the Town of Riverhead, adopted by the Town Board of the Town of Riverhead during codification; see Chapter 1, General Provisions, Article II, and any subsequent amendments thereto, is hereby repealed. All rules and regulations of the Town of Riverhead or any agency, department or board thereof inconsistent herewith are hereby repealed as of the effective date of this chapter

§ 90-2. Definitions.

Unless otherwise expressly stated, the following terms shall, for the purposes of this chapter, have the meanings set forth below:

AMBULANCE CHIEF – The Chief of the Riverhead Volunteer Ambulance Corps.

CHIEF OF POLICE -- The Chief of Police of the Town of Riverhead.

FIRE CHIEF – The Fire Chief of the fire district in which the planned event shall be located.

FIRE MARSHAL--The Fire Marshal of the Town of Riverhead.

PERSON -- Any individual, firm, partnership, association, corporation, company or organization of any kind, including a charitable, religious, membership, hospital or not-for-profit corporation.

SPECIAL EVENT – Any form of entertainment, eight (8) weeks duration or less, open to the public with or without an admission fee and held on a one-time or occasional basis, which may include, but not be limited to, for example, carnivals, circuses, fairs, bazaars and outdoor shows, horse shows or exhibitions, concerts, road rallies and parades. A special event will not include any activity conducted at a permanent facility which has a valid USE Permit covering such activity. A special event shall not include any activity having less than 100 spectators at any one time during the duration of the event. Special event with less than 100 spectators expected shall apply for necessary permits under Town Code Chapter 83 and/or Town Code Chapter 64. A special event includes, but is not limited to, a temporary and exclusive use by any person of any of the following events or combination thereof; with a maximum expected attendance of more than 100 persons at any one time;

- (1) Use of amusement devices;
- (2) Carnivals or circuses, including any exhibition involving amusement attractions or rides, spectacles, animals, side shows, games and the like.
- (3) Use of inflatable devices in excess of four feet in diameter, including any hot air balloons or any other inflatable object;
- (4) Noise disturbances as defined and regulated under Chapter 81 of this code, including activities for which a variance has been granted;
- (5) Use of powered equipment requiring connection to public power supplies or separate generator or power supply equipment, including;
 - (i) heating, cooling, refrigerating or cooking devices;
 - (ii) sound amplification, public address, loud speaker, audio, video or television systems;

- (6) Racing or athletic competitions and uses including motor vehicle racing or running marathons, cross country, bicycle, moped, skateboards, roller blades, or any other contest or exhibition that is competitively times, or speed related;
- (7) Sales of alcohol beverages, including any activity requiring a special designated permit or other permit under the NYS Liquor Authority;
- (8) Sales of goods and merchandise, including food, clothing, supplies, equipment, concession, souvenirs, balloons, candy, jewelry or any other similar items offered for sale;
- (9) Use of permanent or temporary structures, including stages, booths, canopies, tents, awnings, risers, bleachers, fences, partitions, stands, or similar constructions;

Special event shall not include (i) the use of public space by governmental agencies acting within the scope of their authority or (ii) authorized uses in the public space permitted by other chapters of this title.

TOWN -- The Town of Riverhead.

TOWN CLERK -- The Town Clerk of the Town of Riverhead.

§ 90-3. Licensing.

A. Written permit required.

- (1) Special Event Short Form application – small gathering. Where 100 to 1,000 spectators are expected at any one time during the duration of the event and the event duration is 14 hours or less per calendar day, no person shall use, allow, let or permit property to be used for a special event unless a special event permit has been issued by the Town Board of the Town of Riverhead.
- (2) Special Event Long Form – large gathering. Where more than 1,000 spectators are expected at any one time during the duration of the event or the event duration is more than 14 hours per calendar day, no person shall use, allow, let or permit property to be used for a special event unless a special event permit has been issued by the Town Board of the Town of Riverhead.

B. Special Event Short Form Application shall be filed at least forty (40) days prior to the special event. Special Event Long Form Application shall be filed at least one-hundred twenty (120) days [prior to the special event. Application for such permit shall be on the form provided by the Town Clerk, addressed to the Town Board and filed with the office of the Town Clerk in accordance with the above filing dates based on the type of special event. The Town Board, in its discretion, may provide for an expedited review for an special events permit under this Chapter.

C. Information and material to be submitted with completed Special Event Short Form Application. Such application shall include the following written material:

- (1) The name, age and address of the applicant; if the applicant is a corporation, the name of the corporation and the names and addresses of directors and officers of the corporation; if the applicant does not reside in Suffolk County, the name, address and phone number of any agent, who shall be a natural person and shall reside or have a place of business in the County of Suffolk and who shall be authorized to and shall agree by verified statement to accept notices or summonses issued with respect to violations of any law, ordinances, rules or regulations.

- (2) The name and address of the record owner of the subject property or properties and the nature and interest of the applicant in the property; proposed use of town or other publicly owned property; proposed dates and hours of the special event, including setup and shutdown times; expected maximum number of persons intended to use the property at one time and collectively, including organizers, employees, vendors, exhibitors and spectators; the expected number of automobiles and other vehicles intended to use the property at one time and collectively; the purpose of the event, describing in detail the nature of the activities to be carried on and the admission fee to be charged, if any; and the name of groups, organizations, charities or individuals who shall benefit from the proceeds of the event.
- (3) A plan and drawing showing the size of the property; the streets or highways abutting said property; the size and location of any existing building, buildings or structures or of any proposed building, buildings or structures or signs to be erected for the temporary event; the location of the stage or tents, if any, proposed to be erected; the designated areas of use for spectators, exhibitors, vendors, employees, and organizers; the location of all exits; the location of all fire extinguishers and other fire safety equipment; and the location of all temporary utilities to be installed for the event.
- (4) A plan and drawing showing the layout of any parking area for automobiles and other vehicles and the means of ingress and egress to such parking area. Such parking area shall provide one parking space for every four persons in attendance and shall be in accordance with the Fire Marshal's setback guidelines.
- (5) The name, address and telephone number of the person(s) who will be engaged in the preparation and sale of food.
- (6) A plan for the use of live music, loudspeakers, horns, or other sounds which will be used, if any, and the type and location of speakers and other audio equipment.
- (7) The name and address of the security company, if any, which will work on the premises, and a description of the duties to be performed, subject to the approval of the Chief of Police.
- (8) A description of the communications plan to be utilized by the event organizer to facility command and control of all routine and emergency activities related to the event, subject to approval by the Chief of Police and Fire Marshal.
- (9) A description of tents or other temporary structures, camping or housing facilities to be available, if any, and a plan showing the intended number and location of them, compliance with the applicable requirements of the NFPA Life Safety Code (NFPA 101); the NFPA Temporary Membrane Structures/Tents (NFPA 102) and the Fire Code of New York State.

D. Information and material to be submitted with completed Special Event Long Form Application. Such application shall include the following written material:

- (1) The name, age and address of the applicant; if the applicant is a corporation, the name of the corporation and the names and addresses of directors and officers of the corporation; if the applicant does not reside in Suffolk County, the name, address and phone number of any agent, who shall be a natural person and shall reside or have a place of business in the County of Suffolk and who shall be authorized to and shall agree by verified statement to accept notices or summonses issued with respect to violations of any law, ordinances, rules or regulations.

- (2) The name and address of the record owner of the subject property or properties¹⁷⁰² and the nature and interest of the applicant in the property; proposed use of town or other publicly owned property; proposed dates and hours of the special event, including setup and shutdown times; expected maximum number of persons intended to use the property at one time and collectively, including organizers, employees, vendors, exhibitors and spectators; the expected number of automobiles and other vehicles intended to use the property at one time and collectively; if there are animals, the approximate number and types of animals, the name, address and telephone number of the contractor providing and/or transporting the animals, the storage and provisions for disposal of all animal wastes; the purpose of the event, describing in detail the nature of the activities to be carried on and the admission fee to be charged, if any; and the name of groups, organizations, charities or individuals who shall benefit from the proceeds of the event.
- (3) A plan and drawing showing the size of the property; the zoning district in which it is located; the streets or highways abutting said property; the size and location of any existing building, buildings or structures or of any proposed building, buildings or structures or signs to be erected for the temporary event; the location of the stage or tents, if any, proposed to be erected; the designated areas of use for spectators, exhibitors, vendors, employees, and organizers; the location of all exits; the location of all fire extinguishers and other fire safety equipment; and the location of all temporary utilities to be installed for the event.
- (4) An Environmental Impact Study, if so required by the Town Attorney.
- (5) A plan and drawing showing the method to be used for the disposal of sanitary waste and sewage, subject to approval by the Town of Riverhead and Suffolk County Health Department.
- (6) A plan and drawing showing the method to be used for the supply, storage and distribution of water, subject to approval by the Town of Riverhead and Suffolk County Health Department.
- (7) A plan and drawing showing the layout of any parking area for automobiles and other vehicles and the means of ingress and egress to such parking area. Such parking area shall provide one parking space for every four persons in attendance and shall be in accordance with the Fire Marshal's setback guidelines.
- (8) Provisions to dispose of any garbage, trash, rubbish or other refuse, subject to approval by the Town of Riverhead and Suffolk County Health Department.
- (9) The name, address and telephone number of the person(s) who will be engaged in the preparation and sale of food.
- (10) A plan for the use of live music, loudspeakers, horns, or other sounds which will be used, if any, and the type and location of speakers and other audio equipment.
- (11) A plan for the use of lighting, if any, and the type and location of such equipment.
- (12) The name and address of the security company, if any, which will work on the premises, and a description of the duties to be performed, subject to the approval of the Chief of Police.
- (13) A description for fire protection and a map specifying the location of fire lanes and water supply for fire control, subject to approval of the Fire Chief and Fire Marshal.
- (14) A copy of the completed application filed with the Suffolk County Department of Health – Emergency Medical Services. The Town Board may require applicant to contract for its own medical and or ambulance services.

- (15) A description of the communications plan to be utilized by the event organizer to facility command and control of all routine and emergency activities related to the event, subject to approval by the Chief of Police and Fire Marshal.
- (16) A description of tents or other temporary structures, camping or housing facilities to be available, if any, and a plan showing the intended number and location of them, compliance with the applicable requirements of the NFPA Life Safety Code (NFPA 101); the NFPA Temporary Membrane Structures/Tents (NFPA 102) and the Fire Code of New York State.
- (17) A plan demonstrating that the event shall be handicap accessible to the extent practical. The applicant shall provide handicap accessibility for restroom facilities and adequate handicapped parking as close to the event as practical.
- (18) If any type of banner is to be displayed adjacent to a town, county or state road, the applicant shall include the size of the banner, location of the banner and the dates that it will be displayed and submit approvals from the appropriate County and State agencies.
- (19) A plan describing the rehabilitation of the event site to its original condition, including but not limited to rubbish and trash removal, removal of all temporary structures and restoration of all landscaping and other public property to a condition comparable to that prior to the event.

§ 90-4. Conditions for granting permit.

- A. Prior to the issuance of a permit, the permittee shall furnish the town with written authorization to permit the town or its lawful agents to enter the subject property for the purpose of conducting an initial site inspection and a pre-event inspection for the protection of health, safety and welfare of citizens of the Town of Riverhead.
- B. The applicant shall file with the Town Board before obtaining such license a certificate of public liability insurance covering the applicant and the Town of Riverhead for personal injuries, comprehensive general liability in an amount satisfactory to the Town Attorney, which policy shall name the town as an additional insured and shall be noncancellable without prior written notice to the town. Said insurance policy shall be approved as to form, sufficiency and limits of coverage by the Town Attorney.
- C. Where the special event will impact the health, safety and welfare, as a condition of the granting of the permit, the Town Board may require the permittee to reimburse the town for costs of police, ambulance protection and/or other Town services as may be deemed necessary by the Town Board to adequately and safely control and protect the persons attending the event, the event area and traffic in and around the area of the event. In no event, however, will the Town be obligated to provide police, ambulance protection or other Town services. Costs for such police, ambulance protection and/or other services provided by Town employees in processing the permit application shall include those over and above routine staffing, including costs for overtime and for the hiring of special police officers and or emergency medical services personnel. The estimated costs for services shall be provided to the applicant and the Town Board by written report from the Chief of Police, Ambulance Chief, Fire Marshal or other Town Department Head prior to the issuance of the permit. Based on the number of people, date of the event, the time of the event and the location of the event, the applicant shall be required to reimburse the Town for the cost of police to ensure public health and safety through the smooth flow of traffic in and around the area of the event. The applicant may be required to pay these fees prior to the event.

D. The Town Board may require applicant to provide a letter of credit, bond or other suitable security instrument to secure compliance with conditions in the permit and to insure adequate clean up of the property after the event. The Town Board shall set the amount by resolution, and no permit shall be issued until the security has been provided to the Town Clerk. If the applicant fails to honor the permit conditions or does not clear the property of debris seven (7) days of mailing of written notice by return-receipt requested mail, the Town may use such portion of the security as is required to remedy the situation.

E. Permit available on premise. The special event permit issued hereunder shall be displayed on the premise during the special event and shall be available for inspection by a police officer or other enforcement officer of the Town of Riverhead upon request of such officer.

F. The Town may issue a permit upon such other reasonable conditions necessary to ensure compliance with this law and for the general protection of the health, safety and welfare of the persons and property in the town.

§90-5. Review of application; approval or denial of permit.

A. All applications for a permit shall be reviewed by the Town Board, Town Attorney, Chief of Police and Fire Marshal. The Town Attorney, Chief of Police and Fire Marshal shall submit a written report to the Town Board explaining any issues and/or concerns that must be addressed concerning the application. The Fire Marshal shall obtain such further reports from local public safety organizations, including ambulance and fire districts, as appropriate. The Chief of Police shall also provide a written estimate of additional police services that shall be necessary to adequately protect the public during the event. The Town Board may also request an advisory report from the Planning Board and from any other advisory board whose expertise and evaluation may be appropriate.

B. In determining whether to approve or deny an application, the Town Board shall consider the information provided in the application and such other information as may be available, including but not limited to:

- (1) The Environmental Impact Study
- (2) Impact of the event on the safe and orderly movement of traffic within and contiguous to the event.
- (3) Need for the town to police such event, and whether the numbers of police officers assigned to properly police such event will prevent the town from providing adequate police protection to the remainder of the Town.
- (4) Impact of the event on fire and police protection and ambulance service to the areas contiguous to the event and to the town in general.
- (5) Impact of the event on the movement of fire-fighting equipment or ambulance service to the town or to areas contiguous to the event.
- (6) Impact of the event on the general health, safety and welfare of the Town as identified through the State Environmental Quality Review process pursuant to New York State Code of Rules and Regulations, Part 6-17.
- (7) Verification that there are no outstanding violations on the property at which the event will be held or any outstanding or unsatisfied conditions of a town agency approval, including but not limited to the Planning Board or the Zoning Board of Appeals.

- (8) Verification that the information contained in the application is not found to be false or nonexistent in any material detail.
- (9) Verification that the grant of the permit would not violate any existing covenants on the property.
- (10) If one or more events are scheduled for the same date that are within a half a mile radius of each other, the Town Board will determine if there are adequate resources for all these events. If there are not sufficient resources to ensure public health and safety the Town Board shall deny one or more permits if the impacts of the vents cannot be mitigated. When deciding which event to deny the Town Board shall consider the following:
 - a. Whether the event is recurring.
 - b. Whether this recurring event has been subject to a violation within the last three years.
 - c. The date the permit application was submitted to the Town Clerk.
 - d. If events occurred the prior calendar year, the Town Board shall consider what their impact was on that area of the Town.
- (11) A donation to one or more local charities.
- (12) If an applicant is requesting a special event permit that was held he previous year, verification must be submitted from those charities listed on the previous application.

D. If permission to hold a special event is granted the permit may set forth the maximum number of persons permitted to attend the event. The Town Board, in determining the maximum limit, shall take into consideration the capacity of the site, the facilities to be available and the availability of public highway and other means of transportation to and from the site.

E. A special event permit is not transferable and shall expire at the close of the event for which it is issued.

§ 90-6. Application fees.

A. The application for a permit shall be accompanied by an application fee. The application fees for events shall be \$250.00 for a small gathering as defined by Section 90-3A-1 and \$500.00 for a large gathering as defined by Section 90-3A-1; unless waived at the discretion of the Town Board. Application fees shall be collected by the Town Clerk.

B. Any application that is not filed in accordance with section 90-3(B) of this Chapter shall be subject to a late filing fee of \$500.00 a small gathering as defined by Section 90-3A-1 and \$1,000.00 for a large gathering as defined by Section 90-3A-1; unless waived at the discretion of the Town Board. Application fees shall be collected by the Town Clerk.

§ 90-7. Modification or rescission of permit.

If, after a permit is issued, the Town Board determines that any of the representations and/or statements contained in the application are materially inaccurate or any of the conditions of the permit have not been complied with, the Town Board may serve the permittee's agent, a Notice of Rescission of Special Permit specifying the manner in which the Permitted has not complied with the terms of its permit and/or identifying the incorrect information supplied in the application. The Town Board may for good cause modify or rescind such permit, absolutely or upon conditions.

§ 90-8. Other approvals.

A. The provisions of this chapter are not exclusive, and applicant remains subject to all other applicable governmental permits and approvals as may be required, including but not limited to, approvals/permits from the Suffolk County Department of Health, the New York State Department of Health and approvals/permits for tents, fireworks and any further permit(s) as may be required for animal shows, carnivals, circuses and similar events.

§ 90-9. Alcoholic beverages.

The applicant remains subject to the provisions of Chapter 46 of the Code of the Town of Riverhead, except upon waiver granted by the Town Board. Applicant planning to serve alcohol must receive necessary permits from NYS Liquor Authority.

§ 90-10. Persons prohibited from attending.

It shall be unlawful for the owner, proprietor, manager or person in charge of any place licensed under the provisions of this chapter, or for any employee of said place, to harbor, admit, receive or permit to be or remain in and about any such place any lewd or dissolute person, any drunken or unruly person or any person whose conduct tends in any way to corrupt the public morals or create a public safety hazard.

§ 90-11. Prohibited conduct.

A. It shall be unlawful for any person to conduct himself in an unruly manner or to use any profane, obscene or indecent language in or about any place licensed under the provisions of this chapter.

B. Attendance at a special event in excess of the attendance allowed pursuant to the permit shall be prohibited. Applicants allowing excess attendance which requires unanticipated police, Fire Marshal, fire protection, ambulance and/or EMS services shall be responsible to reimburse the public safety agency for services and fees incurred.

§ 90-12. Prohibited exhibitions and sales.

A. It shall be unlawful to give or permit the giving of any entertainment or exhibition of a lewd, suggestive, vulgar or immoral type or to use therein any indecent or obscene language or to behave in any manner tending to corrupt the public morals.

B. It shall be unlawful to sell or permit the selling of any merchandise of a lewd, suggestive, vulgar or immoral type that in any manner tends corrupt the public morals.

§ 90-13. Hours.

A. No exhibition, performance for hire, carnival, carrousel, bazaar, open-air show or place of amusement shall be open to any child under the age of eighteen (18) years between the hours of 9:00 p.m. until 9:00 a.m. of the succeeding day unless accompanied by his parents or a person over twenty-one (21) years of age.

B. No exhibition, performance for hire, carnival, circus, carrousel, bazaar, open-air show or place of amusement shall be open any day between the hours of 12:01 a.m. and 9:00 a.m. of the succeeding day, unless expressly waived by the Town Board in the Special Event Permit.

§90-14. Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

§ 90-15. Penalties for offenses.

A violation of any of the provisions of this chapter shall, upon conviction thereof, be punishable by a fine of not less than two-hundred fifty dollars (\$250.00) nor more than one thousand dollars (\$1,000.00) for each offense or by imprisonment for a period not exceeding thirty (30) days, or by both such fine and imprisonment. In addition to any fines imposed hereunder.



***SPECIAL EVENTS INSTRUCTION SHEET
SHORT FORM***

TOWN OF RIVERHEAD, TOWN CLERK'S OFFICE

Information and material that must be submitted with the completed application, pursuant to:
Town Code Chapter 90 Shows & Exhibitions

1. Application **MUST** be submitted 40 days in advance of the event. Notarization completed where applicable.
2. Filing fee of \$250.00 per event application. **Late filing fee \$500.00.**
3. Comprehensive liability insurance policy naming Town of Riverhead as additional insured in the amount set by Town Attorney.
4. Plans or drawings showing event location/layout.
5. Letter of non-for-profit for waive of fee.
6. **No blanks** - if not applicable indicate N/A.

OTHER PERMITS REQUIRED

Beverage and/or food service connected with event, a separate application is to be filed with Suffolk County Department of Health Services at the Riverhead County Center, 631-852-2067.

Department of Labor; (carnivals; tents; outdoor sales; bleachers, etc.) (516) 228-3929

SC EMS – Mass gathering for events with expectancy attendance of 5,000 or more. (631) 853-5800

NYS Liquor Authority for temporary beer/wine license.



TOWN OF RIVERHEAD - CHAPTER 90-3A-1 APPLICATION
Application Fee \$250.00 ~ SPECIAL EVENT - SHORT FORM
(Note: Fee doubled for late filing)
Pursuant to Chapter 90 ~ Code of the Town of Riverhead

Date of Application: _____

1. Applicant: _____

Address: _____

Mailing Address: _____

Telephone No.: _____ Fax No: _____

2. State individual, partnership, corporation, or not-for-profit: _____
If not-for-profit, attach IRS letter or ID number.

3. If partnership, names of all persons having an interest in the partnership: _____

4. If corporation, names & addresses of officers and directors, attach additional page if necessary: _____

5. If corporation, names of each stockholder together with the number of shares of capitol stock held by each: _____

6. Special event information
Proposed location of event (street address and town): _____

Property owner (name, address and phone #): _____

Date(s) of event: _____ Rain date(s): _____

Hours of operation: _____

Fully describe type of seasonal event: (attach a site diagram) _____

Expected total daily attendance: _____ Maximum at any one time: _____

Maximum number of visitor vehicles expected to be parked at event: _____

Other activities planned during event: (check all that apply) food concession _____ fireworks _____

Crafts/sales _____ carnival rides _____ live entertainment _____ animal rides/petting zoo _____

- 7. Name & address of liability insurance company: _____
- 8. Permit Fee: \$ _____
- 9. Attach vendor list for food and/or merchandise vendors. (may be provided 2 weeks prior to event date)
- 10. Name of security company if applicable: _____

I make this application under penalty and swear to the truth herein. Any representations and/or statements in this application that are found to be materially inaccurate may result in denial of permit or revocation of permit.

Applicant signature

STATE OF NEW YORK: COUNTY OF SUFFOLK SS:

_____ being duly sworn deposes and says that I am the applicant above-named applicant and that I make this affidavit for the purpose of obtaining from the Town a license to conduct _____ as required by ordinance of the Town of Riverhead, regulating conduct of persons therein, defining offenses and providing penalties for violation thereof. I have personal knowledge of the matters stated in the foregoing application and its attachments and therein contained are true.

Sworn to before me this _____ day of _____ 200__ Notary Public _____

NOTE: Copy of site layout and insurance certificate policy MUST accompany this application BEFORE approval will be considered. Applicant shall be responsible for providing adequate solid waste receptacles and the collection, containment and removal of any and all solid waste and other debris accumulation at the location of said event immediately upon its completion or as soon thereafter as may be practical.

APPROVAL(int. & date):
 Town Attorney _____
 Chief of Police _____
 Fire Marshal _____



***SPECIAL EVENTS INSTRUCTION SHEET
LONG FORM***

TOWN OF RIVERHEAD, TOWN CLERK'S OFFICE

Information and material that must be submitted with the completed application, pursuant to:
Town Code Chapter 90 Shows & Exhibitions

1. Application **MUST** be submitted 120 days in advance of the event. Notarization completed where applicable.
2. Filing fee of \$500.00 per event application. **Late filing fee \$1,000.00.**
3. Comprehensive liability insurance policy naming Town of Riverhead as additional insured in the amount set by Town Attorney.
4. Plans or drawings showing event location/layout, parking plan.
5. Letter of non-for-profit for waive of fee.
6. **No blanks** - if not applicable indicate N/A.

OTHER PERMITS REQUIRED

Beverage and/or food service connected with event, a separate application is to be filed with Suffolk County Department of Health Services at the Riverhead County Center, 631-852-2067.

Department of Labor; (carnivals; tents; outdoor sales; bleachers, etc.) (516) 228-3929

SC EMS – Mass gathering for events with expectancy attendance of 5,000 or more. (631) 853-5800

NYS Liquor Authority for temporary beer/wine license.



TOWN OF RIVERHEAD - CHAPTER 90-3A-(2) APPLICATION
Application Fee \$500.00 ~ SPECIAL EVENT - LARGE GATHERING - (Part A)
(Note: Fee doubled for late filing)
Pursuant to Chapter 90 ~ Code of the Town of Riverhead

Date of Application: _____

1. Applicant: _____
Address: _____
Mailing Address: _____
Telephone No.: _____ Fax No: _____

2. State individual, partnership, corporation, or not-for-profit: _____
If not-for-profit, attach IRS letter or ID number.

3. If partnership, names of all persons having an interest in the partnership: _____

4. If corporation, names & addresses of officers and directors, attach additional page if necessary: _____

5. If corporation, names of each stockholder together with the number of shares of capitol stock held by each: _____

6. Special event information
Proposed location of event (street address and town): _____
Property owner (name, address and phone #): _____
Date(s) of event: _____ Rain date(s): _____
Hours of operation: _____
Fully describe type of seasonal event: (attach a site diagram) _____

Expected total daily attendance: _____ Maximum at any one time _____

Maximum number of visitor vehicles expected to be used/parked at event: _____

Other activities planned during event: (check all that apply) food concession _____ fireworks _____
crafts/sales _____ carnival rides _____ live entertainment _____ animal rides/petting zoo _____

- 7. Name & address of liability insurance company: _____
- 8. Permit Fee; \$ _____
- 9. Attach vendor list for food and/or merchandise vendors. (may be provided 2 weeks prior to event date)
- 10. Name of security company, if applicable: _____

I make this application under penalty and swear to the truth herein. Any representations and/or statements in this application that are found to be materially inaccurate may result in denial of permit or revocation of permit.

Applicant signature

STATE OF NEW YORK: COUNTY OF SUFFOLK SS:

_____ being duly sworn deposes and says that I am the applicant above-named applicant and that I make this affidavit for the purpose of obtaining from the Town a license to conduct _____ as required by ordinance of the Town of Riverhead, regulating conduct of persons therein, defining offenses and providing penalties for violation thereof. I have personal knowledge of the matters stated in the foregoing application and its attachments and therein contained are true.

Sworn to before me this _____ day of _____ 200____ Notary Public _____

NOTE: Copy of site layout and insurance certificate policy MUST accompany this application BEFORE approval will be considered. Application shall be responsible for providing adequate solid waste receptacles and the collection, containment and removal of any and all solid waste and other debris accumulation at the location of said event immediately upon its completion or as soon thereafter as may be practical.

APPROVAL(int. & date):
 Town Attorney _____
 Chief of Police _____
 Fire Marshal _____



TOWN OF RIVERHEAD - CHAPTER 90-3A-(2) APPLICATION
SPECIAL EVENT - LONG FORM (Part B)

**** SUBMIT PLANS, DRAWINGS & COMPLETE THE FOLLOWING APPLICATION:**

**** attach additional page if necessary**

Size of property: _____

Zoning District: _____

Abutting Streets: _____

Existing & proposed buildings: _____

Signs or structures (including stages or tents): _____

Access roads: _____

Areas of assembly for spectators, vendors, exhibitions, employees, organizers: _____

Exits: _____

Fire extinguishers, fire safety equipment: _____

Location of fire lanes: _____

Location of water supply for fire control: _____

Location of temporary utilities: _____

Location of supply, storage, distribution of water: _____

Parking layout, including automobiles, trailers, other vehicles and ingress and egress from parking areas: _____

Lighting (including type & location): _____

Loudspeakers, horns, music, other audio equipment: _____

Name & address of security service & proposed duties: _____

Emergency medical facilities: _____

Temporary housing facilities: _____

Name & address of caterers, food, beverage supplies: _____

Method to dispose of garbage and sanitary waste: _____

Method to dispose of animal waste, if animals included: _____

If applicant is a corporation, names and addresses of directors and officers: _____

SUBMIT DOCUMENTATION (as applicable)

1. Copies of any covenant, easements or other restrictions on the property.
2. Original owner's endorsement, if applicable, disclosure affidavit.
3. Authorization for Town personnel to enter property.

7. During the 12 months before the following of this application, have any of the following individuals made campaign contributions exceeding \$100 in total, in cash or in kind, to members of the Town Board or political committees designated to accept donations on their behalf:

	Yes	No
1. Owner	_____	_____
2. Applicant	_____	_____
3. Agent for owner or applicant	_____	_____
4. Attorney	_____	_____
5. Other	_____	_____

If the answer to Question 7 is yes, Town Code Chapter 90 require that the information be provided below:

Name: Title: Owner, Agent, Attorney, other: Amount:

Signature

Sworn to before me this _____ day of _____ 200_____

Notary Public _____

- A. For the purpose of this disclosure, an official of the State of New York or an official or employee of either the Town of Riverhead or the County of Suffolk shall be deemed to have an interest in the applicant and/or owner when that official or employee, their spouse, brothers, sisters, parents, children, grandchildren or the spouse of any of them
- a. Is the applicant the owner;
 - b. Is an officer, director, partner or employee of the applicant or owner;
 - c. Legally or beneficially owns or controls stock of a corporate applicant or owner, or is a member of a partnership or association applicant or owner; or
 - d. Is a party to an agreement with the applicant or owner, express or implied, whereby said official or employee may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application. Ownership of less than five percent of the stock of a corporation whose stock is listed on the New York Stock or American Stock Exchange shall not constitute an interest for the purpose of this disclosure.

INSPECTION AUTHORIZATION

1719

(TO BE SIGNED BY PROPERTY OWNER)

_____ owner of property
located at _____ authorized Town
employees and officials to enter my property to make inspections necessary in connection with
this application for a special events permit

Signature

Sworn to before me this
_____ day of _____ 200__

Notary Public _____

*Chapter 90 Application
Site & Event Plan Checklist*

		Attached	
		Yes	No (explain)
1.	Event Description and summary	_____	_____
2.	Sanitary waste and sewage disposal plan.	_____	_____
3.	Supply, storage and distribution of drinking water plan.	_____	_____
4.	Parking and traffic plan.	_____	_____
5.	Signage plan.	_____	_____
6.	Trash, garbage rubbish or refuse removal plan.	_____	_____
7.	List showing name, address and phone of all food vendors and location made for same.	_____	_____
8.	List of all music, loud speakers, audio equipment and location on site plan.	_____	_____
9.	A security plan. (approval by Police Chief required)	_____	_____
10.	A fire protection plan. (approval by Fire Marshal required)	_____	_____
11.	A communication plan. (approval by Police Chief and Fire Marshal required)	_____	_____
12.	An EMS/Ambulance treatment/transportation plan.	_____	_____
13.a.	A description of all tents and temporary structures and location on site plan. (flammability certificate and compliance with NFPA 101, NFPA 102 & NYS Fire Code required.	_____	_____
b.	Engineer's certification, signed and sealed for tents in excess of 1,500 sq. ft.	_____	_____
14.	A handicapped accessibility plan-including parking and bathroom facilities	_____	_____
15.	Site restoration plan.	_____	_____

Other permits required:

- Suffolk County Health Department – Food Vendors
- Suffolk County Health Department – Waste and Sanitary
- Suffolk County Health Department – Emergency Medical Services
- New York State Department of Labor
- New York State Liquor Authority

Adopted

8/19/03

TOWN OF RIVERHEAD

Resolution # 933

APPROVES THE APPLICATION OF ABC CARPET & HOME (TANGER)

COUNCILMAN LULL offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

WHEREAS, ABC Carpet & Home has submitted an application for the purpose of conducting a tent sale to be held at Tanger III, Tanger Outlet Center, 1770 West Main Street, Riverhead, New York, on September 5, 2203 through September 7, 2003 between the hours of 9:00 a.m. and 9:00 p.m.; and

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

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

NOW THEREFORE BE IT RESOLVED, that the application of ABC Carpet & Home for the purpose of conducting a tent sale to be held at Tanger III, Tanger Outlet Center, 1770 West Main Street, Riverhead, New York, on September 5, 2003 through September 7, 2003 between the hours of 9:00 a.m. and 9:00 p.m., is hereby approved; and be it further

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to ABC Carpet and Home, Tanger Drive, Suite 1601, Riverhead, New York, 11901; ABC Carpet & Home, 888 Broadway, New York, New York, 10003; the Riverhead Fire Marshal and the Riverhead Police Department.

THE VOTE

Sanders Yes ___ No Blass Yes ___ No

Densieski Yes ___ No Cull Yes ___ No

Kozakiewicz Yes ___ No

THE RESOLUTION WAS WAS NOT ___

THEREUPON DULY ADOPTED

Adopted

TOWN OF RIVERHEAD

Resolution # 934

AUTHORIZES TOWN OF RIVERHEAD TO REMOVE RUBBISH, DEBRIS AND THE CUTTING OF GRASS AND WEEDS FROM PROPERTY PURSUANT TO CHAPTER 96 ENTITLED, "TRASH, RUBBISH AND REFUSE DISPOSAL" OF THE RIVERHEAD TOWN CODE

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN LULL

WHEREAS, Section 96-2. B. of the Riverhead Town Code provides that the Town Board may require the removal of rubbish and debris and the cutting of grass and weeds; and

WHEREAS, property located at 780 Old Country Road, Riverhead also known as Suffolk County Tax Map Number 0600/082.00-03-017.00 is not in compliance with the requirements of Section 96 of the Riverhead Town Code; and

WHEREAS, the Town Board of the Town of Riverhead desires to require the removal of the rubbish and debris and the cutting of the grass at SUBJECT property.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Clerk to serve notice upon Exxon Mobil Corp., 3225 Gallows Road, Fairfax, VA 22037 by certified mail, returned receipt requested and by regular mail in a plain unmarked wrapper. Such notice is to consist of a certified copy of this resolution and the attached public notice to property owner; and be it further

RESOLVED, that pursuant to Chapter 96, Section 96-2E., the administration fees of \$740.00 and all actual expenses incurred by the Town of Riverhead to remove the rubbish/debris, grass and weeds shall be assessed against the owner; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to; Exxon Mobil Corp., 3225 Gallows Road, Fairfax, VA 22037, the Building Department, Kenneth Testa, P.E., the Tax Receiver's Office and the Office of the Town Attorney.

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

1723

PLEASE TAKE NOTICE, that pursuant to Riverhead Town Code, Section 96 of the Town of Riverhead, hereby requires that you cause the property located at **780 Old Country Road, Riverhead, New York**, further described as Suffolk County Tax Map #**0600-082.00-03-017.00**, to be cleaned of all rubbish, refuse and other debris, and that the weeds and grass be mowed within ten (10) days from the date of this notice.

Dated: Riverhead, New York
August 28, 2003

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

TOWN OF RIVERHEAD

Adopted

Resolution # 935

AUTHORIZES TOWN OF RIVERHEAD TO REMOVE RUBBISH, DEBRIS AND THE CUTTING OF GRASS AND WEEDS FROM PROPERTY PURSUANT TO CHAPTER 96 ENTITLED, "TRASH, RUBBISH AND REFUSE DISPOSAL" OF THE RIVERHEAD TOWN CODE

COUNCILMAN LULL

offered the following resolution,

which was seconded by

COUNCILMAN DENSIESKI

WHEREAS, Section 96-2. B. of the Riverhead Town Code provides that the Town Board may require the removal of rubbish and debris and the cutting of grass and weeds; and

WHEREAS, property located at 1725 Old Country Road, Riverhead also known as Suffolk County Tax Map Number 0600/119.00-01-009.03 is not in compliance with the requirements of Section 96 of the Riverhead Town Code; and

WHEREAS, the Town Board of the Town of Riverhead desires to require the removal of the rubbish and debris and the cutting of the grass at SUBJECT property.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Clerk to serve notice upon Lynch Homes Inc., 129 Old Town Road, Southampton, NY 11968 by certified mail, returned receipt requested and by regular mail in a plain unmarked wrapper. Such notice is to consist of a certified copy of this resolution and the attached public notice to property owner; and be it further

RESOLVED, that pursuant to Chapter 96, Section 96-2E., the administration fees of \$740.00 and all actual expenses incurred by the Town of Riverhead to remove the rubbish/debris, grass and weeds shall be assessed against the owner; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to; Lynch Homes Inc., 129 Old Town Road, Southampton, NY 11968, the Building Department, Kenneth Testa, P.E., the Tax Receiver's Office and the Office of the Town Attorney.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

1725

PLEASE TAKE NOTICE, that pursuant to Riverhead Town Code, Section 96 of the Town of Riverhead, hereby requires that you cause the property located **at 1725 Old Country Road, Riverhead, New York**, further described as Suffolk County Tax Map #0600-119.00-01-009.03, to be cleaned of all rubbish, refuse and other debris, and that the weeds and grass be mowed within ten (10) days from the date of this notice.

Dated: Riverhead, New York
August 28, 2003

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

August 19, 2003

1726
Adopted

TOWN OF RIVERHEAD

Resolution # 936

AUTHORIZES TOWN OF RIVERHEAD TO REMOVE RUBBISH, DEBRIS AND THE CUTTING OF GRASS AND WEEDS FROM PROPERTY PURSUANT TO CHAPTER 96 ENTITLED, "TRASH, RUBBISH AND REFUSE DISPOSAL" OF THE RIVERHEAD TOWN CODE

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by **COUNCILMAN LULL**

WHEREAS, Section 96-2. B. of the Riverhead Town Code provides that the Town Board may require the removal of rubbish and debris and the cutting of grass and weeds; and

WHEREAS, property located at 411 Old Country Road, Riverhead also known as Suffolk County Tax Map Number 0600/109.00-01-007.00 is not in compliance with the requirements of Section 96 of the Riverhead Town Code; and

WHEREAS, the Town Board of the Town of Riverhead desires to require the removal of the rubbish and debris and the cutting of the grass at SUBJECT property.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Clerk to serve notice upon Route 58 Realty Enterprises Inc., 611 East Main Street, Riverhead, New York, 11901 by certified mail, returned receipt requested and by regular mail in a plain unmarked wrapper. Such notice is to consist of a certified copy of this resolution and the attached public notice to property owner; and be it further

RESOLVED, that pursuant to Chapter 96, Section 96-2E., the administration fees of \$740.00 and all actual expenses incurred by the Town of Riverhead to remove the rubbish/debris, grass and weeds shall be assessed against the owner; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Route 58 Realty Enterprises Inc., 611 East Main Street, Riverhead, New York, 11901; the Building Department, Kenneth Testa, P.E., the Tax Receiver's Office and the Office of the Town Attorney.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that pursuant to Riverhead Town Code, Section 96 of the Town of Riverhead, hereby requires that you cause the property located **at 411 Old Country Road, Riverhead, New York**, further described as Suffolk County Tax Map #0600-109.00-01-007.00, to be cleaned of all rubbish, refuse and other debris, and that the weeds and grass be mowed within ten (10) days from the date of this notice.

Dated: Riverhead, New York
August 28, 2003

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

TOWN OF RIVERHEAD

Resolution # 937

ACCEPTS 5% SECURITY BOND OF T.R.W. REALTY LLC (RACANELLI CONSTRUCTION COMPANY, INC.)

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by **COUNCILWOMAN BLASS**

WHEREAS, Racanelli Construction Company, Inc. for TRW Realty LLC has posted a bond (#SS6141) in the sum of Thirty Thousand Seven Hundred Twenty Dollars (\$30,720) representing the 5% site plan security bond for the work at 1800 Old Country Road, Riverhead, New York, Suffolk County Tax Map # 600-119.00-01-003.00 & 005.01 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said security bond and deems it to be sufficient in its form.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% performance bond in the sum of Thirty Thousand Seven Hundred Twenty Dollars (\$30,720) issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Racanelli Construction Inc. 1895 Walt Whitman Road, Melville, New York 11747, Peter S Danowski, Jr., Po Box 779, Riverhead, New York 11901, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

08/19/03

Town of Riverhead

Adopted

Resolution # 938

AUTHORIZES MATCH FOR EMPIRE ZONE ADMINISTRATION

COUNCILWOMAN SANDERS offered the following resolution, which

was seconded by COUNCILMAN LULL:

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

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

WHEREAS, for the state budget year 7/03 to 6/04, New York State will provide a grant in the amount of \$29,057; and

WHEREAS, the New York State Department of Economic Development has requested the Town Board commitment to specify the \$29,000 match to be in-kind services;

WHEREAS, Suffolk County as joint applicant for the zone, will provide \$29,000 toward the match, the Town of Babylon will provide \$25,000 toward the administration of the zone, the Town of Southampton will provide an undetermined amount toward the administration of the zone, and;

THEREFORE, BE IT FURTHER RESOLVED, that the Town Board authorizes matching funds in the amount of \$29,000 in in-kind services for administration of the Suffolk County/Town of Riverhead Empire Zone at the Calverton Enterprise Park.

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

THE VOTE

Blass Yes No

Densieski Yes No

Lull Yes No

Sanders Yes No

Kozakiewicz Yes No

THIS RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

8/19/03

TOWN OF RIVERHEAD

Resolution # 939

**APPROVES APPLICATION OF MARTHA CLARA VINEYARDS, LLC
(PRUDENTIAL FINANCIAL CO. FUNDRAISER)**

COUNCILWOMAN BLASS offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

WHEREAS, Martha Clara Vineyards, LLC has submitted an application for the purpose of conducting a fund raiser to benefit Prudential financial Co. to be held at 6025 Sound Avenue, Jamesport, New York, between the hours of 7:30 p.m. and 10:30 p.m. on August 22, 2003; and

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

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

NOW THEREFORE BE IT RESOLVED, that the application of Martha Clara Vineyards, LLC for the purpose of conducting a fund raiser to benefit Prudential financial Co. to be held at 6025 Sound Avenue, Jamesport, New York, between the hours of 7:30 p.m. and 10:30 p.m. on August 22, 2003 is hereby approved; and be it further

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

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Martha Clara Vineyards, LLC, Attn: Jacqueline Entenmann, 6025 Sound Avenue, Riverhead, New York, 11901; Bruce Johnson, Riverhead Fire Marshal and Chief David Hegermiller, Riverhead Police Department.

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

August 19, 2003

¹⁷³¹
Adopted

TOWN OF RIVERHEAD
Resolution # 940

APPROVES TEMPORARY SIGN PERMITS OF TIMOTHY HILL CHILDREN'S RANCH
(COUNTRY WESTERN DAY)

COUNCILWOMAN SANDERS

offered the following resolution, which was seconded by

COUNCILMAN LULL

WHEREAS, temporary sign permits and sketches were submitted by Thaddeus Hill for property located at 298 Middle Road, Riverhead, New York; SCTM# 084.00-01-019.00; and

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

WHEREAS, sketches have been approved the three (3) Town Board members;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the temporary sign permit applications for Timothy Hill Children Ranch (Country Western Day) submitted by Thaddeus Hill for two signs at thirty two (32) square feet and approximately twenty (20) small grass signs and be it

RESOLVED, that said temporary sign permits shall be placed out on Sunday August 24th and shall be removed by Monday September 8th no later than 5p.m. 2003; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Timothy Hill Children's Ranch, C/O Thaddeus Hill, 298 Middle Road, Riverhead, the Planning Department and the Building Department.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

Adopted

TOWN OF RIVERHEAD

Resolution #941

AUTHORIZES TOWN OF RIVERHEAD TO REMOVE RUBBISH, DEBRIS AND THE CUTTING OF GRASS AND WEEDS FROM PROPERTY PURSUANT TO CHAPTER 96 ENTITLED, "TRASH, RUBBISH AND REFUSE DISPOSAL" OF THE RIVERHEAD TOWN CODE

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

WHEREAS, Section 96-2. B. of the Riverhead Town Code provides that the Town Board may require the removal of rubbish and debris and the cutting of grass and weeds; and

WHEREAS, property located at 307 Griffing Avenue, Riverhead also known as Suffolk County Tax Map Number 0600/128.00-03-019.00 is not in compliance with the requirements of Section 96 of the Riverhead Town Code; and

WHEREAS, the Town Board of the Town of Riverhead desires to require the removal of the rubbish and debris and the cutting of the grass at SUBJECT property.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Clerk to serve notice upon Vinicio R. D'Arquea by certified mail, returned receipt requested and by regular mail in a plain unmarked wrapper. Such notice is to consist of a certified copy of this resolution and the attached public notice to property owner; and be it further

RESOLVED, that pursuant to Chapter 96, Section 96-2E., the administration fees of \$740.00 and all actual expenses incurred by the Town of Riverhead to remove the rubbish/debris, grass and weeds shall be assessed against the owner; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to; Vinicio R. D'Arquea, 39 Essex Dr., Coram, New York, 11727, the Building Department, Kenneth Testa, P.E., the Tax Receiver's Office and the Office of the Town Attorney.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

1733

PLEASE TAKE NOTICE, that pursuant to Riverhead Town Code, Section 96 of the Town of Riverhead, hereby requires that you cause the property located at **307 Griffing Avenue, Riverhead, New York**, further described as Suffolk County Tax Map #**0600-128.00-03-019.00**, to be cleaned of all rubbish, refuse and other debris, and that the weeds and grass be mowed within ten (10) days from the date of this notice.

Dated: Riverhead, New York
August 28, 2003

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

TOWN OF RIVERHEAD

Adopted

Resolution # 942

APPROVES APPLICATION OF DARKSIDE PRODUCTIONS INC.
(HAUNTED HOUSE)

COUNCILWOMAN BLASS offered the following resolution, was seconded by

COUNCILMAN LULL :

WHEREAS, Darkside Productions Inc. has submitted an application for the purpose of conducting a haunted house walk-through to be held at 5184 Rte. 25A, Wading River, New York between the hours of 12:00 noon and 12:00 midnight on the following dates;

- September 19, 20, & 21, 2003
- September 26, 27, & 28, 2003
- October 3, 4, & 5, 2003
- October 10, 11, 12, & 13, 2003
- October 15, 2003; and

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

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

NOW THEREFORE BE IT RESOLVED, that the application of Darkside Productions Inc. for the purpose of conducting a haunted house walk-through to be held at 5184 Rte. 25A, Wading River, New York between the hours of 12:00 noon and 12:00 midnight on the aforementioned dates, is hereby approved subject to the following conditions:

- A fire safety inspection by the Town Fire Marshal is required prior to the opening of this event to the public. The Riverhead Fire Marshal shall be contacted at least three days in advance at (631) 727-3200 extension 209 for the purpose of scheduling the "pre-opening" inspection appointment;
- Issuance of Town of Riverhead Place of Assembly permit prior to opening to public;
- Approval from New York State Department of Labor prior to opening to public;
- Approval of parking plan by Riverhead Police Department; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Darkside Productions Inc., 4 Olive Street, Rocky Point, New York, 11778; the Riverhead Fire Marshal; the Wading River Fire District and the Riverhead Police Department.

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

THE VOTE

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

THE RESOLUTION WAS WAS NOT

THEREUPON FULLY ADOPTED

TOWN OF RIVERHEAD

Resolution # 943

APPROVES APPLICATION OF DARKSIDE PRODUCTIONS INC.
(HAUNTED HOUSE)

COUNCILMAN DENSIESKI

_____ offered the following resolution, was seconded by

COUNCILWOMAN SANDERS

WHEREAS, Darkside Productions Inc. has submitted an application for the purpose of conducting a haunted house walk-through to be held at 5184 Rte. 25A, Wading River, New York between the hours of 12:00 noon and 12:00 midnight on the following dates;

October 30th and 31st, 2003
November 1st and 2nd, 2003; and

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

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

NOW THEREFORE BE IT RESOLVED, that the application of Darkside Productions Inc. for the purpose of conducting a haunted house walk-through to be held at 5184 Rte. 25A, Wading River, New York between the hours of 12:00 noon and 12:00 midnight on the aforementioned dates, is hereby approved subject to the following conditions:

- A fire safety inspection by the Town Fire Marshal is required prior to the opening of this event to the public. The Riverhead Fire Marshal shall be contacted at least three days in advance at (631) 727-3200 extension 209 for the purpose of scheduling the "pre-opening" inspection appointment;
- Issuance of Town of Riverhead Place of Assembly permit prior to opening to public;
- Approval from New York State Department of Labor prior to opening to public;
- Approval of parking plan by Riverhead Police Department; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Darkside Productions Inc., 4 Olive Street, Rocky Point, New York, 11778; the Riverhead Fire Marshal; the Wading River Fire District and the Riverhead Police Department.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON BEING ADOPTED

August 19, 2003

Adopted

TOWN OF RIVERHEAD
RESOLUTION # 944

AWARDS BID FOR DISPOSAL OF TOWN OF RIVERHEAD DEMOLITION AND
CONSTRUCTION DEBRIS

COUNCILWOMAN SANDERS offered the following resolution which was

seconded by COUNCILMAN LULL.

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for the disposal of Town of Riverhead Demolition and Construction Debris; and

WHEREAS, one (1) bid was received, opened and read aloud on the 7th day of August, 2003 at 11:00 am in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the disposal of Town of Riverhead Demolition and Construction Debris be and is hereby awarded to Excel Demolition Recycling in the amount of Seventy Five Dollars & 00/100 per ton (\$75.00/ton); and

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

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Excel Demolition Recycling, P. O. Box 215, Calverton, NY 11933, Kenneth Testa, P.E., John Keeve, Mark Kwasna and the Office of Accounting.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
 THEREUPON LULLY ADOPTED

TOWN OF RIVERHEAD

Adopted

Resolution # 945

APPROVES APPLICATION OF DARKSIDE PRODUCTIONS INC.
(HAUNTED HOUSE)

COUNCILMAN LULL

offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

WHEREAS, Darkside Productions Inc. has submitted an application for the purpose of conducting a haunted house walk-through to be held at 5184 Rte. 25A, Wading River, New York between the hours of 12:00 noon and 12:00 midnight on the following dates;

October 16, 2003 through October 29, 2003 (14 days); and

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

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

NOW THEREFORE BE IT RESOLVED, that the application of Darkside Productions Inc. for the purpose of conducting a haunted house walk-through to be held at 5184 Rte. 25A, Wading River, New York between the hours of 12:00 noon and 12:00 midnight on the aforementioned dates, is hereby approved subject to the following conditions:

- A fire safety inspection by the Town Fire Marshal is required prior to the opening of this event to the public. The Riverhead Fire Marshal shall be contacted at least three days in advance at (631) 727-3200 extension 209 for the purpose of scheduling the "pre-opening" inspection appointment;
- Issuance of Town of Riverhead Place of Assembly permit prior to opening to public;
- Approval from New York State Department of Labor prior to opening to public;
- Approval of parking plan by Riverhead Police Department; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Darkside Productions Inc., 4 Olive Street, Rocky Point, New York, 11778; the Riverhead Fire Marshal; the Wading River Fire District and the Riverhead Police Department.

THE VOTE

Sanders Yes No Blass Yes No

Densieski Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

Adopted

**TOWN OF RIVERHEAD
WORKERS COMP FUND
BUDGET ADJUSTMENT**

RESOLUTION # 946

Councilman Densieski offered the following resolution, which was seconded by
Councilwoman Blass

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

	FROM:	
173.092801.481000 TRANSFER FROM GENERAL FUND	\$45,700.00	
175.017220.548210 GENERAL FUND, EXCESS INSURANCE		TO: \$45,700.00
175.092801.484000 TRANSFER FROM HIGHWAY	\$10,000.00	
175.017220.548220 HIGHWAY EXCESS INSURANCE		\$10,000.00
75.092801.482200 TRANSFER FROM WATER DISTRICT	\$8,500.00	
175.017220.548230 WATER DISTRICT EXCESS INSURANCE		\$8,500.00
75.092801.482100 TRANSFER FROM RIVERHEAD SEWER DISTRICT	\$3,050.00	
175.017220.548240 RIVERHEAD SEWER DISTRICT EXCESS INSURANCE		\$3,050.00
75.092801.482150 TRANSFER FROM CALVERTON SEWER DISTRICT	\$1,300.00	
175.017220.548242 RIVERHEAD SEWER DISTRICT EXCESS INSURANCE		\$1,300.00
75.092801.483500 TRANSFER FROM AMBULANCE DISTRICT	\$300.00	
175.017220.548245 AMBULANCE DISTRICT EXCESS INSURANCE		\$300.00
75.092801.483300 TRANSFER FROM R&G	\$ 6,000.00	
175.017220.548250 R&G EXCESS INSURANCE		\$6,000.00

175.092801.483100 TRANSFER FROM PARKING DISTRICT	\$200.00	
175.017220.548270 PARKING DISTRICT EXCESS INSURANCE		\$200.00
175.092801.488100 TRANSFER FROM M.G	\$3,500.00	
175.017220.548290 M.G. EXCESS INSURANCE		\$3,500.00
175.092801.488200 TRANSFER FROM M.F.	\$500.00	
175.017220.548295 M.F. EXCESS INSURANCE		\$500.00

THE VOTE

Blass Yes No

Densieski Yes No

abstain

Sanders Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

August 19, 2003

¹⁷⁴⁰ Adoptec

TOWN OF RIVERHEAD

CONSTRUCTION EQUIPMENT OPERATOR PROMOTION

RESOLUTION # 947

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

WHEREAS, a vacancy exists for the position of Construction Equipment Operator in the Highway Department, and

WHEREAS, said position was duly posted (Job Posting #18) and all qualified candidates were interviewed, and

WHEREAS, the Suffolk County Department of Civil Service has conducted an informal review of the applicant, and

WHEREAS, the Highway Superintendent has made his recommendation to the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that John Schwarz, is hereby promoted to the position of Construction Equipment Operator effective August 25, 2003 at Group 9 Step 8A of the salary administrative schedule.

THE VOTE

Blass Yes No

Densieski Yes No

Sanders Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

HEAVY EQUIPMENT OPERATOR PROMOTION

RESOLUTION # 948

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

WHEREAS, a vacancy exists for the position of Heavy Equipment Operator in the Highway Department, and

WHEREAS, said position was duly posted (Job Posting #19) and all qualified candidates were interviewed, and

WHEREAS, the Suffolk County Department of Civil Service has conducted an informal review of the applicant, and

WHEREAS, the Highway Superintendent has made his recommendation to the Town Board, and

NOW, THEREFORE, BE IT RESOLVED, that James Scruggs, is hereby promoted to the position of Heavy Equipment Operator effective August 25, 2003 at Group 7 Step 10A of the salary administrative schedule.

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

August 19, 2003

1742
Adoptec

TOWN OF RIVERHEAD

CONSTRUCTION EQUIPMENT OPERATOR PROMOTION

RESOLUTION # 949

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

WHEREAS, a vacancy exists for the position of Construction Equipment Operator in the Highway Department, and

WHEREAS, said position was duly posted (Job Posting #18) and all qualified candidates were interviewed, and

WHEREAS, the Suffolk County Department of Civil Service has conducted an informal review of the applicant, and

WHEREAS, the Highway Superintendent has made his recommendation to the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that Edward Reeve is hereby promoted to the position of Construction Equipment Operator effective August 25, 2003 at Group 9 Step 9A of the salary administrative schedule.

THE VOTE

Blass Yes No Densieski Yes No

Sanders Yes No Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

August 19, 2003

1743
Adopted

TOWN OF RIVERHEAD

HEAVY EQUIPMENT OPERATOR PROMOTION

RESOLUTION # 950

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

WHEREAS, a vacancy exists for the position of Heavy Equipment Operator in the Highway Department, and

WHEREAS, said position was duly posted (Job Posting #19) and all qualified candidates were interviewed, and

WHEREAS, the Suffolk County Department of Civil Service has conducted an informal review of the applicant, and

WHEREAS, the Highway Superintendent has made his recommendation to the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that Mark Kozakiewicz, is hereby promoted to the position of Heavy Equipment Operator effective August 25, 2003 at Group 7 Step 5A of the salary administrative schedule.

THE VOTE

Blass Yes No Densieski Yes No
Sanders Yes No *of Stearns* Lull Yes No
Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

Adopted

TOWN OF RIVERHEAD

HEAVY EQUIPMENT OPERATOR PROMOTION

RESOLUTION # 951

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

WHEREAS, a vacancy exists for the position of Heavy Equipment Operator in the Highway Department, and

WHEREAS, said position was duly posted (Job Posting #19) and all qualified candidates were interviewed, and

WHEREAS, the Suffolk County Department of Civil Service has conducted an informal review of the applicant, and

WHEREAS, the Highway Superintendent has made his recommendation to the Town Board.

NOW, THEREFORE BE IT RESOLVED, that William Fink, is hereby promoted to the position of Heavy Equipment Operator effective August 25, 2003 at Group 7 Step 7 of the salary administrative schedule.

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

August 19, 2003

1745

Adopted

TOWN OF RIVERHEAD

HEAVY EQUIPMENT OPERATOR PROMOTION

RESOLUTION # 952

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

WHEREAS, a vacancy exists for the position of Heavy Equipment Operator in the Highway Department, and

WHEREAS, said position was duly posted (Job Posting #19) and all qualified candidates were interviewed, and

WHEREAS, the Suffolk County Department of Civil Service has conducted an informal review of the applicant, and

WHEREAS, the Highway Superintendent has made his recommendation to the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that Richard Bates, is hereby promoted to the position of Heavy Equipment Operator effective August 25, 2003 at Group 7 Step 5A of the salary administrative schedule.

THE VOTE

Blass <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Densieski <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Sanders <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Lui <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kozakiewicz <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The Resolution Was Was Not
Thereupon Duly Declared Adopted

August 19, 2003

1746
Adopted

TOWN OF RIVERHEAD

HEAVY EQUIPMENT OPERATOR PROMOTION

RESOLUTION # 953

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

WHEREAS, a vacancy exists for the position of Heavy Equipment Operator in the Highway Department, and

WHEREAS, said position was duly posted (Job Posting # 19) and all qualified candidates were interviewed, and

WHEREAS, the Suffolk County Department of Civil Service has conducted an informal review of the applicant, and

WHEREAS, the Highway Superintendent has made his recommendation to the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that Waverly Atkins, is hereby promoted to the position of Heavy Equipment Operator effective August 25, 2003 at Group 7 Step 6 of the salary administrative schedule.

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

August 19, 2003

1747
Adopted

TOWN OF RIVERHEAD

HEAVY EQUIPMENT OPERATOR PROMOTION

RESOLUTION # 954

COUNCILWOMAN BLASS

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

WHEREAS, a vacancy exists for the position of Heavy Equipment Operator in the Highway Department, and

WHEREAS, said position was duly posted (Job Posting #19) and all qualified candidates were interviewed, and

WHEREAS, the Suffolk County Department of Civil Service has conducted an informal review of the applicant, and

WHEREAS, the Highway Superintendent has made his recommendation to the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that John Apicello, is hereby promoted to the position of Heavy Equipment Operator effective August 25, 2003 at Group 7 Step 5A of the salary administrative schedule.

THE VOTE

Blass Yes No

Densieski Yes No

Sanders Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

AUGUST 19, 2003

1748
Adopted

TOWN OF RIVERHEAD

Resolution # 955

**RATIFIES APPOINTMENT OF FULL TIME BUS DRIVER
IN THE NUTRITION DEPARTMENT**

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

WHEREAS, due to the resignation of an employee there is a vacancy in the Nutrition Department for the position of Full Time Bus Driver, and

WHEREAS, the position has been posted, posting #17, applications were received and interviews were conducted, and

WHEREAS, Thomas Clinton possesses a clean, valid NYS Commercial Drivers License, and

WHEREAS, it is the recommendation of the Personnel Committee that Thomas Clinton be appointed to said position.

NOW, THEREFORE, BE IT RESOLVED, that effective August 7, 2003, the Town Board hereby appoints Thomas Clinton to the position of Full Time Bus Driver as found on Group 4, Step P of the Clerical and Supervisory Salary Schedule.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Thomas Clinton, the Nutrition Department and the Office of Accounting.

THE VOTE

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

AUGUST 19, 2003

1750
Adopted

TOWN OF RIVERHEAD

REVISES TOWN GRANTS POLICY STATEMENT (TBR#581)

RESOLUTION # 956

COUNCILWOMAN SANDERS offered the following Resolutions which was
seconded by **COUNCILWOMAN BLASS**

WHEREAS, the Town Board adopted TBR #581 – a Policy and Procedures Statement for Grants and creations of a Central Grant Depository, and

WHEREAS, this Policy Statement needs further classification as to the responsibilities of the Town departments administering the Grants, and

NOW, THEREFORE, BE IT RESOLVED, that all Town departments administering the various grants must comply with the following:

1. File a schedule to the Town Supervisor and the Accounting Department upon approval of the granting agencies including:
 - a. Grant name.
 - b. Granting Agency and contact person of the agency.
 - c. Catalog of Federal Domestic Assistance numbers.
 - d. Responsible Department Manager for grant as assigned by department head.
 - e. Grant description, including the amount and duration
 - f. Town Board Resolution number authorizing the submission of funding application.
2. File a quarterly report to the Town Supervisor and the Accounting Department due January 15, April 15, July 15 and October 15 reporting all activity of the just ended quarter of December 31, March 31, June 30 and September 30 respectively.

BE IT FURTHER RESOLVED, that Town Clerk is hereby directed to forward a copy of this resolution and TBR #581 to all Town Departments.

COUNCILMAN DENSIESKI OFFERED **THE VOTE**
THE RESOLUTION TO BE TABLED.
NO SECOND TO TABLE

Sanders Yes No

Blass Yes No

COUNCILWOMAN SANDERS OFFERED THE RESOLUTION
TO BE AMENDED, SECONDED
BY COUNCILWOMAN BLASS.

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

THE VOTE, SANDERS, YES, BLASS, YES, DENSIESKI, ^{abstain} LULL, YES, KOZAKIEWICZ, YES. THE RESOLUTION WAS ADOPTED AS AMENDED.

Adopted

AUGUST 19, 2003

TOWN OF RIVERHEAD

Resolution # 957**TRANSFERS & PROMOTES EMPLOYEE TO
THE DEPARTMENT OF BUILDINGS AND GROUNDS**

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

WHEREAS, a vacancy now exists in the Department of Buildings and Grounds for Maintenance Mechanic II, and

WHEREAS, this position was duly posted (posting #16) and all qualified applicants were interviewed; and

WHEREAS, this act of posting is required by the CSEA C.B.A. to permit a qualified current employee to transfer to another department, and

WHEREAS, the recommendation of the Personnel Committee and the Department Head is to transfer an employee from another department.

NOW, THEREFORE, BE IT RESOLVED, that effective August 25, 2003, Chester Grzegorzcyk is hereby appointed to the position of Maintenance Mechanic II as found on Group 7, Step 5 of the Salary Administration Schedule, and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Chester Grzegorzcyk, the Department of Buildings and Grounds, and the Office of Accounting.

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

August 19, 2003

1752
Adopted

TOWN OF RIVERHEAD

AMENDS TERMS AND CONDITIONS OF DEPUTY TAX RECEIVER

RESOLUTION # 958

COUNCILMAN LULL

_____ offered the following resolution, which was
seconded by ~~_____ COUNCILWOMAN SANDERS~~

WHEREAS, Town Board Resolution No. 919 adopted, August 8, 2003
ratified the appointment of the Deputy Tax Receiver and set the terms and
conditions of employment of this Deputy, and

WHEREAS, many of the terms and conditions followed the current
Collective Bargaining Agent of the CSEA with few exceptions, and

WHEREAS, vacation time was not properly addressed for this appointed
official, and

NOW, THEREFORE, BE IT RESOLVED, the vacation time for this
employee shall be 70 hours per calendar year with this year (2003) being
prorated to equal 35 hours.

THE VOTE

Sanders Yes No

Blass Yes No

Densieski Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

August 19, 2003

Adopted

TOWN OF RIVERHEAD

LINE ROAD ROAD IMPROVEMENT CAPITAL PROJECT (MANORVILLE)

BUDGET ADJUSTMENT

RESOLUTION # 959

COUNCILWOMAN SANDERS

offered the following resolution, which was seconded by

COUNCILWOMAN BLASS

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

406.095731.494200.45064 SERIAL BOND PROCEEDS **FROM:** \$65,000.00

406.051100.541301.45064 ROAD PAVING EXPENSE **TO:** \$65,000.00

THE VOTE

Blass Yes No

Densieski Yes No

Sanders Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

Adopted

August 19, 2003

TOWN OF RIVERHEAD

OAKWOOD DRIVE ROAD IMPROVEMENT CAPITAL PROJECT (MANORVILLE)

BUDGET ADJUSTMENT

RESOLUTION # 960

COUNCILWOMAN BLASS

offered the following resolution, which was seconded by

COUNCILMAN LULL

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

406.095731.494200.45065 SERIAL BOND PROCEEDS	FROM:	\$16,000.00
406.051100.541301.45065 ROAD PAVING EXPENSE	TO:	\$16,000.00

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

August 19, 2003

1755
Adopted

TOWN OF RIVERHEAD

HORTON COURT ROAD IMPROVEMENT CAPITAL PROJECT (MANORVILLE)

BUDGET ADJUSTMENT

RESOLUTION # 961

COUNCILMAN LULL

offered the following resolution, which was seconded by

COUNCILMAN DENSIESKI

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

406.095731.494200.45066 SERIAL BOND PROCEEDS

FROM:
\$10,000.00

406.051100.541301.45066 ROAD PAVING EXPENSE

TO:
\$10,000.00

THE VOTE

Blass Yes No

Densieski Yes No

Sanders Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

August 19, 2003

1756

Adopted

TOWN OF RIVERHEAD

BAITING HOLLOW LANE, BAITING DRIVE & HOLLOW COURT ROAD IMPROVEMENT CAPITAL PROJECT

BUDGET ADJUSTMENT

RESOLUTION # 962

COUNCILMAN DENSIESKI

COUNCILWOMAN BLASS

offered the following resolution, which was seconded by

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

406.095731.494200.45067 SERIAL BOND PROCEEDS

FROM:
\$70,000.00

406.051100.541301.45067 ROAD PAVING EXPENSE

TO:
\$70,000.00

THE VOTE

Blass Yes No

Densieski Yes No

Sanders Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

August 19, 2003

1757

Adopted

TOWN OF RIVERHEAD

MIDWAY DRIVE ROAD IMPROVEMENT CAPITAL PROJECT (MANORVILLE)

BUDGET ADJUSTMENT

RESOLUTION # 963

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

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

406.095731.494200.45068 SERIAL BOND PROCEEDS	FROM:	\$12,000.00
406.051100.541301.45068 ROAD PAVING EXPENSE	TO:	\$12,000.00

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

August 19, 2003

1758
Adopted

TOWN OF RIVERHEAD

FANNING BOULEVARD ROAD IMPROVEMENT CAPITAL PROJECT (MANORVILLE)

BUDGET ADJUSTMENT

RESOLUTION # 964

COUNCILWOMAN SANDERS

offered the following resolution, which was seconded by

~~COUNCILMAN LULL~~

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

406.095731.494200.450659 SERIAL BOND PROCEEDS

FROM:
\$16,000.00

406.051100.541301.45069 ROAD PAVING EXPENSE

TO:
\$16,000.00

THE VOTE

Blass Yes No

Densieski Yes No

Sanders Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Adopted

OAK DRIVE ROAD IMPROVEMENT CAPITAL PROJECT (MANORVILLE)

BUDGET ADJUSTMENT

RESOLUTION # 965

COUNCILMAN LULL

_____ offered the following resolution, which was seconded by

COUNCILMAN DENSIESKI

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

406.095731.494200.45070 SERIAL BOND PROCEEDS

FROM:
\$14,000.00

406.051100.541301.45070 ROAD PAVING EXPENSE

TO:
\$14,000.00

THE VOTE

Blass Yes No

Densieski Yes No

Sanders Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

August 19, 2003

1760
Adopted

TOWN OF RIVERHEAD

Resolution # 966

**APPROVES SPECIAL PERMIT PETITION OF LYRICAL CHILDREN'S
PRESCHOOL**

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

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit petition from representatives of Lyrical Children's Preschool as owner authorized applicants pursuant to Section 108-119.1 b(5) and 108-133.1 of the Riverhead Town Code, to renovate a 1,000 square foot office suite and place a fenced play area for the purpose of operating a preschool within an existing commercial complex located at Calverton Commons, Middle Country Road, Calverton; such property more particularly described as Suffolk County Tax Map Number 0600-97-2-30, and

WHEREAS, the Riverhead Town Board by resolution #502 of 2003 declared themselves Lead Agency, and

WHEREAS, the Town Board has referred the special permit petition to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending the granting of the special permit petition with a certain condition, and

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

WHEREAS, the Town Board did hold a public hearing upon the petition of the 5th day of August, 2003, and

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

THEREFORE, BE IT

RESOLVED, that in the matter of the special permit petition of Lyrical Children's Preschool, the Riverhead Town Board hereby determines the petition to be a Type II action pursuant to 6NYCRR Part 617, and

BE IT FURTHER

RESOLVED, that in the matter of the special permit petition of Lyrical Children's Preschool the Riverhead Town Board hereby makes the following findings:

1. That the premises is located within the Business CR Zoning Use District;
2. That the applicant proposes to use 1,000 square feet of an existing structure;
3. That the operation of the school is 9:00 a.m. to 3:00 p.m., one session in the morning and another in the afternoon;
4. That the applicant indicated that there will be active parental involvement in their daily programs;
5. That there are no kitchen facilities therefore no meals are provided;
6. That the use is not a day care center but pre-school learning center;
7. That the proposed use will have an outdoor play area; and

BE IT FURTHER

RESOLVED, that based upon its findings, the Riverhead Town Board hereby grants the special permit petition of Lyrical Children's Preschool to allow the operation of a preschool upon property located with the Calverton Commons Complex, Middle Country Road, Calverton and more particularly described as Suffolk County Tax Map Parcel No. 0600-97-2-30 subject to the following condition:

That if the subject pre-school learning center is to become licensed as a day care center by the Suffolk County Department of Social Services further application for special permit shall be made to the Riverhead Town Board; and

BE IT FURTHER

RESOLVED, that copies of this resolution be forwarded to the Planning Board, Planning Department, Building Department, Town Attorney and Lyrical Children's Preschool or their agent.

Rh/planning

THE VOTE

Sanders Yes No Bless Yes No
 Densiesld Yes No Lull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS NOT
 THEREUPON ADOPTED

August 19, 2003

1762
Adopted

TOWN OF RIVERHEAD

Resolution # 967

**APPROVES SPECIAL PERMIT PETITION OF PATRICIA WYSOCKI
(FIVE KIDS SCHOOL SUPPLY)**

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

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit petition from Patricia Wysocki (Five Kids School Supply) for the use of an existing structure as a wholesale business with retail accessory use on a parcel zoned Industrial A located at Pulaski Street, Riverhead; such property more particularly described as Suffolk County Tax Map Number 0600-121-1-6.1, and

WHEREAS, the Riverhead Town Board by resolution #148 of 2003 declared themselves Lead Agency, and

WHEREAS, the Town Board did refer the petition to the Riverhead Planning Board, such Planning Board recommending the granting of the petition subject to certain conditions, and

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

THEREFORE, BE IT

RESOLVED, that in the matter of the special permit petition of Patricia Wysocki (Five Kids School Supply) the Riverhead Town Board hereby determines the action to be an Unlisted action pursuant to 6NYCRR Part 617 and further determines the action will not have significant adverse impacts upon either the natural and social environment and that an Environmental Impact Statement need not be prepared, and

BE IT FURTHER

RESOLVED, that in the matter of the special permit petition of Patricia Wysocki (Five Kids School Supply) the Riverhead Town Board hereby makes the following findings:

1. That the premises is located within the Industrial A Zoning Use District;

- 2. That the site is particularly suitable for the location of such use in the community;
- 3. That the lot area is sufficient and adequate for the use;
- 4. That the use will not prevent or substantially impair either the reasonable or orderly development of other property within the neighborhood;
- 5. That the proposed use will be in harmony with and promote the general purposes and intent of the Town of Riverhead Zoning Ordinance; and

BE IT FURTHER

RESOLVED, that based upon its findings, the Riverhead Town Board hereby grants the special permit petition of Patricia Wysocki (Five Kids School Supply) subject to the following conditions:

- 1. That no site plan approval be issued or building permit by the Town of Riverhead Building Department prior to the applicant's obtaining a permit from the New York State Department of Environmental Conservation;
- 2. That the applicant install signs notifying motorists of a truck entrance, said signage and locations of same shall comply with vehicle and traffic codes and any other requirements of the Town of Riverhead Highway Superintendent; and

BE IT FURTHER

RESOLVED, that copies of this resolution be forwarded to the Planning Board, Planning Department, Building Department, Town Attorney and Patricia Wysocki (Five Kids School Supply) or their agent.

Rh/planning

THE VOTE

Sanders Yes No Blass Yes No
 Densieski Yes No Tull Yes No
 Kozakiewicz Yes No

THE RESOLUTION WAS NOT _____
 THEREFORE ADOPTED

Adopted

August 19, 2003

TOWN OF RIVERHEAD

Resolution # 968

REFERS CHANGE OF ZONE PETITION OF TRADITIONAL LINKS, LLC TO THE RIVERHEAD PLANNING BOARD

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

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a change of zone petition from Traditional Links, LLC to amend the Zoning Use District Map of the Town of Riverhead to provide for the Agriculture A Zoning Use District to the exclusion of the prevalent Residence A and Recreational Zoning Use Districts upon real property located at Sound Avenue, Baiting Hollow; such property more particularly described as Suffolk County Tax Map Numbers 0600-41-1-4.2 and 0600-41-1-10.5, and

WHEREAS, by resolution dated July 15, 2003, the Riverhead Town Board did accept the Draft Supplemental Impact Statement submitted in support of the petition, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby authorizes the Town Clerk of the Town of Riverhead to refer the change of zone petition of Traditional Links, LLC to the Riverhead Planning Board pursuant to Section 108-80 of the Riverhead Zoning Ordinance.

Rh/planning

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

August 19th, 2003

TOWN OF RIVERHEAD

Resolution # 969

APPROVES SITE PLAN OF JAY TRANCHINA (T-JAY'S TRANSMISSION)

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS:

WHEREAS, a site plan and elevations were submitted by Robert Stromski, AIA, for construction of a 5,574 sq. ft. transmission facility, located at East Main Street, Riverhead, New York 11901, New York, known and designated as Suffolk County Tax Map Number 0600-109-2-7.1 and

WHEREAS, the Planning Department has reviewed the site plan dated December 9th, 2002, as prepared by Robert Stromski, R.A. and elevations dated November 22nd, 2002, as prepared by Robert Stromski, R.A. and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 20021217 of the Office of the Supervisor of the Town of Riverhead; and;

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

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the site plan application of T-Jay's Transmission, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be Unlisted pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Robert Stromski, R.A. for construction of a 5,574 sq. ft. transmission repair facility located at East Main Street, Riverhead, New York 11901, site plan dated December 9th, 2002, as prepared by Robert Stromski, R.A. and elevations dated November 22nd, 2002, as prepared by Robert Stromski, R.A., be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

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

Town of Riverhead to enter premises at East Main Street, Riverhead, New York 11901, New York, to enforce said handicapped parking regulations;

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Robert Stromski, R.A., SSA, 131 Rte. 25A, Rocky Point, New York 11778, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2003, made by T-Jay's Transmission, c/o Jay Tranchina, 2 Vinyard Way, Mt. Sinai, New York 11766, residing at 377 Oak Street, Garden City, New York 11530, Declarant:

WITNESSETH:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, T-Jay's Transmission hereby authorizes and consents to the Town of Riverhead to enter premises at East Main Street, Riverhead, New York 11901, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

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

T-Jay's Transmission

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

On the ____ day of _____, in the year _____ before me, the undersigned, _____ personally _____ appeared

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

NOTARY PUBLIC

COUNCILWOMAN SANDERS OFFERED THE RESOLUTION TO BE TABLED, WHICH WAS SECONDED BY COUNCILWOMAN BLASS.

THE VOTE: SANDERS, YES, BLASS, YES, DENSIESKI, NO, LULL, NO, KOZAKIEWICZ, NO

THE RESOLUTION WAS THEREUPON DECLARED NOT TO BE TABLED.

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

COUNCILMAN DENSIESKI OFFERED THE RESOLUTION FOR ADOPTION, WHICH WAS SECONDED BY COUNCILMAN LULL.

THE VOTE: SANDERS, NO, BLASS, NO, DENSIESKI, YES, LULL, YES, KOZAKIEWICZ, YES.

THE RESOLUTION WAS THEREUPON DECLARED TO BE DULY ADOPTED.

August 19th, 2003

1771
Tabled

TOWN OF RIVERHEAD

Resolution #970

APPROVES SITE PLAN OF TC 58 INC.
(FORMERLY FELICE ENTERPRISES)

COUNCILWOMAN SANDERS

offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI:

WHEREAS, a site plan and elevations were submitted by Peter Danowski, for the construction of an 89 room hotel facility and attending site improvements upon real property located at Old Country Road, Riverhead, New York, known and designated as Suffolk County Tax Map Numbers 0600-119-01-9.1 and 0600-119-01-9.2; and

WHEREAS, the Planning Department has reviewed the site plan dated June 3rd, 2003, as prepared by Howard Young, L.S. and elevations dated November 13th, 2002, as prepared by Martin F. Sendlewski, AIA and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 2003-15651 of the Office of the Supervisor of the Town of Riverhead; and;

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

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the site plan application of TC 58, Inc. the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the action to be Unlisted pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Peter Danowski, for the construction of a 89 room hotel facility and attending site improvements upon real located at Old Country Road, Riverhead, New York, site plan dated June 3rd, 2003, as prepared by Howard Young, L.S., and elevations dated November 13th, 2002, as prepared by Martin F. Sendlewski, AIA, be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan proves and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, TC 58, Inc. hereby authorizes and consents to the Town of

Riverhead to enter premises at the Old Country Road, Riverhead, New York, to enforce said handicapped parking regulations;

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter Danowski, Esq., Attorney for TC 58, 616 Roanoke Avenue, Riverhead, New York, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2003, made by TC 58 Inc., residing at _____, Declarant:

WITNESSETH:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

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

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, TC 58, Inc. hereby authorizes and consents to the Town of Riverhead to enter premises at the Old Country Road, Riverhead, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

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

TC 58 INC.

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

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

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

NOTARY

PUBLIC

COUNCILWOMAN SANDERS OFFERED THE RESOLUTION TO BE TABLED, WHICH WAS SECONDED BY COUNCILWOMAN BLASS.

ALL MEMBERS IN FAVOR OF TABLING THE RESOLUTION.

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

Tabled

08/19/03

Adopted

TOWN OF RIVERHEAD

Resolution # 971

AUTHORIZES THE SUPERVISOR TO EXECUTE DISTRIBUTION AGREEMENTS FOR VITAGRANT

Councilman Densieski offered the following resolution, was seconded by

Councilwoman Blass :

WHEREAS, the Town of Riverhead is a recipient of a New York State Attorney General "VITAgant" and,

WHEREAS, the Town Board of the Town of Riverhead wishes to distribute the funds received through the VITAgant to various not-for-profit agencies who shall provide services for the improvement of health and or nutrition of New York residents or the advancement of nutritional, dietary or agricultural sciences as required by the grant,

NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is hereby authorized to execute agreements with following entities for the provision of services under the VITAgant:

- Family Service League/Riverhead Family Center;
- Long Island Science Museum;
- Riverhead Free Library;

and be it further

RESOLVED that the Town Clerk is hereby directed to forward a certified copy of this resolution to Family Service League/Riverhead Family Center, Long Island Science Museum, Riverhead Free Library, the Town Attorney and the Office of Accounting.

THE VOTE

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

THE RESOLUTION WAS NOT
THEREFORE ADOPTED

Tabled

08/19/03

TOWN OF RIVERHEAD

Resolution # 972

AUTHORIZES THE SUPERVISOR TO EXECUTE AGREEMENTS FOR ADMINISTRATIVE AND CLERICAL ASSISTANCE FOR VITAGRANT

Councilwoman Sanders offered the following resolution, was seconded by

Councilwoman Lull :

WHEREAS, the Town of Riverhead is a recipient of a New York State Attorney General "VITagrant" and,

WHEREAS, the Town Board of the Town of Riverhead wishes to retain individuals to provide clerical and administrative services to the Town in connection with the VITagrant,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to execute agreements with the following individuals to provide clerical and administrative services to the Town in connection with the VITagrant:

- 1. Kevin Glew
- 2. Annette Renner

RESOLVED that the Town Clerk is hereby directed to forward a certified copy of this resolution to Kevin Glew POB 1950, Southold, NY 11971 and Annette Renner 25 Treasure Road, Riverhead, NY 11901, the Town Attorney and the Office of Accounting.

COUNCILMAN DENSIESKI OFFERED THE RESOLUTION TO BE TABLED, WHICH WAS SECONDED BY COUNCILWOMAN BLASS.

ALL MEMBERS IN FAVOR OF TABLING THE RESOLUTION.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON BEING ADOPTED

Tabled

August 19, 2003

TOWN OF RIVERHEAD

Resolution # 973

AMENDS RESOLUTION NUMBER 539 OF 2002- GRANTING OF
SPECIAL PERMIT OF TC 58, INC.

COUNCILMAN LULL

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

WHEREAS, by resolution dated May 22, 2002, the Riverhead Town Board did grant the special permit petition of TC 58, Inc. to allow the construction of an 89 room motel on real property located at Route 58, Riverhead, New York, and

WHEREAS, the granting of the special permit was made subject to certain conditions, and

WHEREAS, pursuant to the aforementioned special permit conditions, the petitioner has submitted a site plan petition depicting all improvements proposed for the subject site as well as a coordinated grading plan for the immediate vicinity to obviate the need for the retaining of sloped areas, and

WHEREAS, the petitioner has further requested of the Town Board a total building area of 17.4% as opposed to the granted building area of 15%, and

WHEREAS, a further condition of the granting of the subject special permit stated that prior to the issuance of a certificate of occupancy, should "hotel" become a permissible land use within the applicable zoning use district, the petitioner would modify building plans to cause the construction of a "hotel", and

WHEREAS, by resolution dated August 5, 2003 the Town Board did amend the Industrial A Zoning Use District to provide for "hotel" to the exclusion of "motel" as a specially permitted land use, now

THEREFORE, BE IT

RESOLVED, that the special permit previously granted to TC 58, Inc. is hereby amended to permit a hotel in lieu of a motel upon the subject premises , and

BE IT FURTHER

RESOLVED, that the maximum building area of the aforementioned hotel shall not exceed ~~17.4%~~ of the area of the premises, conditioned upon the petitioner depositing the sum of \$18,540.00 into the Town of Riverhead Community Preservation Fund, and

BE IT FURTHER

RESOLVED, that copies of this resolution be forwarded to the Planning Board, Planning Department, Building Department, Town Attorney and TC 58, Inc. or their agent.

Rh/planning

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

Councilman Densieski offered the following Resolution which was seconded by
Councilwoman Blass

FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 606,487.90	\$ 606,487.90
POLICE ATHLETIC LEAGUE	004	\$ -	\$ 930.18	\$ 930.18
TEEN CENTER	005	\$ -	\$ 87.10	\$ 87.10
RECREATION PROGRAM	006	\$ -	\$ 31,795.68	\$ 31,795.68
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ -	\$ -
AG-FEST COMMITTEE FUND	021	\$ -	\$ 1,000.00	\$ 1,000.00
HUMAN SERVICES FUND	022	\$ -	\$ -	\$ -
R.I.F.T.A.	023	\$ -	\$ 4,272.58	\$ 4,272.58
TOWN BOARD SPECIAL PROGRAM	024	\$ -	\$ 13,405.06	\$ 13,405.06
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
WORLD TRADE CENTER MEMORIAL FUND	026	\$ -	\$ 27.07	\$ 27.07
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 3,284.56	\$ 3,284.56
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ -	\$ -
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ -	\$ 2,825.78	\$ 2,825.78
HIGHWAY	111	\$ -	\$ 72,998.67	\$ 72,998.67
WATER	112	\$ -	\$ 32,909.31	\$ 32,909.31
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
RIVERHEAD SEWER DISTRICT	114	\$ -	\$ 27,773.10	\$ 27,773.10
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 4,296.02	\$ 4,296.02
STREET LIGHTING	116	\$ -	\$ 11,206.85	\$ 11,206.85
PUBLIC PARKING	117	\$ -	\$ 2,927.30	\$ 2,927.30
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ 100.12	\$ 100.12
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ 1,534.61	\$ 1,534.61
CALVERTON SEWER DISTRICT	124	\$ -	\$ 637.22	\$ 637.22
RIVERHEAD SCAV WASTE DISTRICT	128	\$ -	\$ 19,105.54	\$ 19,105.54
WORKER'S COMPENSATION FUND	173	\$ -	\$ 4,405.96	\$ 4,405.96
RISK RETENTION FUND	175	\$ -	\$ -	\$ -
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 869.81	\$ 869.81
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT	382	\$ -	\$ -	\$ -
WATER DEBT	383	\$ -	\$ 196.50	\$ 196.50
GENERAL FUND DEBT SERVICE	384	\$ -	\$ 228,541.08	\$ 228,541.08
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 2,043,739.68	\$ 2,043,739.68
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ 2,020.50	\$ 2,020.50
SENIORS HELPING SENIORS	453	\$ -	\$ 2,639.83	\$ 2,639.83
EISEP	454	\$ -	\$ 272.43	\$ 272.43
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ -	\$ 1,520.27	\$ 1,520.27
MUNICIPAL GARAGE	626	\$ -	\$ 12,011.53	\$ 12,011.53
TRUST & AGENCY	*735*	\$ -	\$ 724,407.08	\$ 724,407.08
SPECIAL TRUST	736	\$ -	\$ -	\$ -
COMMUNITY PRESERVATION FUND	737	\$ -	\$ -	\$ -
CDA-CALVERTON	914	\$ -	\$ -	\$ -
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ -	\$ -
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ -	\$ 3,858,229.32	\$ 3,858,229.32

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

Commissioner Denski
Commissioner Deas offered the following Resolution which was seconded by

FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 50,904.29	\$ 50,904.29
POLICE ATHLETIC LEAGUE	004	\$ -	\$ 2,259.42	\$ 2,259.42
TEEN CENTER	005	\$ -	\$ -	\$ -
RECREATION PROGRAM	006	\$ -	\$ -	\$ -
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ 519.50	\$ 519.50
AG-FEST COMMITTEE FUND	021	\$ -	\$ -	\$ -
HUMAN SERVICES FUND	022	\$ -	\$ -	\$ -
R.I.F.T.A.	023	\$ -	\$ 3,902.73	\$ 3,902.73
TOWN BOARD SPECIAL PROGRAM	024	\$ -	\$ 16,034.00	\$ 16,034.00
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
WORLD TRADE CENTER MEMORIAL FUND	026	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ -	\$ -
COMMUNITY P.E.T.S. SHELTER	028	\$ -	\$ 1,237.44	\$ 1,237.44
ANIMAL SPAY & NEUTERING FUND	029	\$ -	\$ -	\$ -
EDZ FUND	030	\$ -	\$ 52.33	\$ 52.33
HIGHWAY	111	\$ -	\$ 1,474.58	\$ 1,474.58
WATER	112	\$ -	\$ 15,564.34	\$ 15,564.34
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
RIVERHEAD SEWER DISTRICT	114	\$ -	\$ 13,690.00	\$ 13,690.00
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 75.50	\$ 75.50
STREET LIGHTING	116	\$ -	\$ 22,835.66	\$ 22,835.66
PUBLIC PARKING	117	\$ -	\$ -	\$ -
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ -	\$ -
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ 6.30	\$ 6.30
CALVERTON SEWER DISTRICT	124	\$ -	\$ 4,463.92	\$ 4,463.92
RIVERHEAD SCAV WASTE DISTRICT	128	\$ -	\$ 9,563.90	\$ 9,563.90
WORKER'S COMPENSATION FUND	173	\$ -	\$ 376.30	\$ 376.30
RISK RETENTION FUND	176	\$ -	\$ 14,911.00	\$ 14,911.00
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 52.33	\$ 52.33
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT	382	\$ -	\$ -	\$ -
WATER DEBT	383	\$ -	\$ -	\$ -
GENERAL FUND DEBT SERVICE	384	\$ -	\$ -	\$ -
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 508,651.74	\$ 508,651.74
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ -	\$ -
SENIORS HELPING SENIORS	453	\$ -	\$ 11.52	\$ 11.52
EISEP	454	\$ -	\$ 84.24	\$ 84.24
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ -	\$ 4,991.50	\$ 4,991.50
MUNICIPAL GARAGE	626	\$ -	\$ 10,370.09	\$ 10,370.09
TRUST & AGENCY	*735*	\$ -	\$ -	\$ -
SPECIAL TRUST	736	\$ -	\$ -	\$ -
COMMUNITY PRESERVATION FUND	737	\$ -	\$ -	\$ -
DA-CALVERTON	914	\$ -	\$ 3,857.19	\$ 3,857.19
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ -	\$ -
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ -	\$ 685,889.82	\$ 685,889.82

8/19/03

TOWN OF RIVERHEAD

Resolution # 975

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

COUNCILWOMAN BLASS

_____ offered the following resolution,

COUNCILWOMAN SANDERS

which was seconded by _____:

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a proposed local law to consider the amendment of Chapter 12 entitled, "Coastal Erosion Hazard Areas" of the Riverhead Town Code, once in the August 28, 2003 issue of the Traveler-Watchman, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Conservation Advisory Council; the Riverhead Planning Board; the Riverhead Building Department and the Office of the Town Attorney.

THE VOTE

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

**THE RESOLUTION WAS NOT
THEREUPON DULY ADOPTED**

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 3rd day of September, 2003 at 7:30 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 12 of the Riverhead Town Code entitled, "Coastal Erosion Hazard Areas" as follows:

**Chapter 12
COASTAL EROSION HAZARD AREAS**

§ 12-6. Definitions.

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

Dated: Riverhead, New York
August 19, 2003

BY ORDER OF THE BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)