

*Barbara Grattan*

**TOWN BOARD MEETING  
AGENDA  
PHILIP CARDINALE, Supervisor**

**May 4<sup>th</sup> , 2004**

**Edward Densieski, Councilman  
George Bartunek, 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  
James Janecek  
Judy Doll  
John Reeve  
Michael Reichel  
Gary Pendzick**

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

**PUBLIC COMMENT ON ANY RESOLUTIONS LISTED  
BELOW:**

**REGULAR TOWN BOARD MEETING:**

- #363 Appoints Additional Appraisers
- #364 Appoints Auto Mechanic IV (D. Ruthinowski)
- #365 Calverton Community Center Project Budget Adjustment
- #366 General Fund Budget Adjustment
- #367 Recreation Program Fund Budget Adjustment
- #368 Approves Temporary Sign Permit of Neal Siegel
- #369 Approves Site Plan of David Wilmott
- #370 Approves Site Plan of Peter S. Danowski, Jr.
- #371 Appoints a Beach Attendant/Concession Stand Operator I to the Riverhead Recreation Dept. (L. Flood)
- #372 Appoints a Lifeguard Level I to the Riverhead Recreation Dept. (B. Heller)
- #373 Appoints a Park Attendant II, Level I to the Recreation Dept. (K. Hasty)
- #374 Appoints a Park Attendant II, Level II to the Recreation Dept. (C. Doscinski)
- #375 Appoints a Park Attendant II, Level II to the Riverhead Recreation Dept. (R. Fox)
- #376 Appoints Temporary Clerk's to the Tax Receiver's Office (N. Sollazzo, C. Koroleski)
- #377 Resolution of Support for the Elimination of the Sunset Provisions of the Local Government Records Management Improvement Fund (LGRMIF) and the Cultural Education Fund (CEF)
- #378 Adopts a Local Law to Amend Chapter 14 Entitled, "Community Preservation" of the Riverhead Town Code

- #379 Adopts a Local Law Amending Chapter 52 Entitled, "Building Construction" of the Riverhead Town Code
- #380 Ratifies the Authorization for Supervisor to Execute an Agreement with New York State Department of Agriculture and Markets (Property of Harbes and Kujawski)
- #381 Reduces Performance Bond of the Subdivision Entitled, "Equestrian Estates" (Camp Brothers)
- #382 Resolution Authorizing Supervisor to Execute Water Service- Thomas J. White- RWD
- #383 Accepts Resignation of a Provisional Account Clerk Typist
- #384 Awards Bid on Portable asphalt Milling/Trenching Machine with Transport Trailer Model AZ480-C or Equal
- #385 Authorizes Attendance at Economic Redevelopment Conference
- #386 Authorization to Publish Advertisement for Snack Vendors 2004/2005
- #387 Awards Bid for Snack Vendors
- #388 Authorization to Re-Publish Advertisement for 23 Foot Pump Out Boat
- #389 Awards Bid for Municipal Solid Waste
- #390 Authorizes Town Clerk to Post and Publish Public Notice for Public Hearing Regarding Local Law to Amend Chapter 108 Entitled, "Zoning" (Retirement Community District) of the Riverhead Town Code\
- #391 Authorizes Town Clerk to Re-post and Re-Publish Public Notice of Public hearing to Consider a Proposed Local Law for an Amendment to Chapter 101 Entitled, "Vehicles & Traffic" of the Riverhead Town Code (No Parking Fire Zones/Lanes)

- #392 Authorizes Town Clerk to Post and Publish Public Notice for Public Hearing Regarding a Local Law to Repeal Certain Sections of Chapter 108 Entitled, "Zoning" (Agriculture A District) of the Riverhead Town Code
- #393 Authorizes Town Clerk to Post and Publish Public Notice for Public Hearing Regarding a Local Law to Repeal Certain Sections of Chapter 108 Zoning (Residence A,B,C & D) of the Riverhead Town Code
- #394 Authorizes Town Clerk to Post and Publish Public Notice of Public Hearing Regarding a Local Law to Repeal and Certain Sections of Chapter 108 Entitled, "Zoning" (Recreational Use District) of the Riverhead Town Code
- #395 Authorizes Town Clerk to Post and Publish Public Notice of Public Hearing Regarding a Local Law to Repeal and Certain Sections of Chapter 108 Entitled, "Zoning" (Redevelopment Community District) of the Riverhead Town Code
- #396 Authorizes Town Clerk to Publish and Post Notice to Bidders for Carriage House Interior Renovations
- #397 Appoints Temporary Secretary to the Board of Assessment Review (M. Vail)
- #398 Authorizes the Supervisor to Execute an Agreement with the Riverhead Volunteer Ambulance Corps, Inc.
- #399 Pays Bills

MAY 4, 2004

**Adopted**TOWN OF RIVERHEADAPPOINTS ADDITIONAL APPRAISERSRESOLUTION # 363

COUNCILWOMAN BLASS

\_\_\_\_\_ offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI.

**WHEREAS**, the Town of Riverhead presently retains various consultants, appraisers and legal representation; and

**WHEREAS**, the Town would like to appoint an additional appraiser to the original list that was adopted on January 6, 2004, TBR #13.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town hereby appoints Rogers and Taylor, Appraisers, Inc.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Rogers and Taylor, Appraisers, Inc. , 300 Wheeler Road, Hauppauge, NY 11788, the Town Attorney's Office and the Office of Accounting.

## THE VOTE

Sanders  Yes  NoBlass  Yes  NoDensieski  Yes  NoBartunek  Yes  NoCardinale  Yes  No

May 4, 2004

TOWN OF RIVERHEAD

**Adopted**

APPOINTS AUTO MECHANIC IV

RESOLUTION # 364

COUNCILMAN DENSIESKI

\_\_\_\_\_ offered the following resolution,  
which was seconded by \_\_\_\_\_  
COUNCILMAN BARTUNEK

**WHEREAS**, due to the resignation of an employee, a vacancy of Auto Mechanic IV exists in the Municipal Garage, and

**WHEREAS**, it is the recommendation of the Personnel Committee that Daniel Ruthinowski be appointed to this position.

**NOW, THEREFORE, BE IT RESOLVED**, that effective May 17, 2004 the Town Board hereby appoints Daniel Ruthinowski to the position of Auto Mechanic IV on Group 12, Step 14A of the Operational & Technical Salary Structure of the CSEA Contract.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Daniel Ruthinowski, the Municipal Garage and the Office of Accounting.

THE VOTE

Bartunek  Yes  No

Sanders  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

**Adopted**

MAY 4, 2004

TOWN OF RIVERHEADCALVERTON COMMUNITY CENTER PROJECTBUDGET ADJUSTMENTRESOLUTION # 365

COUNCILMAN BARTUNEK

\_\_\_\_\_ 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:

		<u>FROM</u>	<u>TO</u>
406.071400.543650.70004	ARCHITECTUAL SERVICES	\$26,575	
406.071400.547900.70004	CONTINGENCY	3,100	
406.071400.522150.70004	CONSTRUCTION		\$12,900
406.071400.524907.70004	PLAYGROUND EQUIPMENT		4,850
406.071400.541203.70004	GROUNDS IMPROVEMENT		11,925

## THE VOTE

Bartunek  Yes  NoSanders  Yes  NoBlass  Yes  NoDensieski  Yes  No *abstain*Cardinale  Yes  No

MAY 4, 2004

**Adopted**TOWN OF RIVERHEADGENERAL FUNDBUDGET ADJUSTMENTRESOLUTION # 366

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:

		<u>FROM</u>	<u>TO</u>
001.070200.541000	REC ADMIN, REPAIRS & MAINT.	\$1,500	
001.070200.542104	REC ADMIN, SUPPLIES		\$1,500
001.000000.390599	APPROPRIATED FUND BALANCE	\$3,500	
001.036200.543000	SAFETY INSPECTION, PROF SERVICE		\$3,500

## THE VOTE

Bartunek  Yes  NoSanders  Yes  NoBlass  Yes  NoDensieski  Yes  NoCardinale  Yes  No

MAY 4, 2004

# Adopted

TOWN OF RIVERHEAD

RECREATION PROGRAM BUDGET

BUDGET ADJUSTMENT

RESOLUTION # 367

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

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

		<u>FROM</u>	<u>TO</u>
006.000000.390599	APPROPRIATED FUND BALANCE	\$7,500	
006.073100.520000	EQUIPMENT & FURNISHINGS		\$7,500

**THE VOTE**

Bartunek  Yes  No      Sanders  Yes  No  
 Blass  Yes  No      Densieski  Yes  No  
 Cardinale  Yes  No

May 4, 2004

693  
Not Adopted

TOWN OF RIVERHEAD  
Resolution # 368

APPROVES TEMPORARY SIGN PERMIT OF NEAL SIEGAL

COUNCILMAN DENSIESKI

offered the following resolution, which was seconded by

COUNCILWOMAN SANDELL

**WHEREAS**, a temporary sign permit and sketch were submitted by Neal Siegal for property located at Roanoke Avenue, Riverhead, New York also known as SCTM#103.00-01-004.00; and

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

**WHEREAS**, sketch has 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 application for Sale/Lease Medical Office submitted by Neal Siegal and be it

**RESOLVED**, that said temporary sign permit shall expire on November 6, 2004 and the applicant shall removed the affected sign, in its entirety, on or before said date; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Neal Siegal, 21 Reynolds Road, Glen Cove, New York, 11542, the Planning Department and the Building Department.

**THE VOTE**

Bartunek  Yes  No

Sanders  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

May 4, 2004

**Adopted****TOWN OF RIVERHEAD**Resolution # 369**APPROVES SITE PLAN OF DAVID WILMOTT, TEMPORARY MOTOR  
VEHICLE STORAGE**

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

**WHEREAS**, by resolution dated October 7, 2003 the Riverhead Town Board did approve the site plan of TC 58, Inc. which further granted a grading plan for lands of Anthony Stollo, SCTM Parcel No. 0600-119-1-10 to allow for the future construction of an automobile dealership upon future site plan approval, and

**WHEREAS**, Anthony Stollo has made application to the Town of Riverhead pursuant to Chapter 52 to allow for the excavation of minerals from SCTM Parcel No. 0600-119-1-10 in conformance with the aforementioned grading plan, and

**WHEREAS**, Anthony Stollo has approached the Town Board to allow for the temporary storage of motor vehicles upon lands of David Wilmott (SCTM Parcel Nos. 0600-101-2-15.2; 0600-125-1-1 and 0600-125-1-2) until such time as the excavation and grading is complete, and

**WHEREAS**, the Planning Department has reviewed a site plan for temporary vehicle storage as prepared by Howard Young, L.S. and dated April 20, 2004 and has recommended to the Town Board that said site plan be approved, 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,

**WHEREAS**, a copy of the site plan has been marked and initialed by the Town Board to show any 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 check number 2004-4170 of the Office of Accounting, now

**THEREFORE, BE IT**

**RESOLVED**, that in the matter of the site plan application of David Wilmot, the Riverhead Town Board hereby declares itself to be the lead agency pursuant to 6NYCRR Part 617 and further determines the action to be Type II pursuant to 6NYCRR Part 617, and

**BE IT FURTHER**

**RESOLVED**, that the site plan submitted by David Wilmott for premises known as Suffolk County Tax Map Nos. 0600-101-2-15.2; 0600-125-1-1 and 0600-125-1-2 as prepared by Young & Young and dated April 20, 2004 are hereby approved subject to the following conditions:

- i. that all automobiles shall be stored on asphalt areas only and not upon any grassed areas;
- ii. that all automobiles shall be arranged in such a manner as not to impede safe and convenient ingress and egress;
- iii. the temporary storage of automobiles shall not exceed 90 days from the date of the issuance of excavation permit accompanying this site plan approval;
- iv. that no motor vehicle sales shall be transacted upon the premises; and

**BE IT FURTHER**

**RESOLVED**, that copies of this resolution be forwarded to the Town Attorney, Planning Department, Building Department and Anthony Strollo or his agent.

Rh/planning

**THE VOTE**

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

THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

May 4<sup>th</sup>, 2004**Adopted**

## TOWN OF RIVERHEAD

Resolution # 370**APPROVES SITE PLAN OF PETER S. DANOWSKI, JR.****COUNCILWOMAN BLASS**

offered the following resolution,

which was seconded by **COUNCILMAN BARTUNEK** :

**WHEREAS**, a site plan was submitted by Peter S. Danowski, Jr., to renovate an existing two story home and make related site improvements to establish a professional office, upon real property located at 604 Roanoke Avenue, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-126-4- 19 & 20; and

**WHEREAS**, the Planning Department has reviewed the site plan dated February 24<sup>th</sup>, 2004 as prepared by Young and Young, L.S. 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 Check Number 2004-16205 of the Office of Accounting 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 Peter S. Danowski, Jr., the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the action to be Unlisted pursuant to 6NYCRR Part 617.

**BE IT FURTHER**

**RESOLVED**, that the site plan submitted by Peter S. Danowski, Jr., to renovate an existing two story home and make related site improvements to establish a professional office upon real property located at 604 Roanoke Avenue, Riverhead, New

York, site plan dated February 24<sup>th</sup>, 2004 , as prepared by Young and Young, LS., 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 approval 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, Peter S. Danowski, Jr., hereby authorizes and consents to the Town of Riverhead to enter premises at 604 Roanoke Avenue, Riverhead, New York, to enforce said handicapped parking regulations;

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

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., 604 Roanoke Avenue, Rivehead, New York 11901, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

eroman/planning

**THE VOTE**

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

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

## DECLARATION AND COVENANTS

**THIS DECLARATION**, made the \_\_\_\_\_ day of \_\_\_\_\_, 2004, made by Peter S. Danowski, Jr., 604 Roanoke Avenue, Riverhead, New York 1901, 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, Peter S. Danowski Jr., hereby authorizes and consents to the Town of Riverhead to enter premises at 604 Roanoke Avenue, 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.

\_\_\_\_\_  
PETER S. DANOWSKI, JR.

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

Planning/egr

5/4/04

TOWN OF RIVERHEAD

**Adopted**

Resolution # 371

**APPOINTS A BEACH ATTENDANT / CONCESSION STAND OPERATOR I  
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILMAN BARTUNEK

offered the following resolution,

COUNCILWOMAN BLASS

which was seconded by \_\_\_\_\_

**RESOLVED**, that Liam Flood is hereby appointed to serve as a Beach Attendant / Concession Stand Operator I effective May 10th, 2004 to and including September 6, 2004, to be paid at the rate of \$7.50 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

1

THE VOTE

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

THE RESOLUTION  WAS \_\_\_\_\_ WAS NOT  
THEREFORE DULY ADOPTED

<sup>1</sup> Rec. Doris/ Res Beach Attnd. Concess Liam Flood 2004

5/4/04

**Adopted****TOWN OF RIVERHEAD**Resolution # 372**APPOINTS A LIFEGUARD LEVEL I  
TO THE RIVERHEAD RECREATION DEPARTMENT**

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

**RESOLVED**, that Branden Heller is hereby appointed to serve as a Lifeguard Level I effective May 10th, 2004 to and including September 6, 2004, to be paid at the rate of \$9.50 per hour, and to serve at the pleasure of the Town Board; and

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

1. All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date.
2. Subject to Suffolk County Lifeguard Certifications.
3. Current CPR Certifications

**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  
 Bartunek  yes \_\_\_ no Sanders  yes \_\_\_ no  
 Blass  yes \_\_\_ no Densieski  yes \_\_\_ no  
 Cardinale  yes \_\_\_ no  
 THE RESOLUTION  WAS \_\_\_ WAS NOT  
 THEREFORE DULY ADOPTED

5/4/04

# Adopted

## TOWN OF RIVERHEAD

Resolution # 373

### APPOINTS A PARK ATTENDANT II, LEVEL I TO THE RIVERHEAD RECREATION DEPARTMENT

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

**RESOLVED**, that Kimberly J. Hasty is hereby appointed as a Park Attendant II, Level I effective, May 4, 2004 to serve as needed on an at will basis to be paid at the rate of \$9.50 per hour, and to serve at the pleasure of the Town Board; and

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

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

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.<sup>1</sup>

THE VOTE

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

THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

<sup>1</sup> Rec. Colleen/ Resolution. Park Attend II Kimberly J. Hasty

5/4/04

# Adopted

## TOWN OF RIVERHEAD

Resolution # 374

### APPOINTS A PARK ATTENDANT II, LEVEL II TO THE RIVERHEAD RECREATION DEPARTMENT

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

**RESOLVED**, that Christopher L. Doscinski is hereby appointed as a Park Attendant II, Level II effective, May 4, 2004 to serve as needed on an at will basis to be paid at the rate of \$10.50 per hour, and to serve at the pleasure of the Town Board; and

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

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

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.<sup>1</sup>

THE VOTE

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

THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

<sup>1</sup> Rec. Colleen/ Resolution. Park Attend II Christopher L. Doscinski

# Adopted

5/4/04

## TOWN OF RIVERHEAD

Resolution # 375

### APPOINTS A PARK ATTENDANT II, LEVEL II TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN BARTUNEK

\_\_\_\_\_ offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

**RESOLVED**, that Robert A. Fox is hereby appointed as a Park Attendant II, Level II effective, May 4, 2004 to serve as needed on an at will basis to be paid at the rate of \$10.50 per hour, and to serve at the pleasure of the Town Board; and

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

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

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.<sup>1</sup>

THE VOTE

Bartunek  yes \_\_\_ no Sanders  yes \_\_\_ no  
 Blass  yes \_\_\_ no Densieski  yes \_\_\_ no  
 Cardinale  yes \_\_\_ no

THE RESOLUTION  WAS \_\_\_ WAS NOT  
 THEREFORE DULY ADOPTED

<sup>1</sup> Rec. Colleen/ Resolution. Park Attend II Robert A. Fox

# Adopted

## TOWN OF RIVERHEAD

RESOLUTION # 376

### APPOINTS TEMPORARY CLERKS TO THE TAX RECEIVER'S OFFICE

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

**WHEREAS**, this Town Board recognizes the need to provide additional clerical personnel to the Office of the Receiver of Taxes to assist in the processing of tax money.

**NOW, THEREFORE, BE IT RESOLVED**, that Nicholas Solazzo and Cori Koroleski be and are hereby appointed as temporary clerks effective May 17, 2004 at an hourly rate of compensation of

Nicholas Solazzo	\$9.75 per hour
Cori Koroleski	\$9.75 per hour

and

**BE IT FURTHER RESOLVED** that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Cori Koroleski; Nicholas Solazzo; Maryann Wowak Heilbrunn, Receiver of Taxes; and the Office of Accounting.

THE VOTE

Bartunek  yes \_\_\_ no Sanders  yes \_\_\_ no  
 Blass  yes \_\_\_ no Denieski  yes \_\_\_ no  
 Cardinale  yes \_\_\_ no

THE RESOLUTION  WAS \_\_\_ WAS NOT  
 THEREFORE DULY ADOPTED

# Adopted

05/04/2004

## TOWN OF RIVERHEAD

Resolution # 377RESOLUTION OF SUPPORT FOR THE ELIMINATION OF  
THE SUNSET PROVISIONS OF THE LOCAL GOVERNMENT  
RECORDS MANAGEMENT IMPROVEMENT FUND  
(LGRMIF) AND THE CULTURAL EDUCATION FUND (CEF)

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

WHEREAS, the Local Government Records Management Improvement Fund (LGRMIF) was created in 1989 to provide technical assistance and grants to establish, improve or enhance records management programs in New York's more than 4300 local governments, and

WHEREAS, the closely related Documentary Heritage Program (DHP) for grants and technical assistance to non-governmental historical records repositories also is supported by the LGRMIF, and

WHEREAS, a sunset date for the LGRMIF was established in the original legislation to permit its operation as a five-year experiment, and

WHEREAS, the New York State Legislature in 1995 twice has extended the sunset date, most recently to December 31, 2005, and

WHEREAS, the LGRMIF has effectively supported essential advisory services and 6,300 grants totaling over \$113 million to improve the management of records for over half of all NYS local governments, and

WHEREAS, the LGRMIF and the programs it supports continue to operate at a high standard of excellence and provide direct and significant benefit to local governments at no cost to the taxpayers, and

WHEREAS, the State Legislature created the closely-related Cultural Education Fund (CEF) to Support the New York State Archives, New York State Library and New York State Museum on behalf of all New Yorkers, and the Office for Public Broadcasting, and provided the CEF with an identical sunset date, and

WHEREAS, the LGRMIF and the CEF continue to be critically important in the fulfillment of the many records and information related responsibilities of the Town of Riverhead, and to the cultural and scientific needs of the people of the New York State, therefore

BE IT RESOLVED, that the Town of Riverhead supports the elimination of said sunset provisions in order to make the LGRMIF and the CEF permanent, and

THEREFORE BE IT RESOLVED that the Town Clerk be and is hereby authorized to send a certified copy of this resolution to Southold Town Clerk Elizabeth Neville, P.O. Box 1179, Southold, NY 11971.

THE VOTE

Bartunek  yes \_\_\_ no     Sanders  yes \_\_\_ no  
 Blass  yes \_\_\_ no     Densieski  yes \_\_\_ no  
 Cardinale  yes \_\_\_ no

THE RESOLUTION  WAS \_\_\_ WAS NOT  
 THEREFORE DULY ADOPTED

5/4/04

# Adopted

## TOWN OF RIVERHEAD

Resolution # 378

### ADOPTS A LOCAL LAW TO AMEND CHAPTER 14 ENTITLED, "COMMUNITY PRESERVATION" OF THE RIVERHEAD TOWN CODE

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

**WHEREAS**, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 14 of the Riverhead Town Code entitled, "Community Preservation", once in the News Review, 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 20th day of April, 2004 at 7:10 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

**NOW THEREFORE BE IT RESOLVED**, that a local law amending Chapter 14 entitled, "Community Preservation" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the News Review 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 Office of the Town Attorney.

**THE VOTE**

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

THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE**, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 14 entitled, "Community Preservation" of the Riverhead Town Code at its regular meeting held on May 4, 2004 as follows:

**Chapter 14  
COMMUNITY PRESERVATION**

**§ 14-28.8. Exemptions and nontaxable transactions.**

C. An exemption of ~~\$250,000~~ \$150,000 shall be allowed on the consideration for the conveyance of improved real property or an interest therein, and an exemption of ~~\$100,000~~ \$75,000 shall be allowed on the consideration for the conveyance of unimproved real property.

D. Examples.

(6) Example 6: A sells his home to B for \$500,000. Under § 14-28.8C, the first ~~\$250,000~~ \$150,000 is exempt from consideration. Thus, the tax paid at a rate of 2% of the remaining ~~\$250,000~~ \$350,000 of consideration is ~~\$5,000~~ \$7,000.

(7) Example 7. Assume the same as Subsection D(6), Example 6, except that the consideration is \$150,000. No tax is due since the exemption ~~exceeds~~ is the same as the consideration.

(8) Example 8. A sells his vacant lot to B for \$125,000. The first ~~\$100,000~~ \$75,000 of consideration is exempt under § 14-28.8C. Thus, the tax paid at a rate of 2% on the remaining ~~\$25,000~~ \$50,000 of consideration is ~~\$500~~ \$1,000.

(9) Example 9. Assume the same as Subsection D(8), Example 8, except that the consideration is \$75,000. No tax is due since the exemption ~~exceeds~~ is the same as the consideration.

Dated: Riverhead, New York  
May 4, 2004

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

**BARBARA GRATTAN, Town Clerk**

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

5/4/04

# Adopted

## TOWN OF RIVERHEAD

Resolution # 379

### ADOPTS A LOCAL LAW AMENDING CHAPTER 52 ENTITLED, "BUILDING CONSTRUCTION" OF THE RIVERHEAD TOWN CODE

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

**WHEREAS**, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 52 entitled, "Building Construction" of the Riverhead Town Code; and

**WHEREAS**, a public hearing was held on the 20th day of April, 2004 at 7:15 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 52 "Building Construction" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

**RESOLVED**, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Riverhead Building Department.

**THE VOTE**

Bartunek  yes \_\_\_ no     Sanders  yes \_\_\_ no  
 Blass  yes \_\_\_ no     Densieski  yes \_\_\_ no  
 Cardinale  yes \_\_\_ no

THE RESOLUTION  WAS \_\_\_ WAS NOT  
 THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE**, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 52 entitled, "Building Construction" of the Riverhead Town Code at its regular meeting held on May 4, 2004 as follows:

**Chapter 52  
BUILDING CONSTRUCTION**

**§ 52-10. Building permit fees.**

B. The minimum fee for any permit required under this chapter, whether the same is for the installation of a plumbing system or a heating system, or any other required permit, including the fee for a zoning permit under Zoning Ordinance No. 26 of the Town of Riverhead, shall be ~~\$45~~ \$100.

Dated: Riverhead, New York  
May 4, 2004

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

**BARBARA GRATTAN, Town Clerk**

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

# Adopted

5/4/04

## TOWN OF RIVERHEAD

Resolution # 380

### RATIFIES THE AUTHORIZATION FOR SUPERVISOR TO EXECUTE AN AGREEMENT WITH NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS ( PROPERTY OF HARBES A ND KUJAWSKI)

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

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Town Board of the Town of Riverhead hereby ratifies the authorization of the Supervisor to execute an agreement with the New York State Department of Agriculture and Markets in connection with the Town of Riverhead Agricultural and Farmland Protection Implementation Grant to purchase development rights from property owned by the Harbes and Kujawski parcels located in the Town of Riverhead; and be it further

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

#### THE VOTE

Bartunek  yes \_\_\_ no Sanders  yes \_\_\_ no  
Blass  yes \_\_\_ no Densieski  yes \_\_\_ no  
Cardinale  yes \_\_\_ no

THE RESOLUTION  WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED

# Adopted

TOWN OF RIVERHEAD

Resolution # 381

**REDUCES PERFORMANCE BOND OF THE SUBDIVISION ENTITLED,  
"EQUESTRIAN ESTATES" (CAMPO BROTHERS)**

COUNCILMAN BARTUNEK

\_\_\_\_\_ offered the following resolution, was seconded by

COUNCILMAN DENSIESKI \_\_\_\_\_:

**WHEREAS**, by resolution dated June 22, 2001, the Riverhead Planning Board conditionally approved the final plat entitled, "Equestrian Estates"; and

**WHEREAS**, by Resolution #893 dated August 21, 2001, the Riverhead Town Board accepted a performance bond in the amount of \$550,000.00 representing the improvements to be completed in the subdivision entitled, "Equestrian Estates"; and

**WHEREAS**, Michael Strauss, Esq. on behalf of Equestrian Estates, by letter dated February 24, 2004, did request a reduction of the performance bond for work completed in the within subdivision;

**WHEREAS**, pursuant to the Riverhead Planning Board resolution dated March 5, 2004 and based on the inspection and recommendation of John J. Raynor, consulting engineer to the Planning Board, it is recommended that the performance bond posted for the work to be completed in the subject subdivision be reduced to from \$550,000.00 to the amount of \$183,344.00.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby approves the reduction of the Utica Mutual Insurance Company Performance Bond #SU33118460 in the amount of \$550,000.00 to the amount of \$183,344.00; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Michael R. Strauss, Esq., 1303 Main Street, Suite 4, Port Jefferson, New York, 11772, John J. Raynor, P.E. & L.S., P.C., Deerfield Green, 860 Montauk Highway, P.O. Box 720, Water Mill, New York, 11976, Attn: Vincent A. Gaudiello, P.E.; the Riverhead Planning Department; the Riverhead Building Department and the Office of the Town Attorney.

THE VOTE

Bartunek  yes \_\_\_ no Sanders  yes \_\_\_ no  
 Blass  yes \_\_\_ no Densieski  yes \_\_\_ no  
 Cardinale  yes \_\_\_ no

THE RESOLUTION  WAS \_\_\_ WAS NOT  
 THEREFORE DULY ADOPTED

# Adopted

5/4/04

RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE  
WATER SERVICE CONTRACT  
THOMAS J. WHITE  
RIVERHEAD WATER DISTRICT

Adopted \_\_\_\_\_

# 382

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

RESOLVED, the Supervisor be and is hereby authorized to execute a Water Service Agreement on behalf of the Riverhead Water District with Thomas J. White and be it further

RESOLVED, that the Town Clerk forward certified copies of this resolution to the Accounting Department, Gary Pendzick, Frank Isler, Esq., Planning Department, Assessors, and Thomas J. White.

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

RIVERHEAD WATER DISTRICT

THE VOTE  
Bartunek  yes \_\_\_ no Sanders  yes \_\_\_ no  
Blass  yes \_\_\_ no Densieski  yes \_\_\_ no  
Cardinale  yes \_\_\_ no  
THE RESOLUTION  WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED

WATER SERVICE AGREEMENT  
RIVERHEAD WATER DISTRICT

AGREEMENT, made this \_\_\_\_ day of \_\_\_\_\_, 2004, between the Riverhead Water District (hereinafter referred to as the "District"), and THOMAS J. WHITE (hereinafter referred to as the "Licensee"),

WHEREAS, the Riverhead Water District agrees to temporarily supply water through an existing service from a water main currently existing in the bed of Deep Hole Road, Calverton, under the following terms and conditions:

1. Licensee consents to pay and shall pay the Riverhead Water district district-wide tax and any applicable extension tax as same shall be levied as though the premises were within the District. Owners consent to such assessment and tax.

2. Licensee shall pay for metered water at a rate to be set by the Town Board from time to time, currently \$1.25 per 1,000 gallons.

3. This agreement is temporary and may be terminated by either party upon sixty days written notice.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year above written.

TOWN OF RIVERHEAD  
WATER DISTRICT

By: \_\_\_\_\_

\_\_\_\_\_  
THOMAS J. WHITE

STATE OF NEW YORK )

SS.:

COUNTY OF SUFFOLK )

On the \_\_\_ day of \_\_\_\_\_, 2004, before me, the undersigned, personally appeared PHILIP CARDINALE personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

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STATE OF NEW YORK )

SS.:

COUNTY OF SUFFOLK )

On the \_\_\_ day of \_\_\_\_\_, 2004, before me, the undersigned, personally appeared THOMAS J. WHITE personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

---

**Adopted**

MAY 4, 2004

## TOWN OF RIVERHEAD

ACCEPTS RESIGNATION OF A PROVISIONAL ACCOUNT CLERK TYPISTRESOLUTION # 383COUNCILMAN BARTUNEK

offered the following

resolution, which was seconded by COUNCILWOMAN SANDERS.

**WHEREAS**, Kathie Cibulski has tendered her resignation as a Provisional Account Clerk Typist in the Building Department, effective April 20, 2004.

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board of the Town of Riverhead hereby accepts the resignation of Kathie Cibulski as a Provisional Account Clerk Typist in the Building Department, effective April 20, 2004.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Kathie Cibulski, and the office of Accounting.

## THE VOTE

Bartunek  Yes  NoSanders  Yes  NoBlass  Yes  NoDensieski  Yes  NoCardinale  Yes  No

TB 5/4/04

TOWN OF RIVERHEAD

Adopted

Resolution # 384  
Adopted May 4, 2004

AWARDS BID ON PORTABLE ASPHALT MILLING/TRENCHING MACHINE  
WITH TRANSPORT TRAILER MODEL AZ480-C OR EQUAL

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

WHEREAS, the Town Clerk was authorized to advertise for sealed bids on a One Portable Asphalt Milling/Trenching Machine with Transport Trailer Model AZ480-C or Equal for the use of the Riverhead Highway Department, and

WHEREAS, all bids were received and read aloud on the 29<sup>th</sup> of April at 11:00 A.M. at the Town Hall, 200 Howell Avenue, Riverhead, New York the date, time and place given in the Notice to Bidders, and

WHEREAS, one bid was received,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for One Portable Asphalt Milling/Trenching Machine with Transport Trailer Model AZ480-C be and is hereby awarded to Asphalt Zipper, Inc., 310 West 700 South, Pleasant Grove, Ut. 84062 in the amount of \$80,950.00, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Asphalt Zipper Inc. and the Riverhead Highway Department.

Highway Dept.

THE VOTE  
Bartunek  yes \_\_\_ no Sanders  yes \_\_\_ no  
Blass  yes \_\_\_ no Deñsieski  yes \_\_\_ no  
Cardinale  yes \_\_\_ no

THE RESOLUTION  WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED

5/4/04

# Adopted

Town of Riverhead

Resolution# 385

Authorizes Attendance at Economic Redevelopment Conference

COUNCILWOMAN SANDERS

offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI :

WHEREAS, the New York State Department of State and Audobon New York are presenting the largest forum in New York State that showcases quality community and smart growth concepts in a comprehensive two day Quality Communities, Quality Coasts and Smart Grown Conference on May 25 and 26, 2004; and

WHEREAS, it is necessary and appropriate to continue the Town's participation in this annual conference.

THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby authorizes Joseph Maiorana, as recommended by the Community Development Director, and Eric Roseman, as recommended by the Planning Director, to attend said conference, including registration fees, traveling and reimbursement of reasonable expenses, per the attached estimate, at a total cost not to exceed \$1,870.00.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Accounting Department, the Community Development Department and the Planning Department.

THE VOTE

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

THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

Quality Communities, Quality Coasts and Smart Growth Conference Estimated Cost

<u>Hotel--</u>	\$364
<u>Conference Registration--</u>	\$190
<u>Meals--</u>	\$300
<u>Parking--</u>	\$ 50
<u>Mileage --</u>	\$180
<u>Tolls--</u>	\$ 50
<b>Total--</b>	<b>\$1,134</b>

TOWN OF RIVERHEAD

Adopted

Resolution # 386

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR SNACK VENDORS  
2004/2005

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILMAN BARTUNEK

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for SNACK VENDORS 2004 for the Town of Riverhead at Reeves Park Beach, and Wading River Beach and;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the MAY 6<sup>TH</sup>, 2004 issue of the News Review and;

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

THE VOTE

Bartunek  Yes  No

Sanders  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Adopted

Sealed bids for **SNACK VENDOR 2004-5 SERVICES FOR EACH OF THE TWO LOCATIONS** for the TOWN OF RIVERHEAD at Wading River Beach and Reeves Beach will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:15 a.m. on MAY 15, 2004.**

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

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

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

All bids are to be submitted in a sealed envelope bearing the designation **BIDS FOR SNACK VENDORS 2004-5.**

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

# Adopted

## TOWN OF RIVERHEAD

Resolution # 387

### AWARDS BID FOR SNACK VENDOR

COUNCILMAN BARTUNEK offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

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

WHEREAS, 1 bid was received and opened the 22<sup>nd</sup> day of April, 2004 at 11:00 am at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders.

NOW THEREFORE BE IT RESOLVED, that the bid for SNACK VENDOR be and hereby is, awarded to Hines Catering for Stotzky Park for \$2410.00 starting May 16, 2004 and ending March 31, 2005;

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

### THE VOTE

Bartunek  Yes  No

Sanders  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

MAY 4<sup>TH</sup>, 2004**Adopted****TOWN OF RIVERHEAD****Resolution # 388****AUTHORIZATION TO RE-PUBLISH ADVERTISEMENT FOR 23 FOOT  
PUMP OUT BOAT**

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN BARTUNEK

WHEREAS, the Town Clerk is authorized to re-publish and post a notice to bidders for 23 FOOT PUMP OUT BOAT and;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the MAY 6<sup>TH</sup>, 2004 issue of the News Review and;

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

**THE VOTE**

Bartunek  Yes  No

Sanders  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of **23 FOOT PUMP OUT BOAT** for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m. on MAY 18, 2004.**

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

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

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation BIDS FOR 23 FOOT PUMP OUT BOAT.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

# Adopted

## TOWN OF RIVERHEAD

Resolution # 389

### AWARDS BID FOR MUNICIPAL SOLID WASTE

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILMAN BARTUNEK

WHEREAS, the Town Clerk was authorized to publish and post a notice for sealed bids for removal of Municipal Solid Waste for the Town of Riverhead and;

WHEREAS, 1 bid was received and opened at 11:15 am on April 22, 2004, at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders.

NOW THEREFORE BE IT RESOLVED, that the bid for disposal of Municipal Solid Waste for the Town of Riverhead be and hereby is, awarded to Crown Recycling Facility for \$80 per ton.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby is authorized to forward a certified copy of this resolution to the Crown Recycling Facility, the Sanitation Supervisor and the Purchasing Department.

### THE VOTE

Bartunek  Yes  No

Sanders  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

05/04/04

TOWN OF RIVERHEAD

Resolution #390

**AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE FOR PUBLIC HEARING REGARDING A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED "ZONING " (Retirement Community District) OF THE RIVERHEAD TOWN CODE**

COUNCILMAN BARTUNEK offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS:

**RESOLVED**, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" (Retirement Community District) of the Riverhead Town Code once in the May 6, 2004 edition of the News Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall.

THE VOTE  
Bartunek  yes \_\_\_ no Sanders  yes \_\_\_ no  
Blass  yes \_\_\_ no Densieski  yes \_\_\_ no  
Cardinale  yes \_\_\_ no  
THE RESOLUTION  WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held on the 18<sup>th</sup> day of May, 2004 at ~~7:30~~ 5 o'clock p.m., at the Senior Citizen Human Resource Center located at Shade Tree Lane, Aquebogue, New York to hear all interested persons to consider a local law to amend Chapter 108 entitled Zoning (Retirement Community District) of Riverhead Town Code as follows:

Dated: Riverhead, New York  
May 4, 2004

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

**BARBARA GRATTAN**, Town Clerk

ARTICLE XXIII  
Residence RC District (Retirement Community)

§ 108-116. Purpose.

It is the purpose of this Article to implement the recommendations of the Master Plan to permit the construction of high-density living accommodations and attendant services within ~~the~~ a hamlet area as specifically mapped within the Town of Riverhead through the use of transferred development rights.

§ 108-117. Uses.

In the Residence RC District (Retirement Community), no building, structure or premises shall be used or arranged or designed to be used and no building or structure shall be hereafter erected, reconstructed or altered or occupied, unless otherwise provided in this chapter for the following ~~special~~ permitted uses:

~~A. — Special permit uses. All special permit uses set forth herein shall be subject to the approval of the Town Board pursuant to the definition of special permits in § 108-3 of this chapter:~~

(1) One family dwelling units either attached or designed to provide living accommodations for persons over the age of fifty-five (55) years. . [Amended 9-4-1990]

~~B. [2] Accessory Uses.~~

~~Accessory uses shall include those uses customarily incidental to any of the above special permitted use. s when located on the same lot and specifically granted by the Town Board as accessory to the special permitted use.~~

§ 108-118. General lot, yard and height requirements.

No building shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified. The as of right development yield shall not exceed one dwelling unit per 40,000 square feet of land area without the use of transferred development rights.

§ 108-119. Additional requirements.

A. There shall be a protective planting strip or buffer, not less than ten (10) feet in width, along any lot line abutting a residential district or use. No structure, storage or parking or other uses shall be permitted within this strip or buffer. Said buffer or strip will be planted with evergreens or similar vegetation which, when planted, shall be at least six (6) feet tall and when mature shall be maintained at a height of not less than eight (8) feet, so as to provide an effective natural screen between districts. ~~The maintenance of this strip or buffer, any parking area or any green area shown on a site plan submitted as a part of an application for a special permitted use under this Article, during the continuance of said use, is hereby a condition of said special use; and the failure to maintain said areas shall operate to revoke said special permit in addition to all other penalties provided by this chapter.~~

B. The site plan shall show, in addition to all other requirements of this chapter, the following:

- (1) The proposed method of collection and disposal of stormwater, designed so as not to interfere with adjoining properties or burden public facilities.
- (2) The proposed lighting facilities for the safety of pedestrian and vehicular traffic, with exterior spotlighting of buildings or grounds to be from shaded sources and located so that the light beams are not directed toward any lot in a residential district or toward a public highway.
- (3) The method of water supply and of sewage disposal, conforming to Health Department requirements.

C. Parking shall be provided in conformity with the Parking Schedule EN and § 108-60 of this chapter. For each parking space required, there shall be provided thirty (30) square feet of landscaped island or green area. Such areas shall not be less than eight (8) feet in width, measured on the shortest side. Such areas shall be contained by curbs conforming to the Town of Riverhead highway specifications, Said areas shall be landscaped in accordance with § 108-64.1D of this chapter and shall be maintained as set forth in Subsection A above.

# Adopted

5/4/04

## TOWN OF RIVERHEAD

Resolution # 391

### AUTHORIZES TOWN CLERK TO RE-POST AND RE-PUBLISH PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT TO CHAPTER 101 ENTITLED, "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE (NO PARKING FIRE ZONES/LANES)

COUNCILWOMAN BLASS

\_\_\_\_\_ offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI \_\_\_\_\_:

**RESOLVED**, due to incorrect dates on the previous public hearing notice, the Town Clerk be and is hereby authorized to re-post and re-publish the attached public notice to consider a proposed local law to consider the amendment of Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code, once in the May 6, 2004 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to each Business listed on the attached public notice; and be it further

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

#### THE VOTE

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

THE RESOLUTION  WAS  WAS NOT THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 18th day of May, 2004 at 7:20 p.m. at Senior Citizen Human Resource Center, Shade Tree Lane, Aquebogue, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

Chapter 101  
VEHICLES AND TRAFFIC

**§ 101-10.1. Parking, standing and stopping prohibited.**

The parking, standing or stopping of vehicles is hereby prohibited in areas designated below which are posted "No Parking Fire Lane." "No Parking Fire Zone" and "No Parking, Standing or Stopping." Emergency and police vehicles shall be exempt from § 101-10.1, Parking, standing and stopping prohibited, of the Code of the Town of Riverhead.

SCTM#	CODE	DESCRIPTION	BUSINESS NAME	LOCATION
<u>036-1-2</u>	<u>631</u>	<u>Residential Care Facility</u>	<u>Little Flower Children's Services</u>	<u>444 No. WR Rd Wading River</u>
<u>041-2-3</u>	<u>449</u>	<u>Warehouse</u>	<u>Blackman</u>	<u>2711 Sound Ave Calverton</u>
<u>073-1-1.12</u>	<u>426</u>	<u>Restaurant</u>	<u>McDonald's</u>	<u>6333 Route 25A Wading River</u>
<u>075-3-18.3</u>	<u>652</u>	<u>Government</u>	<u>WR Post Office</u>	<u>1816 WR Manor Rd Wading River</u>
<u>076-1-4</u>	<u>418</u>	<u>Inn</u>	<u>East Wind</u>	<u>5672 Route 25A Wading River</u>
<u>085-1-96.6</u>	<u>465</u>	<u>Prof. Office</u>	<u>Peach Tree Park</u>	<u>189 Main Road Aquebogue</u>
<u>092-2-19</u>	<u>421</u>	<u>Restaurant</u>	<u>Dowlings Peconic Bay Pub</u>	<u>31 Third Street So. Jamesport</u>
<u>092-3-41</u>	<u>414</u>	<u>Hotel</u>	<u>Bayview Inn</u>	<u>46 Front Street So. Jamesport</u>

<u>092-4-8</u>	<u>415P</u>	<u>Motel/Co-op</u>	<u>Motel on the Bay</u>	<u>67 Front Street S. Jamesport</u>
<u>098-1-46</u>	<u>415</u>	<u>Motel</u>	<u>Dreamers Cove</u>	<u>15 Bay Avenue Aquebogue</u>
<u>101-2-11.1</u>	<u>451</u>	<u>Shopping Center</u>	<u>Riverhead Centre</u>	<u>1550 Old Country Rd Riverhead</u>
<u>101-2-18.1</u>	<u>431</u>	<u>Auto Dealer</u>	<u>Peconic Bay Motors</u>	<u>1521 Old Country Rd Riverhead</u>
<u>108-3-12</u>	<u>484</u>	<u>Retail Store</u>	<u>Craig's Oak &amp; More</u>	<u>1180 Old Country Rd Riverhead</u>
<u>108-3-13.4</u>	<u>484</u>	<u>Retail Store</u>	<u>Target</u>	<u>1150 Old Country Rd Riverhead</u>
<u>108-4-2</u>	<u>484</u>	<u>Retail Store</u>	<u>Kaufman Furniture</u>	<u>1189 Old Country Rd Riverhead</u>
<u>108-4-3</u>	<u>484</u>	<u>Retail Store</u>	<u>Cancos Tile</u>	<u>1179 Old Country Rd Riverhead</u>
<u>122-1-22.1</u>	<u>433</u>	<u>Auto Related Sales</u>	<u>Auto Zone</u>	<u>Old Country Rd Riverhead</u>
<u>127-5-28.2</u>	<u>652</u>	<u>Government</u>	<u>Town Hall/Police Justice Court</u>	<u>200 Howell Ave Riverhead</u>

Dated: Riverhead, New York  
May 4, 2004

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

**BARBARA GRATTAN, Town Clerk**

\* Underline represents addition(s)

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# Adopted

05/04/04

TOWN OF RIVERHEAD

Resolution # 392

**AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE  
FOR PUBLIC HEARING REGARDING A LOCAL LAW TO REPEAL  
CERTAIN SECTIONS OF CHAPTER 108 ENTITLED "ZONING "  
(Agriculture A District) OF THE RIVERHEAD TOWN CODE**

COUNCILMAN DENSIESKI

\_\_\_\_\_ offered the following  
resolution, which was seconded by  
~~COUNCILMAN BARTUNEK~~

**RESOLVED**, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a local law to repeal certain sections Chapter 108 entitled, "Zoning" (Agriculture A District) of the Riverhead Town Code once in the May 6, 2004 edition of the News Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall.

THE VOTE

Bartunek  yes \_\_\_ no Sanders  yes \_\_\_ no  
Blass  yes \_\_\_ no Densieski  yes \_\_\_ no  
Cardinale  yes \_\_\_ no

THE RESOLUTION  WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held on the 18<sup>th</sup> day of May, 2004 at ~~7:30~~ 7:00'clock p.m., at Senior Citizen Human Resource Center located at Shade Tree Lane, Aquebogue, New York to hear all interested persons to consider a local law to repeal certain sections of Chapter 108 entitled Zoning (Agriculture A District) of Riverhead Town Code as follows:

Dated:Riverhead, New York  
May 4, 2004

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

**BARBARA GRATTAN**, Town Clerk

## ARTICLE VI, Agriculture A District

§ 108-21. Uses. [~~Amended 5-17-1972; 7-3-1979~~]

~~In the Agriculture A District, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for two of the following permitted uses, special exception or special permit uses and their customary accessory uses:~~

## A. — Permitted uses.

- (1) — ~~Agriculture, provided that no storage of manure shall be permitted within 100 feet of any side or rear lot lines or within 150 feet of any street lines.~~
  - (2) — ~~Cemetery.~~
  - (3) — ~~Churches, parish houses, rectory and convent.~~
  - (4) — ~~Public and private elementary and high schools having a curriculum the same as ordinarily given in elementary and secondary schools, including a vocational or trade school.~~
  - (5) — ~~Cold storage plant.~~
  - (6) — ~~Colleges and universities.~~
  - (7) — ~~Golf course (standard) with or without clubhouse.~~
  - (8) — ~~Greenhouse, plant nursery and garden.~~
  - (9) — ~~Libraries.~~
  - (10) — ~~(Reserved)EN~~
  - (11) — ~~Offices or meeting rooms of philanthropic, fraternal or social organizations.~~
  - (12) — ~~One family dwelling.~~
  - (13) — ~~(Reserved)EN~~
  - (14) — ~~Golf driving range, archery, outdoor swimming pool.~~
  - (15) — ~~Parks, playground.~~
  - (16) — ~~Museum, community center.~~
  - (17) — ~~Riding academy, corral and training of horses, including but not limited to polo matches, private. [Amended 6-2-1992]~~
  - (18) — ~~Temporary greenhouses, provided that the subject parcel is a minimum of five acres and further subject to site plan review pursuant to Article XXVI and § 108-64.3 of the Riverhead Town Code. [Added 4-17-1990]~~
- B. — Special permit uses. [~~Amended 5-17-1977; 6-2-1992; 7-19-1994; 10-1-2002 by L.L. No. 29-2002~~]
- (1) — ~~Airport, when authorized by special permit from the Town Board.~~
  - (2) — ~~Flat and harness racetrack, when authorized by special permit from the Town Board.~~
  - (3) — ~~Two family dwellings, by special permit of the Town Board.~~
  - (4) — ~~Gasoline service station, by special permit of the Town Board.~~
  - (5) — ~~Camp, Type 6, by special permit of the Town Board.~~

(6) — Nonprofit, year-round, resident child-care institutions with attendant open space or agricultural uses on a parcel of no less than 50 acres, by special permit of the Town Board.

(7) — Polo matches and exhibitions, commercial by special permit of the Town Board.

(8) — Bed and breakfast, by special permit of the Town Board.

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

(1) — The sale at retail of homegrown or homemade products mainly raised or produced on the premises.

(2) — Home occupations or professions conducted within the dwelling by the residents thereof or in a building accessory thereto.

(3) — Private garages, private boathouses, greenhouses, barns, storage equipment buildings, potato houses and other similar accessory buildings.

(4) — Agricultural worker housing pursuant to the requirements of § 108-64.4. [Amended 6-15-1976; 4-3-1990]

(5) — Boats, trailers, airplanes or seaplanes. Any boat, house trailer, mobile home, camp trailer, camp car, airplane or seaplane in excess of fifteen (15) feet in overall length shall not be stored or kept in the area between the street right of way and the front line of the main building projected to the side lot lines on any lot in the Agriculture A District nor within ten (10) feet of any side lot or rear lot line, and no such boat, trailer or plane shall be stored or maintained in such manner as to constitute an attractive nuisance or hazard to children. [Amended 7-3-1979]

§ 108-22. General lot, yard and height requirements.

— No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule EN incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.

§ 108-23. Lot area. [Amended 5-17-1972; repealed 5-17-1977]

§ 108-24. Accessory buildings and structures.

A. — Location.

(1) — No accessory building or structure shall be erected, reconstructed or altered so as to be situate as follows:

(a) — In a front yard.

(b) — In a side yard, unless the accessory building is forty (40) feet from a side street line, ten (10) feet from a property line and ten (10) feet from any other building.

(c) — In a rear yard, unless the accessory building is ten (10) feet from a property line, ten (10) feet from any other building and forty (40) feet from a side street line and rear street line.

(d) — One (1) accessory building with a maximum floor area of one hundred (100) square feet or less, located in the rear yard, shall be excepted from the provisions of Subsection A(1)(c) and additionally shall not require a permit. It shall be permitted five (5) feet from a property line, ten (10) feet from any other building and forty (40) feet from a side street line and rear street line. [Added 7-1-1980]

(2) — Excepted from Subsection A(1)(a), (b) and (c) of this section are fences not exceeding four (4) feet in height which may be erected on the lot lines of the front yard or any existing street line of a one-family dwelling, and fences not exceeding six (6) feet in height which may be erected on other lot lines of a one-family dwelling. Fences on a corner lot must comply with § 108-68. On lots used for other than one-family dwellings, wire strand or open woven wire fences up to six (6) feet in height may be erected on all lot lines. If such fence is erected along any street, the permitted height thereof shall be measured from the existing elevation of the center line of such street. [Amended 7-3-1979]

B. — Where an accessory building is constructed as a building subordinate to the use of a park or playground, the building shall be erected, reconstructed or altered in conformity to the requirements hereof for a main building.

§ 108-25. Living area. [Amended 5-17-1972]

— No dwelling shall be erected unless provision shall be made therein as follows:

A. — For a single-family dwelling, exclusive of attached garages, carports, unenclosed porches and breezeways, there shall be provided not less than nine hundred (900) square feet of living area for the first story, but a maximum of one hundred fifty (150) square feet of area of the second story may be used and applied to the area requirement for the first story.

B. — For a two-family dwelling, exclusive of attached garages, carports, unenclosed porches and breezeways, there shall be provided not less than one thousand eight hundred (1,800) square feet of living area for the first story, but a maximum of eight hundred (800) square feet of area of the second story may be used and applied to the area requirement for the first story.

C. — A single-family dwelling converted to a two-family or multiple-family dwelling shall provide for a minimum living area per family equal to that required by Subsection A of this section.

§ 108-26. Additional requirements for special permit uses. [Amended 5-17-1972]

A. — Gasoline service station.

(1) — A gasoline service station may not be erected within a radius of 1/2 mile from any existing gasoline service station, measured between the principal buildings, and may not be erected within a radius of 500 feet from a residence use district.

~~(2) — At the discretion of the Town Board, an affidavit setting forth the names and addresses of all of the owners of real property situate within a radius of 1,000 feet from the proposed site as measured from the line of the property which is the subject of the application must be filed with an application for a special permit, which affidavit shall set forth proof of service by certified mail, return receipt requested, of notice of public hearing on the application having been sent to all such property owners not less than 30 days prior to the hearing. The notice of public hearing shall set forth that an application for a proposed gasoline service station has been filed with the Town Board; a description of the proposed site, together with a map thereof; a description of the proposed type of operation; the names and addresses of the applicants and all persons having an interest in the said premises; and the time and place of the public hearing before the Town Board, together with a statement that all persons wishing to be heard in connection with the application should appear before the Town Board at the time specified therein. [Amended 7-3-1979]~~

~~(3) — Any permit granted shall be conditioned upon the lot's being used for retail sale of motor fuels, lubricants and other motor vehicle supplies, including spark plugs, batteries, tires and other customary minor parts for the repair, servicing and upkeep of motor vehicles, not including body and fender work; upon all repair work being performed inside a building and only between the hours of 7:00 a.m. and 9:00 p.m., prevailing time, except for emergencies; and upon there being no storage of dismantled vehicles on the lot. Violations of any of these conditions shall cause a revocation of the permit, and the failure to enforce the revocation because of any violation shall not constitute a waiver as to future or continuing violations. [Amended 10-1-2002 by L.L. No. 29-2002]~~

# Adopted

05/04/04

## TOWN OF RIVERHEAD

Resolution #393

**AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE FOR PUBLIC HEARING REGARDING A LOCAL LAW TO REPEAL CERTAIN SECTIONS OF CHAPTER 108 ZONING ((Residence A, B, C & D) OF THE RIVERHEAD TOWN CODE**

COUNCILMAN BARTUNEK

\_\_\_\_\_ offered the following resolution,

COUNCILWOMAN BLASS

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 local law to repeal portions of Chapter 108 entitled, "Zoning" (Residence A, B, C and D) of the Riverhead Town Code once in the May 6, 2004 edition of the News Review Newspaper, 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

### THE VOTE

Bartunek  yes \_\_\_ no Sanders  yes \_\_\_ no  
Blass  yes \_\_\_ no Densieski  yes \_\_\_ no  
Cardinale  yes \_\_\_ no

THE RESOLUTION  WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held on the 18<sup>th</sup> day of May 2004 at 7:40'clock p.m., at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider a local law to repeal sections of Chapter 108 entitled Zoning (Residence A, B, C and D) of Riverhead Town Code as follows:

ARTICLE III, Residence A District

§ 108-7. Uses. [Amended 7-3-1979]

~~In the Residence A District, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for one (1) of the following permitted uses and its customary accessory uses:~~

A. ~~Permitted uses.~~

(1) ~~One family dwelling.~~

(2) ~~Park and playground, noncommercial.~~

(3) ~~Day care center or nursery school, by special permit of the Town Board. [Added 8-7-1990]~~

B. ~~Accessory uses. Accessory uses shall include those uses customarily incident to any of the above permitted uses when located on the same lot and not involving the conduct of a business, profession or home occupation. Specifically permitted are the following:~~

(1) ~~Private garages, private boathouses, private greenhouses and similar accessory buildings for residences.~~

(2) ~~A temporary building or shed used during construction of a building or structure on the premises.~~

(3) ~~Swimming pool constructed in accordance with the provisions of § 108-59 of this chapter.~~

(4) ~~Boats, trailers, airplanes or seaplanes. Any boat, house trailer, mobile home, camp trailer, camp car, airplane or seaplane in excess of fifteen (15) feet in overall length shall not be kept or stored in the area between the street right of way and the front line of the main building projected to the side lot lines on any lot in a residence district nor within ten (10) feet of any side lot or rear lot line, and no such boat, trailer or plane shall be stored or maintained in such manner as to constitute an attractive nuisance or hazard to children.~~

§ 108-8. General lot, yard and height requirements and nonconforming lots. [Amended 8-18-1992]

A. ~~No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule EN incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.~~

B. ~~Hamlet of Wading River.~~

(1) ~~This subsection is intended to provide minimum standards for granting a building permit for lots made nonconforming or continued in a~~

~~state of nonconformance within the Hamlet of Wading River, which lots, prior to the adoption of Resolution No. 243, dated March 21, 1989, were in the Residence B Zoning Use District and that were singly and separately owned as of the effective date of this subsection.~~

~~(2) — A nonconforming lot separately owned and not adjoining any lot or land in the same ownership at the effective date of this subsection and not adjoining any lot or land in the same ownership at any time subsequent to such day may be used, or a building or structure may be erected on such lot for use, in accordance with all the other applicable provisions of this chapter, provided that proof of such separate ownership is submitted in the form of an abstract of title showing the changes of title to said lot, which abstract shall be in the usual form, shall be certified by an attorney or a company regularly doing such work in Suffolk County or by a corporation duly licensed to examine and ensure title to real property in Suffolk County and shall contain a certification that no contiguous property was owned by an owner of the property involved since the date of any previously applicable zoning law. Such lot shall conform to the Zoning Schedule requirements for the Residence B Zoning Use District.~~

~~§ 108-9. Accessory buildings and structures.~~

~~A. — Location.~~

~~(1) — No accessory building or structure shall be erected, reconstructed or altered so as to be situate as follows:~~

~~(a) — In a front yard.~~

~~(b) — In a side yard unless the accessory building is sixty (60) feet from a side street line, thirty (30) feet from a property line and ten (10) feet from any other building.~~

~~(c) — In a rear yard unless the accessory building is twenty (20) feet from a property line, ten (10) feet from any other building and sixty (60) feet from a side street line and rear street line.~~

~~(d) — One (1) accessory building with a maximum floor area of one hundred (100) square feet or less, located in the rear yard, shall be excepted from the provisions of Subsection A(1)(c) and additionally shall not require a permit. It shall be permitted five (5) feet from a property line, ten (10) feet from any other building and forty (40) feet from a side street line and rear street line. [Added 7-1-1980]~~

~~(2) — Excepted from Subsection A(1)(a), (b) and (c) of this section are fences not exceeding four (4) feet in height which may be erected on the lot lines of the front yard or any existing street line of a one family dwelling, and fences not exceeding six (6) feet in height which may be erected on other lot lines of a one family dwelling. Fences on a corner lot must comply with § 108-68. On lots used for other than one family dwellings, wire strand or open woven wire fences up to six (6) feet in height may be erected on all lot lines. If such fence is erected along any street, the permitted height thereof shall be measured from the existing elevation of the center line of such street. [Amended 7-3-1979]~~

~~B. — Where an accessory building is constructed as a building subordinate to the use of a park or playground, the building shall be erected, reconstructed or altered in conformity to the requirements hereof for a main building.~~

~~§ 108-10. Living area.~~

~~— No dwelling shall be erected unless provisions shall be made therein as follows:~~

~~A. — For a single family dwelling, exclusive of attached garages, carports, unenclosed porches and breezeways, there shall be provided not less than one thousand two hundred (1,200) square feet of living area for the first story, but a maximum of three hundred (300) square feet of area of the second story may be used and applied to the area requirements for the first story.~~

~~ARTICLE IV, Residence B District~~

~~§ 108-11. Uses. [Amended 7-3-1979]~~

~~— In the Residence B District, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for two (2) of the following permitted uses and their customary accessory uses:~~

~~A. — Permitted uses.~~

~~(1) — Agriculture, provided that no storage of manure shall be permitted within one hundred (100) feet of any side or rear lot lines or within one hundred fifty (150) feet of any street lines.~~

~~(2) — One family dwellings.~~

~~(3) — Churches, parish houses, rectory and convent.~~

~~(4) — (Reserved)EN~~

~~(5) — Parks and playgrounds, noncommercial.~~

~~(6) — (Reserved)EN~~

~~(7) — Temporary greenhouses, provided that the subject parcel is a minimum of five (5) acres and further subject to site plan review pursuant to Article XXVI and § 108-64.3 of the Riverhead Town Code. [Added 3-20-1990]~~

~~(8) — Day care center or nursery school, by special permit of the Town Board. [Added 8-7-1990]~~

~~B. — Accessory uses. Accessory uses shall include those uses customarily incident to any of the above permitted uses when located on the same lot and not involving the conduct of a business. Specifically permitted are the following:~~

~~(1) — Home occupations or professions conducted within the dwelling by the residents thereof.~~

~~(2) — The sale at retail of homegrown or homemade products raised or produced on the premises, provided no roadside stands, tables or similar devices for the purpose of display or sale of such products shall be permitted in the front yard.~~

~~(3) — Private garages, private boathouses, private greenhouses and similar accessory buildings for residences.~~

~~(4) — Potato storage buildings, machinery storage buildings, greenhouses, irrigation pump houses and similar accessory buildings or structures for agriculture.~~

~~(5) — A temporary building or shed used during construction of a building or structure on the premises.~~

~~(6) — Swimming pools constructed in accordance with § 108-59 of this chapter.~~

~~(7) — Boats, trailers, airplanes or seaplanes. Any boat, house trailer, mobile home, camp trailer, camp car, airplane or seaplane in excess of fifteen (15) feet in overall length shall not be kept or stored in the area between the street right of way and the front line of the main building projected to the side lot lines on any lot in a residence district nor within ten (10) feet of any side lot or rear lot line, and no such boat, trailer or plane shall be stored or maintained in such manner as to constitute an attractive nuisance or hazard to children.~~

~~§ 108-12. General lot, yard and height requirements.~~

~~—No buildings shall be erected nor lot or land area utilized unless in conformity with the Zoning Schedule EN incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.~~

~~§ 108-13. Accessory buildings and structures.~~

~~A. — Location.~~

~~(1) — No accessory building or structure shall be erected, reconstructed or altered so as to be situate as follows:~~

~~(a) — In a front yard.~~

~~(b) — In a side yard unless the accessory building is fifty (50) feet from a side street line, twenty (20) feet from a property line and twenty (20) feet from any other building.~~

~~(c) — In a rear yard unless the accessory building is twenty (20) feet from a property line, twenty (20) feet from any other building and fifty (50) feet from a side street line and rear street line.~~

~~(d) — One (1) accessory building with a maximum floor area of one hundred (100) square feet or less, located in the rear yard, shall be excepted from the provisions of Subsection A(1)(c) and additionally shall not require a permit. It shall be permitted five (5) feet from a property line, ten (10) feet from any other building and forty (40) feet from a side street line and rear street line. [Added 12-21-1976; amended 7-3-1979; 7-1-1980]~~

~~(2) — Excepted from Subsection A(1)(a), (b) and (c) of this section are fences not exceeding four (4) feet in height which may be erected on the lot lines of the front yard or any existing street line of a one-family dwelling, and fences not exceeding six (6) feet in height which may be erected on other lot lines of a one-family dwelling. Fences on a corner lot~~

~~must comply with § 108-68. On lots used for other than one-family dwellings, wire strand or open woven wire fences up to six (6) feet in height may be erected on all lot lines. If such fence is erected along any street, the permitted height thereof shall be measured from the existing elevation of the center line of such street. [Amended 12-21-1976; 7-3-1979]~~

~~B.— Where an accessory building is constructed as a building subordinate to the use of a park or playground, the building shall be erected, reconstructed or altered in conformity to the requirements hereof for a main building.~~

~~§ 108-14. Living area.~~

~~—No dwelling shall be erected unless provision shall be made therein as follows:~~

~~A.— For a single-family dwelling, exclusive of attached garages, carports, unenclosed porches and breezeways, there shall be provided not less than one thousand (1,000) square feet of living area for the first story, but a maximum of two hundred (200) square feet of area of the second story may be used and applied to the area requirement for the first story.~~

~~ARTICLE V, Residence C District~~

~~§ 108-15. Uses. [Amended 7-3-1979]~~

~~—In the Residence C District, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for two (2) of the following permitted uses and their customary accessory uses:~~

~~A.— Permitted uses.~~

~~(1)— Agriculture, provided that no storage of manure shall be permitted within one hundred (100) feet of any side or rear lot lines or within one hundred fifty (150) feet of any street lines.~~

~~(2)— One-family dwellings.~~

~~(3)— Churches, parish houses, rectories and convents.~~

~~(4)— Public and private elementary and high schools. [Repealed 12-21-1976]~~

~~(5)— Parks and playgrounds, noncommercial.~~

~~(6)— Colleges and universities. [Repealed 12-21-1976]~~

~~(7)— Fraternal organizations.~~

~~(8)— Libraries.~~

~~(9)— A one-family dwelling converted to a two-family dwelling. [Amended 12-4-1973; repealed 11-15-1977]~~

~~(10)— Marinas (resort).~~

~~(11)— Yacht clubs.~~

~~(12)— Standard golf courses and clubhouses erected prior to the adoption of this chapter.~~

~~(13)— Temporary greenhouses, provided that the subject parcel is a minimum of five (5) acres and further subject to site plan review~~

~~pursuant to Article XXVI and § 108-64.3 of the Riverhead Town Code. [Added 3-20-1990]~~

~~B. — Accessory uses. Accessory uses shall include those uses customarily incident to any of the above permitted uses when located on the same lot and not involving the conduct of a business. Specifically permitted are the following:~~

~~(1) — Home occupations or professions conducted within the dwelling by the residents thereof.~~

~~(2) — The sale at retail of homegrown or homemade products raised or produced on the premises, provided no roadside stands, tables or similar devices for the purpose of display or sale of such products shall be permitted in the front yard.~~

~~(3) — Private garages, private boathouses, private greenhouses and similar accessory buildings for residences.~~

~~(4) — Potato storage buildings, machinery storage buildings, greenhouses, irrigation pump houses and similar accessory buildings or structures for agriculture.~~

~~(5) — A temporary building or shed used during construction of a building or structure on the premises.~~

~~(6) — Swimming pools constructed in accordance with § 108-59 of this chapter.~~

~~(7) — Boats, trailers, airplanes or seaplanes. Any boat, house trailer, mobile home, camp trailer, camp car, airplane or seaplane in excess of fifteen (15) feet in overall length shall not be kept or stored in the area between the street right of way and the front line of the main building projected to the side lot lines on any lot in a residence district nor within ten (10) feet of any side lot or rear lot line, and no such boat, trailer or plane shall be stored or maintained in such manner as to constitute an attractive nuisance or hazard to children.~~

~~C. — Special permit uses. [Added 5-21-1974]~~

~~(1) — Day care centers or nursery schools as defined by the Social Service Law, by special permit of the Town Board.~~

~~(2) — Bed and breakfast, by special permit of the Town Board. [Added 7-19-1994]~~

~~§ 108-16. General lot, yard and height requirements.~~

~~—No building shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule EN incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.~~

~~§ 108-17. Lot area.~~

~~A. — No single family dwelling shall be erected or converted on a lot having an area of less than twenty thousand (20,000) square feet and a width of less than one hundred (100) feet. [Amended 12-6-1977]~~

~~B. — Conversion to two family dwelling. [Added 12-4-1973; repealed 12-21-1976]~~

~~§ 108-18. Accessory buildings and structures.~~

~~A. — Location.~~

~~(1) — No accessory building or structure shall be erected, reconstructed or altered so as to be situate as follows:~~

~~(a) — In a front yard.~~

~~(b) — In a side yard unless the accessory building is forty (40) feet from a side street line, ten (10) feet from a property line and ten (10) feet from any other building.~~

~~(c) — In a rear yard unless the accessory building is ten (10) feet from a property line, ten (10) feet from any other building and forty (40) feet from a side street line and rear street line.~~

~~(d) — One (1) accessory building with a maximum floor area of one hundred (100) square feet or less, located in the rear yard, shall be excepted from the provisions of Subsection A(1)(c) and additionally shall not require a permit. It shall be permitted five (5) feet from a property line, ten (10) feet from any other building and forty (40) feet from a side street line and rear street line. [Added 12-21-1976; amended 7-1-1980]~~

~~(2) — Excepted from Subsection A(1)(a), (b), (c) and (d) of this section are fences not exceeding four (4) feet in height which may be erected on the lot lines of the front yard or any existing street line of a one-family dwelling, and fences not exceeding six (6) feet in height which may be erected on other lot lines of a one-family dwelling. Fences on a corner lot must comply with § 108-68. On lots used for other than one-family dwellings, wire strand or open woven wire fences up to six (6) feet in height may be erected on all lot lines. If such fence is erected along any street, the permitted height thereof shall be measured from the existing elevation of the center line of such street. [Amended 12-21-1976; 7-3-1979]~~

~~B. — Where an accessory building is constructed as a building subordinate to the use of a park or playground, the building shall be erected, reconstructed or altered in conformity to the requirements hereof for a main building.~~

~~§ 108-19. Living area.~~

~~—No dwelling shall be erected unless provision shall be made therein as follows:~~

~~A. — For a single family dwelling, exclusive of attached garages, carports, unenclosed porches and breezeways, there shall be provided not less than nine hundred (900) square feet of living area for the first story, but a maximum of two hundred (200) square feet of area of the second story may be used and applied to the area requirements for the first story.~~

~~B. — Provisions for a single family dwelling converted to a two-family dwelling. [Amended 12-4-1973; repealed 11-15-1977]~~

~~§ 108-20. Condominiums. [Added 7-17-1974]~~

~~—In order to partially implement the housing inventory objectives of the Comprehensive Plan dated 1973 for the Riverhead Hamlet area, and~~

while observing the objectives with reference to this hamlet's overall population capacity, the Town Board may approve condominium housing developments within the Residence C District situate in the Riverhead Hamlet through the application of § 276 through 278 and § 281 of Article 16 of the Town Law, provided that the following requirements are met:

A. — The proposed condominium site area shall be at least six (6) acres and shall be within and served by the Riverhead Sewer and Water Districts. [Amended 7-3-1979]

B. — The dwelling unit densities permitted shall be based on the number of bedrooms per dwelling unit, which number shall be incorporated as a filed restriction in all deeds and titles related to the condominium site, as follows:

(1) — Three bedroom dwelling units: two and three tenths (2.3) per acre.

(2) — Two bedroom dwelling units: three and five tenths (3.5) per acre.

(3) — One bedroom dwelling units: seven (7.0) per acre.

(4) — Studies, dens or similar potential bedrooms shall be counted as bedrooms, and the overall dwelling unit density for the entire condominium site shall not exceed five (5) dwelling units per acre.

C. — The application for a proposed condominium will be combined with an application for a cluster development pursuant to the provisions of Article XIX of this chapter, and both will be considered under this provision.

D. — The Planning Board and/or the Town Board, under these provisions and the procedures set forth in the Subdivision Regulations of the Town of Riverhead, EN may require the following additional data and information as a basis for approving such condominium subdivisions:

(1) — A complete site plan showing the location of all landscaping and other improvements, including dwelling units and first floor elevations, and the design of all buildings and structures.

(2) — The text of all filed restrictions on the use of the land and buildings, including the condominium agreement as approved by the New York State Attorney General.

(3) — Any other information deemed by either Board in its discretion to be necessary to a reasonable determination of the application.

(4) — Expert testimony by independent engineers or architects, to be paid for by the applicant.

E. — Any application made pursuant to the provisions of this section shall originate by an application to the Town Board, contrary provisions notwithstanding, and shall be referred to the Planning Board, which will transmit its recommendations to the Town Board within sixty (60) days of referral.

F. — After receipt of the recommendations of the Planning Board, the Town Board shall hold a public hearing upon public notice as required by Section 265 of the Town Law, and the applicant shall pay all expenses of said hearing. The Town Board shall determine that:

~~(1) — The use will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood.~~

~~(2) — The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the town.~~

~~(3) — The health, safety, welfare, comfort, convenience and order of the town will not be adversely affected by the authorized use.~~

~~(4) — Such use will be in harmony with and promote the general purposes and intent of this chapter.~~

~~G. — The Planning Board and Town Board may consider, among other matters or factors which the Board may deem material, whether:~~

~~(1) — The site is particularly suitable for the location of such use in the community.~~

~~(2) — The plot area is sufficient, appropriate and adequate for the use and the reasonably anticipated operation and expansion thereof.~~

~~(3) — The characteristics of the proposed use are not such that its proposed location would be unsuitably near to a church, school, theater, recreational area or other place of public assembly.~~

~~(4) — Access facilities are adequate for the estimated traffic from public streets and sidewalks, so as to assure the public safety in relation to the general character of the neighborhood and other existing or permitted uses within it and so as to avoid traffic congestion; and further, vehicular entrances and exits shall be clearly visible from the street and not be within seventy five (75) feet of the intersection of street lines at a street intersection except under unusual circumstances.~~

~~(5) — All proposed curb cuts have been approved by the street or highway agency which has jurisdiction.~~

~~(6) — Adequate provisions have been made for emergency conditions.~~

~~(7) — There are off-street parking and truck loading spaces at least in the number required by the provisions of this chapter, but in any case an adequate number for the anticipated number of occupants, both employees and patrons or visitors; and further, the layout of the spaces and driveways is convenient and conducive to safe operation.~~

~~(8) — Adequate buffer yards, landscaping, walls, fences and screening are provided where necessary to protect adjacent properties and land uses.~~

~~(9) — Where necessary, special setback, yard, height and building area coverage requirements, or easements, rights-of-way or restrictive covenants shall be established.~~

~~(10) — Where appropriate, a public or semipublic plaza or recreational or other public area shall be located on the property.~~

~~(11) — Adequate provisions are made for the collection and disposal of stormwater runoff from the site and of sanitary sewage, refuse or other waste, whether liquid, solid, gaseous or of other character.~~

~~(12) Existing municipal services and facilities are adequate to provide for the needs of the proposed use.~~

~~(13) The use will tend to generate or accumulate dirt or refuse or tend to create any type of environmental pollution, including vibration, noise, light, electrical discharges, odors, smoke or irritants, particularly where they are discernible on adjacent properties or boundary streets.~~

~~(14) The construction, installation or operation of the proposed use is such that there is a need for regulating the hours, days or similar aspects of its activity.~~

~~(15) The proposed use recognizes and provides for the further special conditions and safeguards required for particular uses as may be determined by the Town Board or Planning Board.~~

~~ARTICLE VA, Residence D District [Added 7-7-1987]~~

~~§ 108-20.1. Uses.~~

~~In the Residence D District, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for two (2) of the following permitted uses and their customary accessory uses:~~

~~A. Permitted uses.~~

~~(1) Agriculture, provided that no storage of manure shall be permitted within one hundred (100) feet of any side or rear lot line or within one hundred fifty (150) feet of any street line.~~

~~(2) One family dwellings.~~

~~(3) Parks and playgrounds, noncommercial.~~

~~(4) Libraries.~~

~~(5) Temporary greenhouses, provided that the subject parcel is a minimum of five (5) acres and further subject to site plan review pursuant to Article XXVI and § 108-64.3 of the Riverhead Town Code. [Added 3-20-1990]~~

~~B. Accessory uses. Accessory uses shall include those uses customarily incident to any of the above permitted uses when located on the same lot and not involving the conduct of a business. Specifically permitted are the following:~~

~~(1) Home occupations or professions conducted within the dwelling by the residents thereof.~~

~~(2) The sale at retail of homegrown or homemade products raised or produced on the premises, provided that no roadside stands, tables or similar devices for the purpose of display or sale of such products shall be permitted in the front yard.~~

~~(3) Private garages, private boathouses, private greenhouses and similar accessory buildings for residences.~~

~~(4) Potato storage buildings, machinery storage buildings, greenhouses, irrigation pump houses and similar accessory buildings or structures for agriculture.~~

~~(5) — A temporary building or shed used during construction of a building or structure on the premises.~~

~~(6) — Swimming pools constructed in accordance with § 108-59 of this chapter.~~

~~(7) — Boats, trailers, airplanes or seaplanes. Any boat, house trailer, mobile home, camp trailer, camp car, airplane or seaplane in excess of fifteen (15) feet in overall length shall not be kept or stored in the area between the street right-of-way and the front line of the main building projected to the side lot lines on any lot in a residence district nor within ten (10) feet of any side lot or rear lot line, and no such boat, trailer or plane shall be stored or maintained in such manner as to constitute an attractive nuisance or hazard to children.~~

~~§ 108-20.2. General lot, yard and height requirements.~~

~~— No building shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule EN incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified. Variances from the Zoning Board of Appeals shall be necessary for nonconforming lot, yard and height requirements.~~

~~§ 108-20.3. Lot area.~~

~~— No single family dwelling shall be erected or converted on a lot having an area of less than twenty thousand (20,000) square feet and a width of less than one hundred (100) feet.~~

~~§ 108-20.4. Accessory buildings and structures.~~

~~A. — Location.~~

~~(1) — No accessory building or structure shall be erected, reconstructed or altered so as to be situate as follows:~~

~~(a) — In a front yard.~~

~~(b) — In a side yard unless the accessory building is forty (40) feet from a side street line, ten (10) feet from a property line and ten (10) feet from any other building.~~

~~(c) — In a rear yard, unless the accessory building is ten (10) feet from a property line, ten (10) feet from any other building and forty (40) feet from a side street line and rear street line.~~

~~(d) — One (1) accessory building with a maximum floor area of one hundred (100) square feet or less, located in the rear yard, shall be excepted from the provisions of Subsection A(1)(c) and additionally shall not require a permit. It shall be permitted five (5) feet from a property line, ten (10) feet from any other building and forty (40) feet from a side street line and rear street line.~~

~~(2) — Excepted from Subsection A(1)(a), (b), (c) and (d) of this section are fences not exceeding four (4) feet in height which may be erected on the lot lines of the front yard or any existing street line of a one-family dwelling and fences not exceeding six (6) feet in height which may be erected on other lot lines of a one-family dwelling. Fences on a corner lot~~

~~must comply with § 108-68. On lots used for other than one family dwellings, wire strand or open woven wire fences up to six (6) feet in height may be erected on all lot lines. If such fence is erected along any street, the permitted height thereof shall be measured from the existing elevation of the center line of such street.~~

~~B. — Where an accessory building is constructed as a building subordinate to the use of a park or playground, the building shall be erected, reconstructed or altered in conformity with the requirements hereof for a main building.~~

~~§ 108-20.5. Living area.~~

~~— No dwelling shall be erected unless provision shall be made therein as follows:~~

~~A. — For a single family dwelling, exclusive of attached garages, carports, unenclosed porches and breezeways, there shall be provided not less than nine hundred (900) square feet of living area for the first story, but a maximum of two hundred (200) square feet of area of the second story may be used and applied to the area requirements for the first story.~~

05/04/04

TOWN OF RIVERHEAD

Resolution # 394

# Adopted

**AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE FOR PUBLIC HEARING REGARDING A LOCAL LAW TO REPEAL CERTAIN SECTIONS OF CHAPTER 108 ENTITLED "ZONING " (Recreational Zone District) 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 local law to repeal certain sections Chapter 108 entitled, "Zoning" (Recreational Zone District Community District) of the Riverhead Town Code, as amended May 6, 2004 edition of the New York State Zoning Law, hereby designated as the official zoning code of the Town of Riverhead, New York, same on the signboard in Town

*Do Over  
Did not get  
paper*

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held on the 18<sup>th</sup> day of May, 2004 at ~~7:45~~ o'clock p.m., at Senior Citizen Human Resource Center located at Shade Tree Lane, Aquebogue, New York to hear all interested persons to consider a local law to repeal certain sections of Chapter 108 entitled Zoning (Recreational Zone District) of Riverhead Town Code as follows:

Dated: Riverhead, New York  
May 4, 2004

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

**BARBARA GRATTAN**, Town Clerk

ARTICLE XXV, Recreational District [Added 12-15-1981]

§ 108-124. Purpose.

~~It is the purpose of this Article to implement the recommendations of the Master Plan by permitting the construction, reconstruction and renovation of dwellings and structures for residential and recreational uses within a Recreational District in the Town of Riverhead. This use district designation is to be applied to properties so located that recreational and resort uses would be appropriate. This use district designation may be imposed by the Town Board in conjunction with or to the exclusion of all other use districts shown upon the Official Map of the Town of Riverhead.~~

§ 108-125. Uses.

~~A. In the Recreational District, no building, structure or premises shall be used or arranged or designated to be used, and no building or structure shall be erected, reconstructed, altered or occupied, unless otherwise provided in this chapter, except for one or more of the following permitted uses:~~

- ~~(1) One family dwellings.~~
- ~~(2) Two family dwellings.~~
- ~~(3) Beach clubs.~~
- ~~(4) Golf clubs.~~
- ~~(5) Tennis, handball and racquetball courts and clubs.~~
- ~~(6) Yacht clubs.~~
- ~~(7) Marinas and resorts.~~
- ~~(8) Parks and playgrounds.~~

~~B. Special permit uses. Special permit uses set forth herein shall be subject to the approval of the Town Board pursuant to the definition of "special permit" specified in § 108-3 of this chapter:~~

- ~~(1) Multiple family dwellings, condominiums, apartment houses and garden apartments, designed so as to provide both residential and recreational facilities.~~
- ~~(2) Motels and boatels.~~
- ~~(3) Any other recreational use, by special permit of the Town Board.~~
- ~~(4) Day care centers or nursery schools, by special permit of the Town Board. [Added 8-7-1990]~~
- ~~(5) Country inns. [Added 8-6-2002 by L.L. No. 25-2002]~~

~~C. Properties within the Recreational District must meet at least one of the following criteria, in addition to having a minimum area of 15 acres:~~

- ~~(1) The proposed Recreational District site must have no less than 500 feet of frontage on Long Island Sound, Peconic Bay, Flanders Bay, Peconic River or a tidal creek; or~~
- ~~(2) The nearest portion of the proposed Recreational District site is located within 1,000 feet of an existing public beach, public park, public campground, public marina or public golf course.~~

D.—The following accessory uses shall be allowed by special permit of the Town Board as uses customarily incident to any of the above permitted uses. Such accessory uses shall be permitted only as incidental to one of the above primary uses:

- (1) — Health spas.
- (2) — Taverns.
- (3) — Restaurants.
- (4) — Retail stores.

§ 108-126. General lot, yard, height and building requirements.

—No building shall be erected nor any lot or land area utilized in the Recreational District, unless previously approved by the Town Board after site plan review under the following sections of the Riverhead Town Code: §§ 108-31.1, 108-38, 108-41.1 and 108-44.1. The Recreational District Zone shall, to the extent possible, provide flexibility in construction of buildings and structures.

A.—One family and two family dwellings shall have a minimum living area of 750 square feet, if kitchen facilities are included, and 400 square feet if no kitchen facilities are included. No property shall be improved with an overall density of more than one residential unit for each 20,000 square feet of land area within the proposed site, unless both public water and sewer facilities are provided.

B.—Condominium dwellings shall comply with the requirements of § 108-92B of the Riverhead Town Code.

C.—Cluster dwellings shall comply with the requirements of Article XIX of this chapter.

D.—Lot widths, side yards, front yards and rear yards may be reduced to zero by the Board of Appeals and granted simultaneously with site plan review as provided above.

§ 108-127. Additional requirements.

A.—Where uses are proposed for other than one or two family residences, there shall be a protective planting strip or buffer, not less than 10 feet in width, along any lot line abutting a residential district or use. No structure, storage or parking shall be permitted within this strip or buffer. Said buffer or strip will be planted with evergreens or similar vegetation which, when planted, shall be at least six feet tall and, when mature, shall be maintained at a height of not less than eight feet, so as to provide an effective natural screen between districts. The maintenance of this strip or buffer, any parking area or any green area shown on a site plan submitted as a part of an application for a permitted use under this article, during the continuance of said use, is hereby a condition of said special use, and the failure to maintain said areas shall operate to revoke said special permit in addition to all other penalties provided by this chapter.

B.—The site plan shall show, in addition to all other requirements of this chapter, the following:

- ~~(1) — The proposed method of collection and disposal of stormwater, which shall be designed so as to cause minimal interference with adjoining properties and to create minimal burdens on public facilities.~~
  - ~~(2) — The proposed lighting facilities for the safety of pedestrian and vehicular traffic and exterior spotlighting of buildings or grounds shall be from shaded sources and so located that light beams are not directed toward any lot in a residential district or toward a public highway.~~
  - ~~(3) — Water supply and sewage disposal facilities shall conform to Suffolk County Health Department requirements.~~
- ~~C. — Parking shall be provided in conformity with the Parking Schedule and § 108-60 of this chapter. For each parking space required, other than for single and two family residences, there shall be provided 30 square feet of landscaped island or green area.~~

# Adopted

05/04/04

TOWN OF RIVERHEAD

Resolution # 395

**AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE FOR PUBLIC HEARING REGARDING A LOCAL LAW TO REPEAL CERTAIN SECTIONS OF CHAPTER 108 ENTITLED "ZONING " (Redevelopment Community District) OF THE RIVERHEAD TOWN CODE**

COUNCILWOMAN SANDERS

\_\_\_\_\_ offered the following resolution,

which was seconded by COUNCILMAN BARTUNEK \_\_\_\_\_:

**RESOLVED**, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a local law to repeal certain sections of Chapter 108 entitled, "Zoning" (Redevelopment Community District) of the Riverhead Town Code once in the May 6, 2004 edition of the News Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall.

THE VOTE

Bartunek  yes \_\_\_ no Sanders  yes \_\_\_ no  
Blass  yes \_\_\_ no Densieski  yes \_\_\_ no  
Cardinale  yes \_\_\_ no

THE RESOLUTION  WAS \_\_\_ WAS NOT THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held on the 18<sup>th</sup> day of May, 2004 at 7:30'clock p.m., at the Senior Citizen Human Resource Center located at Shade Tree Lane, Aquebogue, New York to hear all interested persons to consider a local law to amend Chapter 108 entitled Zoning (Redevelopment Community District) of Riverhead Town Code as follows:

Dated:Riverhead, New York  
May 4, 2004

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

**BARBARA GRATTAN**, Town Clerk

ARTICLE XXIV, Residence RDC District (Redevelopment Community)  
 [Added 11-18-1980]

§ 108-120. Purpose.

~~It is the purpose of this Article to implement the recommendations of the Master Plan to permit the construction of high density living accommodations with attendant services within the Town of Riverhead. This use district designation is to be applied to land where moderate/low income citizen housing and services would be appropriate. This use district designation may be imposed by the Town Board in conjunction with or to the exclusion of all other use districts shown upon the Official Map of the Town of Riverhead.~~

§ 108-121. Uses.

~~In the Residence RDC District (Redevelopment Community), no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered or occupied, unless otherwise provided in this chapter for the following special permitted uses:~~

A. ~~Special permit uses. All special permit uses set forth herein shall be subject to the approval of the Town Board pursuant to the definition of special permits in § 108-3 of this chapter:~~

(1) ~~Multiple residences designed to provide living and dining accommodations for moderate/low income persons or handicapped, including social, health care or other supportive services and facilities, to be owned and operated for such purposes under the laws of the State of New York.~~

(2) ~~Day care centers or nursery schools. [Added 8-7-1990]~~

B. ~~Accessory uses. Accessory uses shall include those uses customarily incident to any of the above special permitted uses when located on the same lot and specifically granted by the Town Board as accessory to the special permitted use.~~

§ 108-122. General lot, yard and height requirements.

~~No building shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule EN incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.~~

§ 108-123. Additional requirements.

A. ~~There shall be a protective planting strip or buffer, not less than ten (10) feet in width, along any lot line abutting a residential district or use. No structure, storage or parking or other uses shall be permitted within this strip or buffer. Said buffer or strip will be planted with evergreens or similar vegetation which, when planted, shall be at least six (6) feet tall and, when mature, shall be maintained at a height of not less than eight (8) feet, so as to provide an effective natural screen between districts. The maintenance of this strip or buffer, any parking~~

~~area or any green area shown on a site plan submitted as a part of an application for special permitted use under this Article, during the continuance of said use, is hereby a condition of said special use; and the failure to maintain said areas shall operate to revoke said special permit in addition to all other penalties provided by this chapter.~~

~~B.—The site plan shall show, in addition to all other requirements of this chapter, the following:~~

~~(1)—The proposed method of collection and disposal of stormwater, designed so as not to interfere with adjoining properties or burden public facilities.~~

~~(2)—The proposed lighting facilities for the safety of pedestrian and vehicular traffic, with exterior spotlighting of buildings or grounds to be from shaded sources and located so that the light beams are not directed toward any lot in a residential district or toward a public highway.~~

~~(3)—The method of water supply and of sewage disposal, conforming to Health Department requirements.~~

~~C.—Parking shall be provided in conformity with the Parking Schedule and § 108-60 of this chapter. For each parking space required, there shall be provided thirty (30) square feet of landscaped island or green area. Such areas shall be not less than eight (8) feet in width, measured on the shortest side. Said areas shall be contained by curbs conforming to the Town of Riverhead highway specifications, shall be landscaped with not less than one (1) tree every thirty (30) feet and shall be maintained as set forth in Subsection A above.~~

~~D.—Construction must conform to the standards as detailed in the business and industrial sections of the Code of the Town of Riverhead.~~d

# Adopted

MAY 4, 2004

RESOLUTION # 396

### TOWN OF RIVERHEAD

### AUTHORIZES TOWN CLERK TO POST AND PUBLISH NOTICE TO BIDDERS FOR CARRIAGE HOUSE INTERIOR RENOVATIONS

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

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached Notice to Bidders in the May 6, 2004 issue of the official Town newspaper for the Carriage House Interior Renovations; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Kenneth Testa, P.E., David Carrick, Andrea Lohneiss and the Office of Accounting.

THE VOTE

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

THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

TOWN OF RIVERHEAD  
NOTICE TO BIDDERS

Sealed proposals for the Carriage House Interior Renovations, East Main Street, Riverhead, New York will be received by the Town of Riverhead at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until 11:00 am June 1, 2004 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and obtained on or about May 10, 2004 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays.

A fee of \$50.00 will be required for each copy of the contract documents.

Each proposal must be submitted on the form provided in a sealed envelope clearly marked "Carriage House Interior Renovations" and must be accompanied by a bid surety as stated in the Instructions to Bidders.

The Town of Riverhead reserves the right to reject any and all bids.

BY ORDER OF THE RIVERHEAD TOWN BOARD  
Barbara A. Grattan, Town Clerk  
Riverhead, New York 11901

Dated: May 4, 2004

05/04/04

# Adopted

TOWN OF RIVERHEAD

Resolution # 397

APPOINTS TEMPORARY SECRETARY  
TO THE BOARD OF ASSESSMENT REVIEW

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

WHEREAS, a position of temporary secretary currently exists on the Board of Assessment Review; and

WHEREAS, Maribeth Vail has expressed an interest in serving in this capacity; and

WHEREAS, members of the Board of Assessment Review approve of her appointment.

NOW, THEREFORE, BE IT RESOLVED, that Maribeth Vail be and is hereby appointed as temporary secretary to the Board of Assessment Review at an hourly rate of \$12.00 effective May 17, 2004 through December 31, 2004; and

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

**THE VOTE**

Sanders  Yes  No

Blass  Yes  No

Densieski  Yes  No

Bartunek  Yes  No

Cardinale  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

# Adopted

05/04/04

## TOWN OF RIVERHEAD

Resolution # 398

### AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH THE RIVERHEAD VOLUNTEER AMBULANCE CORPS, INC.

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

**WHEREAS**, The Town of Riverhead Ambulance District has entered into agreements with the Riverhead Volunteer Ambulance Corps, Inc. to provide ambulance, emergency medical and related emergency services to the Town's Ambulance District; and

**WHEREAS**, the current agreement between the parties and all extensions thereto have expired; and

**WHEREAS**, both parties wish to continue the contractual relationship whereby the Riverhead Volunteer Ambulance Corps, Inc. shall provide ambulance, emergency medical and related emergency services to the Town of Riverhead Ambulance District; and

### **NOW, THEREFORE, be it hereby**

**RESOLVED** that the Town Board hereby authorizes the Supervisor to execute an Agreement between the Town of Riverhead Ambulance District and the Riverhead Volunteer Ambulance Corps, Inc.; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Riverhead Volunteer Ambulance Corps, Inc., P.O. Box 924, Riverhead, New York 11901, the Town Attorney and the Office of Accounting.

THE VOTE

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

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

# Adopted

RESOLUTION # <u>399</u> ABSTRACT #19-04 APRIL 29, 2004 (TBM 5/4/04)			
<i>Councilman Densieski</i> offered the following Resolution which was seconded by <i>Councilman Bartunek</i>			
FUND NAME		CD - NONE	CHECKRUN TOTALS
			GRAND TOTALS
GENERAL FUND	001		\$ 617,653.73
RECREATION PROGRAM FUND	006		\$ 2,479.68
R.I.F.T.A. FUND	023		\$ 3,600.00
SENIOR CITIZEN DAY CARE CENTER	027		\$ 2,089.06
ECONOMIC DEVELOPMENT ZONE FUND	030		\$ 3,050.80
HIGHWAY FUND	111		\$ 61,687.78
WATER DISTRICT	112		\$ 49,660.23
RIVERHEAD SEWER DISTRICT	114		\$ 25,263.74
REFUSE & GARBAGE COLLECTION DIST	115		\$ 5,898.35
STREET LIGHTING DISTRICT	116		\$ 6,608.58
PUBLIC PARKING DISTRICT	117		\$ 1,663.12
AMBULANCE DISTRICT	120		\$ 1,537.66
EAST CREEK DOCKING FACILITY FUND	122		\$ 8,919.88
CALVERTON SEWER DISTRICT	124		\$ 14,769.53
RIVERHEAD SCAVANGER WASTE DIST	128		\$ 11,921.33
WORKERS' COMPENSATION FUND	173		\$ 21,591.10
RISK RETENTION FUND	175		\$ 365.40
CDBG CONSORTIUM	181		\$ 886.53
TOWN HALL CAPITAL PROJECTS	406		\$ 104,826.32
YOUTH SERVICES CAP PROJECT	452		\$ 2,167.73
SENIORS HELP SENIORS CAP PROJECT	453		\$ 2,819.99
EISEP CAP PROJECT	454		\$ 14.06
MUNICIPAL FUEL FUND	625		\$ 3,526.50
MUNICIPAL GARAGE FUND	626		\$ 55,060.34
TRUST & AGENCY	735*		\$ 1,458,566.83
CALVERTON PARK - C.D.A.	914		\$ 1,192.23
<b>TOTALS</b>			<b>\$ 2,467,820.50</b>
FUND 735 INCLUDES SCHOOL & TOWN TAXES OF:		<b>\$728,000.00</b>	

### THE VOTE

Bartunek  yes \_\_\_ no Sanders  yes \_\_\_ no  
 Blass  yes \_\_\_ no Densieski  yes \_\_\_ no  
 Cardinale  yes \_\_\_ no

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

RESOLUTION # <u>379</u> ABSTRACT #19-04 APRIL 29, 2004 (TBM 5/4/04)				
<i>Councilman Demaree</i> offered the following Resolution which was seconded by <i>Councilman Lautner</i> .				
FUND NAME		CD - NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	001		\$ 617,653.73	\$ 617,653.73
RECREATION PROGRAM FUND	006		\$ 2,479.68	\$ 2,479.68
R.I.F.T.A. FUND	023		\$ 3,600.00	\$ 3,600.00
SENIOR CITIZEN DAY CARE CENTER	027		\$ 2,089.06	\$ 2,089.06
ECONOMIC DEVELOPMENT ZONE FUND	030		\$ 3,050.80	\$ 3,050.80
HIGHWAY FUND	111		\$ 61,687.78	\$ 61,687.78
WATER DISTRICT	112		\$ 49,660.23	\$ 49,660.23
RIVERHEAD SEWER DISTRICT	114		\$ 25,263.74	\$ 25,263.74
REFUSE & GARBAGE COLLECTION DIST	115		\$ 5,898.35	\$ 5,898.35
STREET LIGHTING DISTRICT	116		\$ 6,608.58	\$ 6,608.58
PUBLIC PARKING DISTRICT	117		\$ 1,663.12	\$ 1,663.12
AMBULANCE DISTRICT	120		\$ 1,537.66	\$ 1,537.66
EAST CREEK DOCKING FACILITY FUND	122		\$ 8,919.88	\$ 8,919.88
CALVERTON SEWER DISTRICT	124		\$ 14,769.53	\$ 14,769.53
RIVERHEAD SCAVANGER WASTE DIST	128		\$ 11,921.33	\$ 11,921.33
WORKERS' COMPENSATION FUND	173		\$ 21,591.10	\$ 21,591.10
RISK RETENTION FUND	175		\$ 365.40	\$ 365.40
CDBG CONSORTIUM	181		\$ 886.53	\$ 886.53
TOWN HALL CAPITAL PROJECTS	406		\$ 104,826.32	\$ 104,826.32
YOUTH SERVICES CAP PROJECT	452		\$ 2,167.73	\$ 2,167.73
SENIORS HELP SENIORS CAP PROJECT	453		\$ 2,819.99	\$ 2,819.99
EISEP CAP PROJECT	454		\$ 14.06	\$ 14.06
MUNICIPAL FUEL FUND	625		\$ 3,526.50	\$ 3,526.50
MUNICIPAL GARAGE FUND	626		\$ 55,060.34	\$ 55,060.34
TRUST & AGENCY	735*		\$ 1,458,566.83	\$ 1,458,566.83
CALVERTON PARK - C.D.A.	914		\$ 1,192.23	\$ 1,192.23
<b>TOTALS</b>			<b>\$ 2,467,820.50</b>	<b>\$ 2,467,820.50</b>
FUND 735 INCLUDES SCHOOL & TOWN TAXES OF:		<b>\$728,000.00</b>		