

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

July 19th , 2005

**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:

- #689** In the Matter of the Increase and Improvement of the Facilities of the Riverhead Street Lighting District of the Town of Riverhead
- #690 A Resolution Authorizing the Issuance of \$100,000 Serial Bonds of the Town of Riverhead, Suffolk County, New York, to Pay the Cost of the Increase and Improvement of the Facilities of the Riverhead Street Lighting District in the Town of Riverhead
- #691 411 Old Country Road Chapter 96 Budget Adoption
- #692 307 Griffing Avenue Chapter 96 Budget Adoption
- #693 General Fund Budget Adjustment
- #694 Ratifies an Appointment of Recreation Specialists (Sports Instructors) to the Riverhead Recreation Department
- #695 Ratifies an Appointment for a P/T Recreation Aide to the Riverhead Recreation Department (J. Zilnicki)
- #696 Ratifies the Appointment of a Beach Attendant/Concession Stand Operator Level IV to the Recreation Department (G. Sanders)
- #697 Accepts the Retirement of a Police Officer (J. Wooten)
- #698 Accepts Retirement of Arthur Dangelmaier in the Water Department
- #699 Accepts the Resignation of a Detention Attendant (B. Naber, Jr.)
- #700 Ratifies an Appointment of a Recreation Specialist (Sports Instructor) to the Recreation Dept. (J. Doroski)
-

- #701 Modifies Terms and Conditions of Employment for Dawn C. Thomas, Town Attorney
- #702 Adopts Riverhead Town Peconic Estuary Protection Program (Bilge Buddies)
- #703 Adopts a Local Law to Create Chapter 11 Entitled, "Terms of Office" of the Riverhead Town Code (Town Supervisor)
- #704 Adopts a Local Law to Create Chapter 11 Entitled, "Terms of Office" of the Riverhead Town Code (Town Clerk)
- #705 Adopts a Local Law to Create Chapter 11 Entitled, "Terms of Office" of the Riverhead Town Code (Highway Superintendent)
- #706 Adopts a Local Law to Amend Chapter 64 of the Riverhead Town Code Entitled, "Fire Prevention"
- #707 Adopts a Local Law to Repeal Chapter 75 of the Riverhead Town Code Entitled, "Liquefied Petroleum Gases"
- #708 Adopts a Local Law to Amend Chapter 101 of the Riverhead Town Code Entitled, "Vehicles and Traffic" (101-10 Parking Prohibited)
- #709 Adopts a Local Law to Amend Chapter 108 of the Riverhead Town Code Entitled, "Zoning" (§108-3 Definitions)
- #710 Adopts a Local Law to Amend Chapter 108 of the Riverhead Town Code Entitled, "Zoning" (§108-4 Interpretation)
- #711 Adopts a Local Law Amending Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (108-8 - Residence A-40 (RA-40) Zoning Use District)

- #712 Adopts a Local Law Amending Chapter 108 Entitled ,
"Zoning" of the Riverhead Town Code (108-12 –
Residence B-40 (RB-40) Zoning Use District)
- #713 Adopts a Local Law Amending Chapter 108 Entitled ,
"Zoning" of the Riverhead Town Code (108-16 –
Residence B-80 (RB-80) Zoning Use District)
- #714 Adopts a Local Law Amending Chapter 108 Entitled ,
"Zoning" of the Riverhead Town Code (108-20.2 –
Residence A-80 (RA-80) Zoning Use District)
- #715 Adopts a Local Law Amending Chapter 108 Entitled ,
"Zoning" of the Riverhead Town Code (108-22 –
Agricultural Protection Zoning Use District (APZ))
- #716 Adopts a Local Law Amending Chapter 108 Entitled ,
"Zoning" of the Riverhead Town Code (108-49 General
Lot, yard and height requirements)
- #717 Adopts a Local Law Amending Chapter 108 Entitled ,
"Zoning" of the Riverhead Town Code (108-51.2
Setbacks for wood decks)
- #718 Adopts a Local Law Amending Chapter 108 Entitled ,
"Zoning" of the Riverhead Town Code (108-64
Prefabricated dwellings)
- #719 Adopts a Local Law Amending Chapter 108 Entitled ,
"Zoning" of the Riverhead Town Code (108-64.3
Temporary greenhouses)
- #720 Adopts a Local Law Amending Chapter 108 Entitled ,
"Zoning" of the Riverhead Town Code (108-86
Applicability of Article)
- #721 Adopts a Local Law Amending Chapter 108 Entitled ,
"Zoning" of the Riverhead Town Code (108-92 Coverage
and Setback requirements)
-

- #722 Adopts a Local Law Amending Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (108-101 Water Construction; fire safety)
- #723 Adopts a Local Law Amending Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (108-133.4 Application Procedure)
- #724 Adopts a Local Law Amending Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (108-180 Transfer of development right rights; Pine Barrens credit program)
- #725 Adopts a Local Law Amending Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (108-179 Development within Compatible Growth Area)
- #726 Establishes Fee Schedule for Electronic Records Retention
- #727 Establishes the Dark Skies Advisory Committee and Appoints Committee
- #728 Site Plan of Lin Cellular Communications (NY) LLC- Riverhead Water District (Wading River) Tower #2, Plant #9
- #729 Releases Performance Bonds (2) in Connection with the Condominium Project Entitled, "Sound Housing, LLC" A/K/A "Willow Ponds on the Sound Condominium" (Park and Recreation Fees & Water District Key Money)
- #730 Resolution Authorizing Multiple Hook-Ups- Dries/Specchio Property- RSD
- #731 Authorizes the Supervisor to Execute an Intermunicipal Agreement with the Town of Brookhaven for the Wading River Pond Restoration Project Situate within the Jurisdictional Boundaries of the Towns of Riverhead and Brookhaven

- #732 Authorizes the Retention of the Law Firm of Twomey, Latham, Shea, Kelley, Dubin, Reale and Quartararo LLP as Special Counsel
 - #733 Authorizes Markowitz, Fenelon & Bank, L.P. to Conduct Annual Audit of the Records of the Town of Riverhead
 - #734 Authorizes the Town Clerk to Publish and Post a Help Wanted Ad for a Part Time Code Enforcement Officer
 - #735 Authorizes the Town Clerk to Publish and Post a Help Wanted Ad for Public Safety Dispatcher I
 - #736 Authorizes Town Clerk to Post and Publish Public Notice for Public Hearing Regarding a Local Law to Amend Chapter 108 Zoning (TDR) of the Riverhead Town Code
 - #737 Authorizes Town Clerk to Post and Publish Public Notice for Public Hearing Regarding a Local Law to Amend Chapter 108-64.1 (Bed and Breakfast Facilities) of the Riverhead Town Code
 - #738 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 of the Riverhead Town Code Entitled, "Zoning" (108-56 Signs)
 - #739 Authorizes Town Clerk to Advertise for Bids- Ext No. 79- Harvard Nichols Subdivision
 - #740 Authorizes Town Clerk to Advertise for Bids- NF Golf Resorts, Phase 2
 - #741 Order Establishing Extension No. 82- RWD- Shoreline Development
 - #742 Awards Bid on 4 ton Propane Fired Infrared Asphalt Storage Trailers
 - #743 Awards Bid on Salt and Sand Spreaders
 - #744 Authorizes Fire Marshal to Attend Seminar
-

- #745 Authorizes Fire Marshal to Attend Code Development
Process Hearings
- #746 Authorizes Supervisor to Execute Budget Transfer
- #747 Approves Temporary Sign Permit of Central Suffolk
Hospital
- #748 Approves Sign Permit of Michael Angelo Auto Sales
(Sensible Car Rental)
- #749 Pays Bills

Adopted

72115-3193
2867606.1

RESOLUTION # 689

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, 200 Howell Avenue, in Riverhead, New York in said Town, on the 19th day of July, 2005, at 7 o'clock P.M., Prevailing Time.

PRESENT:

- Philip Cardinale
Supervisor
Rose Sanders

- Councilman woman

- Barbara Blass
Councilman woman

- Edward Densieski
Councilman

- George Bartunek
Councilman

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

-----X
 :
 In the Matter :
 of :
 the Increase and Improvement of the :
 Facilities of the Riverhead Street :
 Lighting District of the Town of :
 Riverhead, Suffolk County, New :
 York. :
 -----X

PUBLIC INTEREST ORDER

WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has duly caused to be prepared a map, plan and report including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Riverhead Street Lighting District in the Town of Riverhead, Suffolk County, New York, consisting of the

acquisition of a bucket truck for use by the Riverhead Street Lighting District, including incidental expenses in connection therewith; and

WHEREAS, at a meeting of said Town Board duly called and held on May 17, 2005, an order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of the facilities of the Riverhead Street Lighting District in said Town at a maximum estimated cost of \$100,000, an increase of \$25,000 over that previously authorized, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on June 21, 2005, at 2:05 o'clock P.M., Prevailing Time; and

WHEREAS, said order duly certified by the Town Clerk was duly published and posted as required by law, to-wit: a duly certified copy thereof was published in the official newspaper of this Town, on May 26, 2005, and a copy of such order was posted on May 18, 2005, on the signboard maintained by the Town Clerk of the Town of Riverhead, pursuant to Section 30, subdivision 6 of the Town Law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; and

WHEREAS, said capital project, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have a significant effect on the environment; and

NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of the Riverhead Street Lighting District in the Town of Riverhead, Suffolk County, New York, consisting of the acquisition of a bucket truck for use by the Riverhead Street Lighting District, including incidental expenses in connection therewith, at a maximum estimated cost of \$100,000.

Section 2. This order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll, which resulted as follows:

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The order was thereupon declared duly adopted.

* * * * *

THE VOTE
Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Denisieski yes ___ no
Cardinale yes ___ no
THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board
of said Town, including the order contained therein, held on July 19, 2005, with the
original thereof on file in my office, and that the same is a true and correct transcript therefrom and
of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open
Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public
notice of the time and place of said meeting to be given to the following newspapers and/or other
news media as follows:

Newspaper and/or other news media

Date given

Traveler-Watchman

July 20, 2005

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

<u>Designated Location(s) of posted notice</u>	<u>Date of Posting</u>
Town Clerk's Bulletin Board	July 20, 2005

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town,
on July 20, 2005.

Barbara Stanton
Town Clerk

(SEAL)

Adopted

RESOLUTION # 690 590

072113-03193P

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on July 19, 2005, at 7 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Cardinale,
and upon roll being called, the following were

PRESENT: Supervisor Philip Cardinale
Councilwoman Rose Sanders
Coouncilwoman Barbara Blass
Councilman Edward Densieski
Councilman George Bartunek

ALSO PRESENT: Town Clerk Barbara Grattan
Town Attorney, Dawn Thoman

ABSENT:

The following resolution was offered by Councilman COUNCILWOMAN BLASS who
moved its adoption, seconded by Councilman COUNCILMAN DENSIESKI to-wit:

BOND RESOLUTION DATED July 19, 2005.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$100,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE RIVERHEAD STREET LIGHTING DISTRICT IN THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK.

WHEREAS, the capital project hereinafter described has been determined to be an Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have a significant effect on the environment; and

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an order dated July 19, 2005, said Town Board has determined it to be in the public interest to increase the facilities of the Riverhead Street Lighting District in the Town of Riverhead, Suffolk County, New York, at a maximum estimated cost of \$100,000; and

WHEREAS, it is now desired to provide funding for such capital project; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. For the specific object or purpose of paying the cost of the increase and improvement of the Riverhead Lighting District, consisting of the acquisition of a bucket truck, including incidental expenses in connection therewith, there are hereby authorized to be issued \$100,000 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$100,000 and that the plan for the financing thereof is by the issuance of the \$100,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Riverhead, Suffolk County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers; he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the

Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. The intent of this resolution is to give the Supervisor sufficient authority to execute those agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or notes without resorting to further action of this Town Board.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 12. This resolution which takes effect immediately shall be published in full in Traveler-watchman, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call,
which resulted as follows:

_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * * * *

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

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board
of said Town, including the resolution contained therein, held on July 19, 2005, with
the original thereof on file in my office, and that the same is a true and correct transcript therefrom
and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open
Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public
notice of the time and place of said meeting to be given to the following newspapers and/or other
news media as follows:

Newspaper and/or other news media

Traveler-Watchman

Date given

July 20, 2005

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

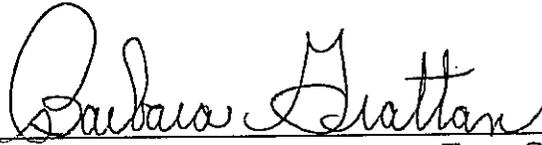
Designated Location(s)
of posted notice _____

Date of Posting

Town Clerk's Bulletin Board

July 20, 2005

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town,
on July 20, 2005.



Town Clerk

(SEAL)

JULY 19, 2005

Adopted

TOWN OF RIVERHEAD

411 Old Country Rd Chapter 96

BUDGET ADOPTION

RESOLUTION # 691

COUNCILMAN DENSIESKI

offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

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

		<u>FROM</u>	<u>TO</u>
406.010010.411000.41052	Real Property Taxes	1,980	
406.086660.540000.41052	Contractual Expense		1,240
406.086660.549001.41052	Administrative Fee		740

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

JULY 19, 2005

TOWN OF RIVERHEAD
307 Griffing Ave Chapter 96

Adopted

BUDGET ADOPTION

RESOLUTION # 692

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS

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

		<u>FROM</u>	<u>TO</u>
406. 010010.411000.41053	Real Property Taxes	2,235	
406.086660.540000.41053	Contractual Expense		1,495
406.086660.549001.41053	Administrative Fee		740

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

JULY 19, 2005

Adopted

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 693

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

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

	<u>FROM</u>	<u>TO</u>
001.013100.542700 Finance, Computer Supplies	3,000	
001.013100.549000 Finance, Misc. Expense		3,000
001.000000.390599 Appropriated Fund Balance	1000	
001.014200.542100 Town Attorney, Office Supplies		1000
001.035100.542504 Control of Dogs, Cleaning Supplies	200	
001.035100.543220 Control of Dogs, Vet Care		200
001.036250.542100 Code Enforcement, Office Supplies	100	
001.036250.524000 Code Enforcement, Equipment		100
001.000000.390599 Appropriated Fund Balance	110	
001.065100.544140 Veterans Memorial Expense		110
001.070200.542104 Rec Admin, Supplies	375	
001.070200.524000 Rec Admin, Equipment		375

	<u>FROM</u>	<u>TO</u>
001.071100.546000 Parks, Utilities	725	
001.071100.524000 Parks, Equipment		725
001.000000.390599 Appropriated Fund Balance	5000	
001.071800.542600 Beaches, Printing Expense		5000
001.000000.390599 Appropriated Fund Balance	800	
001.086860.540000 Community Develop, Contr. Exp		800
001.075200.540000 Historical Properties, Contr. Expense	300	
001.075200.544265 Landmarks Preservation Expense		300
001.000000.390599 Appropriated Fund Balance	775	
001.036200.524000 Safety Inspector, Equipment		775

THE VOTE

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

7/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 694

RATIFIES AN APPOINTMENT OF RECREATION SPECIALISTS (SPORTS INSTRUCTORS) TO THE RIVERHEAD RECREATION DEPARTMENT

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

RESOLVED, that the appointments of Jen Triandifilis and Rich Triandifilis are hereby ratified to serve as a Recreation Specialists (Sports Instructors), effective July 5th, 2005, to serve as needed on an at will basis and to be paid at the rate of \$20.00 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

1

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

7/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 695

RATIFIES AN APPOINTMENT FOR A P/T RECREATION AIDE TO THE RIVERHEAD RECREATION DEPARTMENT

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

RESOLVED, that the John Zilnicki appointment is hereby ratified to serve as a P/T Recreation Aide, effective July 13th, 2005 to serve as needed on an at will basis and to be paid at the rate of \$7.50 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

1

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

1 Rec./ Doris:Res p/tRec Aide John Zilnicki

7/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 696

RATIFIES THE APPOINTMENT OF A BEACH ATTENDANT / CONCESSION STAND OPERATOR LEVEL IV TO THE RIVERHEAD RECREATION DEPARTMENT

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

RESOLVED, that the Greg Sanders appointment is hereby ratified to serve as a Beach Attendant/ Concession Stand Operator IV effective July 11th, 2005 to and including September 5th, 2005, to be paid at the rate of \$10.00. per hour, and to serve at the pleasure of the Town Board; and

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

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

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

THE VOTE

Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Sanders	<input checked="" type="checkbox"/> <i>abstain</i>	<input 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

¹ Rec. Doris/ Res Beach Attnd. Concess Greg Sanders

July 19, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 697

ACCEPTS THE RETIREMENT OF A POLICE OFFICER

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

WHEREAS, Chief of Police David J. Hegermiller has received a letter of retirement submitted by Police Officer James Wooten, effective July 4, 2005.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Riverhead does hereby accept the retirement of Police Officer James Wooten.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to James Wooten, the Chief of Police 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

July 19, 2005

Adopted

TOWN OF RIVERHEAD

ACCEPTS RETIREMENT OF
ARTHUR DANGELMAIER IN THE
WATER DEPARTMENT

RESOLUTION # 698

COUNCILMAN BARTUNEK

offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS

WHEREAS, Arthur Dangelmaier has notified the Supervisor of his retirement from the position of Maintenance Mechanic III in the Water Department effective July 13, 2005.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby recognize that Arthur Dangelmaier has worked for the Town of Riverhead for 28 years, and with much appreciation for his hard work over the years, accepts the retirement of Arthur Dangelmaier.

BE IT FURTHER, RESOLVED, that the Town Clerk be, and is hereby, directed to forward a Certified Copy of this Resolution to Arthur Dangelmaier, the Water Department, and the Office of Accounting.

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

July 19, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 699

ACCEPTS RESIGNATION OF A DETENTION ATTENDANT

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

WHEREAS, Chief of Police David J. Hegermiller has received a letter of resignation submitted by Barry Naber, Jr., from the position of Detention Attendant, effective immediately.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby accepts the letter of resignation submitted by Barry Naber, Jr.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Barry Naber, Jr., the Chief of Police 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

7/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 700

**RATIFIES AN APPOINTMENT OF A RECREATION SPECIALIST (SPORTS INSTRUCTOR)
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

RESOLVED, that the Jeff Doroski appointment is hereby ratified to serve as a Recreation Specialist (Sports Instructor), effective July 13th, 2005, to serve as needed on an at will basis and to be paid at the rate of \$20.00 per hour, and to serve at the pleasure of the Town Board; and

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

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

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department 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

¹ Rec./ Doris:Res p/tRec Spec Scott Hackel

July 19, 2005

TOWN OF RIVERHEAD

Resolution Number 701

MODIFIES TERMS AND CONDITIONS OF EMPLOYMENT FOR
DAWN C. THOMAS, TOWN ATTORNEY

Councilman Densieski offered the following resolution, which was
seconded by Councilman Bartunek.

WHEREAS, pursuant to resolution #72-2004, the Town Board set the terms and conditions of employment for Dawn C. Thomas, Esq. as Town Attorney, and;

WHEREAS, pursuant to resolution #20-2005, the Town Board modified the salary of Dawn C. Thomas, Esq. as Town Attorney

WHEREAS, the Town Board wishes to modify the terms and conditions of employment of Dawn C. Thomas, Esq. for the year 2005; and

NOW, THEREFORE BE IT RESOLVED, the terms and conditions of employment of Dawn C. Thomas, Esq. established in resolution #72 of 2004 and modified pursuant to resolution #20-2005 shall continue in full force and effects except that the wages as set forth in resolution 20-2005 shall be increased to \$89,000.00 effective July 1, 2005. In addition, resolution #72 of 2004 shall be modified to increase Thomas' vacation days to 30 days per calendar year and to increase Thomas' sick days to accrue at 2 days per month (24 days per year), and be it further

BE IT FURTHER RESOLVED, that the Town Clerk is directed to forward a certified copy of this resolution to Dawn C. Thomas, Esq. and the Accounting 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

July 19, 2005

Tabled

TOWN OF RIVERHEAD

Withdrawn
on
8/2/05

Resolution No. 702

ADOPTS RIVERHEAD TOWN PECONIC ESTUARY PROTECTION PROGRAM (BILGE BUDDIES)

Councilman Densieski offered the following resolution, which was seconded by COUNCILWOMAN BLASS

WHEREAS, it is fitting and proper to protect the Peconic Estuary, and

WHEREAS, the Riverhead Town Board has added many programs to help the Peconic Estuary such as pump out stations, a pump out boat, and golf irrigation program in conjunction with the Riverhead Sewer Department, and

WHEREAS, there exists a benefit for all of Eastern Long Island by removing oil from our public waterways, and

WHEREAS, the addition of Bilge Buddies for our recreational boaters has a large public benefit, and

WHEREAS, the Riverhead Town Board continues to promote recycling whenever possible, and

WHEREAS, a local business, Lighthouse Marine, 29 Edgar Avenue, Riverhead, New York will provide the Town with one-hundred Bilge Buddies for the sum of \$843.00,

NOW THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board duly adopts the Riverhead Town Peconic Estuary Protection Program," and

BE IT FURTHER RESOLVED that any Riverhead Town resident who provides the Town with a boat registration for a boat equipped with a minimum of one bilge pump be entitled to receive "bilge cleaning apparatus" for no charge and replacements as needed.

Councilwoman Sanders offered the resolution to be tabled, seconded by Counwoman Blass THE VOTE

Sanders ~~Yes~~ No

Blass ~~Yes~~ No

Densieski Yes ~~No~~

Bartunek ~~Yes~~ No

Cardinale ~~Yes~~ No

townboard.res.pep

Tabled

7/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 703

ADOPTS A LOCAL LAW TO CREATE CHAPTER 11 ENTITLED "TERMS OF OFFICE" OF THE RIVERHEAD TOWN CODE (TOWN SUPERVISOR)

Councilwoman Bläss offered the following resolution, was seconded by

Councilman Bartunek :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law creating Chapter 11 entitled, "Terms of Office" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 6th day of July, 2005 at 8:05 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that the local law creating Chapter 11 entitled, "Terms of Office" 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 is hereby authorized to publish the attached notice of adoption once in the Traveler Watchman and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Highway Department; the Office of the Supervisor 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
Bläss	<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 creating Chapter 11 entitled, "Terms of Office" of the Riverhead Town Code at its regular meeting held on July 19, 2005. Be it enacted by the Town Board of the Town of Riverhead as follows:

CHAPTER 11

"TERMS OF OFFICE"

§ 11-1. Statutory authority.

§ 11-2. Purpose.

§ 11-3. Four-year term of office.

§ 11-4. Mandatory referendum.

§ 11-5. Supersession.

§ 11-6. Effective date.

§ 11-1. Statutory authority.

This local law is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York.

§ 11-2. Purpose.

A Local Law Increasing the Term of Office of the Town Supervisor from Two Years to Four Years.

Be it enacted by the Town Board of the Town of Riverhead as follows:

§11-3. Four-year term office.

The term of office of the elected Town Supervisor shall be four years. Such four-year term shall commence as of the first day of January following the first biennial town election after the effective date of this local law. The four-year term provided by this section shall also apply to the person elected to such office at the same biennial election at which the four-year term provided by this local law is approved.

§ 11-4. Mandatory referendum.

This local law is adopted subject to a mandatory referendum and shall be subject to the approval of the qualified voters of the Town of Riverhead at the biennial town election to be held November 8, 2005. A proposition in the following form shall be included on the ballot at such biennial town election, and the increased term of office shall not take effect unless such proposition is approved by a majority vote of the qualified voters voting thereon:

“Shall Local Law No. _____ of the year 2005, entitled a Local Law
Increasing the Term of Office of the Town Supervisor from Two to Four Years
be approved?”

§ 11-5. Supersession.

This local law shall supersede Town Law, §24 relating to the term of office of the Town Supervisor of the Town of Riverhead.

§ 11-6. Effective date.

This local law shall become effective immediately upon being filed in the Office of Secretary of State after approval by the qualified voters.

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

* Underline represents addition(s)

Adopted

7/19/05

TOWN OF RIVERHEAD

Resolution # 704

ADOPTS A LOCAL LAW TO CREATE CHAPTER 11 ENTITLED "TERMS OF OFFICE" OF THE RIVERHEAD TOWN CODE (TOWN CLERK)

Councilman Bartunek offered the following resolution, was seconded by Councilman Densieski :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law creating Chapter 11 entitled, "Terms of Office" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 6th day of July, 2005 at 7:55 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that the local law creating Chapter 11 entitled, "Terms of Office" 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 is hereby authorized to publish the attached notice of adoption once in the Traveler Watchman and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Highway Department; the Office of the Supervisor 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

§ 11-10. Mandatory referendum.

This local law is adopted subject to a mandatory referendum and shall be subject to the approval of the qualified voters of the Town of Riverhead at the biennial town election to be held November 8, 2005. A proposition in the following form shall be included on the ballot at such biennial town election, and the increased term of office shall not take effect unless such proposition is approved by a majority vote of the qualified voters voting thereon:

“Shall Local Law No. _____ of the year 2005, entitled a Local Law
Increasing the Term of Office of the Town Clerk from Two to Four Years
be approved?”

§ 11-11. Supersession.

This local law shall supersede Town Law, §24 relating to the term of office of the Town Clerk of the Town of Riverhead.

§ 11-12. Effective date.

This local law shall become effective immediately upon being filed in the Office of Secretary of State after approval by the qualified voters.

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

* Underline represents addition(s)

7/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 705

ADOPTS A LOCAL LAW TO CREATE CHAPTER 11 ENTITLED "TERMS OF OFFICE" OF THE RIVERHEAD TOWN CODE (HIGHWAY SUPERINTENDENT)

Councilman Densieski 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 creating Chapter 11 entitled, "Terms of Office" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 6th day of July, 2005 at 8:00 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that the local law creating Chapter 11 entitled, "Terms of Office" 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 is hereby authorized to publish the attached notice of adoption once in the Traveler Watchman and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Highway Department; the Office of the Supervisor 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
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law creating Chapter 11 entitled, "Terms of Office" of the Riverhead Town Code at its regular meeting held on July 19, 2005. Be it enacted by the Town Board of the Town of Riverhead as follows:

CHAPTER 11

"TERMS OF OFFICE"

§ 11-13. Statutory authority.

§ 11-14. Purpose.

§ 11-15. Four-year term of office.

§ 11-16. Mandatory referendum.

§ 11-17. Supersession.

§ 11-118. Effective date.

§ 11-13. Statutory authority.

This local law is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York.

§ 11-14. Purpose.

A Local Law Increasing the Term of Office of the Highway Superintendent from Two Years to Four Years.

Be it enacted by the Town Board of the Town of Riverhead as follows:

§11-15. Four-year term office.

The term of office of the elected Highway Superintendent shall be four years. Such four-year term shall commence as of the first day of January following the first biennial town election after the effective date of this local law. The four-year term provided by this section shall also apply to the person elected to such office at the same biennial election at which the four-year term provided by this local law is approved.

§ 11-16. Mandatory referendum.

This local law is adopted subject to a mandatory referendum and shall be subject to the approval of the qualified voters of the Town of Riverhead at the biennial town election to be held November 8, 2005. A proposition in the following form shall be included on the ballot at such biennial town election, and the increased term of office shall not take effect unless such proposition is approved by a majority vote of the qualified voters voting thereon:

“Shall Local Law No. _____ of the year 2005, entitled a Local Law
Increasing the Term of Office of Highway Superintendent from Two to Four
Years
_____ be approved?”

§ 11-17. Supersession.

This local law shall supersede Town Law, §24 relating to the term of office of Highway Superintendent of the Town of Riverhead.

§ 11-18. Effective date.

This local law shall become effective immediately upon being filed in the Office of Secretary of State after approval by the qualified voters.

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

* Underline represents addition(s)

07/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 706

ADOPTS A LOCAL LAW TO AMEND CHAPTER 64 OF THE RIVERHEAD TOWN CODE ENTITLED "FIRE PREVENTION"

COUNCILWOMAN BLASS

offered the following resolution,

which 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 to amend Chapter 64 of the Riverhead Town Code entitled "Fire Prevention"; and

WHEREAS, a public hearing was held on the 6th day of July, 2005 at 7:15 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

NOW THEREFORE BE IT RESOLVED, that a local law to amend Chapter 64 of the Riverhead Town Code entitled "Fire Prevention" be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Traveler Watchman, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the same to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Fire Marshal; the Building Department; the Planning Department; Code Enforcement and 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 to amend Chapter 64 of the Riverhead Town Code entitled "Fire Prevention" at its regular meeting held on July 19, 2005 as follows:

CHAPTER 64

FIRE PREVENTION

§ 64-13. Maintenance of equipment.

F. For all subdivisions, a fee must be posted for the construction of the requisite water mains and hydrants prior to receiving a foundation permit. The fee shall be determined by the Planning Department based on cost estimates. In order to receive a building permit, water main construction for the subdivision must be certified complete according to planning department requirements and mains and hydrants must be charged and capable of providing water in the case of a fire emergency.

§ 64-52. Permit required; record of installations.

C. An operational storage permit issued pursuant to this chapter shall be obtained for each installation of liquefied petroleum gas employing a container or an aggregate of interconnected containers where the total storage capacity is in excess of 2,000 gallons' water capacity, and for each permanent installation, irrespective of size of containers, made at buildings designated as places of public assembly and for retail propane filling stations. All such storage locations shall be maintained in accordance with the New York State Fire Prevention and Building Code, applicable provisions of the NFPA and permit conditions as issued by the Town of Riverhead.

§64-53 Propane cylinder and tank regulations

A. No person, business or commercial entity will service, repair or fill any propane tank or cylinder that is in excess of twelve years old.

B. No person, business or commercial entity will service, repair or fill any propane cylinder or tank that does not have a Federal Department of Transportation number stamped on it.

C. No person, business or commercial entity shall alter a propane tank or cylinder in any way. Alteration to a propane tank or cylinder shall include, but not be limited to: cutting or welding and include the replacement of valves or other parts of the tank or cylinder.

D. No person, business or commercial entity shall fill any tanks that are visibly damaged, dented, rusted or otherwise in poor condition.

E. All tanks and cylinders shall be filled, transported, used, stored and disposed of in accordance with the Federal Department of Transportation regulations for the filling of propane tanks and cylinders, Fire Code of NYS Chapter 30, and the Fuel Gas Code of NYS Chapter 38.

(Renumber remainder of chapter)

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

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

07/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 707

ADOPTS A LOCAL LAW TO REPEAL CHAPTER 75 OF THE RIVERHEAD TOWN CODE ENTITLED "LIQUEFIED PETROLEUM GASES"

COUNCILWOMAN SANDERS

offered the following resolution,

COUNCILMAN BARTUNEK

which was seconded by _____ :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to repeal Chapter 75 of the Riverhead Town Code entitled "Liquefied Petroleum Gases"; and

WHEREAS, a public hearing was held on the 6th day of July, 2005 at 7:20 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

NOW THEREFORE BE IT RESOLVED, that a local law to repeal Chapter 75 of the Riverhead Town Code entitled "Liquefied Petroleum Gases" be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Traveler Watchman, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the same to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Fire Marshal; the Building Department; the Planning Department; Code Enforcement and 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

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law to repeal Chapter 75 of the Riverhead Town Code entitled "Liquefied Petroleum Gases" at its regular meeting held on July 19, 2005.

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

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

CHAPTER 75

LIQUEFIED PETROLEUM GASES

§ 75-1. Applicability.

A. Application of chapter. The provisions of this chapter shall apply to all uses of liquefied petroleum gas and installation of all apparatus, piping and equipment pertinent to systems for such uses and to storage and handling of liquid petroleum gas.

B. Compliance with standards except as otherwise prescribed. Compliance with applicable provisions of NFPA current Standard No. 58 and NFPA current Standard No. 54, except as otherwise prescribed in this chapter, shall constitute compliance with this chapter.

C. Deviations. Deviations from the applicable provisions of NFPA current Standard No. 58 and NFPA current Standard No. 54 or of the provisions of this chapter, as otherwise prescribed, when it shall have been conclusively proven to the Chief of the Bureau of Fire Prevention that such deviations meet the performance requirements of this chapter, shall constitute compliance with this chapter.

§ 75-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

APPLIANCES—Includes all gas-burning appliances for use with liquefied petroleum gas.

APPROVED—Acceptable to the Fire Inspector of Riverhead in conformity with standards in this chapter.

CARGO TANK—A container used to transport liquefied petroleum gas over the highway as liquid cargo, either mounted on a conventional truck chassis or as an integral part of a transporting vehicle in which the container constitutes in whole or in part the stress member used as a frame; essentially a permanent part of the transporting vehicle.

CONTAINER—Any vessel, including cylinders, tanks, portable tanks and cargo tanks, used for the transporting or storing of the liquefied petroleum gases.

CONTAINER APPURTENANCES—Items connected to container openings needed to make a container a gastight entity. These include but are not limited to safety-relief devices, shutoff, backflow check, excess-flow check and internal valves; liquid level gauges; pressure gauges; and plugs.

CYLINDERS—Portable containers constructed to Department of Transportation (formerly Interstate Commerce Commission) cylinder specifications or, in some cases, constructed in accordance with the American Society of Mechanical Engineers Code of a similar size and for similar service. The maximum size permitted under Department of Transportation specifications is one thousand (1,000) pounds' water capacity.

DISTRIBUTING PLANT—A facility, the primary purpose of which is the distribution of gas, and which receives liquefied petroleum gas in tank cars, truck transport or truck lots, distributing this gas to the end user by portable container (package) delivery, by tank truck or through gas piping. Such plants have bulk storage [two thousand (2,000) gallons' water capacity or more] and usually have container filling and truck loading facilities on the premises. So-called "bulk plants" are considered as being in this category. Normally,

no persons other than the plant management or plant employees have access to these facilities.

DISTRIBUTING POINT—A facility, other than a distributing plant or industrial plant, which normally receives gas by tank truck and which fills small containers or the engine fuel tanks of motor vehicles on the premises. Any such facility having liquefied petroleum gas storage of one hundred (100) gallons' or more water capacity and to which persons other than the owner of the facility or his employees have access is considered to be a "distributing point." A liquefied petroleum gas service station is one (1) type of "distributing point."

LIQUEFIED PETROLEUM GAS EQUIPMENT—Includes all apparatus, piping and equipment pertinent to the use of liquefied petroleum gas.

LIQUEFIED PETROLEUM GAS (ES), LP GAS and LPG—Synonymous and includes any material having a vapor pressure not exceeding that allowed for commercial propane composed predominantly of the following hydrocarbons, either by themselves or as mixtures: propane, propylene, butane (normal butane or isobutane) and butylene (including isomers).

LP GAS SYSTEM—An assembly consisting of one (1) or more containers with a means for conveying LP gas from the container(s) to dispensing or consuming devices (either continuously or intermittently) and which incorporates components intended to achieve control of quantity, flow, pressure or state (either liquid or vapor).

PORTABLE CONTAINER—A container designed to be readily moved, as distinguished from containers designed for stationary installations. "Portable containers" designed for transportation, filled to their maximum filling density, include cylinders, cargo tanks and portable tanks, all three (3) of which are separately defined. Containers designed to be readily moved from one (1) usage location to another but substantially empty of product are portable storage containers and are separately defined.

PORTABLE STORAGE CONTAINER—A container similar to but distinct from those designed and constructed for stationary installation, designed so that it can be readily moved over the highways, substantially empty of liquid, from one (1) usage location to another. Such containers either have legs or other supports attached or are mounted on running gear, such as trailer or semitrailer chassis, with suitable supports, which may be of the fold-down type, permitting them to be placed or parked in a stable position on a reasonably firm and level surface. For large volume, limited duration product usage, such as at construction sites and normally for twelve (12) months or less, "portable storage containers" function in lieu of permanently installed stationary containers.

PORTABLE TANK (also called "skid tank")—A container of more than one thousand (1,000) pounds' water capacity used to transport LP gas handled as a package, that is, filled to its maximum permitted filling density. Such containers are mounted on skids or runners and have all container appurtenances protected in such a manner that they can be safely handled as a package.

QUALIFIED PERSONNEL—Qualified persons holding a certificate of fitness issued by the Fire Inspector of the Town of Riverhead.

§ 75-3. Permits and reports.

—Installation permits, plans, reports of:

A. An installation shall be obtained prior to installing any liquefied petroleum gas system employing a container or aggregate of interconnected containers of over one hundred twenty five (125) gallons' water capacity.

B. The application for the installation permit shall be submitted to the Fire Inspector for approval prior to installation and shall be accompanied by plans as prescribed by the Bureau of Fire Prevention.

C. All underground liquefied petroleum gas tanks and piping are to remain uncovered until the installation is approved by the Fire Inspector.

D. Every person, firm or corporation engaged in the business of installing liquefied petroleum gas equipment shall submit written reports to the Fire Inspector no later than the 10th day of each month, setting forth the location and character of each installation made during the previous month.

E. Every installation of liquefied petroleum gas used for temporary heat must be reported to the Fire Inspector by the installer at the time of installation.

§ 75-4. Capacity, installation and maintenance.

A. Capacity.

(1) Within the limits established by law restricting the bulk storage of liquefied petroleum gas, the aggregate capacity of any installation shall be as follows:

(a) Any installations connected or accessory to any residential building shall not exceed five hundred (500) gallons' water capacity.

(b) Any installations connected or accessory to a commercial or industrial building shall not exceed two thousand (2,000) gallons' water capacity.

(2) Except that in particular installations, this capacity limit may be altered at the discretion of the Fire Inspector after consideration of special features, such as topographical conditions, nature of occupancy and proximity to buildings, capacity of proposed tanks, degree of private fire protection to be provided and facilities of the local Fire Department.

B. All equipment shall be installed and maintained in conformity with the rules and regulations of the Fire Inspector of the Town of Riverhead. It shall be unlawful to install, service, handle or offer for sale, in any form, liquefied petroleum gas and related equipment that does not conform to the rules and regulations of the Town of Riverhead.

C. No person, firm or corporation, except the owner or those authorized by the owner to do so, shall sell, fill, refill, deliver or permit to be delivered or use in any manner any liquefied petroleum gas container for any gas or compound or for any other purpose whatsoever. Only containers designed for LP-gas may be filled with liquefied petroleum gas. Filling of liquefied petroleum gas containers with any gas or compound is prohibited.

D. It shall be unlawful to weld, repair, add to or subtract from the original container design unless done by a recognized manufacturer or a repair facility authorized by the Federal Department of Transportation.

E. Replacement of parts on containers, regulators or related equipment shall be made by qualified personnel only.

F. Cylinders used for liquefied petroleum gas shall be painted white, silver or other light-reflecting color as approved by the Fire Inspector. It shall be unlawful for any supplier to refill any container that has been painted any other color. Existing containers shall comply with the painting provision within five (5) years of the date of adoption of this chapter.

G. The gas supplier shall have the right to refuse to fill the container that does not fully conform to all provisions of the Town of Riverhead Fire Prevention Ordinance or one that has been involved in a fire or is burned or seared.

H. Peening or welding leaks is prohibited.

I. Tanks, cylinders or other storage vessels which previously contained gases other than liquefied petroleum gas, such as but not limited to freon, acetylene or hydrogen, shall not be revalved and used for liquefied petroleum gases.

J. All housing and covers shall protect any size underground tank shall be painted bright yellow. This subsection shall include all new and preexisting tanks.

§ 75-5. Portable cylinders.

A. Portable vapor withdrawal cylinders with water capacities greater than two and one-half (2 1/2) pounds which are or will be owned by the user or intended user are not to be filled, or refilled unless the cylinder has been properly tested or requalified in accordance with United States Department of Transportation regulations and has attached thereto a warning label approved by the Chief or the Fire Inspector. Cylinder(s) shall not be released to the owner or his representative by the seller or refiller until it has been determined that the cylinder has not been filled beyond acceptable limits [forty-two percent (42%) of its water weight capacity], is free of leaks and is safe for use or continued use.

B. Containers, except those used in liquid withdrawal service applications, may be stored or displayed in a building frequented by the public. The quantity of LP gas shall not exceed two hundred (200) pounds.

C. Temporary or emergency use in unoccupied buildings regulated. Liquefied petroleum gas may be used in buildings or portions thereof under construction with no occupancy, provided that the following regulations are complied with:

(1) Containers in use shall be placed so as to ensure against tipping and shall be protected from physical damage.

(2) Portable heaters utilizing liquefied petroleum gas must be equipped with a safety pilot device which will shut off the flow of gas should the pilot light be extinguished.

(3) Direct connection of a heater to a container without a pressure regulator suitable for the appliance in use is prohibited.

(4) Only hose approved for liquefied petroleum gas will be permitted and cannot exceed fifteen (15) feet in length.

(5) Heaters must be placed at least six (6) feet from containers and at least ten (10) feet from combustible materials.

(6) No liquid withdrawal containers will be permitted, except those containers firmly attached to industrial motorized equipment.

D. Temporary or emergency use in occupied buildings regulated. Liquefied petroleum gas may be used in occupied buildings, provided that the following regulations are complied with:

(1) Containers in use shall be placed so as to ensure against tipping and shall be protected from physical damage.

(2) Portable heaters utilizing liquefied petroleum gas must be equipped with a safety pilot device which will shut off the flow of gas should the pilot light be extinguished.

(3) Containers must be outside the building at an approved location.

(4) Supply line from the container must be approved copper tubing or piping with approved fittings, adequately secured to the building and protected against physical damage.

(5) ~~An approved gas shutoff device as specified in NFPA current Standard No. 54 must be installed at the end of copper tubing or piping inside the building when connection from this point to the heater is to be approved flexible hose.~~

(6) ~~No temporary use shall exceed seven (7) days; however, an extension of seven (7) days may be granted by the Fire Inspector upon application and proof that a system could not be made permanent or the affected system repaired without an extension.~~

E. ~~Supervision. Temporary heaters and equipment must be supervised by a competent person having knowledge of the utilization of liquefied petroleum gas, and said person is to be in attendance at all times when heaters are in operation. Supervision is the responsibility of the person, firm or corporation using temporary heat.~~

F. ~~All openings between an occupied portion and a portion under construction shall be closed with fire-rated material of at least a one-hour fire rating.~~

G. ~~Excess flow check valve(s). All tanks used inside any building shall be equipped with an excess flow valve to shut off the flow of gas if a hose is severed.~~

~~§ 75-6. Sale or storage permits.~~

A. ~~The owner or operator of locations where liquefied petroleum gas is sold, stored for rental or resale and/or transferred from one vessel into another must secure a permit to operate from the Fire Inspector of the Town of Riverhead.~~

B. ~~Application for permit. Applications for permits shall be made to the Fire Inspector on forms provided and shall include the applicant's answers in full to inquiries set forth on such forms. Applications for permits shall be accompanied by such data as may be required by the Fire Inspector and fees as may be required by the Town of Riverhead.~~

C. ~~Review and issuance. The Fire Inspector shall review all applications submitted, determine compliance with applicable provisions of this chapter and issue permits as required. If an application for a permit is rejected by the Fire Inspector, he shall advise the applicant of the reasons for such rejection.~~

D. ~~Display of permits. A copy of the permit shall be posted or otherwise readily accessible at each place of operation or carried by the permit holder, as specified by the Fire Inspector.~~

E. ~~Permits shall be given full force and effect for a period of two (2) years.~~

~~§ 75-7. Transportation.~~

A. ~~No person, firm or corporation shall use, or cause to be used, any motor vehicle, tank truck, tank semitrailer or tank truck trailer for the transportation of liquefied petroleum gas unless, after complying with these regulations, a permit to operate a fleet of such vehicles has first been secured from the Fire Inspector of the Town of Riverhead. No permit shall be required under this section for any motor vehicle that is used for the transportation of liquefied petroleum gas not operated or registered by an authorized dealer, in containers not larger than ten (10) gallons' water capacity each, approximately thirty-four (34) pounds' propane capacity, or when used in permanently installed containers on the vehicle as motor fuel. This section shall not apply to any motor vehicle, tank truck, tank semitrailer or tank truck trailer traveling through the Town of Riverhead and making no deliveries within the town.~~

B. ~~The permit shall be given full force and effect for a period of three (3) years.~~

C. ~~All liquefied petroleum gas containers shall be transported in an upright position and properly secured.~~

~~D. The transportation of liquefied petroleum gas cylinders, either empty or full, is prohibited in the trunk of any passenger vehicle.~~

~~E. Cylinders larger than ten (10) gallons' water capacity or an aggregate in excess of twenty-five (25) gallons' water capacity shall not be transported in cars, vans or any type of enclosed vehicle or in the enclosed area of any vehicle.~~

~~F. The parking and garaging of tank vehicles used for the transportation of liquefied petroleum gases shall be in accordance with this chapter.~~

~~§ 75-8. Certificates of fitness.~~

~~A. A certificate of fitness issued by the Fire Inspector shall be required by any person:~~

~~(1) Filling containers at locations where liquefied petroleum gas is sold and/or transferred from one vessel into another.~~

~~(2) Transferring liquefied gas from one vessel into another.~~

~~(3) Filling containers permanently located and installed outdoors, equipped with appurtenances for filling by a cargo vehicle at consumer sites.~~

~~B. Application. All applications for a certificate of fitness shall be filed with the Fire Inspector on forms provided by the Fire Inspector and accompanied by the applicable fee.~~

~~C. Proof of qualifications. Every person applying for a certificate of fitness shall furnish satisfactory proof to the Fire Inspector that he is familiar with materials, formulas, tools, techniques, standards, laws, ordinances, recognized good practices, safety precautions and manufacturer's recommendations pertaining to the particular system, materials, devices or operations he will be involved with and for which the certificate of fitness is issued. He shall further prove that he is physically competent to perform any and all actions necessary or incidental to the operation for which the certificate of fitness is issued.~~

~~D. Investigation and examination. The Fire Inspector shall investigate every new application for a certificate of fitness. The investigation shall include a written examination regarding the use, makeup and handling of liquefied petroleum gas, and such examination shall include a practical test. When the Fire Inspector determines that the applicant conforms to all the requirements of this chapter, he shall issue the certificate of fitness.~~

~~E. The certificate of fitness shall be given full force and effect for a period of three (3) years.~~

~~F. Refusal of certificate of fitness. When the Fire Inspector determines that a candidate has failed an examination for a certificate of fitness, he shall refuse to issue the certificate of fitness. Any applicant may not apply again for the certificate of fitness within a ten-day period following the examination.~~

~~G. Transferability. A certificate of fitness shall not be transferable.~~

~~H. Renewal of certificate of fitness. Applications for renewal of a certificate of fitness shall be filed in the same manner as an application for an original certificate. Each such application shall be accompanied by applicable fees. The granting of a renewal of a certificate of fitness shall be accomplished in the same manner as for an original certificate of fitness, except that any person continuously engaged in any activity for which a certificate of fitness is required will not, upon renewal, be required to take a written examination.~~

~~I. Change of address. Each person holding a certificate of fitness shall notify the Fire Inspector in writing of any change in his business, residential or other notification address~~

within ten (10) days after such change. Failure on the part of a person to give such notification shall constitute grounds for revocation of said certificate of fitness.

J. Contents of certificate of fitness. A certificate of fitness issued by the Fire Inspector shall be in the form of an identification card. Said card shall contain the following information to be valid:

- (1) The purpose for which the certificate of fitness has been issued.
- (2) The date of the certificate of fitness issuance and the date of expiration.
- (3) Other information as may be necessary to properly identify the person to whom the certificate of fitness is issued.
- (4) The signature of the person to whom the certificate of fitness is issued.
- (5) The name and signature of the Fire Inspector who issued the certificate of fitness or the Fire Inspector's name and countersignature of his designated representative.
- (6) Printed thereon, in bold type, the following:

"This Certificate Does Not Exclusively Recommend the Bearer."

K. Requirement to display certificate of fitness. Any person to whom a certificate of fitness has been granted in conformance with this chapter shall, upon request, produce and show proper identification and his certificate of fitness to anyone for whom he seeks to render his services or to the Fire Inspector.

L. A certificate of fitness may be revoked by the Fire Inspector following a hearing, if the holder fails to comply with provisions of this chapter.

§ 75-9. Reporting of incidents.

~~Any incident involving liquefied petroleum gas, including but not limited to leaks, fires, explosions or any other accidental discharge into the atmosphere in excess of eight and five-tenths (8.5) cubic feet [one (1) pound propane] must be reported to the Fire Inspector by the responsible party or his representative. The initial report may be made by telephone and followed by a written report. Under no circumstances shall a report be filed later than twenty-four (24) hours after the incident.~~

§ 75-10. Disclaimer of liability.

~~This chapter shall not be construed to hold the Town of Riverhead, its officers or employees responsible for any damages to persons or property by reason of the inspection or reinspection authorized herein or failure to inspect or reinspect as herein provided or by reason of the approval or disapproval of any equipment authorized herein.~~

§ 75-11. Penalties for offenses.

~~Any person, firm or corporation violating any provision of this chapter or failing to comply therewith, or violating or failing to comply with any order or regulation made thereunder, shall, upon conviction, be guilty of a violation punishable by a fine not exceeding two thousand dollars (\$2,000.) or by imprisonment for fifteen (15) days, or both, for each and every such violation. The imposition of the penalty for any violations of this chapter shall not excuse the violation or permit it to continue, and each day that the prohibited conditions are maintained shall constitute a separate offense.~~

* Overstrike represents deletion(s)

07/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 708

ADOPTS A LOCAL LAW TO AMEND CHAPTER 101 OF THE RIVERHEAD TOWN CODE ENTITLED "VEHICLES AND TRAFFIC" (101-10 Parking prohibited)

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to amend Chapter 101 of the Riverhead Town Code entitled "Vehicles & Traffic" (101-10 Parking prohibited); and

WHEREAS, a public hearing was held on the 19th day of July, 2005 at 7:20 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

NOW THEREFORE BE IT RESOLVED, that a local law to amend Chapter 101 of the Riverhead Town Code entitled "Vehicles & Traffic" (101-10 Parking prohibited) be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Traveler Watchman, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the same to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Riverhead Traffic Safety Committee; Councilperson George Bartunek; the Riverhead Police Department; the Riverhead Highway Department; the Riverhead Recreation Department; Kenneth Testa, P.E. 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
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 101 of the Riverhead Town Code entitled "Vehicles & Traffic" (101-10 Parking prohibited) at its regular meeting held on July 19, 2005 as follows:

CHAPTER 101

VEHICLES AND TRAFFIC

§ 101-10. Parking prohibited.

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

Name of Street	Side	Location
<u>Crows Nest Drive</u>	<u>Both</u>	<u>Between Sea Breeze Drive and Park Road</u>
<u>Sea Breeze Drive</u>	<u>Both</u>	<u>Between Horn Pipe Drive and Park Road</u>
Park Road	Both	From its intersection with Sound Avenue to a point 200 feet south of its terminus on Long Island Sound
Park Road (Reeves Park)	Both	From Sound Avenue to the mean high-water line of Long Island Sound
<u>Park Road</u>	<u>East</u>	<u>From its intersection with Sound Avenue to a point 150 feet north of the northern terminus of Longview Drive and Park Road</u>
<u>Park Road</u>	<u>West</u>	<u>From its intersection with Sound Avenue to its terminus with Reeves Beach parking area</u>

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

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

07/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 709

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 OF THE RIVERHEAD TOWN CODE ENTITLED "Zoning" (§108-3 Definitions)

COUNCILMAN BARTUNEK offered the following resolution,

which 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 to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-3 Definitions); and

WHEREAS, a public hearing was held on the 29th day of June, 2005 at 2:00 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

NOW THEREFORE BE IT RESOLVED, that a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-3 Definitions) be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Traveler Watchman, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the same to be posted on the sign board of the Town; and be it further

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

THE VOTE

Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Denstleski 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 to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-3 Definitions) at its regular meeting held on July 19, 2005 as follows:

CHAPTER 108

ZONING

§ 108-3. Definitions.

A. General construction of language. The following rules of construction apply to the language of this chapter:

- (1) The specific shall control the general.
- (2) All words used in the present tense include the past and the future tense.
- (3) All words in the singular number include the plural number, and vice-versa, unless the natural construction of the wording indicates otherwise.
- (4) Words used in the masculine gender include the feminine and neuter, and vice-versa, unless the natural construction of the wording indicates otherwise.
- (5) The word "shall" is mandatory; the word "may" is permissive.
- (6) The word "includes" shall not be limited to the specified examples but is intended to extend its meaning to all other instances or circumstances of like kind or character.
- (7) Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunction "and," "or," "either...or," the conjunction shall be interpreted as follows:
 - (a) "And" indicates that all of the connected items, conditions, provisions or events shall apply.
 - (b) "Or" indicates that the connected items, conditions, provisions or events shall apply singly but not necessarily in combination.
 - (c) "Either...or" indicates that the connected items, conditions, provisions or events shall apply but not in combination.
- (8) A "building" or "structure" includes any part thereof
- (9) The words "lot," "plot" and "tract of land" shall each include the other.
- (10) The word "premises" shall include land and any improvements thereon.
- (11) References made to "officials" and "official bodies" shall mean officials and official bodies of the Town of Riverhead, unless the natural construction of the wording indicates otherwise.
- (12) Unless otherwise specified, all distances shall be measured horizontally.
- (13) In case of any difference of meaning or implication between the text of this chapter and any caption or illustration, the text shall control.

B. For the purpose of this chapter, certain terms and words are herewith defined as follows:

AGRICULTURAL PRODUCTION -- The production for commercial purposes of all crops, livestock and livestock products, including but not limited to the following:

- A. ~~Field crops, including corn, wheat, oats, rye, barley, hay, potatoes and dry beans.~~
- B. ~~Fruits, including apples, peaches, grapes, cherries and berries.~~
- C. ~~Vegetables, including tomatoes, snap beans, cabbage, carrots, beets and onions.~~
- D. ~~Horticultural specialties, including ornamental shrubs, trees and flowers.~~
- E. ~~Livestock and livestock products, including cattle, sheep, hogs, goats, horses, hens, ducks, milk and eggs.~~

- (1) Field crops, including corn, wheat, oats, rye, barley, hay, potatoes, and dry beans.
- (2) Fruits, including apples, peaches, grapes, cherries and berries.
- (3) Vegetables, including tomatoes, snap beans, cabbage, carrots, beets and onions.
- (4) Horticultural specialties, including nursery stock, ornamental shrubs, ornamental trees and flowers.
- (5) Livestock and livestock products, including cattle, sheep, hogs, goats, horses, poultry, farmed deer, farmed buffalo, fur-bearing animals, milk, eggs and furs.
- (6) Christmas trees grown in a managed Christmas tree operation, whether dug for transplanting or cut from the stump.
- (7) Commercial horse boarding operation.

AGRICULTURAL WORKER HOUSING -- Any area of land and all buildings or other structures pertaining thereto, any part of which may be occupied by persons employed as laborers in farm activities in the Town of Riverhead who are provided with sleeping facilities, in whole or in part, by the owner without a stipulated agreement as to the duration of their stay or whether or not they are supplied with meals, but who are supplied with such services or facilities as are necessary for agricultural production on the owner's property.

~~CAMP -- Any one or more of the following, whether or not conducted for profit and whether or not occupied by adults or by children either as individuals, families or groups, other than a hospital, place of detention or school offering general instruction.~~

- ~~A. TYPE 1 -- Any area of land on which are located two or more tents, tent houses and/or camp cottages designed for and of a character suitable for occupancy from April 1 to December 1 in any year, regardless of whether such structure or other accommodations actually are occupied during this period or for shorter or longer periods.~~
- ~~B. TYPE 2 -- Any area of land on which are located two or more house trailers or mobile homes suitable for living purposes.~~
- ~~C. TYPE 3 -- Any area of land on which are located camp cars, pickup coaches and/or travel trailers for living purposes.~~

~~D. TYPE 4—Any land, including any building thereon, used for what is commonly known as "day camp" purposes.~~

~~E. TYPE 5—Any area of land on which is located a grouping of buildings, exclusive of mobile homes, travel trailers and/or camp cars or pickup coaches, for the operation of a recreational camp where certain functions are provided in separate buildings, such as dining, laundering, recreational, sleeping, dormitory, rest rooms, etc.~~

~~F. AGRICULTURAL WORKER HOUSING—Any area of land and all buildings or other structures pertaining thereto, any part of which may be occupied by persons employed as laborers in farm activities in the Town of Riverhead who are provided with sleeping facilities, in whole or in part, by the owner without a stipulated agreement as to the duration of their stay or whether or not they are supplied with meals, but who are supplied with such services or facilities as are necessary for agricultural production on the owner's property. "Agricultural worker housing" shall be permitted as an accessory use in the Agriculture A Zoning Use District and by special permit in all other zoning use districts, provided that the parcel of land upon which the "agricultural worker housing" is to be constructed consists of at least five (5) acres and that the "agricultural worker housing" is located on the property which is actively engaged in agriculture.~~

CEO - CERTIFIED CODE ENFORCEMENT OFFICIAL -- An employee of the Town who has been trained as an enforcement official pursuant to Article 18 of the New York State Executive Law

CURB CUT -- A depression in the curb for the purpose of accommodating a Driveway, which provides vehicular access between private property and the street or easement. Where there is no curb, the point at which the Driveway meets the roadway pavement shall be considered the Curb Cut.

DWELLING, TWO-FAMILY -- A building designed for and occupied exclusively as a home or residence by two families the owner and or the owner's family and a second person or family living independently of each other.

DRIVEWAY -- A portion of an alley, or private property which provides access from a Curb Cut to an off-street parking area excluding the Front Yard as defined herein.

FRONT YARD -- 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 excluding the Driveway as defined herein.

GAME CENTER

~~A. (1) An accessory use to a specific main use, consisting of an area or room containing four or fewer pinball machines, electronic video-screen games, foosball games, air hockey games, skeebowls or any other similar games or machines for the use of which~~

fees are paid directly into the machine or to any operator, except for pool tables, jukeboxes and juvenile rides.

B. (2) When a "game center" is a permitted accessory use under this Code, the operator of such center shall apply for a one-year's use permit, renewable annually, subject to the payment of an annual fee in the amount of \$50, which shall be payable to the Town Clerk.

C. (3) Operation, by any person, of a "game center" without a valid use permit shall be a violation.

~~GREENHOUSE, AGRICULTURAL — A structure utilized for seed germination, plant propagation, hardening off or forcing or maintenance of a controlled climate to sustain plant growth otherwise not possible in natural out-of-door surroundings. The retail or wholesale sales of such products raised on premises is permitted, except that sale of live or fresh products not raised or produced on premises shall not be permitted. The sale of other products produced or otherwise prepared or manufactured off premises shall be prohibited.~~

~~GREENHOUSE, COMMERCIAL — A structure utilized for seed germination, plant propagation, hardening off or forcing or maintenance of a controlled climate to sustain plant growth otherwise not possible in natural out-of-door surroundings. The retail or wholesale sales of such products raised on premises is permitted, except that sale of live or fresh products not raised or produced on premises shall not be permitted. The sale of other products produced or otherwise prepared or manufactured off premises shall be prohibited.~~

~~GREENHOUSE, PRIVATE — An accessory building or structure subordinate to a dwelling, not exceeding 500 square feet in area, intended and used solely for the private enjoyment of the residents thereof.~~

~~GREENHOUSE, TEMPORARY — A structure which, regardless of its size, shall be constructed with no permanent foundations and built in conformance with the National Greenhouse Manufacturers Association standards. The plastic covering shall be removed from the temporary greenhouses within 12 months of the last agricultural production.~~

GREENHOUSE -- A structure having a transparent covering, whether glass or plastic, utilized for seed germination, plant propagation, hardening off or forcing or maintenance of a controlled climate to sustain plant growth otherwise not possible in natural out-of-door surroundings. The following additional definitions shall apply:

GREENHOUSE, AGRICULTURAL/COMMERCIAL -- A greenhouse where agricultural products may be sold at wholesale but where the sale of agricultural products to the general public is not permitted.

GREENHOUSE, GARDEN CENTER -- A permanent greenhouse where wholesale and retail sales of live or fresh products are permitted whether or not raised on the premises and where non-live garden or landscape related products may be sold, including but not

limited to: garden or lawn equipment, seeds, fertilizers, pots, lawn ornaments, lawn furniture or other garden or landscape related products.

GREENHOUSE, PERMANENT -- Any greenhouse that does not meet the definition of a TEMPORARY GREENHOUSE as defined hereinafter.

GREENHOUSE, PRIVATE -- A greenhouse accessory to a residential dwelling, intended and used solely for the private enjoyment of the residents thereof.

GREENHOUSE, TEMPORARY -- A greenhouse consisting of specialized agricultural equipment having a framework covered with demountable polyurethane materials or materials of polyurethane nature and lacking a permanent and continuous foundation. A TEMPORARY GREENHOUSE may include, but is not limited to, the use of heating devices, water and electrical utilities, and supporting poles embedded in non continuous concrete. In no instance will a temporary greenhouse be used for the retail sale of any farm or non-farm products. The plastic covering shall be removed from the temporary greenhouses within 12 months of the last agricultural productions.

REAR YARD -- The area between the rear lot line and the front line of the main building projected to the side lot lines on any lot in a residence district.

STORAGE -- The act of placing or leaving an item in a location for preservation, disposal or later use, or the state of any item so placed.

C. Terms not defined. Where terms are not defined, they shall have their ordinarily accepted meaning consistent with their context.

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

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

07/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 710

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 OF THE RIVERHEAD TOWN CODE ENTITLED "Zoning" (§108-4 Interpretation)

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by **COUNCILMAN DENSIESKI**:

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-4 Interpretation); and

WHEREAS, a public hearing was held on the 29th day of June, 2005 at 2:05 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

NOW THEREFORE BE IT RESOLVED, that a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-4 Interpretation) be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Traveler Watchman, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the same to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Building Department; the Planning Board; the Planning Department; the Architectural Review Board and 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**

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-4 Interpretation) at its regular meeting held on July 19, 2005 as follows:

CHAPTER 108

ZONING

§ 108-4. Interpretation.

~~B. — In this chapter, if not inconsistent with the context, the singular may be taken for the plural, and the plural for the singular; "person" may include more than one, an association, a copartnership or a corporation; the present tense includes the future; the word "lot" includes the word "plot"; the word "shall" is mandatory and not directory.~~

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

* Overstrike represents deletion(s)

Adopted

7/19/05

TOWN OF RIVERHEAD

Resolution # 711

ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (108-8 – Residence A-40 (RA-40) Zoning Use District)

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 108 entitled, "Zoning" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 6th day of July, 2005 at 7:35 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 108 "Zoning", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

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 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on July 19, 2005 as follows:

**Chapter 108
Zoning**

**ARTICLE III
Residence A-40 Zoning Use District**

§ 108-8. Uses.

In the RA-40 Zoning Use District, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

- A. Permitted uses.
- (1) Dwelling, one-family.
 - (2) Parks and playgrounds, noncommercial.
 - (3) Attached single-family dwelling units within a cluster subdivision.

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)

7/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 712

ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (108-12 – Residence B-40 (RB-40) Zoning Use District)

COUNCILWOMAN SANDERS offered the following resolution, was seconded by

COUNCILMAN DENSIESKI:

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

WHEREAS, a public hearing was held on the 6th day of July, 2005 at 7:30 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 108 "Zoning", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

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

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on July 19, 2005 as follows:

**Chapter 108
Zoning**

**ARTICLE IV
Residence B-40 (RB-40) Zoning Use District**

§ 108-12. Uses.

In the RB-40 Zoning Use District, no building, structure or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed or altered, unless otherwise provided in this chapter, except for the following permitted uses and specially permitted uses and their customary accessory uses:

- A. Permitted uses.
- (1) Dwelling, one-family.
 - (2) Attached single-family dwelling units within a cluster subdivision.
 - (3) Parks and playgrounds, noncommercial.

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)

7/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 713

**ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF
THE RIVERHEAD TOWN CODE
(108-16 – Residence B-80 (RB-80) Zoning Use District)**

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILMAN BARTUNEK :

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

WHEREAS, a public hearing was held on the 6th day of July, 2005 at 7:40 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 108 "Zoning", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

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 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on July 19, 2005 as follows:

**Chapter 108
Zoning**

**ARTICLE V
Residence B-80 Zoning Use District**

§ 108-16. Uses.

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

- A. Permitted uses.
- (1) Agricultural production, including but not limited to the following:
 - (a) Field crops, including corn, wheat, oats, rye, barley, hay, potatoes, and dry beans.
 - (b) Fruits, including apples, peaches, grapes, cherries and berries.
 - (c) Vegetables, including tomatoes, snap beans, cabbage, carrots, beets and onions.
 - (d) Horticultural specialties, including nursery stock, ornamental shrubs, ornamental trees and flowers.
 - (e) Livestock and livestock products, including cattle, sheep, hogs, goats, horses, poultry, farmed deer, farmed buffalo, fur-bearing animals, milk, eggs and furs.
 - (f) Christmas trees grown in a managed Christmas tree operation, whether dug for transplanting or cut from the stump.
 - (g) Commercial horse boarding operation.
 - (2) Dwelling, one-family.
 - (3) Attached single-family dwelling units within a cluster subdivision.
 - (4) Riding academy, corral or facilities for the training of horses, including but not limited to private polo chukkers.
 - (5) Greenhouse, provided that the subject parcel is a minimum of five acres and further subject to site plan review.

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)

7/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 714

**ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF
THE RIVERHEAD TOWN CODE
(108-20.2 – Residence A-80 (RA-80) Zoning Use District)**

COUNCILMAN BARTUNEK offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

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

WHEREAS, a public hearing was held on the 6th day of July, 2005 at 7:45 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 108 "Zoning", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

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 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on July 19, 2005 as follows:

**Chapter 108
Zoning**

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

§ 108-20.2. Uses.

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

- A. Permitted uses.
- (1) Agricultural production, including but not limited to the following:
 - (a) Field crops, including corn, wheat, oats, rye, barley, hay, potatoes, and dry beans.
 - (b) Fruits, including apples, peaches, grapes, cherries and berries.
 - (c) Vegetables, including tomatoes, snap beans, cabbage, carrots, beets and onions.
 - (d) Horticultural specialties, including nursery stock, ornamental shrubs, ornamental trees and flowers.
 - (e) Livestock and livestock products, including cattle, sheep, hogs, goats, horses, poultry, farmed deer, farmed buffalo, fur-bearing animals, milk, eggs and furs.
 - (f) Christmas trees grown in a managed Christmas tree operation, whether dug for transplanting or cut from the stump.
 - (g) Commercial horse boarding operation.
 - (2) Dwelling, one-family.
 - (3) Attached single-family dwelling units within a cluster development.
 - (4) Riding academy, corral and training of horses, including but not limited to private polo chukkers.
 - (5) Greenhouse, provided that the subject parcel is a minimum of five acres and further subject to site plan review.

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)

7/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 715

**ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF
THE RIVERHEAD TOWN CODE
(108-22 – Agriculture Protection Zoning Use District (APZ))**

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 108 entitled, "Zoning" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 6th day of July, 2005 at 7:50 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 108 "Zoning", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

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 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on July 19, 2005 as follows:

**Chapter 108
Zoning**

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

§ 108-22. Uses.

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

- A. Permitted uses.
- (1) Agricultural production, including but not limited to the following:
 - (a) Field crops, including corn, wheat, oats, rye, barley, hay, potatoes, and dry beans.
 - (b) Fruits, including apples, peaches, grapes, cherries and berries.
 - (c) Vegetables, including tomatoes, snap beans, cabbage, carrots, beets and onions.
 - (d) Horticultural specialties, including nursery stock, ornamental shrubs, ornamental trees and flowers.
 - (e) Livestock and livestock products, including cattle, sheep, hogs, goats, horses, poultry, farmed deer, farmed buffalo, fur-bearing animals, milk, eggs and furs.
 - (f) Christmas trees grown in a managed Christmas tree operation, whether dug for transplanting or cut from the stump.
 - (g) Commercial horse boarding operation.
 - (2) Dwelling, one-family.
 - (3) Attached single-family dwellings within a cluster subdivision.
 - (4) Riding academy, corral or facilities for the training of horses, including but not limited to private polo chukkers.
 - (5) Greenhouse, provided that the subject parcel is a minimum of five acres and further subject to site plan review.

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

- Underline represents addition(s)

07/19/05

TOWN OF RIVERHEAD

Adopted

Resolution # 716

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 OF THE RIVERHEAD TOWN CODE ENTITLED "Zoning" (§108-49 General lot, yard and height requirements)

COUNCILWOMAN SANDERS

offered the following resolution,

which 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 to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-49 General lot, yard and height requirements); and

WHEREAS, a public hearing was held on the 29th day of June, 2005 at 2:15 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

NOW THEREFORE BE IT RESOLVED, that a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-49 General lot, yard and height requirements) be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Traveler Watchman, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the same to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Building Department; the Planning Board; the Planning Department; the Architectural Review Board and 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	Densinski	<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 to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-49 General lot, yard and height requirements) at its regular meeting held on July 19, 2005 as follows:

CHAPTER 108

ZONING

§ 108-49. General lot, yard and height requirements.

A. 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.

B. Any lot in nonconforming residential use or subsequently divided to leave a nonconforming residential use as a separate lot must be divided so that such residential lot complies with the provisions for lot area, width and yard requirements of ~~Agriculture~~ the Agriculture Protection Zoning Use District of this chapter. Any subsequent alterations or enlargements of the building shall comply with the requirements of ~~Agriculture~~ the Agriculture Protection Zoning Use District of this chapter.

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

* Underline represents addition(s)

* Overstrike represents deletion(s)

07/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 717

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 OF THE RIVERHEAD TOWN CODE ENTITLED "Zoning" (§108-51.2 Setbacks for wood decks)

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by **COUNCILMAN BARTUNEK** _____:

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-51.2 Setbacks for wood decks); and

WHEREAS, a public hearing was held on the 29th day of June, 2005 at 2:20 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

NOW THEREFORE BE IT RESOLVED, that a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-51.2 Setbacks for wood decks) be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Traveler Watchman, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the same to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Building Department; the Planning Board; the Planning Department; the Architectural Review Board and 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

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-51.2 Setbacks for wood decks) at its regular meeting held on July 19, 2005 as follows:

CHAPTER 108

ZONING

~~§ 108-51.2. Setbacks for wood decks.~~

~~Unenclosed, residential wood decks, no higher than 18 inches above natural grade, shall not exceed the following rear yard setback in the following zoning use districts.~~

~~A. Residence A:~~

~~(1) Rear yard: 20 feet.~~

~~B. Agriculture A:~~

~~(1) Rear yard: 20 feet.~~

~~C. Residence B:~~

~~(1) Rear yard: 15 feet.~~

~~D. Residence C:~~

~~(1) Rear yard: 10 feet.~~

~~E. Residence D:~~

~~(1) Rear yard: 10 feet.~~

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

* Overstrike represents deletion(s)

07/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 718

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 OF THE RIVERHEAD TOWN CODE ENTITLED "Zoning" (§108-64 Prefabricated dwellings)

COUNCILMAN BARTUNEK

offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-64 Prefabricated dwellings); and

WHEREAS, a public hearing was held on the 29th day of June, 2005 at 2:25 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

NOW THEREFORE BE IT RESOLVED, that a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-64 Prefabricated dwellings) be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Traveler Watchman, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the same to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Building Department; the Planning Board; the Planning Department; the Architectural Review Board and 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 to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-64 Prefabricated dwellings) at its regular meeting held on July 19, 2005 as follows:

CHAPTER 108

ZONING

§ 108-64. Prefabricated dwellings.

No building or other structure which is prefabricated or which is constructed, manufactured, built or fabricated at a place other than the site on which it is to be located or used shall be used as a dwelling, except in a mobile home park or travel trailer park and except as a seasonal agricultural dwelling under § 108-21C(4) of this chapter, unless:

A. It complies with the provisions of the laws, ordinances, rules and regulations of all ~~state, federal and local agencies or bureaus applicable to such use.~~ governmental entities having jurisdiction over the subject property.

B. It is affixed to the site by means of a permanent foundation.

~~C. It is not located in a Residence A or Residence B District.~~

~~Ð C.~~ It shall have been authorized by a special permit of the Board of Appeals as hereinafter provided in § 108-76 of this chapter. In the case of a petition for a special permit for prefabricated dwelling(s) relating to a filed subdivision map, the Zoning Board of Appeals may approve any number of special permits for structures to be constructed upon lots within the subject subdivision subsequent to a single petition and hearing, provided that the appropriate filing fee has been collected for each lot to receive a special permit.

~~E D.~~ It is a temporary trailer (prefabricated dwelling). Notwithstanding Subsections A through ~~Ð C~~ above, there shall be permitted the installation of a trailer (prefabricated dwelling) in which a family or individuals may live in a residential or agricultural zone under the following circumstances:

- (1) The trailer (prefabricated dwelling) must be for the temporary use and occupation of an individual or group of individuals whose residence has either been so damaged by fire or by some act of God as to render the residence uninhabitable; or whose principal residence is being remodeled on a property utilized for agriculture.

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

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

07/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 719

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 OF THE RIVERHEAD TOWN CODE ENTITLED "Zoning" (§108-64.3 Temporary greenhouses)

COUNCILMAN DENSIESKI offered the following resolution,

which 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 to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-64.3 Temporary greenhouses); and

WHEREAS, a public hearing was held on the 29th day of June, 2005 at 2:30 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

NOW THEREFORE BE IT RESOLVED, that a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-64.3 Temporary greenhouses) be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Traveler Watchman, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the same to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Building Department; the Planning Board; the Planning Department; the Architectural Review Board and 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

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-64.3 Temporary greenhouses) at its regular meeting held on July 19, 2005 as follows:

CHAPTER 108

ZONING

§ 108-64.3. Temporary greenhouses.

A. Location. Temporary greenhouses may be located on a parcel of land in the ~~Residence B, Residence C, Residence D and Agriculture A~~ RB-80, RA-80, and APZ Zoning Use Districts, or any property with a pre-existing agricultural use as determined by the Zoning Officer, as set forth below, provided that the subject parcel is a minimum of five (5) acres. The subject parcel may be owned or leased, either individually or as a partnership, and the aggregate of the subject contiguous parcel(s) shall be a minimum of five (5) acres.

B. Lot requirements. The following lot requirements shall apply to temporary greenhouses only:

Zoning Use District	Minimum Front Yard (feet)	Minimum Side Yard (feet)	Minimum Rear Yard (feet)
Agriculture A	40	30	40
Residence B	50	30	50
Residence C	40	30	40
Residence D	40	30	40
<u>RB-80</u>	<u>40</u>	<u>30</u>	<u>40</u>
<u>RA-80</u>	<u>40</u>	<u>30</u>	<u>40</u>
<u>APZ</u>	<u>40</u>	<u>30</u>	<u>40</u>

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

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

07/19/05

TOWN OF RIVERHEAD

Adopted

Resolution # 720

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 OF THE RIVERHEAD TOWN CODE ENTITLED "Zoning" (§108-86 Applicability of Article)

COUNCILWOMAN SANDERS

offered the following resolution,

which 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 to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-86 Applicability of Article); and

WHEREAS, a public hearing was held on the 29th day of June, 2005 at 2:35 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

NOW THEREFORE BE IT RESOLVED, that a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-86 Applicability of Article) be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Traveler Watchman, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the same to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Building Department; the Planning Board; the Planning Department; the Architectural Review Board and 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

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-86 Applicability of Article) at its regular meeting held on July 19, 2005 as follows:

CHAPTER 108

ZONING

§ 108-86. Applicability of Article.

This Article shall be applicable to land zoned for residential purposes in the Town of Riverhead and which is ~~in Residence A, B or C District or Agriculture A District under this chapter.~~ located in either the RA-40, RB-40, RB-80, RA-80, or APZ Zoning Use Districts.

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

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

07/19/05

Tabled

TOWN OF RIVERHEAD

Resolution # 721

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 OF THE RIVERHEAD TOWN CODE ENTITLED "Zoning" (§108-92 Coverage and setback requirements)

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN BARTUNEK:

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-92 Coverage and setback requirements); and

WHEREAS, a public hearing was held on the 29th day of June, 2005 at 2:40 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

NOW THEREFORE BE IT RESOLVED, that a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-92 Coverage and setback requirements) be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Traveler Watchman, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the same to be posted on the sign board of the Town; and be it further

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

Tabled

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-92 Coverage and setback requirements) at its regular meeting held on July 19, 2005 as follows:

CHAPTER 108

ZONING

§ 108-92. Coverage and setback requirements.

~~A. — If individual detached dwelling units are used, the following height, frontage, area, yard and coverage requirements, including front, side and rear yard setbacks, are to be met:~~

~~(1) — In Residence A District, the same requirements as exist in the Residence A District at the time final approval of the subdivision application is granted by the Planning Board.~~

~~(2) — In Agriculture A District, the same requirements as exist in the Agriculture A District at the time final approval of the subdivision application is granted by the Planning Board.~~

~~B A.~~ If condominium units, ~~as provided for in § 108-89 of this Article, are used, are~~ used as provided for in § 108-89 of this Article, the minimum front, side and rear yards for all buildings, structures, playgrounds, parking areas, etc., shall be 100 feet from the property line of the entire parcel subdivided under this Article. Minimum side and rear yards for driveways or access roads shall be 100 feet from the property line of the entire parcel subdivided under this Article. Height shall not exceed two stories and shall not exceed 35 feet. Coverage, as defined in this chapter, is not to exceed 15%. Parking requirements shall be two parking spaces per each family dwelling unit.

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

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

07/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 722

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 OF THE RIVERHEAD TOWN CODE ENTITLED "Zoning" (§ 108-101. Water main construction; fire safety)

COUNCILMAN BARTUNEK

offered the following resolution,

which 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 to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§ 108-101. Water main construction; fire safety); and

WHEREAS, a public hearing was held on the 6th day of July, 2005 at 7:25 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

NOW THEREFORE BE IT RESOLVED, that a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§ 108-101. Water main construction; fire safety) be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Traveler Watchman, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the same to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Building Department; the Planning Board; the Planning Department; the Fire Marshal and 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

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§ 108-101. Water main construction; fire safety) at its regular meeting held on July 19, 2005 as follows:

CHAPTER 108

ZONING

§ 108-101. Water main construction; fire safety.

For all subdivisions, a fee must be posted for the construction of the requisite water mains and hydrants prior to receiving a foundation permit. The fee shall be determined by the Planning Department based on cost estimates. In order to receive a building permit, water main construction for the subdivision must be certified complete according to planning department requirements and mains and hydrants must be charged and capable of providing water in the case of a fire emergency.

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

* Underline represents addition(s)

07/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 723

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 OF THE RIVERHEAD TOWN CODE ENTITLED "Zoning" (§ 108-133.4. Application procedure)

COUNCILWOMAN SANDERS

offered the following resolution,

which was seconded by **COUNCILMAN DENSIESKI** :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§ 108-133.4. Application procedure); and

WHEREAS, a public hearing was held on the 6th day of July, 2005 at 7:05 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

NOW THEREFORE BE IT RESOLVED, that a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§ 108-133.4. Application procedure) be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Traveler Watchman, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the same to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Building Department; the Planning Board; the Planning Department; the Architectural Review Board and 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

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§ 108-133.4. Application procedure) at its regular meeting held on July 19, 2005 as follows:

CHAPTER 108

ZONING

§ 108-133.4. Application procedure.

B. Referral to Planning Board; posting of notice of pending application. Any application made pursuant to the provisions of this article shall originate by an application to the Town Board, contrary provisions notwithstanding, and shall ~~may~~ be referred to the Planning Board upon being deemed complete by the Planning Department, which will transmit its recommendations to the Town Board within 62 days of referral. Upon application, the Town Clerk shall provide to the applicant a sign to be immediately posted at the property indicating that a special permit application is pending before the Riverhead Town Board. Thereafter, when a public hearing is scheduled by the Town Board, the Town Clerk shall forward by certified mail a copy of the public hearing notice to the applicant, wherein the applicant shall then fill in the date and time of the public hearing on the sign heretofore posted at the subject property. Before the Town Board can determine said special permit application, an affidavit executed by the applicant must be filed with the Town Clerk stating that he has complied with the posting requirements above outlined.

C. Town Board public hearing. After receipt of the recommendations of the Planning Board (in the event the application was referred to the Planning Board), the Town Board shall hold a public hearing upon public notice and other notices as required by the Town Law. The applicant or his/her representative shall forward a certified copy of the public hearing notice by certified mail to all property owners within a five-hundred-foot radius of the subject property, and the applicant shall pay all expenses of said hearing, including but not limited to publication costs, postage and transcription of testimony. Public notice of said hearing shall be printed in a newspaper of general circulation in the Town at least five days prior to the date thereof. All testimony at the public hearing before the Town Board shall be given under oath. The Town Board may require the sworn testimony of such persons as it deems necessary for a full and complete hearing on the application. The Town Board may adjourn the public hearing for the purpose of taking further testimony or requiring the production of further information. The Town Board shall decide upon the application within 62 days after the close of the hearing. The time within which the Town Board must render its decision may be extended by mutual consent of the applicant and the Board. The decision of the Town Board on the application after the close of the public hearing shall be filed in the office of the Town Clerk within five business days after such decision is rendered, and a copy thereof mailed to the applicant.

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

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

07/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 724

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 OF THE RIVERHEAD TOWN CODE ENTITLED "Zoning" (§108-180 Transfer of development rights; Pine Barrens credit program)

COUNCILMAN DENSIESKI offered the following resolution,

which 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 to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-180 Transfer of development rights; Pine Barrens credit program); and

WHEREAS, a public hearing was held on the 29th day of June, 2005 at 2:55 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

NOW THEREFORE BE IT RESOLVED, that a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-180 Transfer of development rights; Pine Barrens credit program) be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Traveler Watchman, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the same to be posted on the sign board of the Town; and be it further

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

THE VOTE

Bartunek yes no Sanders yes no
 Blass yes no Depeski 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 to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-180 Transfer of development rights; Pine Barrens credit program) at its regular meeting held on July 19, 2005 as follows:

CHAPTER 108

ZONING

§ 108-180. Transfer of development rights; Pine Barrens credit program.

B. General regulations.

(2) Pine Barrens credits shall be allocated for each single-family dwelling permitted on a parcel of land based upon the development yield established by multiplying the gross lot area (acres) of the parcel by the following development yield factor, such factor predicated upon that zoning use district in existence upon the adoption of the plan in June 1995. A fractional allocation of a Pine Barrens credit shall be rounded to the nearest one-hundredth of a Pine Barrens credit.

Zoning Use District	Minimum Lot Area (square feet)	Development Yield Factor
Natural Resources Protection	160,000	0.20
Residence C	20,000	1.60

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

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

07/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 725

ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 OF THE RIVERHEAD TOWN CODE ENTITLED "Zoning" (§108-179 Development within Compatible Growth Area)

COUNCILMAN BARTUNEK offered the following resolution,

which was seconded by COUNCILWOMAN SANDER:

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-179 Development within Compatible Growth Area); and

WHEREAS, a public hearing was held on the 29th day of June, 2005 at 2:50 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard; and

NOW THEREFORE BE IT RESOLVED, that a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-179 Development within Compatible Growth Area) be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the Traveler Watchman, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the same to be posted on the sign board of the Town; and be it further

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

THE VOTE

Bartunek yes ___ no Sanders yes ___ no
 Blass yes ___ no Densieski yes ___ no *abstain*
 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 to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-179 Development within Compatible Growth Area) at its regular meeting held on July 19, 2005 as follows:

CHAPTER 108

ZONING

§ 108-179. Development within Compatible Growth Area.

(8) Clearance.

(a) The proposed disturbance to natural vegetation, combined with previously disturbed areas, shall conform to the following clearance standards:

Zoning Use District	Clearance
Maximum Site	(percentage)

Residence A Use District	53%
Agriculture A Use District	53%
Industrial A Use District	65%
Industrial C Use District	65%
Business CR Use District	65%

<u>Zoning Use District</u>	<u>Maximum Site Clearance (percentage)</u>
<u>RB-80</u>	<u>53%</u>
<u>APZ</u>	<u>53%</u>
<u>IA</u>	<u>65%</u>
<u>IC</u>	<u>65%</u>
<u>Business CR</u>	<u>65%</u>

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

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

0719/05

Tabled

*Withdrawn
on
8/2/05*

TOWN OF RIVERHEAD

Resolution # 726

ESTABLISHES FEE SCHEDULE FOR ELECTRONIC RECORDS RETENTION

COUNCILWOMAN SANDER offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

WHEREAS, a local law amending Chapters 52 and 108 of the Riverhead Town Code to create § 52-10 (F), § 108-77 (A)(3), § 108-96 (D)(4), § 108-97 (F)(6), § 108-131 (B)(6) entitled "ELECTRONIC RECORDS RETENTION FEES" was adopted by the Town Board of the Town of Riverhead at its regular meeting held on April 19, 2005; and

WHEREAS, the same "ELECTRONIC RECORDS RETENTION FEES" provides such fees shall be determined from time to time by resolution of the Town Board of the Town of Riverhead;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby establishes the attached fee schedule; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Building Department; the Planning Department; the Zoning Board of Appeals; the Accounting Department and 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~~

Tabled

Town of Riverhead
Fees Schedule

Permit/Application Fees

Swimming Pool				\$15
SFRES				\$15
Alteration				\$15
Addition				\$15
Deck / Accessory				\$10
Garage				\$10
Mobile / Modular				\$10
Commercial				\$20
Commercial Alt.				\$20
Condo Bldg				\$20
Excavation				\$10
Sign				\$15
Use				\$10
Demo				\$10
Misc.				\$10
LPEU				\$10
Electric upgrade				\$10
Minor				\$25
Major				\$50
Site Plan				\$50
CAC - Chapter 12				no charge
ZBA				\$15

July 19, 2005

TOWN OF RIVERHEAD

Adopted

Resolution No. 727

ESTABLISHES THE DARK SKIES ADVISORY COMMITTEE AND APPOINTS MEMBERS

Councilman Densieski offered the following resolution which was seconded by COUNCILMAN BARTUNEK

WHEREAS, the Town of Riverhead supports educational and legislative efforts to eliminate light pollution, and

WHEREAS, the Town Board of the Town of Riverhead is aware of the need for a liaison group to advise the Riverhead Town Board on all matters pertaining to issues such as legislation, education, energy conservation and responsible lighting,

NOW THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby establishes the Dark Skies Advisory Committee to serve at the pleasure of the Town Board and appoints the following individuals to act as an Advisory Board to the Riverhead Town Board on matters concerning light pollution:

Howard Zelizer, Chair
Al Dierberger
Bernadette Voras

Julian Griffiths
Cliff Baldwin
Susan Harder

Liaisons: Councilman Ed Densieski, Councilman George Bartunek

BE IT FURTHER RESOLVED that the Mission statement of the Dark Skies Advisory Committee is as follows: Organized in order to support educational and legislative efforts to eliminate light pollution. Light pollution is defined as: Glare, Light Trespass, and "up" lighting which contributes to sky glow by unshielded, misplaced, excessive, or unnecessary outdoor night lighting. By eliminating light pollution, we can conserve energy, reduce debilitating glare, maintain our desirable community character, safeguard our wildlife in their natural environment, and restore our view of the starry night sky, and

BE IT FURTHER RESOLVED, that the Town Clerk shall hereby forward a copy of this resolution to the above-mentioned individuals.

THE VOTE

Sanders ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Bartunek ~~Yes~~ No

Cardinale ~~Yes~~ No

July 19th, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 728

SITE PLAN OF LIN CELLULAR COMMUNICATIONS (NY) LLC
RIVERHEAD WATER DISTRICT (WADING RIVER) TOWER #2, PLANT #9

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

WHEREAS, a site plan and elevations were submitted by LIN Cellular Communications (NY) LLC, to collocate three (3) sector antennas (4 antennas per sector) to an existing municipal water tank, located at Tower #2, Plant #9 of the Riverhead Water District, Wading River (Lewin Hills), New York, known and designated as Suffolk County Tax Map Number 0600-57-1-1.5; and

WHEREAS, the Planning Department has reviewed the site plan dated May 10th, 2005, as prepared by John S. Stevens, P.E., and elevations dated May 10th, 2005, as prepared by John S. Stevens, P.E., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, a structural analysis prepared by Richard A. Ulmer, P.E. has been submitted by Richard A. Ulmer, P.E. and it has been determined that the existing water tank is structurally adequate to accept such antennas; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 2005-0314 of the Office of the Financial Administrator 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 LIN Cellular Communications (NY) LLC, 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 without significant adverse environmental impacts to either the natural or social environment and that a Draft Environmental Impact Statement need not be prepared, and

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by LIN Cellular Communications (NY) LLC, to install three (3) sector antennas (4 antennas per sector) to an existing municipal water tank, located at Tower #2, Plant #9 of the Riverhead Water District, Wading River (Lewin Hills), New York, site plan dated May 10th, 2005, as prepared by John S. Stevens, P.E. and elevations dated May 10th, 2005, as prepared by John S. Stevens, P.E., 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 the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan proves and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
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. That 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;

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, if feasible;
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 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.
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;
14. That no Certificate of Compliance shall be issued by the Building Department prior to the submission of a Post Construction Report to the satisfaction of the Planning Director by the applicant's consulting engineer indicating that the modifications approved herein have been satisfactorily completed; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Lawrence C. Re, Esq., Munley, Meade, Nielsen & Re, 36 North New York Avenue, Huntington, New York 11743, Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

PLANNING DEPT.

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

7/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 729

**RELEASES PERFORMANCE BONDS (2) IN CONNECTION WITH THE
CONDOMINIUM PROJECT ENTITLED, "SOUND HOUSING, LLC"
A/K/A "WILLOW PONDS ON THE SOUND CONDOMINIUM"
(PARK AND RECREATION FEES & WATER DISTRICT KEY MONEY)**

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

WHEREAS, by resolution #425 dated April 15, 2003, the Town Board of the Town of Riverhead accepted RLI Insurance Company Bond #RNS119758 in the amount of \$351,000.00, representing park and recreation fees and RLI Insurance Company Bond #RNS119759 in the amount of \$292,500.00, representing water key money fees in connection with the condominium project entitled, "Sound Housing, LLC"; and

WHEREAS, the Riverhead Planning Department has confirmed that all Water District key monies and park and recreation fees have been paid on all units within said condominium project (Phases I, II and III) and that the security posted for same may now be released.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the aforementioned performance bonds in connection with the subject condominium project; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Sound Housing, LLC, 888 Veterans Highway, Suite 430, Hauppauge, New York, 11788, Attn: Robert McAteer, Senior Project Manager; the Riverhead Building Department; the Riverhead Planning Department; Gary Pendzick, Water District Superintendent 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

7/19/05

Adopted

**RESOLUTION AUTHORIZING MULTIPLE HOOK-UPS
DRIES/SPECCHIO PROPERTY
RIVERHEAD SEWER DISTRICT**

Resolution # 730

Adopted _____

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

WHEREAS, an easement agreement has been recorded with the Suffolk County Clerk whereby the agreement allows the installation of private sewers which are connected to the Riverhead Sewer District for Tanger Properties to be installed across the Dries/Specchio property, and

WHEREAS, Tanger Properties has installed and will continue to maintain their own privately owned sewer line which crosses the subject property and is connected to the Town of Riverhead Sewer District, and

WHEREAS, the Dries/Specchio parcel is permitted to install their own privately owned sewer line and connect to the Riverhead Sewer District via the Tanger Properties privately owned sewer line and will maintain said line from this site to the privately owned sewer line of Tanger Properties, and

WHEREAS, the Superintendent, based upon such easement, recommends that this Board approve the multiple connections,

NOW, THEREFORE, BE IT

RESOLVED, that the Superintendent be and is hereby authorized to permit multiple connection to the sewer service as set forth in the attached Easement Agreement, and be it further

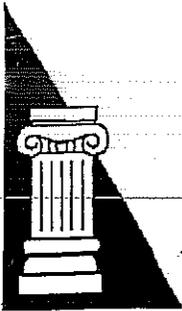
RESOLVED, that the Town Clerk shall forward certified copies of this agreement to Michael Reichel, Frank Isler, Esq. and Building Department.

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

THE VOTE

Bartunek yes ___ no Sanders yes ___ no
Blasa yes ___ no Densieski yes ___ no
Cardinale yes ___ no

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED



MARTIN F. SENDLEWSKI, A.I.A.
ARCHITECT — PLANNER

February 7, 2005

Riverhead Sewer District
200 Howell Avenue
Riverhead, N Y 11901
Attn: Mike Reichel

And

The Suffolk County Health Department
Wastewater Management Division
County Center
Riverhead, N Y 11901

Re: Sewer connection for Dries/Specchio at Tanger
SCTM 0600-118-3-7

This correspondence is to confirm that in accordance with the easement agreement between William Dries and Anthony Specchio (first party) and Tanger Properties Limited Partnership (second party) the following:

1. The easement agreement between both parties allows the installation of private sewers which are connected to the Riverhead Sewer District for Tanger Properties to be installed across the Dries/Specchio property.
2. That Tanger Properties has installed and will continue to maintain their own privately owned sewer line which crosses this property and is connected to the Town of Riverhead Sewer District.
3. That the Dries/Specchio parcel is permitted to install their own privately owned sewer line and connect to the Riverhead Sewer District via the Tanger Properties privately owned sewer line and will maintain said line from this site to the privately owned sewer line of Tanger Properties.

Signed: Lenora Specchio Date: 2/08/05 Notarized: [Signature]
Lenora Specchio

Stacey Goodman
Notary Public, State of New York
No. 01GO6113395
Qualified in Suffolk County
Commission Expires July, 26 2008

07/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 731

AUTHORIZES THE SUPERVISOR TO EXECUTE AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF BROOKHAVEN FOR THE WADING RIVER POND RESTORATION PROJECT SITUATE WITHIN THE JURISDICTIONAL BOUNDARIES OF THE TOWNS OF RIVERHEAD AND BROOKHAVEN

COUNCILMAN BARTUNEK offered the following resolution, which

was seconded by COUNCILMAN DENSIESKI:

WHEREAS, The Town of Riverhead and the Town of Brookhaven are desirous of entering into an inter-municipal agreement for the Wading River Pond Restoration Project, along North Country Road at the intersection of Zophar Mills Road, within the jurisdictional boundaries of the Town of Riverhead and the Town of Brookhaven; and

WHEREAS the Towns are authorized to enter into such agreements pursuant to General Municipal Law §119-o.

NOW, THEREFORE, it is hereby

RESOLVED the Town Board of the Town of Riverhead authorizes the Supervisor to execute the attached inter-municipal agreement with the Town of Brookhaven, and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Town Supervisor, Town Attorney and Town Clerk of the Town of Brookhaven, the Office of the Riverhead Town Attorney, Riverhead Town Engineer and the Office of Accounting of the Town of Riverhead.

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

07/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 732

AUTHORIZES THE RETENTION OF THE LAW FIRM OF TWOMEY, LATHAM, SHEA, KELLEY, DUBIN, REALE AND QUARTARRO LLP AS SPECIAL COUNSEL

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

WHEREAS, the Town Board desires to retain the firm of Twomey, Latham, Shea and Kelley, et al. (Martha Luft, Esq.) to act as special counsel in connection with a Supreme Court matter entitled *Calverton Industries v. Town of Riverhead, Suffolk County Index No. 04-25118*.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Law Firm of Twomey, Latham, Shea, Kelley, et al. to act as legal counsel in connection with the aforementioned Supreme Court litigation at the rate of \$165.00 per hour; and be it further

RESOLVED, that the Riverhead Town Board hereby authorizes the Supervisor to execute the Retainer Agreement; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Law Firm of Twomey, Latham, Shea, Kelley, Dubin, Reale and Quartararro, LLO, LLP., Second Street, Riverhead, New York 11901; the Office of the Supervisor; the Town Attorney's Office and the Office of Accounting.

THE VOTE

Bartunek yes ___ no Sanders yes ___ no
 Blass yes ___ no Densieski yes ___ no
 Cardinale yes ___ no *abstain*

THE RESOLUTION WAS ___ WAS NOT
 THEREFORE DULY ADOPTED

July 19, 2005

Adopted

TOWN OF RIVERHEAD

AUTHORIZES MARKOWITZ, FENELON & BANK, L.P.
TO CONDUCT ANNUAL AUDIT OF THE RECORDS OF THE
TOWN OF RIVERHEAD

RESOLUTION # 733

COUNCILWOMAN SANDERS

offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes Markowitz, Fenelon & Bank L.P. to conduct an audit of the records of the Town of Riverhead for Fiscal Year 2004 and

BE IT FURTHER RESOLVED, that the Town Clerk be, and is hereby, directed to forward a Certified Copy of this Resolution to Markowitz, Fenelon & Bank, L.P., 608 Northville Turnpike, Riverhead, NY 11901, the Office of Accounting and the Office of the Town Attorney.

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

July 19, 2005

TOWN OF RIVERHEAD

Adopted

Resolution # 734

**AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST
A HELP WANTED AD FOR A PART TIME CODE ENFORCEMENT OFFICER**

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

BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Advertisement in the July 28, 2005 issue of The Traveler Watchman. *cf*

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

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

HELP WANTED

PLEASE TAKE NOTICE that the Town of Riverhead is seeking a qualified individual to fill the position as a P/T Code Enforcement Officer. Applications should be submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY by August 5, 2005. EOE.

BY ORDER OF:
THE RIVERHEAD TOWN BOARD
BARBARA GRATTAN, TOWN CLERK

July 19, 2005

TOWN OF RIVERHEAD

Adopted

Resolution # 735

**AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST
A HELP WANTED AD FOR PUBLIC SAFETY DISPATCHER I**

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

BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Advertisement in the July 28, 2005 issue of The Traveler Watchman.

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

THE VOTE

Bartunek Yes No

Sanders Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

HELP WANTED

PLEASE TAKE NOTICE that the Town of Riverhead has a position available in the Police Department for a Public Safety Dispatcher I. Applications should be submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY by August 5, 2005. EOE.

BY ORDER OF:
THE RIVERHEAD TOWN BOARD
BARBARA GRATTAN, TOWN CLERK

07/19/05

TOWN OF RIVERHEAD

Adopted

Resolution # 736

AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE FOR PUBLIC HEARING REGARDING A LOCAL LAW TO AMEND CHAPTER 108 ZONING (TDR) OF THE RIVERHEAD TOWN CODE

Councilwoman Blass offered the following resolution,

which was seconded by Councilman Densieski:

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" of the Riverhead Town Code once in the July 21st, 2005 edition of the Traveler-Watchman 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 2nd day of August, 2005 at 2:35 o'clock p.m., at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider a local law to amend Chapter 108 entitled Zoning (TDR) of Riverhead Town Code as follows:

§ 108-311. Commercial Site Plan Administration.

A. The Town Board shall be the administrator for application of preservation certificates on commercial site plan application as follows:

- (1) In the event that preservation credit certificates are to be applied to commercial development as set forth in this chapter, the Town Board shall have the authority to vary the development standards set forth in this chapter including; but not limited to: parking, floor area ratio and lot coverage requirements. The Town Board shall utilize the standards set forth in §276 of the Town Law of the State of New York in determining whether to vary development standards as set forth herein.
- (2) Section 108-311 is adopted pursuant to the Municipal Home Rule Law of the State of New York and is expressly intended to supercede the provisions of Town Law §276 and Chapter 108-76 of the Town Code of the Town of Riverhead

Dated: Riverhead, New York
July 19, 2005

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

BARBARA GRATTAN, Town Clerk

07/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 737

**AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE FOR
PUBLIC HEARING REGARDING A LOCAL LAW TO AMEND CHAPTER 108-64.1
(BED AND BREAKFAST FACILITIES) OF THE RIVERHEAD TOWN CODE**

Councilman Densieski 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, "Bed and Breakfast Facilities" of the Riverhead Town Code once in the July 28, 2005 issue of Traveler Watchman 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

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Building Department; the Planning Board; the Planning Department and the Office of Accounting.

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 16th day of August, 2005 at 7:05 pm, at George Young Community Center, South Jamesport Avenue, Jamesport, New York to hear all interested persons to consider a local law to amend Chapter 108 entitled "Bed and Breakfast Facilities " of the Riverhead Town Code as follows:

§ 108-64.5. Bed-and-breakfast facilities. [Added 7-19-1994]

~~K. — Each special permit shall expire five years after the date of the initial compliance permit issued from the Building Department. The applicant must apply for a special permit renewal following the regular special permit process outlined within the Town Code.~~EN

~~L-K.~~ An application for a compliance permit shall be filed with the Building Department each year with a annual filing fee of \$100. ~~upon the initial application. No additional filing fee shall be required for five years after the date of the issuance of the initial compliance permit from the Building Department. Upon special permit renewal, as required in Subsection K of this section, a filing fee of \$100 for a compliance permit shall become due.~~ [Added 5-2-1995]

Dated: Riverhead, New York
July 19, 2004

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
BARBARA GRATTAN, Town Clerk**

07/18/05

Adopted

TOWN OF RIVERHEAD

Resolution # 738

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 OF THE RIVERHEAD TOWN CODE ENTITLED "ZONING" (§108-56 Signs)

COUNCILMAN BARTUNEK

offered the following resolution,

COUNCILMAN DENSIESKI

which was seconded by _____:

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning" (§108-56 Signs) once in the July 21, 2005 issue of the Traveler Watchman, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further,

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Building Department; the Planning Board; the Planning Department; the Architectural Review Board; Code Enforcement and the Town Attorney.

THE VOTE

Bartunek yes ___ no Sanders yes ___ no
Blass yes ___ no Densieski yes ___ no
Cardinate 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 before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 2nd day of August, 2005 at 2:30 o'clock p.m. to consider a local law to amend chapter 108 of the Riverhead Town Code entitled "Zoning" (§108-56 Signs).

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

Dated: Riverhead, New York
July 18, 2005

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

BARBARA GRATTAN, Town Clerk

CHAPTER 108

ZONING

§ 108-56. Signs.

A. — The following signs are permitted in any use district with a permit:

(1) — One real estate sign not exceeding eight square feet in area, except that a filed subdivision may have a sign not exceeding 24 square feet, advertising the sale or lease of the premises on which it is erected and set back not less than 25 feet from any side line and 15 feet from the front and rear property line.

(2) — Nameplates and professional signs:

(a) — One nameplate or professional sign not exceeding two square feet in area, bearing only the name and profession and/or occupation of the resident and set back not less than 25 feet from any side line and five feet from the front and rear property line.

(b) — One professional association or professional corporation sign, not exceeding five square feet in area, bearing only the name and profession and/or occupation of the resident professional association or corporation and set back not less than 25 feet from any side line and five feet from the front and rear property line. Members of the professional association or corporation may attach a nameplate, bearing only their name, not exceeding two square feet in area, to the professional association or corporation sign. When a professional association or corporation sign has been erected pursuant to this subsection, a member of the professional association or corporation may not erect a separate professional sign enumerated in § 108-56A(2)(a) on the same premises.

(3) — Temporary signs not exceeding eight square feet in area, bearing only the name and occupation of the contractor or architect and set back not less than 25 feet from any side line and 15 feet from the front and rear property line. Such signs are permitted only during the period of construction of a building or structure.

B. — Permitted signs in business, farm or industrial use districts without a permit.

C. — The following signs are permitted in any business or industrial use district with a permit by the Riverhead Town Board:

(1) — One roof or wall sign per building wall face displayed, attached to or incorporated in a building wall face. Wall signs shall not project more than 12 inches beyond the face of the wall and shall not exceed the height of said building wall face. Said height shall be the vertical distance from the mean level of the ground surrounding the building to the lowest point of the roof. One sign, either roof or wall, in area shall not exceed 25% of the total area of the building wall face. Additional signs, either roof or wall, in area shall not exceed 10% of the total area of the building wall face or a maximum of 80 feet, whichever is less. "Building wall face" shall include any area occupied by doors or windows. No roof or wall sign shall extend beyond the exterior dimensions of the structure to which it is attached. The roof and wall signs set forth in the following diagram are deemed to comply with the provisions of this subsection. On multiple story buildings, each tenant shall be permitted one wall sign displayed on the wall face of the story occupied by that tenant, such that no multistory buildings there may be more than one wall sign per building wall face, but the aggregate area of said signs shall not exceed the twenty five percent and ten percent provisions heretofore set forth in this subsection.

(2) — Specifically permitted and exempt from Subsection C(1) above are all signs displayed, attached to or incorporated on a window which are of a temporary nature not exceeding a time period of two weeks, covering not more than 25% of the window area or seasonal agricultural sign.

(3) — The area of a sign shall be determined by the smallest rectangle that encompasses all of the letters or symbols that make up the sign, together with the area outside the rectangle of a different color or material other than the general finish of the building or window, whether painted or applied. [Signs are defined for Subsection C(1) and (2) above only]

(4) — Interiorly lit, lightbox type signs shall be prohibited in the Business D Zoning Use Classification District.

(5) — A temporary business sign may be permitted in any business or industrial use district with a permit from the Riverhead Town Board without referral to the Architectural Review Board if it meets the following conditions:

(a) — On premises.

(b) — No more than 100 square feet in total area.

(c) — Not exceeding 15 feet in vertical height from the mean land of the ground surrounding the sign. Said height may be varied by the Town Board in order to prevent an obstruction to visibility.

(d) — Said sign shall be for a set duration. In the event that the sign is not removed after the expiration of the permit, the Town Board shall be authorized to remove the sign at the owner's sole expense and which shall constitute a lien against the property.

D. — The following signs are permitted in any residence use district upon the issuance of a permit therefor.

E. — The following signs are permitted in any farm use district upon the issuance of a permit therefor.

F. — The following signs are permitted in any business or industrial use district upon the issuance of a permit therefor.

G. — The following signs are permitted in all use districts, except residence use districts, upon the issuance of a nonrenewable permit therefor for which no fee will be charged.

H. — Signs for which a permit is required shall have affixed on the face thereof the assigned permit number, which shall be at least two inches in height.

I. — The following signs are permitted in any nonresident use district upon the issuance of a permit therefor:

(1) — One freestanding, nonflashing, nonmoving, on premises sign, not exceeding 32 square feet in sign area and not exceeding 10 feet in vertical height from the mean land of the ground surrounding the sign. Said sign shall be 25 feet from each side and 15 feet from the front and/or rear property line.

(2) — For the purpose of this section, double-sided signs shall be treated as one sign.

(3) — Whenever a freestanding sign is permitted in accordance with the provisions of this subsection, said sign shall be permitted to contain, within the structure of the freestanding sign and within the ten-foot height requirement, an additional 32 square feet of marquee space for the display of temporary messages by means of changeable lettering. If the owner has elected to combine sign areas on one sign, pursuant to the provisions of this section, the marquee portion of such sign shall remain 32 square feet.

J. — Anything to the contrary in this chapter notwithstanding, any nonconforming billboard or flashing or moving sign other than a time and temperature display permitted by the Town Board of the Town of Riverhead in accordance with the further provisions of this chapter, wherever located, shall become an unlawful structure on January 20, 1979, and shall thereupon be removed.

K. — Any owner of any such nonconforming sign who alleges that the period herein provided for amortization of such sign is unreasonable as to a particular sign may apply to the Zoning Board of Appeals for an extension of time for amortization of such sign.

L. — Any sign not included in Subsection J above but violative of any section of this chapter, wherever located, shall become an unlawful structure on January 20, 1979, and shall thereupon be removed.

M. — If any sign described in Subsection J or L above is not removed in accordance with the above provisions, the Town of Riverhead is empowered to remove said sign and bill and collect the expense of removal from the appropriate parties, including but not limited to the owner of the sign, the owner of the real property upon which the sign is located, the lessee of the real property upon which the sign is located, the lessee of the sign owner or any other interest holder.

N. — Shopping center signs.

(1) — Each shopping center shall, as a whole, be allowed one freestanding directory sign on the premises to be used for the exclusive purpose of notifying the public of the names of the various business establishments located within the shopping center. No advertising of any sort shall be allowed on such sign other than to identify the shopping center itself. Said sign shall not exceed 35 feet in height, measured from the top of said sign to the mean level of the ground surrounding the support of said sign. Each business establishment name shall occupy no more than 10 square feet in total area. An additional portion of said sign may identify the shopping center itself but may not exceed 32 square feet. Said sign shall comply with all other applicable sections of this Code.

(2) — A permit issued by the Building Inspector shall be required for each shopping center directory sign erected or maintained pursuant to this section. The application for said permit must contain an architect's drawing of said directory sign as well as a survey indicating the dimensions of said sign, its location and setbacks. The Building Inspector shall refer said applications, drawing(s), survey(s) and other supporting papers to the Town Board for its approval and recommendations. No such permit shall be issued until the Town Board has reviewed and approved said plans.

(3) — The term "directory sign" shall mean any sign containing a list of names of business establishments located within a shopping center.

O. — A time temperature display may be permitted in Business D District (General Business) only by special permit of the Town Board if it meets the following conditions:

(1) — On premises.

(2) — Attached to the building wall.

(3) — No more than 32 square feet in total area.

(4) — No more than two colors inclusive of background color of building wall.

(5) — A minimum time interval of five seconds between flashed readings of time and temperature.

(6) — Three hundred lineal feet from any existing time and temperature display.

P. — Off premises directional signs.

(1) — One standardized off-premises directional sign, in accordance with the further provisions of this subsection, may be allowed per applicant, based upon the necessity for said off-premises directional sign as shown by the applicant. Upon showing of undue hardship, the Town Board may allow one additional directional sign, but under no circumstances shall more than one additional sign be allowed, nor shall any two signs bearing the same information face the same lane of traffic.

(2) — Off-premises directional signs shall be 12 inches in height and 48 inches in width. They shall be constructed of three-fourths inch exterior grade plywood with black paint on all edges and on the reverse side. The face of the sign shall consist of white reflective Helvetica Medium lettering on Ronan Dark Blue (also known as "Riverhead Town Blue") background with a three-fourths inch white nonreflective border set one inch within the edges of the sign. Commercial logos may be displayed in the customary colors.

(3) — A maximum of two lines of copy shall be permitted. Where two lines are used, one line shall be four inches in height and one line shall be 2 1/2 inches in height. A white arrow, either vertical or diagonal and pointing in the general direction to be followed, shall display distances therein, stated to the nearest mile. Where the stated distance would be less than one mile, it shall be omitted. Arrows pointing to the right of vertical shall be on the right side of the sign, and arrows pointing left of vertical shall be on the left side of the sign, as appropriate. Businesses to the left shall appear above businesses to the right. Where more than one business lies in the same direction, those closer than appear above those more distant.

(4) — Posts shall be four by four inch CCA lumber, painted white, with pointed tops. Two posts shall support each sign installation. Said posts shall be eight feet in height from the average grade of the ground surrounding the sign. The initial advertiser shall provide and maintain said posts and may enter into an agreement with subsequent advertisers for continued maintenance.

(5) — A maximum of three business signs shall be permitted on each sign installation. The top of the uppermost sign shall be set six inches below the top of the posts. Signs shall be spaced three inches apart.

(6) — There shall be no exclusive right to any location. An advertiser shall not prohibit subsequent advertisers which have obtained necessary approvals.

(7) — Where more than one installation is permitted within close proximity, said installations shall be no closer than 200 feet apart.

(8) — Off-premises directional signs shall be located as follows and shall be subject to the prior approval, in writing, of the New York State Department of Transportation, the Suffolk County Department of Public Works, the Riverhead Superintendent of Highways or the owner of private property, as applicable:

(a) — Where there is no curb or sidewalk: six feet from the outside shoulder of the highway, but not less than eight feet from the pavement to the near edge of the sign.

(b) — Where there is a curb but no sidewalk: four feet from the curb to the near edge of the sign.

(c) — Where there is a curb and sidewalk: two feet from the inside edge of the sidewalk to the near edge of the sign.

(d) — The sign shall face the flow of traffic nearest it.

(e) — ~~Not less than 200 feet approaching and 200 feet beyond a traffic control or device, railroad grade crossing, or public highway intersection with a federal, state or county route.~~

(f) — ~~Not less than 100 feet approaching and 100 feet beyond Town highway intersections.~~

(9) — ~~In its deliberation of the permit, public safety, including but not limited to visibility of and by motorists as well as pedestrians relative to the proposed sign location, shall be a primary consideration.~~

(10) — ~~An annual renewal fee of \$50 shall be required as a condition of the permit. Said fee shall constitute a guaranty on the part of the applicant that the sign shall be maintained in good repair.~~

(11) — ~~The Town may establish in any zoning use district special public information centers, wherein directional signs may be located.~~

Q. — ~~Mobile signs. Mobile signs standing on the ground or attached to vehicles or trailers shall be prohibited, except signs painted on registered vehicles identifying the owner and utilized in the conduct of such business. Vehicles or trailers may not be used primarily for on or off premises advertising.~~

R. — ~~A theater marquee, i.e., a canopy with lettering thereon, extending more than one foot from a theater is specifically permitted.~~

S. — ~~A soffit sign, i.e., a sign affixed to the underside of a roof overhang adjacent to a store or other commercial premises, is allowed, provided that said sign does not exceed eight inches by 36 inches.~~

T. — ~~Political signs. A political sign may be a sign, poster, banner or other promotional device relating to a general, primary or special election, as the same are defined in the Election Law of the State of New York. Political signs shall be allowed on premises within the Town of Riverhead for a period not to exceed 60 days from the date of the posting of the bond provided for herein. All political signs shall conform in terms of size, location, setback and all other conditions as may be set forth in the further provisions of this chapter. Prior to displaying any political sign, a bond in the sum of \$100 per candidate must be posted with the Town Clerk. Said bond shall guarantee compliance with the provisions of this subsection. Written permission of the owner of any land used for political signs must be obtained prior to erection of the sign. No political sign may be erected or maintained on or in a public right of way or upon utility poles. The existence of political signs in violation of these provisions relating to private property, public rights of way or utility poles shall act to forfeit the aforesaid bond and to allow the Town to remove said signs.~~

U. — ~~The Town may establish in any district special public information centers wherein directional signs approved by the Town Board may be located.~~

V. — ~~Any sign permitted in this Town must relate to an existing on going business. Accordingly, any sign remaining after the expiration of a business shall be removed within 180 days from said demise. After said one hundred eighty day period, said sign shall be in violation and, if not removed, the Town shall remove same and the cost of said removal shall be attributed to the owner of said sign and/or premises.~~

W. — ~~Historic signs, pursuant to the provisions of § 108-3; special permit. The Zoning Board of Appeals may find that a particular sign is a historic sign. In making such a finding, the Zoning Board must find that the proposed sign is of significant historic~~

quality in terms of age or design or by reason of its relationship to an historic renovation project. The Zoning Board of Appeals, pursuant to its special permit powers, may allow the construction, repair and maintenance of historic signs upon such terms as may be just and proper in addition to, or to the exclusion of, any other signs permitted by this Code.

X. — Projecting signs. A sign, extending not more than two feet, perpendicular to a wall face, not lower than 7 1/2 feet from the ground and not higher than 15 feet from the ground and no larger than eight square feet. Such signs may be double faced, but may not exceed four inches in depth.

Y. — Nonconforming signs.

(1) — Any roof or wall sign, on premises freestanding sign, shopping center sign, off-premises directional sign or projecting sign legally existing on January 20, 1976, may be continued, although such sign does not thereafter conform to the regulations of the district in which it is located.

(2) — No nonconforming use may be reestablished where such nonconforming use has been discontinued for a period of six months.

(3) — Nothing in this chapter shall prevent the complete restoration within six months of a sign destroyed by an accidental cause such as fire, flood, explosion, riot, act of God or act of the public enemy. Such restored sign shall not exceed the dimensions of the sign destroyed.

Z. — Computerized electronic message and time/temperature centers shall be permitted by special permit of the Town Board in the Business B, Business C (with the exceptions of Route 25 and the Hamlet of Wading River), Office/Service and Business E Highway Commercial/Service Zoning Use Districts only and shall be subject to the following conditions:

(1) — On premises only.

(2) — Freestanding, accessory to and incorporated within the main sign structure, subject to the following conditions:

(a) — Freestanding sign: no more than 30 square feet in total area, and an aggregate square footage of all signs on the sign structure shall not exceed 50 square feet.

(b) — Freestanding directory sign: no more than 30 square feet in total area, and an aggregate square footage of the computerized electronic message center and the shopping center identification shall not exceed 50 square feet. Each business establishment name shall be permitted, in addition to the 50 square feet, no more than 10 square feet in total area.

(3) — Minimum display necessary to convey intended message.

(4) — A minimum of 300 linear feet from any other existing computerized electronic message center.

(5) — No horizontal traveling or vertical scrolling moving messages, animation or graphics shall be permitted.

(6) — A minimum time interval of five seconds between flashed readings of a message.

(7) — The total number of computerized electronic message centers shall not exceed one computerized electronic message center for each directory or freestanding sign at the premises.

(8) — At no time shall both a marquee and an computerized electronic message center be permitted on the same premises.

(9) ~~Signs are to be subject to Architectural Review Board review and recommendation.~~

~~§ 108-56.1. Penalties for offenses against sign provisions:~~

~~Any sign installed without benefit of a sign permit pursuant to § 108-56 of the Riverhead Town Code shall be charged a civil penalty of \$500 in addition to the sign permit and application fee as specified in § 52-10 of the Riverhead Town Code. Said civil penalty shall be due and payable upon application for a sign permit.~~

A. Definitions

As used in this Section, the following terms shall have the meanings set forth herewith:

ANIMATED OR MOVING SIGN - any sign or part of a sign which changes physical position by movement or rotation occasioned by natural, manual, mechanical, electrical, or other means, or which gives the visual impression of such movement or rotation;

ANNOUNCEMENT SIGN - A sign announcing the activities conducted or to be conducted at the public or semi-public building to which it refers.

AWNING - Any retractable or fixed shade-producing device made of flexible fabric or similar material covering a rigid skeleton structure attached to a building;

BANNER OR PENNANT - A sign that is painted or displayed on a sheet composed of fabric, pliable plastic, paper or other non-rigid material, fastened to the exterior of a building or exterior structure other than a flagpole, but excluding any flag representing any federal, state or other governmental entity;

BILLBOARD - A sign relating, in whole or in part, to a business, commodity, service, entertainment or attraction sold, offered or existing at a location other than the location where such sign is displayed;

BUILDING WALL FACE - the area of the building wall including area occupied by any doors or windows in that wall;

CANOPY - An architectural projection comprised of a rigid structure over which a covering is attached that provides weather protection, identity or decoration and is supported at one end by the building to which is attached and at the outer end by not less than one stanchion;

DIRECTORY SIGN - an aggregate sign containing a list of the names of the establishments located within a commercial or industrial complex;

ELECTRONIC TIME/TEMPERATURE SIGN - an electronic programmed display of time and temperature information only;

FARM MARKET – a direct marketing operation which may be seasonal in nature and features on-farm produce as well as locally grown agricultural produce, enhanced agricultural products, and handmade crafts;

FREESTANDING SIGN – A sign detached from any supporting element of a building and consisting of a double or single sided sign face attached to a single or double pole structure embedded in the ground or mounted on its own self-supporting permanent structure or base;

GRADE - the uppermost surface of the ground directly below the sign or immediately adjacent to the support where the uppermost surface has been artificially raised for landscaping or other purpose, grade shall be measured from the level of the nearest curb of a public street;

ILLUMINATED SIGN – A sign illuminated either internally, where the source of illumination is inside the sign or from light bulbs or light tubes affixed or incorporated into the structure thereof, or externally where the source of illumination is separate from the sign and reflected off the surface thereof;

INCIDENTAL SIGN – a small sign, emblem, or decal informing the public of goods, facilities, or services available on the premises, e.g., a credit card sign or a sign indicating hours of business;

MANSARD ROOF – A roof whose pitch has a twelve (12) inch or greater vertical projection for each six (6) inch horizontal projection.

MARQUEE, ATTACHED - a fixed, constructed permanent canopy or roof like structure of rigid materials which may contain a means for changeable lettering thereon, supported by and extending more than twelve (12) inches from the facade of a theater, hotel, banquet facility, or sports arena;

MOBILE SIGN – mobile signs standing on the ground or attached to vehicles or trailers shall be prohibited, except signs painted on registered vehicles identifying the owner and utilized in the conduct of such business. Vehicles or trailers may not be used primarily for on or off premises advertising;

MONUMENT SIGN – A sign with a base entirely in contact with the ground;

NAME PLATE SIGN – A non-electric identification sign which bears only the name and profession or occupation of the occupant or group of occupants, or bears only the name of a residential occupant;

NEON SIGN – an illuminated sign consisting, in part, of a glass tube filled with neon, argon, mercury or other gasses caused to emit light by the passage of an electric current and commonly bent into various forms.

NONCONFORMING SIGN - a sign which was legally installed under laws or ordinances in effect prior to the effective date of the ordinance codified in this title or

subsequent revisions, but which is in conflict with the design and sign type provisions of this Chapter:

OFF-PREMISES SIGN - a sign that identifies or communicates a message related to an activity conducted, a service rendered, entertainment, or a commodity sold, which is not the primary activity, service, or commodity provided on the premises where the sign is located (e.g., billboards or outdoor advertising);

POLE SIGN - A freestanding sign wholly supported by a single vertical pole or similar structure embedded in the ground.

POLITICAL SIGN - a temporary sign indicating the name and/or picture of an individual seeking election or appointment to a public office, or relating to a proposition or change of law in a public election or referendum, or pertaining to the advocacy by persons, groups, or parties of political views or policies;

PROJECTING SIGN - a sign not exceeding four (4) inches in thickness, which is attached at a right angle from a wall or other essentially vertical plane of a building or structure, which is wholly or partly dependent upon the building for support, and which projects more than (twelve) 12 inches from said building not more than thirty-six (36) inches; said signs shall not exceed a two (2) foot height dimension; the bottom of the sign shall be a minimum of seven (7) feet above the average grade of the ground surrounding the sign.

REAL ESTATE SIGN - A sign advertising the sale, exchange, lease or rental of the real property on which it is located.

ROOF SIGN - A sign erected upon or above a roof or parapet of a building or structure.

SANDWICH BOARD - A portable sign capable of standing without support or attachment.

SIGN - any object, device, display, or structure, including a flag, or part thereof, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images, together with a framework, background, material structure, component parts, and bracing materials;

SIGN AREA - the area of a sign shall be the entire face of a sign including the advertising surface and any framing, trim, or molding. The area of any sign lacking clear and distinct borders shall be determined by the smallest rectangle that encompasses all of the letters and/or symbols that make up the sign, together with the area outside that rectangle of a different color or material than the general finish of the building or window, whether painted or applied.

SOFFIT SIGN - a sign affixed to the underside of a roof overhang, and perpendicular to the wall, adjacent to a store or a commercial premise;

WALL SIGN - a sign fastened to or painted on an exterior wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign. A wall sign shall not project above the height of the

building wall face. Said height shall be the vertical distance from the average grade of the ground surrounding the building to the lowest point of the roof. Such a sign may not project more than twelve (12) inches beyond the building wall face, nor shall it contain copy on the sides or the edges, or it shall be considered as a projecting sign;

WINDOW AREA – The area of the window shall be the largest uninterrupted expanse of glass. Such interruptions shall include but not be limited to the mullions, minions, and structural or applied support columns.

WINDOW SIGN - a sign, which is painted in, applied, or attached to, the interior side of a window or glass doors, or which is inside an individual window or door and mounted within three (3) feet of a window. Such signage shall occupy no more than twenty-five percent (25%) of the area of each window or door.

B. Purpose and Intent

Purpose

It is the express purpose of this Section to regulate existing and proposed signs in order to: perpetuate the open character and rural appearance of the Town; promote good community planning and a positive aesthetic environment; protect property values; recognize the economic importance and attractiveness of properly-sited and well-designed signs; preserve the historic character and architectural heritage of the Town; provide a more enjoyable and pleasing community; and to promote and accomplish the goals, policies and objectives of the 2003 Riverhead Comprehensive Master Plan.

Intent

It is the intent of this Section to coordinate the type, placement and scale of signs within the various zoning use districts to recognize the commercial communication requirements of all sectors of the business community; reduce distraction and obstructions which may cause motorists confusion, impair visibility, and lead to accidents; reduce hazards that may be caused by signs overhanging, projecting into, or otherwise obstructing public rights-of-way; avoid detracting from the legitimate identification of businesses, street names, or street numbers. These shall be accomplished by regulation of the display, erection, use, and maintenance of signs.

C. Signs Allowed With Permit.

The following signs are allowed in appropriate Zoning Use Districts upon the issue of a permit by the Town of Riverhead Building Department:

1. Wall Signs.

(a) The aggregate area of any and all wall signs shall not exceed twenty five percent (25%) of the building or wall face on which they are mounted. The aggregate width of any and all signs shall not exceed seventy five percent (75%) of the width of the building or wall face on which they are mounted.

(b) Signs shall not project more than one foot perpendicular to the walls on which they are mounted nor extend in any manner above the façade or roofline of the building or structure containing such wall.

(c) All signage shall pertain to businesses operating within the building or structure and no more than one sign per business shall be permitted.

2. Roof Signs.

(a) Where no walls of a building or structure facing a public street frontage exist to reasonably accommodate a wall sign, a sign painted on, incorporated into, or affixed to a mansard roof or parapet of such building shall be permitted, provided it complies with the following:

(1) The vertical midpoint of the sign shall be no higher than the vertical midpoint of the mansard roof or parapet so that the sign does not project above the roof line or break the silhouette of the building.

(2) No part of such sign shall project from such mansard roof or parapet a distance greater than twenty four (24) inches, and all structural supports, including any angle irons, guy wires, or braces, shall appear to be an integral part of the roof or roof sign and enclosed or otherwise hidden from view.

(3) The area of any such sign shall not exceed seventy five percent (75%) of the width of such roof or parapet.

3. Freestanding Signs, Including Pole, Monument, and Directory Signs.

(a) Freestanding Signs

(1) No freestanding sign shall be permitted on premises where buildings or structures are set back less than twenty (20) feet from the front property line.

(2) One freestanding, non-flashing, nonmoving, on-premises sign shall be permitted per business provided that the aggregate area of signage does not exceed thirty two (32) square feet.

(3) Said sign may not exceed ten (10) feet in vertical height from the grade of the ground surrounding the sign except as otherwise provided in this chapter.

(4) Said sign(s) shall be at least twenty five (25) feet from each side line of the property and at least fifteen (15) feet from the front and rear property lines.

Where more than one sign occupies a property, no sign shall be closer than twenty five (25) feet from any other sign.

(b) Pole Signs.

One pole sign shall be permitted per business, with no more than three pole signs total per property, provided it complies with the following:

(1) The sign shall consist of a vertical upright, a horizontal sign support, and a suspended sign.

(2) Total area of sign shall not exceed sixteen (16) square feet.

(3) Said sign shall not exceed a height of ten (10) feet from the grade of the surrounding ground to the top of the vertical support except as otherwise permitted in this chapter

(4) Said sign shall be located at least twenty five (25) feet from each side line of the property and at least fifteen (15) feet from the front and rear property lines, measured from the back edge of the vertical support

(5) Where more than one sign occupies a property, no sign shall be closer than twenty five (25) feet from any other sign.

(c) Monument Signs.

One monument sign shall be permitted per premises provided it complies with the following:

(1) Such sign shall be constructed with its base entirely in contact with the ground.

(2) Total area of said sign shall not exceed thirty two (32) square feet.

(3) Said sign shall not exceed ten (10) feet in vertical height from the grade of the ground surrounding the sign except as otherwise provided in this chapter. Except for sign height, any embellishments thereon extending up to twelve (12) inches on any side shall not be considered in determining compliance with such size limitations.

(4) Said sign shall be at least twenty five (25) feet from each side line of the property and at least fifteen (15) feet from the front and rear property lines.

(5) Where more than one sign occupies a property, no sign shall be closer than twenty five (25) feet from any other sign.

(d) Directory Signs.

Each commercial or industrial complex which contains more than one legal use shall, as a whole, be permitted one (1) freestanding directory sign on the premises to be used for the purpose of notifying the public of the names of the businesses located within the complex provided that:

(1) No advertising of any sort shall be allowed on said sign other than to identify the complex itself.

(2) The aggregate height of said sign shall not exceed fifteen (15) feet measured from the grade of the ground surrounding the sign.

(3) Each business name shall occupy no more than eight (8) square feet in area.

(4) Each business shall advertise with coordinated size, color, lettering, and sign shape such that no single sign is more prominent than another sign.

(5) A portion of the sign may be dedicated to the identification of the commercial or industrial complex provided that this area does not exceed thirty two (32) square feet.

(6) The aggregate area of the sign shall not exceed sixty (60) square feet.

(7) A directory sign shall be allowed in conjunction with wall, window, or façade signs, but such sign shall not be permitted with any freestanding sign(s).

(8) The nearest point of the front of any building of the complex is set back a minimum of fifty (50) feet.

4. Permanent Window Signs.

(a) Permanent Window signs may occupy no more than twenty-five percent (25%) of the window area as defined herein.

(b) Permanent window signs are permitted in addition to any wall signs displayed on the same building or structure, provided the aggregate coverage area for both signs does not exceed twenty five percent (25%) of the building or structure wall face.

(c) Such signs shall include neon signs limited to an intensity of 60 watts.

(d) Window signs shall be stationary in nature and shall not flash or rotate

5. Parking Signs.

With the exception of any sign erected by or with the consent of Town, County, State, or any other government authority, all signs pertaining to traffic regulations, parking regulations, and fire zones which are subject to the rules and regulations of the New York State Vehicle and Traffic law, no sign shall be located within or upon the right-of-way of any Town, County, or State or other publicly-owned land.

6. Commercial Property Real Estate Signs.

Sign advertisement of the sale, rental, or lease of commercial property is permitted provided that:

- (a) Only one (1) real estate sign per commercial parcel shall be permitted.
- (b) Freestanding signs, signs affixed to a building or structure, or a sign displayed within any window therein shall not exceed nine (9) square feet in area.
- (c) No freestanding sign shall be permitted within a parking lot, roadway, or sidewalk area.
- (d) Said sign(s) shall be removed no later than fifteen (15) days after the property to which they relate is no longer for sale, rent, lease, or exchange.
- (e) Said sign shall not be illuminated.
- (f) Real estate signs in all use districts shall be set back not less than twenty five (25) feet from any side line and five (5) feet from the front and rear property lines. No real estate sign shall be placed in a public right of way.

7. Residential Property Real Estate signs

Real estate signs advertising the sale, rental, or lease of residential real estate is permitted provided that:

- (a) No more than two (2) such signs shall be erected on the property to be sold, rented, or leased. No signs erected for the sale of real estate may be erected off-site of the subject property.
- (b) Said sign(s) may not be illuminated nor exceed four (4) square feet in area.
- (c) No sign shall be permitted in any public right-of-way.
- (d) Said sign(s) shall be removed no later than fifteen (15) days after the property to which they relate is no longer for sale, rent, lease, or exchange.
- (e) Said sign(s) may be erected only by a licensed real estate broker who has paid a one-time permit fee of two hundred dollars (\$200) to the Town of Riverhead. Such fee shall be forfeited by an applicant found to be in violation of this section and said real estate broker may not erect any signs in the town for a period of six (6) months. Payment of a permit fee of two hundred dollars (\$200) shall be required for renewal of permit to erect signs

(f) Erection of a single sign by the owner of the property shall require a deposit of one hundred dollars (\$100) to be refunded upon removal of the sign by the applicant.

8. Construction and Subdivision Signs.

(a) No more than one sign shall be permitted at any construction or subdivision site.

(b) Said sign shall not be erected prior to project approval by the Riverhead Building Department.

(c) Such sign shall not be illuminated nor exceed sixteen (16) square feet in area.

(d) Said sign may display the name(s) of the contractor(s), architect(s), and financing institution(s) connected to development of the site.

(e) Said sign shall be at least twenty (25) feet from each side line of the property and at least fifteen (15) feet from the front and rear property lines.

(f) Any such sign shall not interfere with any public right of way and shall be removed no later than fifteen (15) days after completion of the project to which it relates or one (1) year from the date of installation of said sign, whichever occurs first.

(g) Any other signs on such property shall conform to all other applicable provisions of this Article.

9. Awnings/Canopies.

(a) Signs painted on or in the form of an awning or canopy shall be permitted for business use only, provided that:

(1) Awnings are not located above the first floor of the buildings to which they are attached.

(2) Canopies are located at the street or parking lot entrance of the building to which they are attached and do not interfere with pedestrian traffic.

(b) Any identification or lettering on such awnings or canopies shall be limited to the edge of the awning or canopy bib and shall not exceed six (6) inches in height.

(c) The vertical clearance from the public right of way to the lowest part of the awning or canopy, including the valance, shall be a minimum of seven (7) feet.

10. Off Premises Directional Signs.

(a) Two (2) standardized off-premises directional signs, in accordance with the further provisions of this subsection, shall be permitted per applicant, based upon the necessity for said signs as shown by the applicant. Under no circumstances shall more

than two (2) such signs be allowed, nor shall any two (2) such signs bearing the same information face the same lane of traffic.

(b) Such signs shall not exceed four (4) square feet in area, nor exceed six (6) feet in vertical height from the grade of the ground surrounding the sign.

(c) Such signs may display commercial logos in the customary colors.

(d) Signs constructed with direct or indirect illumination must obtain an electrical permit and inspection pursuant to Chapter 52 of the Town Code and must comply with provisions for outdoor lighting pursuant to Article XLV of the Town Code of Riverhead.

(e) There shall be no exclusive right to any location. An advertiser shall not prohibit subsequent advertisers which have obtained necessary approvals.

(f) No off-premises directional sign shall be permitted within one hundred (100) feet of any other permitted sign

(g) Such signs shall be located as follows and shall be subject to the prior approval, in writing, of the New York State Department of Transportation, the Suffolk County Department of Public Works, the Riverhead Superintendent of Highways or the owner of private property, as applicable:

(1) Said sign shall be set back at least fifteen (15) feet from the public right-of-way or five (5) feet from the sidewalk, whichever is greater. Under no circumstances shall such sign be placed in the public right of way.

(2) Said sign shall face the flow of traffic nearest it.

(3) Said sign shall not be permitted less than one hundred (100) feet approaching nor one hundred (100) feet beyond a traffic control or device, railroad grade crossing, or public highway intersection with a federal, state or county route.

(4) In its deliberation of the permit, public safety, including but not limited to visibility of and by motorists as well as pedestrians relative to the proposed sign location, shall be a primary consideration of the Board.

11. Electronic Time/Temperature Signs.

A computerized time/temperature display or electronic message center shall be permitted subject to the following conditions:

(a) Shall be located on-premises only;

(b) Shall be accessory to, and incorporated within the main structure of a freestanding sign. Such sign shall be no more

than twenty four (24) square feet in total area, and an aggregate square footage of all signs on the sign structure shall not exceed thirty two (32) square feet;

(c) Said sign shall be located a minimum of four hundred (400) linear feet from any other time/temperature display;

(d) Shall display a minimum time interval of five (5) seconds between flashed readings of time and temperature;

(e) Shall exhibit the minimum display necessary to convey the intended message. No horizontal traveling or vertical scrolling moving messages, animation, or graphics shall be permitted.

(f) Shall be extinguished by 11 P.M.

12. Menu Board

Restaurants may display one (1) menu board in conjunction with a drive-through window provided that:

(a) The sign is one-sided, freestanding, or attached to a wall.

(b) Said sign shall be non-flashing and non-moving.

(c) Said sign shall not exceed thirty two (32) square feet in area nor exceed a height of five (5) feet above the grade surrounding the sign.

(d) Said sign shall be located at least twenty five (25) feet from the front of the property line and from each side line, and a minimum of fifteen (15) feet from the rear property line.

(e) Said sign shall not be located in a front yard or in a side yard adjacent to a street nor shall the sign be readable from a street.

13. Marquee, Attached

A marquee attached to a theater, hotel, or sports arena shall be permitted provided that such sign:

(a) Does not extend beyond the curb line in front of the building.

(b) Shall be placed no less than ten (10) feet above the grade or curb surrounding the sign.

(c) Shall not display any temporary sign or information attachment(s).

(d) Shall be constructed of noncombustible materials, shall be securely supported from the façade of the building, and shall provide proper drainage.

14. Gasoline Station Signs

(a) One (1) sign per business location shall be permitted to advertise the sale of gasoline with the provision that said sign:

(1) Shall be freestanding, non-flashing, and non-moving.

(2) Shall be located on the premises of the business and not located in any public right-of-way.

(3) Shall only advertise the identification of the gasoline retailer and the price(s) of gasoline.

(4) Shall not exceed an area of forty eight (48) square feet, nor exceed a height of fifteen (15) feet above the grade surrounding the sign.

(5) Shall be located not less than fifteen (15) feet from the front or rear property lines and not less than twenty five (25) feet from each side property line.

(b) One sign may be permitted for the advertisement of services in addition to the sale of gasoline provided that such sign:

(1) Shall be freestanding, non-flashing, non-moving, and not illuminated.

(2) Shall not exceed sixteen (16) in area.

(3) Shall not exceed a height of six (6) feet above the grade of the area surrounding the sign.

(4) May be double-sided.

(5) Shall be located on the premises of the business and not located in any public right-of-way.

Incidental signs which exceed two (2) square feet in area.

D. Signs Not Requiring Permits.

The following types of signs are exempted from permit requirements but must conform with all other requirements of this ordinance:

1. Temporary Window Signs.

Signs attached to, or incorporated on a window or door which are of a temporary nature not exceeding a display period of two (2) weeks.

(a) Such signs shall occupy no more than twenty five percent (25%) of the window area and may be displayed only in a window or door facing toward the front property line.

(b) Said signs shall not be illuminated, flash, rotate, oscillate, or be animated.

2. Parking Signs and Traffic Regulation Signs Erected by Government Authority.

3. Farm Market Temporary Ground Identification Signs.

Temporary farm market ground identification signs shall be allowed in all zoned districts in the Town without a permit from the Building Department with the following provisions:

(a) A farm market may have up to ten (10) temporary ground identification signs provided that:

(1) No more than two (2) signs between twelve (12) square feet twenty (20) square feet in area shall be permitted.

(2) Each of the additional eight (8) signs shall not exceed twelve (12) square feet in area.

(3) Two (2) additional temporary off-premises signs advertising specific seasonal crop production may be allowed without a permit provided that the farm market selling such crop is not located on a major east-west major thoroughfare (specifically Peconic Bay Boulevard, Route 25, or Sound Avenue). Such sign(s) may not exceed thirty two (32) square feet in area and must be removed at the end of the specific crop season.

(4) No sign shall exceed six (6) feet in vertical height from the grade of the ground surrounding the sign.

(5) Such signs may be single-faced or double-faced, and square footage will be calculated based on 1 side.

(6) With the exception of off-premises signs described above, all signs shall be located on the premises of the farm property and shall not be placed more than one hundred fifty (150) feet from the perpendicular intersection of a line bisecting the farm market or farm stand and the front property line.

(7) All signs shall be set back at least fifteen (15) feet from any vehicular public right of way or five (5) feet from a public sidewalk, whichever is greater. Under no circumstances shall a sign be placed in any public right-of-way or create a potential danger to vehicular traffic.

(8) No such sign(s) shall be illuminated.

4. Theater outer lobby posters, provided they are enclosed.

5. Incidental signs, such as information, emergency, and public service signs that identify such services as rest rooms, telephones, credit cards accepted, hours of operation, vacancies, and emergency information provided that:

(a) Such signs shall not exceed two (2) square feet in area.

(b) There shall be a limit of one (1) such sign or group of signs per building entrance.

6. Nameplates attached to a building wall bearing only the name and profession or occupation of the resident provided that:

(a) Only one (1) nameplate shall be permitted per professional office or per resident.

(b) Such sign shall not exceed two (2) square feet in area.

7. Political Signs.

(a) All political signs shall conform in terms of size, location, setback and all other conditions as may be set forth in the further provisions of this chapter.

(b) Written permission of the owner of any land used for political signs must be obtained prior to the erection of the sign.

(c) No political sign may be erected or maintained on or in a public right-of-way or upon utility poles.

(d) All such signs shall be removed within two weeks subsequent to the date of election:

(e) Prior to displaying any political sign, a bond in the sum of two hundred dollars (\$200.) per candidate must be posted with the Town Clerk. Said bond shall guarantee compliance with the provisions of this subsection.

(f) The existence of political signs in violation of any of these provisions shall act to forfeit the aforementioned bond and to allow the town to remove said sign(s).

8. Historic Signs.

Pursuant to the provisions of a special permit or site plan review, the town Board may determine that a particular sign is of significant historic quality in terms of age, design, or relationship to an historic restoration project in order to be designated an historic sign. The Town Board may allow the restoration, repair, and maintenance of such signs upon such terms as may be just and proper in addition to, or to the exclusion of, any other signs

permitted by this Code. Any such sign must be structurally safe or capable of being made so without substantially altering its historic significance.

9. Dedicatory Signs.

One dedicatory sign indicating the name and date of erection of a building, or serving as a memorial or historical plaque may be allowed pursuant to review by the Town Board provided that such sign:

(a) Is cut into a masonry surface or fabricated of bronze or other noncombustible material.

(b) Does not exceed four (4) square feet in area.

10. Public Information Sign.

The Town Board may allow the erection of a special public information sign in any district. Under no circumstances shall such a sign be placed in a public right-of-way or create a hazard to traffic.

E. Prohibited Signs.

The following types of signs are prohibited in every use district in the Town of Riverhead unless otherwise specified in this Chapter:

1. Off-premises commercial advertising signs, including but not limited to billboards or signs affixed to utility poles.

2. Animated, flashing, moving, rotating, revolving, chasing, oscillating, or blinking signs or devices, other than a time and temperature display.

3. Banners, ribbons, pennants, spinners, streamers, balloons or other such devices.

4. Any sign visible from a public right-of-way that is mounted on a vehicle or trailer, designed to be transported by wheels, or is mounted on a chassis with or without wheels.

5. Temporary Menu, sandwich board, banners, posters and other such "temporary" signs within 50 feet of the public right-of-way, with the exception of farm market ground identification signs.

6. Any sign, including handbills and stickers, affixed to a traffic sign, signal, controller cabinet or supporting structure, fire hydrant, utility pole, bridge, tree, rock, statue, or sculpture.

F. Zoning Use Districts.

The following limitations shall apply to signs in the zoning use districts indicated below:

1. In all zoning use districts the following signs are allowed with a permit from the Riverhead Building Department:

- (a) Real estate signs
- (b) Construction signs
- (c) Subdivision signs
- (d) Political signs

2. The following signs are allowed in all Zoning Use Districts without a permit from the Town of Riverhead:

- (a) Farm market temporary ground identification and off-premises signs for specific seasonal crop production as specifically provided in this chapter.
- (b) Incidental (less than two(2) square feet in area.
- (c) Announcement, less than two (2) square feet in area
- (d) Nameplate

3. RA-80, RB-80, RA-40, RB-40, RC, and HR

All signs shall be permitted in all residential zones RA-80, RB-80, RA-40, RB-40, Retirement Community (RC), and Hamlet Residential (HR) with the exception of:

- (a) Wall signs
- (b) Roof signs
- (c) Freestanding (including pole, monument, and directory) signs
- (d) Permanent window signs
- (e) Awning and canopy signs
- (f) Electronic Time/temperature signs
- (g) Menu board signs
- (h) Illuminated (including neon) signs
- (i) Projecting signs
- (j) Sandwich board signs
- (k) Soffit signs

4. APZ

In the Agricultural Protection Zones (APZ) all signs shall be permitted with the exception of:

- (a) Window signs
- (b) Illuminated (including neon) signs
- (c) Electronic time/temperature Display
- (d) Roof signs

(e) Directory

5. DRC, SC, BC, and Business F

In the Destination Retail Center (DRC), Shopping Center (SC), and Business Center (BC), and Business F Districts all signs permitted by this chapter shall be allowed.

(a) Freestanding signs, including pole, monument, and directory signs shall not exceed fifteen (15) feet in vertical height from the grade of the ground surrounding the sign.

6. VC, HC, RLC, CR, and CRC

In the Village Center (VC), Hamlet Center (HC), Rural Corridor (RCL), Rural Neighborhood Business (CR), and Commercial/Residential Campus (CRC) Districts all signs are permitted with the exception of:

(a) Internally illuminated (including neon) signs, except in windows

(b) Time/Temperature Display

(c) Roof signs7. TRC, RFC, DC-2, DC-4, DC-5 and PB

In the Tourism/Resort Campus (TRC), Riverfront Corridor (RFC), Downtown Center - 2 (DC-2), Downtown Center - 4 (DC-4), Downtown Center (DC-5), and Professional Business (PB) Districts all signs are permitted with the exception of:

(a) Wall signs

(b) Window signs

(c) Internally illuminated (including neon) signs

(d) Electronic time/temperature display

(e) Roof signs

8. IA, IB, and IC

In the Industrial A (IA), Industrial B (IB) and Industrial C (IC) Use Districts all signs are permitted with the exception of:

(a) Internally illuminated (including neon) signs except in windows

(b) Electronic Time/Temperature Display

(c) Roof signs (except on mansard roof)

10. DC-1 and DC-3

In the Downtown Center -1 (DC-1) and Downtown Center - 3 (DC-3) Districts all signs are permitted with the exception of:

(a) Roof (except on mansard roof)

(b) Internally illuminated (including neon) signs, except in windows

108-56.1 Sign Permits.

A. Permitting procedure.

1. Sign maker registration

Any sign maker licensed to do business in Suffolk County may, upon submitting proof of such licensure, register his or her company name with the Building Department on a form to be designated by the Building Inspector. Registered sign makers shall be entitled to inspect the installation of signs they install in accordance with the provisions of this Article. Upon a determination by the Building Inspector that a registered sign maker has failed to comply with the terms of this Article, the Building Inspector may elect to discontinue the registration of that sign maker.

B. Application for a sign permit

1. Unless otherwise stated herein, all signs permitted in this chapter, shall have a sign permit issued by the Town of Riverhead Building Department. Sign permits may be applied for through the site plan application process or directly to the Building Department. The procedure for obtaining a sign permit is as follows:

(i) Submission of a sign permit application form to the building department, or in the case of a site plan application, to the Town Board, together with the three copies of each of the following:

(a) copies of the certificate(s) of occupancy, certificate(s) of compliance or letter(s) of pre-existing use for all structures located upon the premises where the sign(s) is/are proposed to be installed.

(b) a color rendering (drawn at a 1 inch equals 1 foot scale) of each sign for which a permit is sought indicating the exact dimensions of the sign, sign area, sign depth or thickness, font type(s) and size(s) of all lettering to be used on the sign. The rendering shall also include a drawing and the dimensions of all structures to be used to support the sign. If the sign is to be attached to a wall, a scaled drawing of the sign and its proposed location on the wall shall be submitted with the application.

(c) samples of the actual colors to be used on the sign.

(d) a list of all materials to be used in constructing the major components of the sign including any supporting structures and illumination. Any illumination proposed shall comply with Article XLV (Outdoor Lighting) of the Town Code of the Town of Riverhead.

(e) a color photograph of the all exteriors walls of the building upon which the sign is to be placed or a color photograph of the location where the sign is to be constructed showing its relationship to the structures on the property.

(f) a permit fee of \$_____.

C. Issuance of Sign Permit

1. Architectural Review Board Referral

(a) Upon receipt of a complete application for a sign permit, the building department administrator shall refer the application to the Architectural Review Board for its recommendation. The applicant may request to appear before the Architectural Review Board in order to review the sign design and facilitate the process.

(b) The Architectural Review Board shall provide a recommendation to the Building Department within 30 days of its receipt of the Building Department referral. Applications not acted upon by the Architectural Review Board within thirty (30) days of the receipt of the application shall be deemed approved.

2. Building Department Approval

(a) Upon receipt of the approval of the Architectural Review Board, the Building Inspector shall issue a sign permit to the applicant. Each sign permit shall be numbered in accordance with a numbering system to be designated by the Building Inspector. In the case of an application for a sign permit made in connection with an application for site plan approval, the sign permit shall be issued by the Building Inspector upon issuance of a building permit following approval of the site plan including proposed signs.

(b) Upon completion of the construction of the sign authorized in the sign permit, the applicant shall request an inspection to ensure that the sign was constructed in accordance with the terms of the sign permit. Alternatively, the applicant may submit the affidavit of a sign maker registered with the Town of Riverhead Building Department in a form to be designated by the Building Inspector indicating that the sign construction is complete and that the sign was constructed in accordance with the terms of the permit.

(c) All signs must be installed within six months of the issuance of the sign permit. Failure to complete the installation of a permitted sign within six month of the date of the issuance of the permit will result in the automatic expiration of the sign permit. The Building Inspector, at his discretion, may extend the duration of a sign permit one time for a period of six months.

(d) Upon completion of the inspection of the sign by the Building Department or the submission of the affidavit of a registered sign maker as described herein, the Building Department shall issue a placard to the applicant which placard shall be attached to the lower right hand corner or portion of the sign. The placard shall bear the seal of the

Town of Riverhead and indicate the permit number for the sign as well as the date of approval of the sign permit application or site plan.

D. Sign Maintenance

1. The owners of a permitted sign must maintain the sign and its supporting structures in good condition. Failure to replace sign components for general compliance with the conditions of the original approval, including but not limited to non operative lighting, sign structures, landscaping, color, materials, lettering and or other sign components shall be considered a failure to maintain a sign in good condition.

2. Each sign having received a sign permit placard from the Building Department may be inspected periodically for adequate maintenance.

3. Upon a determination that a sign is not being maintained in good condition, the Code Enforcement Division shall serve a notice upon the individual or entity to which the permit was issued by certified mail, return receipt requested to the address shown on the sign permit application.

E. Nonconforming signs.

1. Any sign legally existing on the date of adoption of this chapter of the Town Code may be continued, although such sign may not thereafter conform to the regulations of the district in which it is located.

2. No nonconforming sign may be reestablished where such nonconforming use has been discontinued for a period of six months.

3. Nothing in this chapter shall prevent the complete restoration within six months of a legally existing sign destroyed by an accidental cause such as fire, flood, explosion, riot, act of God or act of the public enemy. Such restored sign shall not exceed the dimensions of the sign destroyed.

4. All signs must comply with the provisions of this chapter within two (2) years of the adoption of this code.

108-56.2 Penalties for violations of the provisions of this article.

Any sign installed without benefit of a sign permit or which does not conform to an issued permit pursuant to §108-56(C) of the Riverhead Town Code shall be guilty of an unclassified misdemeanor and shall be subject to a fine of \$100 for each day that the illegal sign shall remain in place.

* Underline represents addition(s)

* Overstrike represents deletion(s)

7/19/05

Adopted

**AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS
EXTENSION NO. 79
HARVARD NICHOLS SUBDIVISION**

Adopted _____

Resolution # 739

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the July 28, 2005, edition of the Traveller Watchman Newspaper, with regard to receiving bids for Extension No. 79 of the Riverhead Water District, Harvard Nichols Subdivision, and be if further

RESOLVED, that the Town Clerk shall forward certified copies of this resolution to Gary Pendzick, H2M, and Frank Isler, Esq.

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

The Town Board of Riverhead will receive bids for the following contract:

Installation of Water Mains and Appurtenances
Extension No. 79 – Harvard-Nichols Subdivision - RDWD 03-56

Riverhead Town No.: 60081

for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, until 11:05 AM, prevailing time, on Monday, August 8, 2005, at which time and place all bids will be publicly opened and read.

Contract documents, including drawings and technical specifications, are on file at the following offices:

Town Clerk, Town of Riverhead
Town Hall, 200 Howell Avenue
Riverhead, New York 11901

Holzmacher, McLendon & Murrell, P.C.
575 Broad Hollow Road
Melville, New York 11747

Copies of the contract documents may be obtained at the above locations *on or after July 28, 2005* upon deposit of Fifty Dollars (\$50.00) in cash, certified check, bank money order or postal money order, made payable to the TOWN OF RIVERHEAD for each set furnished.

Deposits for Plans and Specifications will be refunded to Bidders who return same in good condition within ten (10) days. Other deposits will either be partially or not refunded if the Plans and Specifications have not been returned in good condition within thirty (30) days after bids have been opened.

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

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

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

ACTING AS THE GOVERNING BODY
OF THE RIVERHEAD WATER DISTRICT

BARBARA GRATTAN, TOWN CLERK

DATED: July 28, 2005

7/19/05

**AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS
NF GOLF RESORTS, PHASE 2**

Adopted _____

Resolution # 740

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

RESOLVED, that the town Clerk be and is hereby authorized to publish and post the attached Notice of Bidders in the July 28, 2005, edition of the Traveller Watchman Newspaper, with regard to receiving bids for the installation of water mains and appurtenances for NF Golf Resorts, Phase 2, and be it further

RESOLVED, that the town Clerk shall forward certified copies of this resolution to Gary Pendzick, H2M, Frank Isler, Esq., and the developer for NF Golf Resorts.

THIS RESOLUTION PREAPRED BY FRANK A. ISLER FOR THE 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

The Town Board of Riverhead will receive bids for the following contract:

**Installation of Water Mains and Appurtenances
NF Golf Resorts, Phase II - RDWD 05-54**

for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, until 11:00 AM, prevailing time, on **Monday, August 8, 2005**, at which time and place all bids will be publicly opened and read.

Contract documents, including drawings and technical specifications, are on file at the following offices:

Town Clerk, Town of Riverhead
Town Hall, 200 Howell Avenue
Riverhead, New York 11901

Holzmacher, McLendon & Murrell, P.C.
575 Broad Hollow Road
Melville, New York 11747

Copies of the contract documents may be obtained at the above locations *on or after July 28, 2005* upon deposit of Fifty Dollars (\$50.00) in cash, certified check, bank money order or postal money order, made payable to the TOWN OF RIVERHEAD for each set furnished.

Deposits for Plans and Specifications will be refunded to Bidders who return same in good condition within ten (10) days. Other deposits will either be partially or not refunded if the Plans and Specifications have not been returned in good condition within thirty (30) days after bids have been opened.

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

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

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

ACTING AS THE GOVERNING BODY
OF THE RIVERHEAD WATER DISTRICT

BARBARA GRATTAN, TOWN CLERK

DATED: July 28, 2005

7/19/05

ORDER ESTABLISHING
EXTENSION No. 82
RIVERHEAD WATER DISTRICT
SHORELINE DEVELOPMENT

Resolution # 741

Adopted _____

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

WHEREAS, a petition has been filed by the developers of Shoreline Development for an extension to the Riverhead Water District to serve their realty subdivision in Wading River which is located outside the boundaries of the existing water district, and

WHEREAS, a map and plan detailing the proposed extension has been prepared by H2M, consulting engineers to the Riverhead Water District which report recommends the installation of 1,500 linear feet of six and eight inch water main and the property main will connect, at two locations to an existing 12-inch Riverhead Water District main located on the west side of Hulse Landing Road, along with a 15-foot wide water main easement along the southerly property line of Lot 6, and

WHEREAS, the maximum amount to be expended for the extension is \$107,000 to be borne by the applicant and no public monies shall be expended for this extension, and

WHEREAS, key money will be assessed at the rate of \$2,500 per single family dwelling unit to cover the cost of constructing capital improvement facilities, for a total amount of \$47,500, and

WHEREAS, the boundary of the said extension is set forth fully in the attached Exhibit A, and

WHEREAS, the Town Board called a public hearing for June 21, 2005, which hearing was held and all persons wishing to be heard were heard,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board, upon the proceeding and record of the hearing had herein, determines that the extension to the Riverhead Water District to be

known as Extension No. 82 as shown on Exhibit A attached is in the best interest of the District and will benefit the property to be served, and

BE IT FURTHER RESOLVED, that the Town Board determines that the installation of the water mains and appurtenances is a Type II action pursuant to the State Environmental Quality Review Act which will not have a significant impact upon the environment, and

BE IT FURTHER RESOLVED, that this extension is conditioned and shall not become effective until the conditions contained herein are complied with, and

BE IT FURTHER RESOLVED, that the cost of the installation of the extension is \$107,000, all being constructed subject to the following conditions:

1. The owners grant a permanent, unobstructed subsurface easement for the installation and maintenance of sewer mains and appurtenances within the proposed extension;

2. The developer will deposit cash, bank or certified check with the Town of Riverhead prior to the award of the bid covering the cost of construction in the amount of \$107,000, before this resolution shall become a final order. After the deposit of all costs in the aforesaid amount, the Clerk shall certify this resolution as a final order and cause the same to be recorded and filed as set forth below; and

3. Key money will be assessed by new connections, which will be owed at Certificate of Occupancy for any new construction within the District as extended;

4. That the petitioner execute an acknowledgement evidencing their acceptance of the terms and conditions of this resolution and agree to be bound by it before it shall become effective; such acknowledgement to be filed with the Town Clerk and

BE IT FURTHER RESOLVED, that when the conditions call for herein have been completed, the town Clerk shall cause of a copy of this order to be recorded in the Office of the clerk of Suffolk county and filed with the New York State Comptroller, and

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

RESOLUTION PREPARED BY FRANK A. ISLER, ESQ., FOR
THE 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

EXHIBIT "A"

RIVERHEAD WATER DISTRICT
ENGINEERING REPORT
FOR
PROPOSED EXTENSION NO. 82
SHORELINE DEVELOPMENT
DESCRIPTION OF EXTENSION

All those certain lots, parcels of land, said properties being known as Section 58, Block 2, Lots 13.1, 13.2 and 14 and Section 76, Block 2, Lot 9, situated and lying and being at Wading River, also with the right-of-way known as Hulse Landing Road, Town of Riverhead, County of Suffolk and State of New York bounded and described as follows:

BEGINNING at a point formed by the westerly right-of-way of Hulse Landing Road and the southerly right-of-way of Sound Avenue. Said point being the POINT OF BEGINNING.

From said POINT OF BEGINNING, running easterly to a point formed by the easterly right-of-way line of Hulse Landing Road and the southerly right-of-way line of Sound Avenue

THENCE running easterly along the southerly right-of-way line of Sound Avenue, the following two (2) bearings and distances:

1. N 78° - 04' - 40" E 463.81 feet;
2. N 75° - 02' - 00" E 187.00 feet,

to a point formed by the southerly right-of-way line of Sound Avenue and the easterly property line of Section 58, Block 2, Lot 14.

THENCE running southerly along the easterly property line of Section 58, Block 2, Lot 14 the following bearing and distance:

1. S $16^{\circ} - 40' - 50''$ E 2,505.43 feet,

to a point formed by the southerly property line of Section 58, Block 2, Lot 14 and the westerly property line of Section 59, Block 1, Lot 1.2.

THENCE running westerly along the southerly property lines (also known as the northerly property line of the L.I.L.C.O. right-of-way) of Section 58, Block 2, Lot 14 and Section 76, Block 2, Lot 9 the following bearing and distance:

1. N $65^{\circ} - 34' - 50''$ N 1,425.40 feet,

to a point formed by the easterly right-of-way line of Hulse Landing Road and the southerly property line of Section 76, Block 2, Lot 9.

THENCE running westerly to a point formed by the westerly right-of-way line of Hulse Landing Road and the southerly property line of Section 76, Block 2, Lot 8.6.

THENCE running northerly from said point along the westerly right-of-way line of Hulse Landing Road a distance of approximately 1,018 feet to a point.

THENCE running northerly from said point along the westerly right-of-way line of Hulse Landing Road a distance of approximately 644 feet to the said POINT OF BEGINNING.

END OF DESCRIPTION

Adopted

TB 7/19/2005

TOWN OF RIVERHEAD

Resolution # 742
Adopted July 19, 2005

AWARDS BID ON 4 TON PROPANE FIRED INFRARED ASPHALT STORAGE TRAILERS

COUNCILMAN DENSIESKI _____ offered the following resolution which was
seconded by COUNCILWOMAN SANDER _____

WHEREAS, the Town Clerk was authorized to advertise for sealed bids on a 4 TON PROPANE FIRED INFRARED ASPHALT STORAGE TRAILER for the use of the Riverhead Highway Department, and

WHEREAS, all bids were received and read aloud on 11th July 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, two bids were received,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for the 4 Ton Propane Fired Infrared Asphalt Storage Trailers be and is hereby awarded to TRIUS, INC., 458 Johnson Ave., Bohemia, NY 11716, in the amount of \$21,596.00 each, and

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

THE VOTE

Bartunek ✓ yes ___ no	Sanders ✓ yes ___ no
Blass ✓ yes ___ no	Densieski ✓ yes ___ no
Cardinale ✓ yes ___ no	

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

TB 7/19/05

TOWN OF RIVERHEAD

**Resolution #743
Adopted July 19, 2005**

AWARDS BID ON SALT AND SAND SPREADERS

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

WHEREAS, the Town Clerk was authorized to advertise for sealed bids on SALT AND SAND SPREADERS for the use of the Riverhead Highway Department, and

WHEREAS, all bids were received and read aloud on the 11th of July at 11:05 A.M. at the Town Hall, 200 Howell Avenue, Riverhead, New York the date, time and place given in the Notice to Bidders, and

WHEREAS, two bids were received,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for the Salt and Sand Spreaders be and is hereby awarded to TRUIS, INC., 458 Johnson Avenue, Bohemia, NY 11716-0158 in the amount of \$12,434.00 each, and

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

THE VOTE

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

7/19/05

TOWN OF RIVERHEAD

Tabled

Resolution # 744

AUTHORIZES FIRE MARSHAL TO ATTEND SEMINAR

Adopted

08/02/05

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN BARTUNEK

WHEREAS, Fire Marshal Bruce E. Johnson requests to attend the Fire Marshals and Inspectors Seminar at the New York State Fire Training Academy; and

WHEREAS, the training at said seminar will complete the required training hours for New York State Code Enforcement Officer needed for the performance of Fire Marshal II duties; and

WHEREAS, the New York State Fire Marshals and Inspectors Seminar will be held October 18 -21, 2005, at the New York State Fire Training Academy at Montour Falls; and

WHEREAS, the cost of the seminar will not exceed \$200.00 (expenses include fees for registration, lodging, meals and other travel costs such as tolls and gas); and

NOW, THEREFORE BE IT RESOLVED, that the Fire Marshal be authorized to attend this seminar, use of an official vehicle for transportation (October 17-21, 2005) and shall remit to the Accounting Department all pertinent receipts and documentation to be reimbursed for expenditures not to exceed the authorized limit; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is authorized to forward a copy of this resolution to the Fire Protection and Code Enforcement Division and 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

08/02/05 TB Mtg
Councilman Densieski offered the resolution to be brought off the table, seconded by Councilwoman Sanders. All members in favor of all members in favor of the adoption of the resolution.

Tabled

Adopted

08/02/05

7/19/05

TOWN OF RIVERHEAD

Tabled

Resolution # 745

AUTHORIZES FIRE MARSHAL TO ATTEND CODE DEVELOPMENT PROCESS HEARINGS

Withdrawn
on
8/2/05

COUNCILMAN BARTUNEK offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

WHEREAS, Fire Marshal Bruce E. Johnson requests to attend the International Code Council (ICC) Annual Conference and Final Action Hearings in Detroit, Michigan; and

WHEREAS, the attendance of said hearings is essential for New York State Code Enforcement Officers to provide testimony and to vote on proposed changes to the Building, Fire and Property Maintenance Codes which are the codes that affect Building and Fire Safety in the Town of Riverhead; and

WHEREAS, the International Code Council (ICC) Annual Conference and Final Action Hearings will be held September 25 through October 2, 2005 in Detroit, Michigan; and

WHEREAS, the cost to attend said hearings will be paid for by the New York State Fire Marshal and Inspectors Association and therefore will not incur any expenses to the Town of Riverhead; and

NOW, THEREFORE BE IT RESOLVED, that the Fire Marshal be authorized to attend this hearing; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is authorized to forward a copy of this resolution to the Fire Protection and Code Enforcement Division and 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

Tabled

HELP MAKE NEW YORK A LEADER IN THE NATIONAL CODE DEVELOPMENT PROCESS

Plan to participate at the ICC Final Action Hearings and Annual Business meeting in Detroit, Michigan September 25 – October 2, 2005

This year, the International Code Council (ICC) Annual Conference and Final Action Hearings for the 2006 International Codes will be held September 25 – October 2, 2005, in Detroit Michigan. We are expecting that a large delegation from New York will attend this year's conference.

To facilitate easy communication and coordination of our delegation while in Detroit, please fill out and fax the attached form if you plan to attend. A comprehensive list of contact information will be distributed to New York delegates prior to the ICC Annual Conference.

Looking forward to seeing you there!

7/19/05

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 746

July 19, 2005

AUTHORIZES SUPERVISOR TO EXECUTE BUDGET TRANSFER

COUNCILMAN DENSIESKI 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 transfer:

FROM:

001-013300-543405-00000 TRAVEL \$335.00

TO:

001-013300-542609-00000 ADVERTISING \$335.00

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

W:\Tax Receiver

July 19, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 747

APPROVES TEMPORARY SIGN PERMIT OF CENTRAL SUFFOLK HOSPITAL

COUNCILWOMAN SANDERS

offered the following resolution, which was seconded by

COUNCILWOMAN BLASS

WHEREAS, a temporary sign permit and sketch were submitted by Andrew J. Mitchell for Central Suffolk Hospital for property located at 400 South Jamesport Ave. and the intersection of Route 25 and South Jamesport Ave (at the Community Center), Riverhead, New York also known as SCTM# 069.00-02-010.00 and 069.00-02-005.00; 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 Central Suffolk Hospital submitted by Andrew J. Mitchell for North Fork Designer Showhouse and be it

RESOLVED, that said temporary sign permit shall expire on October 31, 2005 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 Central Suffolk Hospital, Att: Andrew J. Mitchell, President & CEO, 1300 Roanoke Avenue, Riverhead, New York 11901, the Planning Department, Code Enforcement Division 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

DRAFT

5'

✓



Captain Hawkins House Restoration, LLC © 2005

400 S. Jamesport Ave, Jamesport, NY

Open daily from
September 18-October 30, 2005
 For information call 722-5392 or visit us at
www.captainhawkinshouse.com



Proceeds to Benefit Central Suffolk Hospital

Main Rd + S. Jamesport Ave.

(2 sided - arrows pointing to direction of house)

722-69-2-5

2/c



3.5'



DRAFT

51

✓



Captain Hawkins House Restoration, LLC © 2005

400 S. Jamesport Ave, Jamesport, NY

Open daily from
September 18-October 30, 2005
For information call 722-5392 or visit us at
www.captainhawkinshouse.com

Proceeds to Benefit Central Suffolk Hospital

400 S. Jamesport Ave
(in front of showhouse)

TRV 69-2-10

2/c

3.5



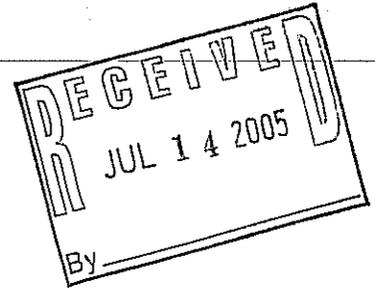
Central Suffolk
H O S P I T A L

1300 Roanoke Avenue - Riverhead, New York 11901

631-548-6000 - Fax 631-727-8890

www.centralsuffolkhospital.org

The Medical Center for the East End.



July 12, 2005

Phil Cardinale
Riverhead Town Supervisor
200 Howell Ave
Riverhead, NY 11901

Dear Supervisor Cardinale:

Central Suffolk Hospital is honored to be the beneficiary of the first North Fork Designer Showhouse event to take place this fall from September 17-October 30. Located in Jamesport, the Showhouse will feature one of Riverhead's finest historical homes, the Captain Hawkins House. We anticipate that we will attract thousands of visitors to the house during the six weeks of the event.

The Hospital is seeking support from the Town to ensure the success and safety of this event. First, we are requesting use of the two public parking lots on Peconic Bay Blvd. in South Jamesport (the South Jamesport East Creek Boat Ramp lot and the beach lot) for the duration of the event. We plan to bus or trolley guests from these lots to the Showhouse. We believe this will minimize parking on South Jamesport Avenue where the Showhouse is located. The Showhouse managers have indicated that they will obtain any insurance coverage that the Town requires for the use of these lots.

Additionally, to ensure appropriate promotion we would like to place temporary signage about the event at the Roanoke Avenue traffic circle (near the hospital), at the corner of Main Street and S. Jamesport Avenue (by the community center) and in front of the Showhouse at 400 South Jamesport Avenue. We are requesting permission to place signs at these locations and a waiver of any temporary sign permits required by the Town. The signs would be approximately 3.5' x 5' and would be erected from August 1 to October 31, 2005. A sketch with copy is attached.

It is our belief that both of these requests would facilitate traffic control and improve safety for the residents and visitors to the North Fork Designer Showhouse. As always, Central Suffolk Hospital is greatly appreciative of the support that Riverhead Town has given us. If you have any further questions, please contact Nancy Uzo, VP of Foundation and External Affairs, at 548-6080.

Again, thank you for your support of our nonprofit medical center.

Sincerely,


Andrew J. Mitchell, F.A.C.H.E.
President and CEO

cc: E. Densieski, B. Blass, R. Sanders, G. Bartunek, M. Kwasna, Chief D. Hegermiller, B. Johnson, L. Barnes, A. Lohmeiss

July 19, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 748

APPROVES SIGN PERMIT OF MICHAEL ANGELO AUTO SALES
(SENSIBLE CAR RENTAL)

COUNCILWOMAN BLASS offered the following resolution, which was seconded by

COUNCILMAN DENSIESKI

WHEREAS, a sign permit and sketch were submitted by Wedel Signs for property located at 1309 Old Country Road, Riverhead, New York also known as SCTM# 122.00-02-003.00; 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 sign permit application for Michael Angelo Auto Sales submitted by Wedel Sign Co for Sensible Car Rental and be it

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Michael Angelo Auto Sales, Inc., 1309 Route 58, Riverhead, New York 11901, 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

1309

**MICHAEL
ANGELO**

**AUTO
SALES**



**QUALITY PRE-OWNED
CARS & TRUCKS**

**SENSIBLE[®]
CAR RENTAL**

ADDITION TO EXISTING PERMITTED SIGN
16" X 48" D/F INTERNALLY ILLUMINATED SIGN WITH LOGO
"SENSIBLE" = 8-1/2" GERANIUM RED &
SAPPHIRE BLUE (CUSTOM TYPESTYLE)
"AUTO RENTAL" = 3-1/4" SAPPHIRE BLUE (ANTIQUÉ OLIVE BOLD)
BORDER = 1" (MEDIUM GRAY)

This part only


*Sapphire Blue
PMS 288C*


*Medium Gray
PMS 428C*


*Geranium
PMS 1805C*

7/19/05

Adopted

TOWN OF RIVERHEAD

Resolution # 750

APPROVES CHAPTER 90 APPLICATION OF MARTHA CLARA VINEYARDS, LLC (CONCERT TO BENEFIT SOLDIER RIDE AND CENTRAL SUFFOLK HOSPITAL)

Councilwoman Sanders offered the following resolution, was seconded by

Councilman Densieski :

WHEREAS, Martha Clara Vineyards, LLC has submitted a Chapter 90 Application for the purpose of conducting a concert to benefit Soldier Ride and Central Suffolk Hospital to be held at 6025 Sound Avenue, Jamesport, New York, between the hours of 1:00 p.m. and 7:00 p.m. on Sunday, July 24, 2005; and

WHEREAS, Martha Clara Vineyards, LLC has submitted a completed Short Form Environmental Assessment pursuant to 6 NYCRR Part 617 identifying the potential adverse environmental impacts of the event; and

WHEREAS, Central Suffolk Hospital has requested the application fee be waived due to its not-for-profit status; and

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

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

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

RESOLVED, that the application of Martha Clara Vineyards, LLC for the purpose of conducting a concert to benefit Soldier Ride and Central Suffolk Hospital to be held at 6025 Sound Avenue, Jamesport, New York, between the hours of 1:00 p.m. and 7:00 p.m. on Sunday, July 24, 2005 is hereby approved; and be it further

RESOLVED, that this approval is subject to Riverhead Town Code Chapter 81 entitled, "Noise Control" and that applicant shall not exceed the noise limits as defined in Section 81-5 Prohibited Acts.; and be it further

THE VOTE

W:\Laura Calamita\chap90\ClaraVineyardsch90.res.doc

Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Sanders	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Blasi	<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**

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

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

RESOLVED, that the Town Board hereby waives the Chapter 90 Application fee in connection with this event; and be it further

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