TOWN BOARD MEETING
AGENDA
PHILIP CARDINALE, Supervisor

September 20th, 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	Chairwoman Board of Assessors
Madelyn Sendlewski	Board of Assessors
Paul Leszczynski	Board of Assessors
Mark Kwasna	Highway Superintendent
Maryann Wowak Heilbrunn	Receiver of Taxes
Richard Ehlers	Town Justice
Allen M. Smith	Town Justice

DEPARTMENT HEADS

John J. Hansen	Accounting Department
Leroy E. Barnes, Jr.	Building Department
Andrea Lohneiss	Community Development
Ken Testa	Engineering Department
Richard Hanley	Planning Department
Chief David Hegermiller	Police Department
James Janecek	Recreation Program Coordinator
Judy Doll	Senior Services
John Reeve	Sanitation Department
Michael Reichel	Sewer District
Gary Pendzick	Water Department

PUBLIC COMMENT ON ANY RESOLUTIONS LISTED BELOW:
COMMUNITY DEVELOPMENT AGENCY MEETING:

#16 Authorizes the Transfer of Stock of Roanoke Nursery School, Inc.

REGULAR TOWN BOARD MEETING:

#896 31 Northville Turnpike Chapter 96 Capital project Budget Adoption

#897 434 Pulaski Street Chapter 96 Capital Project Budget Adoption

#898 North Fork Golf Resorts Phase 2 Water Ext. Budget Adoption

#899 Harvard Nichols Water Ext #79 Budget Adjustment

#900 CDGB Housing Rehab Project Budget Adjustment

#901 Riverhead Sewer District Budget Adjustment

#902 Authorizes the Retention of the Law Firm of Jaspan Schlesinger Hoffman LLP as Special Counsel

#903 Accepts Offer of Sale of Development Rights (Edward W. Harbes, III)

#904 Accepts Final Supplemental Generic Environmental Impact Statement Prepared in Support of Certain Zoning Amendments Upon Lands at the Enterprise Park at Calverton

#905 Approves Amended Site Plan of Crown Recycling (Peter Rossano)

#906 Approves Site Plan of South Bay Sportplex- Phase I Addition

#907 Reduces Suffolk County National Bank Certificate of Deposit of Hartill Contracting Inc. (Kelbridge Meadows)

#908	Release Security of Eastern Crest Corporation in Connection with the Subdivision Entitled, "Meadowcrest Section 2" (One Year Maintenance Bond)
#909	Releases Letters of Credit (2) in Connection with the Condominium Project Entitled, "Mill Pond Commons" (Sewer District Key money & Water District Key Money)
#910	Approves Temporary Sign Permit of Hartill Contracting, Inc.
#911	Approves Chapter 90 Application of Northeast Organic Farming Association
#912	Approves the Chapter 90 Application of Riverhead Elks Lodge #2044
#913	Approves the Chapter 90 Application of Riverhead Elks Lodge #2044
#914	Approves Chapter 90 Application of Peconic Bay Region/AACA (Antique Car Show)
#915	Order Calling Public Hearing-Riverhead Water District-Ext. 79- Harvard Nichols Subdivision
#916	Order Calling Public Hearing-Riverhead Water District-Lateral Water Main NF Golf Resorts, Phase 2
#917	Authorization to Publish Advertisement for 2006 Ambulance
#918	Authorizes Town Clerk to Publish and Post a Notice to Bidders for Street Lighting and Traffic Signal Maintenance Repair Parts
#919	Authorizes Town Clerk to Publish and Post Attached Notice to Bidders for Two Bears Park Playground Equipment

#920	Authorizes Town Clerk to Advertise for Bids-Repainting of Plant No. 8 Stand Pipe
#921	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)
#922	Authorizes Town Clerk to Publish and Post a Help Wanted Ad Advertisement for the Position of Maintenance Mechanic II
#923	Accepts Resignation of Youth Court Administrative Aide
#924	Ratifies Appointment of Part Time Recreation Aide in the Recreation Department (D. Taylor)
#925	Ratifies an Appointment of a Part Time recreation Aide (Teen Center) to the Recreation Department
#926	Ratifies Appointment of Part Time Homemaker in the Nutrition Department
#927	Provisionally Appoints Recreation Superintendent (R. Coyne)
#928	Authorizes the Supervisor to Execute Stipulation of Settlement with CSEA
#929	Approves Military Leave of Absence for a Police Officer (M. Roberts)
#930	Authorizes Sewer District Employees to Attend Course
#931	Authorizes the Supervisor to Execute an Undertaking in Connection with Highway Work Permits and/or Special Hauling Permits Issued by the State of New York
#932	Authorizes the Supervisor to Execute Agreements in Connection with County of Suffolk EISEP & CSE Housekeeper/Chore Contracts

#933	Authorizes the Execution of a Lease Agreement between Kenneth Demchak and the Town of Riverhead
#934	Ratifies the Submission of a Grant Application to Suffolk County Stop DWI
#935	In the Matter of the Increase and Improvement of the Facilities of the Riverhead Ambulance District of the Town of Riverhead, Suffolk County, New York
#936	Pays Bills

09/20/05

Adopted

TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY

Resolution # 16

AUTHORIZES THE TRANSFER OF STOCK OF ROANOKE NURSERY SCHOOL, INC.

COUNCILMAN BARTUNEK offered the following resolution,

was seconded by COUNCILWOMAN SANDERS:

WHEREAS, in December 1992, the Community Development Agency of the Town of Riverhead entered into a lease agreement for the Day Care Center located on Water District property located in Stotzky Park, and

WHEREAS, in June of 2003, the aforementioned lease agreement was amended with a Supplemental Lease Agreement, and

WHEREAS, pursuant to the terms of the lease agreement, the Roanoke Nursery School, Inc. has requested that the Community Development Agency permit the assignment of stock to a qualified individual,

NOW, THEREFORE, be it hereby

RESOLVED that the Town Board authorizes the sale of stock of the Roanoke Avenue Nursery School, Inc. from the present stockholder to the stockholder proposed in the letter of Peter S. Danowski, Esq. dated August 2, 2005, and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Community Development Agency, Peter S. Danowski, Esq., the Town Attorney and the Office of Accounting.

THE VOTE
Bartunek ✓ yes ___ no Sanders ✓ yes ___ no
Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no
Cardinale ✓ yes ___ no
THE RESOLUTION ✗ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

dct.authorize Roanoke nursery school

SEPTEMBER 20, 2005

Adopted

TOWN OF RIVERHEAD

31 NORTHVILLE TPKE CHAPTER 96 CAPITAL PROJECT

BUDGET ADOPTION

RESOLUTION # 896

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

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

		FROM	TO
406.010010.411000.41055	Real Property Taxes	5,740	
406.086660.540000.41055	Contra Expense		5,000
406.086660.549001.41055	Admin Fee		740

THE VOTE

Bartunek ☒ Yes ☐ No Sanders ☒ Yes ☐ No

Blass ☒ Yes ☐ No Densieski ☒ Yes ☐ No

Cardinale ☒ Yes ☐ No

Z:\Budget Adopt.TBM\2005\9.20.05. TBM\434PulaskiChapt96CapProj.doc

SEPTEMBER 20, 2005

Adopted

TOWN OF RIVERHEAD

434 PULASKI ST. CHAPT 96 CAP PROJECT

BUDGET ADOPTION

RESOLUTION # 897

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

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

		FROM	TO
406.010010.411000.41054	Real Property Taxes	5,740	
406.086660.540000.41054	Contra Expense		5,000
406.086660.549001.41054	Admin Fee		740

THE VOTE

Bartunek ☒ Yes ☐ No Sanders ☒ Yes ☐ No

Blass ☒ Yes ☐ No Densieski ☒ Yes ☐ No

Cardinale ☒ Yes ☐ No

Z:\Budget Adopt.TBM\2005\9.20.05. TBM\434PulaskiChapt96CapProj.doc

Withdrawn

SEPTEMBER 20, 2005

TOWN OF RIVERHEAD

NORTH FORK GOLF RESORTS PHASE 2 WATER EXT

BUDGET ADOPTION

RESOLUTION # 898

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

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

		FROM	TO
406.092705.421050.60086	Developer Fees	276,000	
406.083200.543501.60086	Engineering Expense		30,130
406.086660.523002.60086	Construction		222,000
406.083200.549001.60086	Admin Fees		15,000
406.083200.547900.60086	Contingency		8,870

THE VOTE

Bartunek ☒ Yes ☐ No Sanders ☒ Yes ☐ No

Blass ☒ Yes ☐ No Densieski ☒ Yes ☐ No

Cardinale ☒ Yes ☐ No

Withdrawn

Z:\Budget Adopt.TBM\2005\9.20.05. TBM\NorthForkGolfResortsPhase2WaterExt.doc

September 20, 2005

Withdrawn

TOWN OF RIVERHEAD

HARVARD NICHOLS WATER EXT #79

BUDGET ADJUSTMENT

RESOLUTION # 899

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

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

		FROM	TO
406.092705.421050.60081	Developer Fees	61,300	
406.083200.523002.60081	Construction		48,000
406.083200.543501.60081	Engineering		8,500
406.083200.549001.60081	Admin Fees		2,400
406.083200.547900.60081	Contingency		2,400

THE VOTE

Bartunek ☐Yes ☐No Sanders ☐Yes ☐No

Blass ☐Yes ☐No Densieski ☐Yes ☐No

Cardinale ☐Yes ☐No

Withdraw

Z:\Budget Adj.TBM\2005.Resolutions\9.20.05 TBM\HarvardNicholsWaterExt79.doc

September 20, 2005

Adopted

TOWN OF RIVERHEAD

CDBG HOUSING REHAB PROJECT

BUDGET ADJUSTMENT

RESOLUTION # 900

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

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

		FROM	TO
406.095031.485500.70002	Transfer from CDBG-05	91,000	
406.086680.492255.70002	NYS Affordable Housing Corp	135,000	
406.086680.523000.70002	Home Improvement Program		226,000

THE VOTE

Bartunek ☒ Yes ☐ No Sanders ☒ Yes ☐ No

Blass ☒ Yes ☐ No Densieski ☒ Yes ☐ No

Cardinale ☒ Yes ☐ No

Z:\Budget Adj.TBM\2005.Resolutions\9.20.05 TBM\CDBG.HousingRehabProject.doc

September 20, 2005

Adopted

TOWN OF RIVERHEAD

RIVERHEAD SEWER DISTRICT

BUDGET ADJUSTMENT

RESOLUTION # 901

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 adjustment:

		FROM	TO
114.081300.542503	Chlorine and Chemicals	5,000	
114.081300.541416	Replacement and Improvements		5,000

THE VOTE

Bartunek ☒ Yes ☐ No Sanders ☒ Yes ☐ No

Blass ☒ Yes ☐ No Densieski ☒ Yes ☐ No

Cardinale ☒ Yes ☐ No

Z:\Budget Adj.TBM\2005.Resolutions\9.20.05 TBM\RiverheadSewerDistrict.doc

9/20/05

TOWN OF RIVERHEAD

Adopted

Resolution # 902

AUTHORIZES THE RETENTION OF THE LAW FIRM OF JASPAN SCHLESINGER HOFFMAN LLP AS SPECIAL COUNSEL

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

WHEREAS, the Town Board desires to retain the firm of Jaspan Schlesinger Hoffman, LLP to act as special counsel in connection with the following Supreme Court matters: *TS Haulers v. Town of Riverhead and North Shore Farms v. Town of Riverhead.*

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Law Firm of Jaspan Schlesinger Hoffman LLP 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 certified copy of this resolution to the Law Firm of Jaspan Schlesinger Hoffman, LLP., 300 Garden City Plaza, Garden City, New York, 11530 ; 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~~ abstain

Cardinale ✓ yes ___ no

THE RESOLUTION ✓ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

Z:\Kathy Schroeher\Resolutions\authorize jaspan.9.20.05.doc

September 20, 2005

TOWN OF RIVERHEAD

Adopted

Resolution # 903

ACCEPTS OFFER OF SALE OF DEVELOPMENT RIGHTS
(Edward W. Harbes, III)

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

WHEREAS, the Riverhead Farmland Preservation Committee ("the Committee") has received an offer for the sale of development rights from Edward W. Harbes, III consisting of approximately 30 acres of their agricultural lands located on the northerly side of Sound Avenue, Riverhead, New York, at $50,000.00 per acre, further described as Suffolk County Tax Map #0600-8-3- p/o 5, to the Town of Riverhead, which parcel is zoned Agricultural Protection Zone; and

WHEREAS, the Committee has commissioned an appraisal of the value of development rights inherent in the subject real property; and

WHEREAS, the Committee has assessed the subject real property with respect to the criteria provided in the Agricultural Preservation Law and has formally recommended that the Town Board of the Town of Riverhead consider the purchase of development rights from this property; and

WHEREAS, the Town Board has carefully considered the merits of the offer of sale of development rights, the report of the Peconic Land Trust, the appraisal of development rights by Given Associates, the report of the Farmland Preservation Committee, the criteria set forth in the agricultural preservation law and all other pertinent planning, zoning and environmental information; and

WHEREAS, the Town Board finds that the acquisition of the development rights on the subject parcel is the best alternative for the protection of community character of all reasonable alternatives available to the Town.

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby accepts the offer of sale of development rights from the subject real property of Edward W. Harbes, III, pursuant to Chapter 14 and Chapter 44, Section 44-5 B(2) of the Code of the Town of Riverhead; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a contract for purchase of development rights from the subject property in an amount not to exceed Fifty thousand dollars per acre ($50,000.00) and authorizes the Town Attorney to order a survey and title report for the subject real property and directs the Accounting Department to set up a budget; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Edward W. Harbes III, PO Box 1542, Mattituck, New York 11952; James Spiess, Esq. PO Box 757, Riverhead, New York 11901 ; the Farmland Preservation Committee; Peconic Land Trust, Attn: Julie Westnofske, 296 Hampton Road, P.O. Box 1776, Southampton, New York, 11968; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office 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

W:\Sean Walter\Purchase of Dev and open Space\Forms\accept.doc

September 20th, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 904

ACCEPTS FINAL SUPPLEMENTAL GENERIC ENVIRONMENTAL IMPACT STATEMENT PREPARED IN SUPPORT OF CERTAIN ZONING AMENDMENTS UPON LANDS AT THE ENTERPRISE PARK AT CALVERTON

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

WHEREAS, by resolution dated January 19, 2005, the Riverhead Town Board determined that its motion to amend the Zoning Use District Map of the Town of Riverhead to provide for the Planned Industrial Park (PIP) Zoning Use District to the exclusion of the prevalent Planned Recreational Park (PRP) Zoning Use District to be a Type I action requiring the preparation of a Draft Supplemental Generic Environmental Impact Statement ("DSGEIS"), and

WHEREAS, the Riverhead Town Board did hold a public hearing on the subject DGEIS on the 16th day of August, 2005, and

WHEREAS, significant commentary was made upon the Draft, and

WHEREAS, the Town Board is in receipt of a proposed Final SGEIS responding to the comments made at the public hearing by the public and Lead Agency, and

WHEREAS, the Town Board of the Town of Riverhead has carefully considered the contents of the Draft Final Supplemental Generic Environmental Impact Statement respecting the subject amendment to the Zoning Use District Map at Enterprise Park at EPCAL, now

THEREFORE BE IT

RESOLVED, that the Town Board hereby determines the Draft Final Supplemental Generic Environmental Impact Statement for certain zoning amendments at EPCAL as prepared by Divirka and Bartilucci and dated last 16 September 2005 to be complete pursuant to 6NYCRR Part 617 and further accepts such document as the Lead Agency, and

BE IT FURTHER

RESOLVED, that the Planning Department be directed to publish and post those notices of completion as required by 6NYCRR Part 617.

RH/planning

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

September 20th, 2005

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 905

APPROVES AMENDED SITE PLAN OF CROWN RECYCLING
(Peter Rossano)

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILWOMAN BLASS.

WHEREAS, by Resolution #1340, adopted on December 16th, 2003 by the Riverhead Town Board, the Riverhead Town Board did approve the site plan of Crown Recycling, to allow the construction of a 4,500 sq. ft. metal frame building addition, upon real property located at Youngs Avenue, Baiting Hollow, New York, known and designated as Suffolk Tax Map Number 0600-80-2-14.1; and

WHEREAS, Crown Recycling has requested that a modification of said site plan be approved by the Riverhead Town Board; and

WHEREAS, the Planning Department has reviewed the site plan and elevations dated August 16th, 2005, as prepared by Jeffrey T. Butler, P.E., and has recommended that the Town Board grant such modification; and

WHEREAS, this Town Board has reviewed the modification aforementioned; and

WHEREAS, the site plan fee, as required by Section 108-131 B (3) of the Code of the Town of Riverhead has been received and deposited per Check Number 4009 dated August 24th, 2005.

NOW, THEREFORE BE IT

RESOLVED, the Town Board of Riverhead does hereby approves the site plan modification of Crown Recycling, as prepared by Jeffrey T. Butler, P.E., dated August 16th, 2005 subject to the following conditions:

1. That no certificate of occupancy shall issue prior to the installation and energization of a fugitive dust wet down system to the satisfaction of the Riverhead Building Department;
2. That no certificate of occupancy shall issue prior to the recording of a covenant to the satisfaction of the Town Attorney requiring the appropriate use and maintenance of the installed wet down system;
3. All prior stated covenants and restrictions regarding the original site plan application.

BE IT FURTHER

RESOLVED, that the Town Clerk be and is herby authorized to forward a certified copy of this resolution to Peter Rossano, PO Box 215, Calverton, New York 11933, the Riverhead Planning Department, Building Department, Town Engineer, Assessors' Office and the Office of the Town Attorney.

Planning 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

Adopted

September 20, 2005

TOWN OF RIVERHEAD

Resolution #906

APPROVES SITE PLAN OF SOUTH BAY SPORTSPLEX - PHASE I ADDITION

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

WHEREAS, a site plan and elevations were submitted by Vertical Line Apparel, to construct an addition of 13,014 sq. ft. onto an existing 23,265 sq. ft. building with related site improvements, to be used as warehousing, upon real property located at Lot #9, Burman Blvd, Calverton, New York, known and designated as Suffolk County Tax Map Number 0600-135-1-7.32; and

WHEREAS, the Planning Department has reviewed the site plan dated August 2nd, 2005, as prepared by Martin Sendlewski, R.A. and elevations dated August 2nd, 2005, as prepared by Sendlewski, R.A. and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

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

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

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 12406 of the Office of the Financial Administrator; 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 herein of 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 adverse impacts to either the natural or social environment and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Vertical Line Apparel, to construct an addition of 13,014 sq. ft. onto an existing 23,265 sq. ft. building with related site improvements, to be used as warehousing, located upon real property located at Lot #9, Burman Blvd., Calverton, New York, site plan dated August 2nd, 2005 as prepared by Martin Sendlewski, R.A. and elevations dated August 2nd, 2005, as prepared by Martin Sendlewski, R.A. be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;

3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan approval and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;

4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the. enclosure of dumpsters, and agrees to abide by same;

6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code;**

8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code;**

9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall

be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Vertical Line Apparel hereby authorizes and consents to the Town of Riverhead to enter premises at Burman Blvd, Calverton, New York, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

11. That all new utilities shall be constructed underground, if feasible;

12. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.

13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;

14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Douglas Dey, Vertical Line Apparel, 4062-652 Grumman Blvd, Calverton, New York 11933, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

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

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2005, made by Vertical Line Apparel, Declarant:

WITNESSETH:

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

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

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

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

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

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;

3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;

5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code;**

7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code;**

8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, hereby authorizes and consents to the Town of Riverhead to enter premises at Burman Blvd, Calverton, New York, to enforce said handicapped parking regulations;

9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;

10. That all new utilities shall be constructed underground, 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 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 all necessary precautions shall be taken to contain all dust, dirt, and sand within property boundaries. Such precautions may include the application of dust down, watering, or proper screening or other appropriate measures;

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

_____
VERTICAL LINE APPAREL

State of New York, County of Suffolk) ss.:

On the ___ day of _____ in the year 2005, before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
Notary Public

9/20/05

TOWN OF RIVERHEAD

Adopted

Resolution # 907

REDUCES SUFFOLK COUNTY NATIONAL BANK CERTIFICATE OF DEPOSIT OF HARTILL CONTRACTING INC. ("KELBRIDGE MEADOWS"

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

WHEREAS, by Resolution #288 dated April 5, 2005, the Riverhead Town Board did accept S.C.N.B. Certificate of Deposit #000290071261 in the amount of $450,000.00 representing road and drainage improvements in the subdivision entitled, "Kelbridge Meadows"; and

WHEREAS, pursuant to memorandum dated August 2, 2005, from Vincent A. Gaudiello, P.E. of the Office of John J. Raynor, P.E. & L.S., P.C. and Riverhead Planning Board Resolution #71 dated September 6, 2005, it has been determined that a substantial portion of the road and drainage improvements have been completed and it has been further recommended that the security posted be reduced from $450,000.00 to $280,000.00.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby approves the reduction of the aforementioned certificate of deposit of Hartill Contracting Inc. to the amount of $280,000.00; and be it further

RESOLVED, that the Town Clerk is authorized to release S.C.N.B. Certificate of Deposit #000290071261 in the amount of $450,000.00 **upon receipt of** a certificate of deposit in the amount of $280,000.00; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Robert F. Kozakiewicz, Esq., 431 Griffing Avenue, P.O. Box 341, Riverhead, New York, 11901; Mr. John Hartill, Hartill Contracting Inc., P.O. Box 5, Wading River, New York, 11792; the Riverhead Planning Department; the Riverhead Building Department and the Office of the Town Attorney.

THE VOTE

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no
Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no
Cardinale ✓ yes ___ no

THE RESOLUTION ✗ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

W:\Laura Calamita\bonds\Kelbridgereduce.res.doc

9/20/05

Adopted

TOWN OF RIVERHEAD

Resolution # 908

RELEASES SECURITY OF EASTERN CREST CORPORATION IN CONNECTION WITH THE SUBDIVISION ENTITLED, "MEADOWCREST SECTION 2" (ONE YEAR MAINTENANCE BOND)

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

WHEREAS, by Resolution #250 adopted on March 9, 2001, the Riverhead Town Board accepted the dedication of roads and drainage in the subdivision entitled, "Meadowcrest Section 2"; and

WHEREAS, in accordance with the aforementioned resolution, Eastern Crest Corporation had posted Utica Mutual Insurance Company Maintenance Bond #SU3156748 in the amount of $292,637.00 representing a one-year maintenance bond having an expiration date of March 21, 2002.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby authorizes the release of Utica Mutual Insurance Company Maintenance Bond #SU3156748 in the amount of $292,637.00 representing the one-year maintenance bond posted in connection with the subdivision entitled, "Meadowcrest Section 2"; and be it further

RESOLVED, that the Town Clerk is hereby authorized to release the aforementioned maintenance bond; and

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., P.O. Box 779, Riverhead, New York, 11901; the Planning Department; the Building Department; the Highway 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

c:\word\res\reducebn.res

9/20/05

Adopted

TOWN OF RIVERHEAD

Resolution # 909

RELEASES LETTERS OF CREDIT (2) IN CONNECTION WITH THE CONDOMINIUM PROJECT ENTITLED, "MILL POND COMMONS" (SEWER DISTRICT KEY MONEY & WATER DISTRICT KEY MONEY)

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

WHEREAS, by resolution #598 adopted on May 20, 2003, the Town Board of the Town of Riverhead did accept two (2) irrevocable letters of credit representing water key money ($250,000.00) and sewer key money ($196,332.50) in connection with the condominium project entitled, "Mill Pond Commons"; and

WHEREAS, by resolution #316 adopted on April 5, 2005, the Town Board of the Town of Riverhead authorized the reduction of the two aforementioned irrevocable letters of credit to the reduced amounts of $102,092.66 for sewer key money and $130,000.00 for water key money;

WHEREAS, the Riverhead Planning Department has confirmed that all Sewer and Water District key monies have been paid on all units located in said condominium project 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 irrevocable letters of credit 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 Ciarelli & Dempsey, Esqs., Attn: Patricia A. Dempsy, Esq., 737 Roanoke Avenue, P.O. Box 488, Riverhead, New York, 11901; Valley National Bank, 434 Broadway, 2nd Floor, New York, New York, 10013-2563, Attn: Ronald Niewiadomski; the Riverhead Building Department; the Riverhead Planning Department; Gary Pendzick, Water District Superintendent; Michael Reichel, Sewer 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

W:\Laura Calamita\bonds\MillPondRel.res.doc

September 20, 2005

Adopted

TOWN OF RIVERHEAD
Resolution # 910

APPROVES TEMPORARY SIGN PERMIT OF HARTILL CONTRACTING, INC.

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

WHEREAS, a temporary sign permit and sketch were submitted by Hartill Contracting, Inc. for property located at Middle Road, Riverhead, New York also known as SCTM# 081.00-03-031.03; 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 Hartill Contracting, Inc. submitted by John Hartill for Kelbridge Meadows and be it

RESOLVED, that said temporary sign permit shall expire on December 20, 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 Hartill Contracting, Inc, PO Box 5, Wading River, New York 11792, 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

I:\Building\TemporaySigns\Hartill.Kelbridge Meadows.doc

9/20/05

TOWN OF RIVERHEAD

Adopted

Resolution # 911

APPROVES CHAPTER 90 APPLICATION OF NORTHEAST ORGANIC FARMING ASSOCIATION

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

WHEREAS, on August 31, 2005, the Northeast Organic Farming Association had submitted a Chapter 90 Application for the purpose of conducting a food tasting event in connection with local organic farm produce prepared by local chefs with local musicians and environmental exhibits at the location of 652 Peconic Bay Boulevard, Jamesport, New York, to be held on October 1, 2005 between the hours of 11:00 a.m. and 3:00 p.m., having a rain date of October 2, 2005; and

WHEREAS, the Northeast Organic Farming Association has completed and filed a Long Form Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

WHEREAS, the Northeast Organic Farming Association has requested the Chapter 90 Application fee for this event be waived due to their not-for-profit status; and

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

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

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

RESOLVED, that the application of Northeast Organic Farming Association for the purpose of conducting a food tasting event in connection with local organic farm produce prepared by local chefs with local musicians and environmental exhibits at the location of 652 Peconic Bay Boulevard, Jamesport, New York, to be held on October 1, 2005 between the hours of 11:00 a.m. and 3:00 p.m., having a rain date of October 2, 2005, is hereby approved; and be it further

W:\Laura Calamita\chap90\Northeast.reso.doc

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

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

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Northeast Organic Farming Association, P.O. Box 612, Calverton, New York, 11933; Bruce Johnson, Riverhead Fire Marshal; Chief Hegermiller, Riverhead Police 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

W:\Laura Calamita\chap90\Northeast.reso.doc

9/20/05

Adopted

TOWN OF RIVERHEAD
Resolution # 912

APPROVES THE CHAPTER 90 APPLICATION OF RIVERHEAD ELKS LODGE #2044

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

WHEREAS, on August 31, 2005, the Riverhead Elks Lodge #2044 has submitted a Chapter 90 Application for the purpose of conducting an Elks/Abate "St. Mary's Food and Toy Run" to be held at the Riverhead Elks Lodge located on 1239 East Main Street, Riverhead, New York, on November 6, 2005, having a rain date of November 13, 2005, to be held between the hours of 9:30 a.m. and 12:00 noon (sign-up and collection of donations only, no barbeque); and

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

WHEREAS, the Elks have submitted a completed Short Form Environmental Assessment pursuant to 6 NYCRR Part 617 identifying the potential adverse environmental impacts of the event; and

WHEREAS, the Riverhead Elks Lodge #2044 has requested the Chapter 90 Application fee for this event be waived due to their not-for-profit status; and

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

WHEREAS, ABATE events typically involve the gathering of a large number of motorcycles. The gathering of these vehicles may create a noise disturbance to the health, safety and welfare of the adjacent residential community. This requires that such events be limited in number and conditioned to minimize the impact on adjoining property owners; and

WHEREAS, there have been no Town Code violations occasioned by Elks Club events during 2005; and

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

RESOLVED that the Chapter 90 Application of the Riverhead Elks Lodge #2044 for the purpose of conducting an Elks/Abate "St. Mary's Food and Toy Run" to be held at the Riverhead Elks Lodge located on 1239 East Main Street, Riverhead, New York, on November 6, 2005,

W:\Laura Calamita\chap90\elks11.6.05.doc

Bartunek ✓ yes ___ no Sanders ✓ yes ___ no
Blass ✓ yes ___ no ___ Densieski ✓ yes ___ no
Cardinale ✓ yes ___ no
THE RESOLUTION ✓ WAS ___ WAS NOT
THEREFORE DULY ADOPTED

having a rain date of November 13, 2005, to be held between the hours of 9:30 a.m. and 12:00 noon (sign-up and collection of donations only – no barbeque), is hereby approved subject to the conditions set forth herein; and be it further

RESOLVED, that the applicant shall be required to stage the arrival and departure of vehicles in such a way as to minimize to the greatest extent possible the noise impacts to surrounding neighbors; and be it further

RESOLVED, that the applicant shall advise event participants that vehicle engines shall not be permitted to continue to run upon arrival at the event premises; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby waives the Chapter 90 Application Fee due to the charitable nature of the event being held; and be it further

RESOLVED, that should the conditions of this approval be violated that the Riverhead Police Department shall have the authority to revoke the permit and require the public to vacate the premises; 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

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

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Riverhead Elks Lodge #2044, P.O. Box 688, 1239 E. Main Street, Riverhead, New York, 11901; the Riverhead Fire Marshal; Chief David Hegermiller, Riverhead Police Department and the Office of the Town Attorney.

9/20/05

Adopted

TOWN OF RIVERHEAD
Resolution # 913

APPROVES THE CHAPTER 90 APPLICATION OF RIVERHEAD ELKS LODGE #2044

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILWOMAN SANDERS :

WHEREAS, on August 31, 2005, the Riverhead Elks Lodge #2044 has submitted a Chapter 90 Application for the purpose of conducting an Elks/Abate "Biketoberfest 2005 Run" to be held at the Riverhead Elks Lodge located on 1239 East Main Street, Riverhead, New York, on October 16, 2005, having a rain date of October 23, 2005, to be held between the hours of 9:30 a.m. and 12:00 noon (sign-up only, no barbeque); and

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

WHEREAS, the Elks have submitted a completed Short Form Environmental Assessment pursuant to 6 NYCRR Part 617 identifying the potential adverse environmental impacts of the event; and

WHEREAS, the Riverhead Elks Lodge #2044 has requested the Chapter 90 Application fee for this event be waived due to their not-for-profit status; and

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

WHEREAS, ABATE events typically involve the gathering of a large number of motorcycles. The gathering of these vehicles may create a noise disturbance to the health, safety and welfare of the adjacent residential community. This requires that such events be limited in number and conditioned to minimize the impact on adjoining property owners; and

WHEREAS, there have been no Town Code violations occasioned by Elks Club events during 2005; and

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

RESOLVED that the Chapter 90 Application of the Riverhead Elks Lodge #2044 for the purpose of conducting an Elks/Abate "Biketoberfest 2005 Run" to be held at the Riverhead Elks Lodge located on 1239 East Main Street, Riverhead, New York, on October 16, 2005, having a

rain date of October 23, 2005, to be held between the hours of 9:30 a.m. and 12:00 noon (sign-up only – no barbeque), is hereby approved subject to the conditions set forth herein; and be it further

RESOLVED, that the applicant shall be required to stage the arrival and departure of vehicles in such a way as to minimize to the greatest extent possible the noise impacts to surrounding neighbors; and be it further

RESOLVED, that the applicant shall advise event participants that vehicle engines shall not be permitted to continue to run upon arrival at the event premises; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby waives the Chapter 90 Application Fee due to the charitable nature of the event being held; and be it further

RESOLVED, that should the conditions of this approval be violated that the Riverhead Police Department shall have the authority to revoke the permit and require the public to vacate the premises; 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

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

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Riverhead Elks Lodge #2044, P.O. Box 688, 1239 E. Main Street, Riverhead, New York, 11901; the Riverhead Fire Marshal; Chief David Hegermiller, Riverhead Police 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

W:\Laura Calamita\chap90\elks10,16,05.doc

9/20/05

Adopted

TOWN OF RIVERHEAD

Resolution # 914

APPROVES CHAPTER 90 APPLICATION OF PECONIC BAY REGION/AACA (ANTIQUE CAR SHOW)

Councilman Sanders offered the following resolution, was seconded by

Councilwoman Blass:

WHEREAS, on September 12, 2005, the Peconic Bay Region/AACA submitted a Chapter 90 Application for the purpose of conducting an Antique Car Show, to be held at the Hallockville Museum Farm at 1063 Sound Avenue, Riverhead on Sunday, October 16, 2005, between the hours of 9:00 a.m. and 5:00 p.m., having a rain date of October 23, 2005; and

WHEREAS, Peconic Bay Region/AACA has completed and filed a Short Form Environmental Assessment Form in accordance with 6 NYCRR 617, and

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

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

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

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

RESOLVED that the Chapter 90 Application of Peconic Bay Region/AACA for the purpose of conducting an Antique Car Show, to be held at the Hallockville Museum Farm at 1063 Sound Avenue, Riverhead on Sunday, October 16, 2005, between the hours of 9:00 a.m. and 5:00 p.m., having a rain date of October 23, 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

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

RESOLVED, that this approval is subject to a fire safety inspection by the Town Fire Marshal prior to the opening of this event to the public so that an outdoor place of assembly permit can be issued. The Riverhead Fire Marshal shall be contacted at least three days in advance at (631) 727-3200 extension 209 for the purpose of scheduling the required inspection appointment; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peconic Bay Region/AACA, 21 Silver Beech Lane, Baiting Hollow, New York, 11933; Bruce Johnson, Fire Marshal; Chief Hegermiller, Riverhead Police 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

W:\Laura Calamita\chap90\CarShow.res.doc

9/20/05

Adopted

TOWN OF RIVERHEAD

ORDER CALLING PUBLIC HEARING
RIVERHEAD WATER DISTRICT
EXTENSION 79
HARVARD NICHOLS SUBDIVISION

Resolution #915

Adopted_____

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

WHEREAS, in January, 2004, this board did approve Extension 79 of the Riverhead Water District, and

WHEREAS, bids for the installation of water mains were recently received by the Town of Riverhead and based on the low bid amount, the approved total project cost will be exceeded, and

WHEREAS, the revised total project cost is now estimated at $64,300, an increase of $8,800, and

WHEREAS, it is necessary for the Town Board to hold a public hearing to hear all persons wishing to be heard with regard to the increase in the proposed cost of this water extension,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board will hold a public hearing on the 18th day of October, 2005, at 7:10 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the increase in the cost of Extension No. 79 of the Riverhead Water District, known as the Harvard Nichols subdivision, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in full in the September 29, 2005, edition of The Traveler Watchman, 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.

BY ORDER OF THE RIVERHEAD
TOWN BOARD
BARBARA GRATTAN
TOWN CLERK

Dated: September 20, 2005
Riverhead, NY 11901

RESOLUTION PREPARED 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

9/20/05

Adopted

TOWN OF RIVERHEAD

ORDER CALLING PUBLIC HEARING
RIVERHEAD WATER DISTRICT
LATERAL WATER MAIN
NF GOLF RESORTS, PHASE 2

Resoluiotn #916
Adopted_____

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

WHEREAS, on August 5, 2003, this board did approve a lateral water main for NF Golf Resorts, Phase 2, and

WHEREAS, since the issuance of the engineering report, the owner of the parcel elected to proceed with the construction of the subdivision in two separate phases, including the installation of water mains, and

WHERAS, the separation of the subdivision into two phases coupled with the substantial increases in material costs experienced over the past two years have caused the project to exceed the approved total project cost of $569,000, and

WHEREAS, the revised total project cost is now estimated at $630,200, an increase of $61,200, and

WHEREAS, it is necessary for the Town Board to hold a public hearing to hear all persons wishing to be heard with regard to the increase in the proposed cost of this lateral water extension,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board will hold a public hearing on the 18th day of October, 2005, at 7:05 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the increase in the cost of the lateral water extension to the Riverhead Water District known NF Golf Resorts, Phase 2, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in full in the September 29, 2005, edition of The Traveler Watchman, 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.

BY ORDER OF THE RIVERHEAD
TOWN BOARD
BARBARA GRATTAN
TOWN CLERK

Dated: September 20, 2005
Riverhead, NY 11901

RESOLUTION PREPARED 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

Adopted

September 20, 2005

TOWN OF RIVERHEAD

Resolution # 917

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR 2006 AMBULANCE

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by COUNCILWOMAN SANDERS

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for proposals for a 2006 AMBULANCE and;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the September 29, 2005 issue of the Traveler Watchman and;

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

THE VOTE

Bartunek [X] Yes [ ] No Sanders [X] Yes [ ] No

Blass [X] Yes [ ] No Densieski [X] Yes [ ] No

Cardinale [X] Yes [ ] No

The Resolution Was [X] Was Not [ ]
Thereupon Duly Declared Adopted

Z:\Purchasing\BIDS05\res.authorize.p&p 2006 ambulance.doc

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed bids for the purchase of **2006 AMBULANCE** for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:20 a.m.** on **OCTOBER 6,TH, 2005.**

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

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

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BID FOR 2006 AMBULANCE.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

September 20, 2005

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 918

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A NOTICE TO BIDDERS FOR STREET LIGHTING AND TRAFFIC SIGNAL MAINTENANCE REPAIR PARTS

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the September 22, 2005 issue of official Town newspaper for Street Lighting and Traffic Signal Maintenance Repair Parts; and

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

T:\Leisa\streetlight\NTB.stlt.signal.doc

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed proposals for the purchase of Street Lighting and Traffic Signal Maintenance Repair Parts will be received by the Town of Riverhead at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York 11901 until 11:00 am October 5, 2005 at which time they will be publicly opened and read aloud.

Specifications may be examined and/or obtained on or about September 22, 2005 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays.

Each proposal must be submitted on the form provided in a sealed envelope clearly marked "Street Lighting and Traffic Signal Maintenance Repair Parts".

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

BY ORDER OF THE RIVERHEAD TOWN BOARD
Barbara A. Grattan, Town Clerk

Dated: September 20, 2005

Adopted

September 20, 2005

TOWN OF RIVERHEAD

RESOLUTION # 919

AUTHORIZES TOWN CLERK TO POST AND PUBLISH ATTACHED NOTICE TO BIDDERS FOR TWO BEARS PARK PLAYGROUND EQUIPMENT

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the September 22, 2005 issue of the official town newspaper to provide and install playground equipment in the Two Bears Park, Riverhead, New York; and

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

T:\Leisa\Leisa\TwoBrs.Play.NTB.doc

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed proposals to provide and install playground equipment in the Two Bears Park will be received by the Town of Riverhead at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:00 am on September 30, 2005 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and obtained on or about September 22, 2005 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays.

Each proposal must be submitted on the form provided in a sealed envelope clearly marked "Two Bears Park Playground Equipment".

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

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

Dated: September 20, 2005

Adopted

9/20/05

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS REPAINTING OF PLANT NO. 8 STAND PIPE

Adopted_____

Resolution # 920

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

RESOLVED, that the town Clerk be and is hereby authorized to publish and post the attached Notice of Bidders in the September 29, 2005, edition of the Traveller Watchman Newspaper, with regard to receiving bids for the repainting of Plant No. 8 Stand Pipe, and be it further

RESOLVED, that the town Clerk shall forward certified copies of this resolution to Gary Pendzick, H2M, and Frank Isler, Esq.

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

H2M

NOTICE TO BIDDERS

The Town Board of Riverhead will receive bids for the ***REPAINTING OF PLANT NO. 8 STANDPIPE - REBID*** for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, 11:00 A.M, on ***October 13th 2005***, at which time and place all bids will be publicly opened and read for:

PROJECT NO.: RDWD 04-02,
REPAINTING OF PLANT NO. 8 STANDPIPE
REBID

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 ***September 29th, 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: September 29, 2004

9/20/05

Adopted

TOWN OF RIVERHEAD

Resolution # 921

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,

which was seconded by COUNCILMAN DENSIESKI:

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 September 29, 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

Cardinale ✓ yes ___ no

THE RESOLUTION ✕ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

W:\Laura Calamita\reso\108-56Signs.ph.doc

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 4th day of October, 2005 at 7:25 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
September 20, 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;

EMBELLISHMENT - ornamentation or enhancement of a sign structure;

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;

INTERNALLY ILLUMINATED BOX SIGN - a case containing a flouorescent light source within. The light source is projected through a glass or plastic facing which projects a message. (Not to be confused with neon, channel letters, or backlit channels)

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);

PARAPET - the extension of a false front or wall above a roofline;

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 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.

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, muntins, 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. Primary Signs Allowed With Permit.

Only one Primary Sign shall be permitted at each business location or premises. Where feasible Primary Signs may be double-sided. Combinations of various types of Primary Signs shall not be permitted. Secondary Signs may be permitted at the discretion of the Architectural Review Board. Permitted Primary Signs shall not indicate business hours of operation, telephone numbers, fax numbers, or web addresses. All Primary Signs must be located on the site facing towards a public right of way. Each of the following types of primary signs are allowed by permit from the Town of Riverhead:

1. Wall Signs.

(a) The area a wall sign shall not exceed twenty five percent (25%) of the building or wall face on which it is mounted. The width a sign shall not exceed seventy five percent (75%) of the width of the building or wall face on which it is mounted. The maximum area for a wall sign shall be three hundred (300) square feet.

(b) Such 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 the business or businesses operating on the premises where the sign is erected.

2. Roof Signs.

A sign painted on, incorporated into, or affixed to a mansard roof or parapet of a building shall be permitted, provided it complies with the following:

(a) 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.

(b) 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.

(c) The area of a roof sign shall not exceed twenty five (25) percent of the building wall face on which it is mounted. The area of any such sign shall not exceed seventy five percent (75%) of the width of such roof or parapet. No roof signs shall be permitted to exceed three hundred (300) square feet.

3. Freestanding Signs (Including Pole and Monument Signs).

(a)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.

(b) The maximum area for such a sign shall be thirty two (32) square feet.

(c) 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.

(d) 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.

(e) Except for the height of a monument sign, any embellishment thereon extending up to twelve (12) inches on any side shall not be considered in determining compliance with

the area or size limitation of a sign supported by a monument structure.

5. Permanent Window Signs.

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

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

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

(d) Such a sign shall not obscure the visibility through the window by using, but not limited to, an opaque background.

6. 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:

(a) No advertising of any sort shall be allowed on said sign other than to identify the complex itself and the names of the businesses located within the complex.

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

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

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

(e) 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.

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

(g) A directory sign may be allowed in conjunction with a wall, roof, or window sign, but shall not be permitted with any type of other freestanding sign.

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

7. 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 be constructed of noncombustible materials, shall be securely supported from the façade of the building, and shall provide proper drainage.

8. Awnings/Canopies.

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

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

(b) 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.

(c) 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.

(d) 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.

9. Gasoline Station Signs

One (1) sign per business location shall be permitted to advertise the sale of gasoline provided that said sign:

(a)Shall be freestanding, non-flashing, and non-moving.

(b)Shall be located on the premises of the business and not located in any public right-of-way.

(c)Shall only advertise the identification of the gasoline retailer and the price(s) of gasoline.

(d)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.

(e)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.

D. Secondary Signs allowed with permit

Each business or premises is entitled to signage considered secondary to a permitted Primary Sign. All Secondary Signs shall be coordinated in size, color, lettering, shape, and location of placement. The following signs types may be considered for approval by the Town of Riverhead as Secondary Signs:

1. Soffit Signs

One soffit sign may be permitted for each business establishment provided that:

(a) A minimum height of seven and one half (7 1/2) feet is provided from the ground surrounding the sign to the base of the sign;

(b) Thickness of the sign does not exceed four (4) inches;

(c) The maximum area of the sign shall be two (2) square feet;

2. Projecting Signs

One projecting sign may be permitted for each business establishment provided that:

(a) A minimum of seven and one half (7 1/2) feet is provided from the ground surrounding the sign to the base of the sign;

(b) Thickness of the sign shall not exceed four (4) inches;

(c) The sign shall project more than twelve (12) inches but not more than thirty six (36) inches perpendicular to the building to which it is affixed;

(d) The maximum area of the sign shall be two (2) square feet;

3. Nameplate in excess of an area of two (2) square feet affixed to a building wall or face.

4. 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) Said sign 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 theintended message. No horizontal traveling or vertical scrolling moving messages, animation, or graphics shall be permitted.

5. 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.

6. Wall Sign

Wall signs may be considered a Secondary Sign provided that:

(a) Such a sign is not located on a facade having any other wall sign;

(b) Such a sign shall not exceed ten (10) percent of the wall area, with a maximum permitted area of one hundred fifty (150) square feet.

7. Gasoline Stations

One Secondary 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.

8. Incidental Information Window Signs

Incidental information signs which exceed an area of two (2) square feet shall be permitted provided that:

(a) Such a sign shall advertise only the type of information as provided by the definition of an incidental sign;

(b) Such a sign shall not exceed an area of ten (10) percent of any uninterrupted glass area;

(c) Such a sign shall not be placed on any window or uninterrupted glass area containing any other signage;

(d) All window signage on a building shall be coordinated in color, style, and lettering;

(e) Such sign does not obscure visibiliy by using, but not limited to, an opaque background.

E. Additional Sign Types Requiring a Permit

1. Commercial Property Real Estate Signs.

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

(a) Only one (1) such 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) Said sign shall be placed 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. No such 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.

2. 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 an established annual fee to the Town of Riverhead.

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

3.Construction Signs.

One sign shall be permitted to be erected at any construction site provided that such sign:

(a) Shall not be erected prior to project approval by the Town of Riverhead Building Department.

(b) Shall not be illuminated

(c) Shall not exceed thirty two (32) square feet in area.

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

(e) Shall be located 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. No such sign shall be placed within a parking lot, roadway, or sidewalk area.

(f) 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.

4. Subdivision Signs

A maximum of two signs may be erected to advertise a subdivision site provided that such sign(s):

(a) Shall not be erected prior to project approval by the Town of Riverhead Building Department.

(b) Such sign(s) shall not be illuminated.

(c) Shall not be illuminated.

(d) Shall be limited to an area of thirty two (32) square feet.

(e) Shall be located at entrance(s) to the approved subdivision and shall not be placed within any parking lot or public right of way.

(f) Shall be removed one (1) year from the date of issue of the permit for the sign.

5. 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) A maximum of three (3) different businesses may be permitted per sign installation provided that the aggregate area of the signage does not exceed twelve (12) square feet.

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

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

(f) Such sign(s) 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(s) 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(s) be placed in the public right of way.

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

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

(g) Such sign(s) shall not be illuminated.

F. 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, shall be permitted provided that:

(a) Such signs in combination with any permanent window signage shall occupy no more than twenty five percent (25%) of the window area.

(b) Such signs may be displayed only in a window or door facing toward the front property line.

(c) Such 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 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 one (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 sign(s) shall not exceed two (2) square feet in area.

(b) There shall be a limit of one (1) such sign 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) Such signs shall be limited to a maximum area of thirty two (32) square feet.

(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 public election or within sixty (60) days of the issuance of the permit for said signs.

(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.

11. Parking Signs, public and private.

All signs pertaining to traffic regulations, parking regulations, and fire zones which are subject to the rules and regulations of the New York State Vehicular and Traffic Law are exempt from local permit requirements. No such sign(s) shall be located within or upon any Town, County, or State or other public right-of-way.

G. 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.

H. 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 and monument) signs (except in RC and HR use districts)
(d) Directory signs
(e) Permanent window signs
(f) Awning and canopy signs
(g) Electronic Time/temperature signs
(h) Menu board signs
(i) Internally illuminated (including neon) signs
(j) Projecting signs
(k) Sandwich board signs
(l) Soffit signs

4. APZ

In the Agricultural Protection Zones (APZ) all signs shall be permitted with the exception of:

(a) Internally illuminated (including neon) signs
(b) Electronic time/temperature Display
(c) Directory

5. DRC, SC, BC, Business F, and CRC

In the Destination Retail Center (DRC), Shopping Center (SC), and Business Center (BC), Business F, and Commercial/Residential Campus (CRC) Districts all signs permitted by this chapter shall be allowed with the exception of internally illuminated (including neon) signs in the CRC zone.

Freestanding (including pole and monument) signs, and directory signs, including any embellishment thereof, 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
(b) Time/Temperature Display

7. 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), Downtwn 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)

9. DC-1 and DC-3

In the Downtown Center -1 (DC-1) and Downtown Center – 3 (DC-3) Districts all sign types are permitted with the exception of internally illuminated box signs.

108-56.1 Sign Permits.

A. Permitting procedure.

1. Sign maker registration

Any commercial sign maker approved by the Town of Riverhead may 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:

(a) 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:

(1) 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.

(2) a color rendering (drawn to 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.

(3) samples of the actual colors to be used on the sign and/or the PMS color number.

(4) 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.

(5) a color photograph of the existing building including all walls and areas where the sign is to be placed. Any and all existing signs currently on the building or premises must likewise be indicated and depicted graphically or photographically. Ideally, a second photograph shall be prepared in digital format superimposing the proposed sign onto the facade of the existing building. Such a digital image must be in scale relative to the actual building.

(b) Submission of the permit fee at time of application. Such fee shall be set from time to time by resolution of the Town Board.

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 Appeal Procedures

(a) An applicant may appeal to the Riverhead Town Board any determinations of the Architectural Review Board with respect to the illumination or design of a sign.

(b) An applicant may appeal to the Zoning Board of Appeals for a variance from any property line setbacks or sign dimensions as provided in this chapter of the Town Code.

(c) Any appeal not acted upon by the Town Board or the Architectural Review Board within thirty (30) days shall result in the automatic approval of the sign.

3. 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. The Town reserves the right to inspect any permitted sign installation.

(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 a 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)

September 20, 2005

Adopted

TOWN OF RIVERHEAD

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST A HELP WANTED ADVERTISMENT FOR THE POSITION OF MAINTENANCE MECHANIC II

RESOLUTION # 922

COUNCILMAN DENSIESKI 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 Ad in the September 22, 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 Office.

THE VOTE

Bartunek ☒ Yes ☐ No Sanders ☒ Yes ☐ No

Blass ☒ Yes ☐ No Densieski ☒ Yes ☐ No

Cardinale ☒ Yes ☐ No

Z:\Resolutions\HELP WANTED ADS\RES. HELP WANTEDMMII.9.22.05.doc

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking qualified individuals for the position of Maintenance Mechanic II in the Water Department with a minimum trade experience of 2 years. Applications are to be submitted to the Accounting Office, Riverhead Town Hall, 200 Howell Avenue, Riverhead, NY. No applications will be accepted after 4:30pm on Friday, September 30, 2005. EOE

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

September 20, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 923

ACCEPTS RESIGNATION OF YOUTH COURT ADMINISTRATIVE AIDE

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

WHEREAS, Chief of Police David J. Hegermiller has received a letter of resignation submitted by Cheryl Hardy, from the position of Youth Court Administrative Aide, effective September 17, 2005.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby accepts the letter of resignation submitted by Cheryl Hardy; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Cheryl Hardy, 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

C:\Mary\Resolutions\Resignation.doc

September 20, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 924

RATIFIES APPOINTMENT OF PART TIME RECREATION AIDE IN THE RECREATION DEPARTMENT

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

WHEREAS, due to a vacancy in the Recreation Department for the position of Part Time Recreation Aide in the Teen Center; and

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

NOW, THEREFORE, BE IT RESOLVED, that effective September 13, 2005 the Town Board hereby ratify the appointment of Doris Taylor to the position of Part Time Recreation Aide for the Teen Center in the Recreation Department at an hourly rate of $ 10.00.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Doris Taylor, 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**

Z:\Resolutions\Employment\RESOLUTION.RatifyPT.RecAide.Taylor.doc

9/20/05

Adopted

TOWN OF RIVERHEAD

Resolution # 925

RATIFIES AN APPOINTMENT OF A P/T RECREATION AIDE (TEEN CENTER)
TO THE RIVERHEAD RECREATION DEPARTMENT

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

RESOLVED, that Shaun Coleman is hereby appointed to serve as a P/T Recreation Aide for the Teen Center, effective, September 14th, 2005, to serve as needed on and at will basis and 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 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

September 20, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 926

RATIFIES APPOINTMENT OF PART TIME HOMEMAKER IN THE NUTRITION DEPARTMENT

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

WHEREAS, due to the vacancy in the Nutrition Department for the position of Part Time Homemaker; and

WHEREAS, this position was duly posted (posting #10); and

WHEREAS, it is the recommendation of the Personnel Committee that Ayne M. Warner be appointed to said position.

NOW, THEREFORE, BE IT RESOLVED, that effective September 13, 2005 the Town Board hereby ratify the appointment of Ayne M. Warner to the position of Part Time Homemaker in the Nutrition Department at an hourly rate of $ 11.5741.

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

THE VOTE

Bartuneck ☒ **Yes** ☐ **No** **Sanders** ☒ **Yes** ☐ **No**

Blass ☒ **Yes** ☐ **No** **Densieski** ☒ **Yes** ☐ **No**

Cardinale ☒ **Yes** ☐ **No**

Adopted

SEPTEMBER 20, 2005

TOWN OF RIVERHEAD

PROVISIONALLY APPOINTS RECREATION SUPERINTENDENT

RESOLUTION# 927

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

WHEREAS, the vacancy of Superintendent of Recreation I exists; and

WHEREAS, the Suffolk County Department of Civil Service has approved a provisional appointment because a civil service list does not exist; and

WHEREAS, this position was duly posted and advertised and all eligible applicants were interviewed and the Personnel Committee has recommended one of these applicants for the position.

NOW, THEREFORE, BE IT RESOLVED, that Raymond Coyne is hereby appointed provisionally to the position of Superintendent of Recreation I effective October 11, 2005, and that the Supervisor is hereby authorized to execute a department head contract with Mr. Coyne.

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

THE VOTE

Sanders ☒ Yes ☐ No Blass ☒ Yes ☐ No

Densieski ☒ Yes ☐ No Bartunek ☒ Yes ☐ No

Cardinale ☒ Yes ☐ No

9/20/05

Adopted

Town of Riverhead

Resolution # 928

AUTHORIZES THE SUPERVISOR TO EXECUTE STIPULATION OF SETTLEMENT WITH CSEA

COUNCILWOMAN SANDERS offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

WHEREAS, a stipulation of settlement has been agreed to between the parties.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead hereby approves this Stipulation of Settlement and authorizes the Town Supervisor to execute same with his signature; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Matthew E. Hattorff, CSEA Union President; Dawn C. Thomas, Town Attorney and Jack Hansen, Financial Administrator.

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:\Laura Calamita\reso\authorizeCSEA.res.doc

September 20, 2005

Adopted

TOWN OF RIVERHEAD

Resolution # 929

APPROVES MILITARY LEAVE OF ABSENCE FOR A POLICE OFFICER

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

WHEREAS, Police Officer Mark Roberts is a member of the Department of the Air Force; and

WHEREAS, Police Officer Roberts has military orders, issued by the Department of the Air Force, assigning him to active service effective September 21, 2005; and,

WHEREAS, Police Officer Roberts has made application to the Chief of Police of the Town of Riverhead and the Riverhead Town Board for a military leave of absence in order to participate in active service from September 21, 2005 through November 10, 2005; and,

WHEREAS, Police Officer Mark Roberts will be using paid and unpaid military leave from September 21, 2005, to and including November 5, 2005.

NOW, THEREFORE, BE IT RESOLVED that the application for the aforementioned military leave of absence for active service be approved; and

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

C:\Mary\Resolutions\Military LOA Roberts.doc

Adopted

09/20/05

TOWN OF RIVERHEAD

Resolution # 930

AUTHORIZES SEWER DISTRICT EMPLOYEES TO ATTEND COURSE

COUNCILWOMAN BLASS offered the following resolution, which was seconded by

COUNCILWOMAN SANDERS:

WHEREAS, a NYSDEC approved Activated Sludge Course will commence on Tuesday, October 11, at 6PM at Cedar Creek "A" Building. The course will be held on Tuesdays and Thursdays from 6-8:30 PM. The course will be held a total of 11 nights ending on November 15, 2005. The total cost of the class will be $225; and

WHEREAS, it is the desire of Michael Reichel, Sewer District Superintendent, that Sewer District Employees Michael Maffia and Robert Helupka attend such course.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes Sewer District Employee Michael Maffia and Robert Helupka to attend the aforementioned course to be held at Cedar Creek "A" Building from October 11, 2005 through November 15, 2005; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Michael Reichel, Sewer District Superintendent 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

Z:\Kathy Schroeher\Resolutions\Sewer\attend.res.9.20.05.doc

09/20/05

TOWN OF RIVERHEAD

Adopted

Resolution #___931

AUTHORIZES THE SUPERVISOR TO EXECUTE AN UNDERTAKING IN CONNECTION WITH HIGHWAY WORK PERMITS AND/OR SPECIAL HAULING PERMITS ISSUED BY THE STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION

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

WHEREAS, The Town of Riverhead and/or its special districts from time to time receive permits from the State of New York Department of Transportation allowing the Town of Riverhead and/or its special districts to temporarily obstruct, install, construct, maintain, operator or replace facilities within the bounds of a State highway right of way pursuant to §§ 52, 103, 203, 249 and or 250 of the Highway Law, and;

WHEREAS, the State of New York Department of Transportation requires that the Town provide an undertaking to insure compliance with the terms and conditions of the aforementioned permits, and

WHEREAS the Towns wishes to provide the necessary undertaking to the New York State Department of Transportation and is 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 undertaking agreement, and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution together with the executed undertaking agreement to the Town Supervisor, Town Engineer, Water District Superintendent, Highway Superintendent, Sewer District Superintendent, Town Attorney, Town Clerk, and the New York State Department of Transportation (State office Building, 250 Veterans Memorial Highway, Hauppauge, NY 11788-5518).

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

PERM 1 (2/03)

UNDERTAKING (MUNICIPALITY) IN CONNECTION WITH HIGHWAY WORK PERMITS ISSUED BY THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION

WHEREAS, the undersigned Town of Riverhead (Municipality) from time to time receives permits from the Department of Transportation of the State of New York (hereinafter referred to as the "Department") allowing Town of Riverhead (Municipality) to temporarily obstruct, install, construct, maintain, operate or replace any facilities within the bounds of a State highway right-of-way pursuant to Sections 52, 103, 203, 249 and/or 250 of the Highway Law; and

WHEREAS, the Department requires that the municipality file an undertaking to secure the Town of Riverhead (Municipality) faithful performance within the terms of any such permit and also to indemnify the State of New York (hereinafter referred to as the "State") and others with respect to all operations under such permits by the Town of Riverhead (Municipality).

NOW THEREFORE, the Town of Riverhead (Municipality) hereby undertakes, to and with the State and the Department, that:

1. The Town of Riverhead (Municipality) will well, truly and faithfully comply with and perform all the terms and conditions of each such permit on its part to be kept and performed, and abide by and comply with all such conditions, rules and regulations as may be, from time to time, promulgated by the Commissioner of Transportation of the State of New York (hereinafter referred to as the "Commissioner"), according to the true intent and meaning of such permits, rules and regulations.

2. The Town of Riverhead (Municipality) will, at its own expense, promptly complete the work allowed under each permit and within a reasonable time restore State property damaged by its work to substantially the same or equivalent condition as existed before such work was begun; and in the event that the Town of Riverhead (Municipality) fails to so restore damaged State property within what the Commissioner deems to be a reasonable time, the Commissioner, after giving written notice to the Municipality, may restore the property to substantially the same or equivalent condition as existed before the Municipality began the work and require the municipality to reimburse the State for any and all costs incurred by the State in such restoration;

3. The Town of Riverhead (Municipality) will indemnify, hold harmless and defend and protect the State of New York, the Commissioner and the Department, their officials, officers, agents and employees against and pay any and all amounts, damages and costs and judgments which may or shall be recovered against said State, or its officers, or agents, or which such State may be called upon to pay to any person or corporation by reason of damages arising or growing out of operations pursuant to said permits or the manner of doing the same, or the neglect of said Town of Riverhead (Municipality), or its agents or servants, or the improper performance pursuant to the conditions of said permits by the Municipality, its agents or servants.

PERM 1 (2/03) Reverse

4. The Town of Riverhead (Municipality) which is self-insured, will pay any and all damages, costs, including but not limited to attorney's fees, and judgements recovered against the State, the Commissioner of Transportation, the Department of Transportation and their officials, officers and employees in connection with work allowed by a permit or from use of a permit by the Town of Riverhead (Municipality) or by any person acting by, through or for the Town of Riverhead (Municipality), including omission and supervisory acts of any of the entities or persons named above;

5. It is understood that this undertaking is one of indemnity only and is not to be construed as imposing on Town of Riverhead (Municipality) an obligation to pay claims for which there would not otherwise be a remedy in law against the State of New York.

6. Any payments required by the foregoing will be guaranteed by the full faith and credit of Town of Riverhead (Municipality), or its districts, as applicable, and will be paid out of current budgeted funds, or if insufficient, from its liability and casualty reserve fund or from the proceeds of bonds which current laws permit the Town of Riverhead (Municipality), to issue to pay claims against it.

IN WITNESS WHEREOF, the Town of Riverhead (Municipality) has caused this instrument to be signed by Philip J. Cardinale or his designee authorized by resolution of its Town Board, a copy of which is annexed hereto.

DATE: _____

NEW YORK STATE DEPARTMENT OF TRANSPORTATION

DATE: _____

Town of Riverhead
MUNICIPALITY

Philip J. Cardinale, Town Supervisor

ADDRESS: 200 Howell Avenue

Riverhead, NY 11901

TELEPHONE NO.: (631) 727-3200

Attach Copy of Resolution

09/20/05

Adopted

TOWN OF RIVERHEAD

Resolution # 932

AUTHORIZES THE SUPERVISOR TO EXECUTE AGREEMENTS IN CONNECTION WITH COUNTY OF SUFFOLK EISEP & CSE HOUSEKEEPER/CHORE CONTRACTS

COUNCILMAN BARTUNEK offered the following resolution,

was seconded by COUNCILWOMAN SANDERS:

WHEREAS, the County of Suffolk has stated that sufficient funding exists in the 2005 Suffolk County Operating Budget; and

WHEREAS, the Town received contracts from Suffolk County Office for the Aging for the purpose of making an EISEP (Expanded In-Home Services for the Elderly Program and CSE (Community Services for the Elderly Program) available to senior citizens of Suffolk County.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized to execute the attached agreements implementing the County of Suffolk EISEP & CSE Housekeeper/Chore program, and be it further

RESOLVED that the Town Clerk is hereby directed to forward a Certified Copy of this Resolution to the Office of the Town Attorney, the Seniors Program and the Office of Accounting.

THE VOTE

Bartunek ☒ Yes ☐ No Sanders ☒ Yes ☐ No

Blass ☒ Yes ☐ No Densieski ☒ Yes ☐ No

Cardinale ☒ Yes ☐ No

Z:\Kathy Schroeher\Resolutions\EISEP.CSE.doc

County of Suffolk

Steve Levy
Suffolk County Executive

Office for the Aging
Holly S. Rhodes-Teague
Director

Copy rec'd 8/22/0

August 16, 2005

The Honorable Philip Cardinale
Supervisor
Town of Riverhead
200 Howell Avenue
Riverhead, New York 11901

RE: EISEP & CSE Housekeeper/Chore

Dear Supervisor Cardinale:

Three copies of the Agreement referenced above are enclosed. Please sign all three copies of the Agreement and return them as soon as possible. In addition, a current copy of your Declaration Page of the required insurance policies must be submitted to this office upon renewal. **Please note that contractual liability coverage amounts have increased.**

Please be advised that if you are providing services without a fully executed contract, you do so at your own risk as an exercise of your independent business judgment and without any guarantee of payment.

Included as part of the Agreement is Suffolk County Form SCEX 22, Contractor's/Vendor's Public Disclosure Statement. Please complete this form in each contract. If your organization is exempt, three copies of the form still **must be notarized**, however, only Items 1, 12 and 13 must be completed. Also, be sure to complete the enclosed "Union Organizing Certification/Declaration-Subject to Audit" (DOL-LO1).

One fully executed Agreement will be forwarded to you as soon as the signature process has been completed. If you require any further information, please contact Mary-Valerie Kempinski at 853-8209.

Sincerely,

Leonor Hunter
Fiscal Administrator II

LH:MVK:ny
Enclosures
cc: Judy Doll
G:\IYANOFSKY\MVK\formletters\llr2copagreem with SCEX 22.TownCC.doc

H. Lee Dennison Building • 100 Veterans Memorial Highway • P.O. Box 6100 • Hauppauge, New York 11788-0099 • (631) 853-8200 FAX 853-8225

TOWN OF RIVERHEAD Fax:6317228761 Sep 14 2005 15:20 P.02

C/A Ref. AG002M/0015-10R
Revised 8/2/05
EISEP & CSE Housekeeper/Chore

IFMS No. SCS EXE #0000000_____
Nos. 001-6778/6777-4980-95285-_____

Agreement

This Agreement (Agreement) is between the **County of Suffolk (County)**, a municipal corporation of the State of New York, having its principal office at the County Center, Riverhead, New York 11901, acting through its duly constituted **Office for the Aging (Aging)**, having its principal office at H. Lee Dennison Building, 100 Veterans Memorial Highway, Hauppauge, New York (Mailing address: P.O. Box 6100, Hauppauge, New York 11788-0099), and the **Town of Riverhead (Contractor)**, a New York municipal corporation, having its principal place of business at 200 Howell Avenue, Riverhead, New York 11901.

The parties hereto desire to make non-medical in-home personal care services available to the County under the Expanded In-Home Services for the Elderly Program (EISEP) and the Community Services for the Elderly Program (CSE). Sufficient funding exists in the 2005 Suffolk County Operating Budget.

Term of Agreement: Shall be April 1, 2005 through March 31, 2006, with four one-year extensions, at the **County's** option.

Total Cost of Agreement: Shall be paid on a fee-for-service basis for each contract year (April 1 through the following March 31), at the rate of $13.00 for the current contract, as set forth in Exhibit C attached.

Terms and Conditions: Shall be as set forth in Exhibits A through D attached.

In Witness Whereof, the parties hereto have executed this Agreement as of the latest date written below.

Town of Riverhead

By: _____
Philip Cardinale
Supervisor

Fed. Taxpayer ID # 11-6001935

Date: _____

Approved as to Legality:

Christine Malafi
Suffolk County Attorney

By: _____
Samantha N. McEachin Date
Assistant County Attorney

County of Suffolk

By: _____
Paul Sabatino II
Chief Deputy County Executive

Date: _____

Approved:

By: _____
Holly S. Rhodes-Teague, Date
Director, Office for the Aging

Recommended:

By: _____
Luanne S. Jabbonsky Date
Asst. Senior Citizen Program Coordinator

TOWN OF RIVERHEAD | Fax:6317228761 Sep 14 2005 15:20 P.03

09/20/05

Adopted

TOWN OF RIVERHEAD

Resolution # 933

AUTHORIZES THE EXECUTION OF A LEASE AGREEMENT BETWEEN KENNETH DEMCHAK AND THE TOWN OF RIVERHEAD

COUNCILWOMAN SANDERS offered the following resolution, was seconded by

COUNCILMAN BARTUNEK:

WHEREAS, there is a need for additional parking at Riverhead Town Hall; and

WHEREAS, the Town of Riverhead had previously entered into a lease agreement with Kenneth Demchak for the use of a parking area known and designated as Suffolk County Tax Map #0600-127-5-15.1; and

WHEREAS, the Town Board of the Town of Riverhead has agreed to enter into a lease agreement (copy attached) with Kenneth Demchak for the use of parking area known and designated as Suffolk County Tax Map #0600-127-5-15.1, to commence March 1, 2005 with an expiration date of February 29, 2007 at an annual sum of $7,500.00.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Supervisor to execute the Lease Agreement between the Town of Riverhead and Kenneth Demchak for the use of parking area known and designated as Suffolk County Tax Map #0600-127-5-15.1, to commence March 1, 2005 with an expiration date of February 29, 2007, at an annual sum of $7,500.00; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Kenneth Demchak, No # Cove Street, Aquebogue, New York, 11931; Kenneth Testa, P.E.; 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

THE RESOLUTION ✓ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

demchak 05/dct

LEASE AGREEMENT

THIS LEASE, made the _____ day of April, 2005, by and between KENNETH DEMCHAK, residing at 49 Cove Street, Aquebogue, New York, 11931, hereinafter referred to as "LANDLORD" and TOWN OF RIVERHEAD, a municipal corporation with offices at 200 Howell Avenue, Riverhead, New York, 11901, hereinafter referred to as "TENANT".

WITNESSETH:

1. That the Landlord hereby leases to the Tenant, and the Tenant hereby leases from the Landlord, a parking area as shown on a survey attached hereto, said leased premises known and designated as SCTM #0600-127-5- p/o 25.1, to be used and solely occupied by the Tenant for municipal parking, except that Landlord my use the leased parking area for loading and unloading of Landlord's merchandise; however, Landlord shall not block or interfere with Tenant's use of the leased parking area. Tenant shall also have the right of ingress and egress over the lands of the Landlord from the leased parking area, as depicted on the attached survey, to East Main Street, Riverhead, New York.

2. This lease shall commence on March 1, 2005 and expire on February 28, 2007. The Lease shall be at the rate of Seven Thousand Five Hundred and 00/100 Dollars ($7,500.00) per year payable in one annual installment at the commencement of each Lease year.

3. It is mutually covenanted and agreed that:

(a) The Tenant shall maintain the parking area which shall;
(b) The Tenant shall raise the storm drain cover and repave the asphalt damaged during the storm drain replacement;
(b) The Tenant may improve and use the parking area as Tenant deems reasonably necessary without further consent of the Landlord.

4. It is hereby understood and agreed that the Tenant may stripe and restrict or designate certain parking stalls at its own discretion.

5. Landlord, his employees or customers, shall not block or interfere with Tenant's use of the leased parking area.

6. Tenant's employees shall not block or interfere with the Landlord's use of the parking area.

7. Landlord's employees and customers shall not block or interfere with Tenant's use of the parking area.

8. Landlord hereby consents to the designation and enforcement of the Code of the Town of Riverhead parking regulations by the Town of Riverhead.

IN WITNESS WHEREOF, the Landlord and Tenant have respectively signed and sealed these presents on the day and year first above written.

_____
KENNETH DEMCHAK, Landlord

_____
PHILIP J. CARDINALE, Supervisor
Tenant

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

On the _____ day of , 2005, before me personally came KENNETH DEMCHAK, to me known and known to be the individual who executed the foregoing document and who acknowledged to me that he executed the same.

_____
NOTARY PUBLIC

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

On the _____ day of , 2005, before me personally came PHILIP J. CARDINALE, to me known and by me being duly sworn did depose and say: That he is the duly elected Supervisor of the Town of Riverhead, the municipal corporation described in and which executed the foregoing instrument; that he knows the seal of said Town; that the seal affixed to the foregoing instrument is its corporate seal; that it was affixed thereto by order of said Board; and that he signed his name thereto and executed the said instrument by like order and authority.

_____
NOTARY PUBLIC

September 20, 2005

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 934

RATIFIES THE SUBMISSION OF A GRANT APPLICATION TO SUFFOLK COUNTY STOP-DWI

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

WHEREAS, grant funding is available from the Suffolk County STOP-DWI program; and

WHEREAS, the Town of Riverhead Police Department has applied for $7,196 funding to support educational services designed to raise awareness about the consequences and dangers of underage drinking and drinking and driving;

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby ratifies submission of said grant application; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Chief of Police David Hegermiller, Grants Coordinator Jennifer Mesiano, 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

mesiano_DWI_2005

Adopted Resolution #935

072113—03210P

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 20th day of September 2005, at 2:00 o'clock P.M., Prevailing Time.

PRESENT:

Philip Cardinale
Supervisor

Councilwoman Rose Sanders
Councilman

Councilwoman Barbara Blass
Councilman

Councilman Edward Densieski
Councilman

Councilman George Bartunek
Councilman

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by: COUNCILWOMAN BLASS

In the Matter of the Increase and Improvement of the Facilities of the Riverhead Ambulance District of the Town of Riverhead, Suffolk County, New York	ORDER CALLING PUBLIC HEARING

WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has caused to be prepared a 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 Ambulance District in the Town of Riverhead, Suffolk County, New York, consisting of the

purchase of an ambulance, including equipment, apparatus, appurtenances, and incidental expenses in connection therewith, at a maximum estimated cost of $150,000 and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of Riverhead Ambulance District in the manner described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

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

Section 1. A public hearing will be held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on the 18th day of October, 2005, at 7 o'clock P.M., Prevailing Time, on the question of increasing and improving the facilities of the Riverhead Ambulance District of the Town of Riverhead, Suffolk County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in Traveler Watchman, the official newspaper of said Town, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, will meet at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on the 18th day of October, 2005, at 7:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing for the specific object or purpose of paying the cost of the increase and improvement of the facilities of the Riverhead Ambulance District in the Town of Riverhead, Suffolk County, New York, consisting of the purchase of an ambulance, including equipment, apparatus, appurtenances, and incidental expenses in connection therewith. The maximum estimated cost of the aforesaid increase and improvement of the facilities of the Riverhead Ambulance District in said Town is $150,000.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Riverhead, New York
September 20, 2005

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

By: Barbara Grattan
Town Clerk

Section 4. This Order shall take effect immediately. The question of the adoption of the foregoing Order was duly put to a vote on roll call, 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 __ Densieski ✓ yes __ no

Cardinale ✓ yes __ no

THE RESOLUTION ✓ WAS __ WAS NOT

THEREFORE DULY ADOPTED