

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

**AUGUST 5th, 2008**

**Barbara Blass, Councilwoman  
Timothy Buckley, Councilman**

**John Dunleavy, Councilman  
James Wooten, Councilman**

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

**ELECTED OFFICIALS**

<b>Laverne Tennenberg</b>	<b>Chairwoman</b>	<b>Board of Assessors</b>
<b>Paul Leszczyński</b>		<b>Board of Assessors</b>
<b>Mason E. Haas</b>		<b>Board of Assessors</b>
<b>George Woodson</b>		<b>Highway Superintendent</b>
<b>Maryann Wowak Heilbrunn</b>		<b>Receiver of Taxes</b>
<b>Richard Ehlers</b>		<b>Town Justice</b>
<b>Allen M. Smith</b>		<b>Town Justice</b>

**DEPARTMENT HEADS**

<b>William Rothaar</b>	<b>Accounting Department</b>
<b>Leroy E. Barnes, Jr.</b>	<b>Building Department</b>
<b>Christina Kempner</b>	<b>Community Department</b>
<b>Ken Testa</b>	<b>Engineering Department</b>
<b>Richard Hanley</b>	<b>Planning Department</b>
<b>Chief David Hegermiller</b>	<b>Police Department</b>
<b>Ray Coyne</b>	<b>Recreation Department</b>
<b>Judy Doll</b>	<b>Senior Services</b>
<b>John Reeve</b>	<b>Sanitation Department</b>
<b>Michael Reichel</b>	<b>Sewer Department</b>
<b>Gary Pendzick</b>	<b>Water Department</b>

**PUBLIC COMMENT ON ANY CDA RESOLUTION LISTED BELOW:**

- CDA #20 Authorizes Supervisor to Execute Agreement with the State of New York for the Administration of Grant Funds for the Veterans Memorial
- CDA #21 Authorizes the Supervisor to Execute a Grant Agreement with NYS Department of State for Funds to Support the Calverton Park Recreational Trail
- CDA #22 CDBG Consortium 2008 Budget Adoption
- CDA #23 Authorizes Publication and Notice to Amend CDBG Program
- CDA #24 Authorizes Application to the New York Department of State for Funding to Create a Peconic River Blueway Trail
- CDA #25 Authorizes Application to the New York Department of State for Funding to Create a Peconic River/NYS Route 25 Eco-Corridor
- CDA #26 Authorizes Initial Preparation for Grant Application to New York State Empire State Development Corporation Restore NY Round 3 as Part of the Downtown Revitalization of Riverhead

**PUBLIC COMMENT ON ANY REGULAR TOWN BOARD  
RESOLUTION LISTED BELOW:**

- Res. #659 Declares Lead Agency and Determines Significance of Action:  
Subdivision and Site Plan of Repcal, LLC
- Res. #660 Authorizes Attendance of Three Police Department Employees  
to NYS Crime Prevention Coalition Conference
- Res. #661 Authorizes CSEA Vice President to Attend Delegates Meeting
- Res. #662 Resolution Adopting Findings and Determination Pursuant to  
Article 2 of the Eminent Domain Procedure Law Regarding the  
Partial Condemnation of 1418 Pulaski Street, Riverhead,  
Reputed Owner, Estate of Sophie Wilson, Suffolk County Tax  
Map 0600-101.00-02.00-012.003, Riverhead, New York
- Res. #663 Authorizes Town Supervisor to Execute Change Order No. 1  
for Youngs Avenue Landfill Capping and Closure Project
- Res. #664 Awards BID for Water Meters and Accessory Equipment for  
Use in the Riverhead Water District
- Res. #665 Order Establishing Lateral Water Main Riverhead Water  
District Baiting Hollow Club Residential Subdivision Warner  
Road, Baiting Hollow, New York
- Res. #666 Authorizes Supervisor to Execute Change Order No. 3  
Transmission Improvements at Sound Avenue and Various  
Locations Riverhead Water District
- Res. #667 Emergency Replacement of Sleeves and Blowers Riverhead  
Sewer District
- Res. #668 Increases Fee for Recycling Cans
- Res. #669 Awards BID on Traffic Paint
- Res. #670 Awards BID on Traffic Line Striping
- Res. #671 Awards BID on Drainage Rings and Associated Items

- Res. #672 Accepts Resignation of a Heavy Equipment Operator
- Res. #673 Accepts Resignation of a Part-Time Recreation Aide
- Res. #674 Ratifies the Appointment of an Assistant Superintendent of Recreation I
- Res. #675 Ratifies the Appointment of a Call-In Assistant Recreation Leader (Youth Sports) Level II to the Riverhead Recreation Department
- Res. #676 Ratifies the Appointment of a Call-In Recreation Specialist (Art Instructor) to the Riverhead Recreation Department
- Res. #677 Ratifies the Appointment of a Call-In Recreation Aide/Youth Sports to the Riverhead Recreation Department
- Res. #678 Ratifies the Appointment of a Seasonal Assistant Recreation Leader to the Riverhead Youth Bureau
- Res. #679 Ratifies the Appointment of a Park Attendant I, Level I to the Riverhead Recreation Department
- Res. #680 Authorizes the Town of Riverhead to Secure a Pool Structure and Land at the Premises known as 29 Rabbit Run, Riverhead, New York, 11901, SCTM #0600-084.00-02-034.04, Pursuant to Riverhead Town Code Chapter 54
- Res. #681 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code
- Res. #682 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code
- Res. #683 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code
- Res. #684 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code

- Res. #685 Authorizes the Replacement of 100% Site Plan Security of NF Management, Inc.
- Res. #686 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code
- Res. #687 Authorizes Town Clerk to Publish and Post a Public Notice for a Local Law to Consider Repeal of §108.51.1 of the Code of the Town of Riverhead Entitled "Handicapped Access Ramps"
- Res. #688 Authorizes Town Clerk to Publish and Post a Public Notice for a Local Law to Consider the Enactment of Chapter 53 of the Code of the Town of Riverhead Entitled "Improvements for Disabled and Elderly"
- Res. #689 Approves Chapter 90 Application of WSHU Public Radio Group
- Res. #690 Approves Chapter 90 Application of East End Arts and Humanities Council, Inc.
- Res. #691 Approves Chapter 90 Application of Paumanok Vineyards, LTD.
- Res. #692 Waives the Requirement of Access for Emergency Vehicles Pursuant to Chapter 108 (§108-60 E. (5)(c)) of the Riverhead Town Code in Connection with the Site Plan Application of East End Nephrology
- Res. #693 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (§108-60. Off-Street Parking.)
- Res. #694 Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 101 (Vehicles & Traffic) of the Riverhead Town Code (§101-20. Additional Parking Regulations.)
- Res. #695 Authorizes the Adoption of the Suffolk County Multi-Jurisdictional Multi-Hazard Mitigation Plan

- Res. #696 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Article XXVI-Site Plan Review §108-133. Conditions for approval.)
- Res. #697 Authorizes the Supervisor to Authorize the Town Planning Director to Certify the State Pollutant Discharge Elimination System (SPDES) Annual Report
- Res. # 698 Authorizes Town Clerk to Publish and Post Notice of Public Hearing to Consider the Creation of a Wading River Historic District
- Res. # 699 Authorizing the Adoption of a Parking Plan to Serve Suffolk County Supreme Court
- Res. #700 Adopts a Local Law Amending Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Section 108-51 Nonconforming Buildings and Uses.)
- Res. #701 Adopts a Local Law Amending Chapter 90 Entitled "Special Events" of the Riverhead Town Code
- Res. #702 Adopts a Local Law Amending Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Section 108-133.1 Special Permit.)
- Res. #703 Adopts a Local Law Amending Chapter 18 Entitled "Code of Ethics" of the Riverhead Town Code
- Res. #704 Pays Bills
- Res. #705 Authorizes Supervisor to Execute Agreement with the State of New York for the Administration of Grant Funds for the Veterans Memorial
- Res. #706 Authorizes the Supervisor to Execute a Grant Agreement with NYS Department of State for Funds to Support the Calverton Park Recreational Trail
- Res. #707 CDBG Consortium 2008 Budget Adoption
- Res. #708 Authorizes Publication and Notice to Amend CDBG Program

Res. #709 Authorizes Application to the New York Department of State for Funding to Create a Peconic River Blueway Trail

Res. #710 Authorizes Application to the New York Department of State for Funding to Create a Peconic River/NYS Route 25 Eco-Corridor

Res. #711 Authorizes Initial Preparation for Grant Application to New York State Empire State Development Corporation Restore NY Round 3 as Part of the Downtown Revitalization of Riverhead

**TOWN OF RIVERHEAD**

Resolution # 659

Adopted

**DECLARES LEAD AGENCY AND DETERMINES SIGNIFICANCE  
OF ACTION: SUBDIVISION AND SITE PLAN OF REPCAL, LLC**

COUNCILMAN WOOTEN offered the following resolution which  
was seconded by COUNCILWOMAN BLASS

**WHEREAS**, the Riverhead Planning Board is in receipt of a petition for an industrial block subdivision from REPCAL, LLC which would sever out and transfer ownership of 300ac. of land zoned Light Industrial within the Enterprise Park at Calverton (EPCAL) from the Riverhead Community Development Agency to the applicant for its development as Rechler Center for Business and Technology and which would divide the 300ac. into five blocks of from 32.7 to 76.7ac. and further divide block one of 48.9ac. into six industrial lots of from 2.7 to 10.9ac.; such property more particularly described as SCTM 0600-135-1-p/o7.33, and

**WHEREAS**, the Riverhead Town Board is simultaneously in receipt of a site plan petition for development of block one as described above with nine Light Industrial use buildings with an aggregate building area of 318,475sq.ft. together with related improvements and featuring an open space lot of 8.1ac., and

**WHEREAS**, REPCAL, LLC has submitted its petitions to the Riverhead Water District and the Calverton Sewer District for the expansion of these districts to include the 300ac. parcel, and

**WHEREAS**, the Riverhead Planning Department has identified that the project would be a Type I action pursuant to 6NYCRR Part 617.4(b)(4) and (6)(i)&(iv), mandating coordinated State Environmental Quality Review (SEQR) among involved agencies, and

**WHEREAS**, the Town Board has notified all involved agencies pursuant to 6 NYCRR 617.6(b)(3) that lead agency must be agreed upon and that it was interested in assuming lead agency status, and

**WHEREAS**, the NYSDEC has agreed in writing to the Town Board acting as lead agency, and no other involved agency has expressed an interest to act as lead agency within the time provided under 6 NYCRR 617.6(b)(3), and

**WHEREAS**, the potential environmental impacts of the transfer of the former Grumman property from the Department of the Navy to the Town of Riverhead Community Development Agency was studied in a Generic Environmental Impact Statement (GEIS) entitled: Disposal and Reuse Naval Weapons Industrial Reserve Plant (“Reuse Plan”), which analyzed and addressed the potential impacts of the property’s transfer and subsequent redevelopment pursuant to the Reuse Plan which was developed by the Town’s Calverton Air Facility Joint Planning and Redevelopment Commission and set forth in the Reuse Plan, and

**WHEREAS**, the GEIS was the basis for the rezoning of the property from “Defense Institutional” to a combination of Planned Industrial Park District and Planned Recreational Park District which zoning use districts were designed to implement the objectives of the Reuse Plan and encourage economic redevelopment of the property as the Enterprise Park at Calverton (EPCAL), and

**WHEREAS**, subsequent to the transfer, EPCAL was the subject of a Supplemental Environmental Impact Statement conducted by the Town pursuant to 6 NYCRR 617.10(d)(4) for the purpose of evaluating an amendment to the zoning; i.e. the inclusion of a Light Industrial zoning use district, and

**WHEREAS**, the Riverhead Planning Department has reviewed the instant action as described above and has prepared a SEQR report identifying the potential for significant impact on the natural and social environment and has recommended that a positive declaration of significance be rendered, now

**THEREFORE, BE IT**

**RESOLVED**, that the Riverhead Town Board declares itself to be the Lead Agency in the State Environmental Quality Review of the subdivision and subsequent site plan development of 300ac. of land by REPCAL,LLC within the Enterprise Park at Calverton as the Rechler Center for Business and Technology, and

**BE IT FURTHER**

**RESOLVED**, that the development be considered a Type I action with the potential for significant impact upon the natural and social environment and that a Supplemental Environmental Impact Statement is appropriate for exploratory, mitigative and discretionary authority, and

**BE IT FURTHER**

**RESOLVED**, that pursuant to Part 617.13, the Town will charge the applicant a fee for administration and review of the EIS including its scoping, and

**BE IT FURTHER**

**RESOLVED**, that the Planning Department be directed to file the requisite notice of significance pursuant to Part 617.12, and

**BE IT FURTHER**

**RESOLVED**, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Planning Department, the Town Attorney, the CDA and to the applicant or his agent.

**THE VOTE**

Wooten <del>Yes</del> No	Buckley <del>Yes</del> No
Dunleavy <del>Yes</del> No	Blass <del>Yes</del> No
Cardinale <del>Yes</del> No	

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

08/05/08

STATUS Adopted

**TOWN OF RIVERHEAD**

Resolution # 660

**AUTHORIZES ATTENDANCE OF THREE POLICE DEPARTMENT  
EMPLOYEES TO NYS CRIME PREVENTION COALITION CONFERENCE**

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

**WHEREAS**, Police Chief Hegermiller has requested authorization from the Riverhead Town Board for the attendance of three police department employees to attend the NYS Crime Prevention Coalition Conference in Albany, New York; and,

**WHEREAS**, the seminar will be held in Albany, New York from September 29 – October 1, 2008.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the attendance of three police department employees to attend the NYS Crime Prevention Coalition Conference.

**BE IT FURTHER RESOLVED**, that the Town Board hereby authorizes reimbursement of expenses incurred, not to exceed \$2,100.00 (registration, food, lodging, tolls, fuel & miscellaneous expenses); upon submission of proper receipts; and

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

**THE VOTE**

WOOTEN  YES \_\_\_ NO \_\_\_ DUNLEAVY  YES \_\_\_ NO \_\_\_  
BUCKLEY  YES \_\_\_ NO \_\_\_ BLASS  YES \_\_\_ NO \_\_\_  
CARDINALE  YES \_\_\_ NO \_\_\_

**THIS RESOLUTION  IS \_\_\_ IS NOT  
DECLARED DULY ADOPTED**

8/5/08

Adopted

TOWN OF RIVERHEAD

Resolution # 661

**Authorizes CSEA Vice President to Attend Delegates Meeting**

COUNCILMAN DUNLEAVY offered the following resolution, which was  
seconded by COUNCILMAN BUCKLEY.

**WHEREAS**, the Civil Service Employees Association (CSEA) is holding its Annual Delegates Meeting on September 22, 2008 through September 26, 2008 in Washington, DC York; and

**WHEREAS**, attendance at the CSEA Annual Delegates Meeting is for educational and informational purposes; and

**WHEREAS**, it is the desire of William J. Walsh, President of CSEA Suffolk Local 852, that CSEA Suffolk Local 852 3<sup>rd</sup> Vice President Matt Hattorff attend such meeting.

**NOW THEREFORE BE IT RESOLVED** that the Riverhead Town Board hereby authorizes Administrative Leave for Matt Hattorff to attend the aforementioned meeting to be held in Washington, DC on September 22, 2008 through September 26, 2008; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to William J. Walsh, CSEA Suffolk Local 852 President, Matt Hattorff and the Office of Accounting.

WOOTEN  YES \_\_\_ NO BUCKLEY  YES \_\_\_ NO  
DUNLEAVY  YES \_\_\_ NO BLASS  YES \_\_\_ NO  
CARDINALE  YES \_\_\_ NO

THIS RESOLUTION  IS \_\_\_ IS NOT  
DECLARED DULY ADOPTED

8/5/08

TOWN OF RIVERHEAD

Adopted

Resolution # 662

**RESOLUTION ADOPTING FINDINGS AND DETERMINATION PURSUANT TO ARTICLE 2 OF THE EMINENT DOMAIN PROCEDURE LAW REGARDING THE PARTIAL CONDEMNATION OF 1418 PULASKI STREET, RIVERHEAD, REPUTED OWNER, ESTATE OF SOPHIE WILSON, SUFFOLK COUNTY TAX MAP 0600-101.00-02.00-012.003, RIVERHEAD, NEW YORK**

**COUNCILMAN BUCKLEY** offered the following resolution, was seconded by **COUNCILMAN WOOTEN**.

**WHEREAS** the Town Board of the Town of Riverhead held a public hearing pursuant to Article 2 of the Eminent Domain Procedure Law, regarding the partial acquisition of a parcel located at 1418 Pulaski Street, Riverhead, New York, reputed owner, Estate of Sophie Wilson, Suffolk County Tax Map 0600-101.00-02.00-012.003, on July 15, 2008 to inform the public and to review the public use to be served by the acquisition and to review the impact of the acquisition on the community.

**BE IT RESOLVED**, that the Town Board of the Town of Riverhead makes the following Findings and Determination:

**FINDINGS AND DETERMINATION**

1. The acquisition will benefit the public.
2. The property to be acquired comprises 12,316 square feet, together with a permanent grading easement comprising an additional 2,022 feet; a partial taking of the entire parcel which, prior to the acquisition, has an area of 1.72 acres.
3. The purpose of this acquisition is to eliminate the existing intersection of Pulaski Street, Mill Road and County Road 58 by reconfiguring Pulaski Street so as to intersect with County Road 58 at the existing traffic controlled intersection with the central entrance to Riverhead Centre. This acquisition will improve traffic flow and safety.
4. This acquisition has been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to have the attached Public Notice containing a synopsis of these Findings and Determination published in two (2) successive issues of the News Review, the official newspaper of the Town of Riverhead with general circulation within the Town, commencing on Thursday, August 14, 2008; and its is further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution and the attached notice to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP., P.O. Box 389, 456 Griffing Avenue, Riverhead, New York, 11901; the Town Attorney; Jonathan D. Brown, Esq., 737 Roanoke Avenue, Riverhead, New York 11901; and the Town Financial Administrator.

This Resolution was prepared by Frank A. Isler, Esq. Special Counsel.

THE VOTE

Buckley  yes \_\_\_ no Wooten  yes \_\_\_ no  
Dunleavy  yes \_\_\_ no Blass  yes \_\_\_ no  
Cardinale  yes \_\_\_ no

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

## PUBLIC NOTICE

Pursuant to Article 2 of the Eminent Domain Procedure Law, a public hearing regarding the partial acquisition of a parcel located at 1418 Pulaski Street, Riverhead, New York, reputed owner, Estate of Sophie Wilson, Suffolk County Tax Map 0600-101.00-02.00-012.003, was held by the Town Board of the Town of Riverhead on July 15, 2008 to inform the public and to review the public use to be served by the acquisition and to review the impact of the acquisition on the community.

On the 5th day of August, 2008, the condemnor made its findings and determinations based on the hearing. A copy of the findings and determination will be forwarded to any interested person without cost upon written request to the Clerk of the Town of Riverhead, 200 Howell Avenue, Riverhead, New York, 11901.

A synopsis of the findings and determinations is as follows:

The Town Board of the Town of Riverhead has found and determined that the acquisition of the parcel listed below will benefit the public and will be for the public purpose of eliminating the existing intersection of Pulaski Street, Mill Road and County Road 58 by reconfiguring Pulaski Street so as to intersect with County Road 58 at the existing traffic controlled intersection with the central entrance to Riverhead Centre. This acquisition will improve traffic flow and safety.

The property to be acquired comprises 12,316 square feet, together with a permanent grading easement comprising an additional 2,022 feet; a partial taking of the entire parcel which, prior to the acquisition, has an area of 1.72 acres. The property is known as 1418 Pulaski Street, Riverhead, New York, reputed owner, Estate of Sophie Wilson, (Suffolk County Tax Map 0600-101.00-02.00-012.003).

This acquisition has been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment.

August 5, 2008

By Order of the Town Board of  
the Riverhead

Barbara Gratton  
Town Clerk

August 5, 2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 663

AUTHORIZES TOWN SUPERVISOR TO EXECUTE CHANGE ORDER NO. 1 FOR YOUNGS AVENUE LANDFILL CAPPING AND CLOSURE PROJECT

COUNCILMAN WOOTEN offered the following resolution which was

seconded by COUNCILWOMAN BLASS.

WHEREAS, on December 27, 2007, the Riverhead Town Board adopted Resolution No. 1205 entitled, "Awards Bid for Youngs Avenue Landfill Capping and Closure Project"; and

WHEREAS, the bid was awarded to Terry Contracting & Materials, Inc. in the amount of Seven Million Three Hundred Ninety Eight Thousand Two Hundred Nineteen & 75/100 (\$7,398,219.75); and

WHEREAS, the Town Engineer and the Town consulting engineering firm, SCS Engineers, PC, along with Town Counsel and the New York State Department of Environmental Conservation has recommended and approved the purchase and installation of 8 oz geotextile over the geomembrane in lieu of screening the reclaimed sand for the additional amount of Two Hundred Nineteen Thousand & 00/100 (\$219,000.00) minus the credit for Item 7 Screening in the amount of One Hundred Sixty Eight Thousand Eight Hundred & 00/100(-\$168,800) for a net change order amount of an additional Fifty Four Thousand & 00/100 (\$54,000.00).

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute Change Order No. 1 in the amount of \$54,000.00; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Terry Contracting & Materials, Inc., 840 West Main Street, Riverhead, New York 11901, Lisa Wilkinson, P.E., SCS Engineers, PC, 140 Route 303 Valley Cottage, NY 10989, Frank Isler, Esq., 456 Griffing Avenue, Riverhead, New York 11901 and a copy to Kenneth Testa, P.E., the Purchasing Department and the Office of Accounting.

THE VOTE

Dunleavy  Yes  No

Buckley  Yes  No

Blass  Yes  No

Wooten  Yes  No

Cardinale  Yes  No

THE RESOLUTION  WAS  WAS NOT THEREFORE DULY ADOPTED.

## SCS ENGINEERS, PC

July 22, 2008  
File Number 13206007.01

Town Board Members  
Town of Riverhead  
200 Howell Avenue  
Riverhead, New York 11901

Subject: Change Order No. 1 – Geotextile Installation Over Geomembrane  
Youngs Avenue Landfill Closure  
Riverhead, New York

Dear Supervisor and Town Board Members:

SCS Engineers, PC (SCS) recommends approval of Change Order No. 1 (see Attachment No. 1) for the installation of geotextile over the geomembrane and eliminating the requirement to further screen the reclaimed sand to be placed on top of the geomembrane. This change is necessitated by unanticipated field conditions. The reclaimed sand contains deleterious material not expected to be present by SCS. The contract documents, including the specifications and laboratory testing, did not indicate that deleterious material were present in the reclaimed sand. TCM has experienced difficulty screening because of the deleterious material present. Placement of the geotextile will provide superior protection to the cap geomembrane because screening did allow some small pieces of glass through, which would be difficult to spot for material placed on top of the membrane. The unit cost for placing the BPL as unscreened reclaimed sand will remain as bid.

We note that the approval of the change order is contingent upon interface friction angle testing for the nonwoven geotextile with the geomembrane and with the reclaimed sand. We note that interface friction angle testing between the gas venting layer (screened reclaimed sand) and the geomembrane is also required.

The change order is further subject to approval by the NYSDEC prior to its becoming effective.

### TCM PROPOSAL

The TCM proposal provided installation and material costs for a 3.5, 6 and 8 oz/sy geotextile material above and below the geomembrane material for protection of the geomembrane from the deleterious material in the reclaimed sands. We recommend approving the installation of 8 oz/sy geotextile above the geomembrane. A credit of \$2.20 per cubic yard for the elimination of the screening for the bid quantities of barrier protection sand was offered (see proposal in Attachment 1). The screening activities are included in Payment Item No. 7. We believe the credit of \$2.20 per cubic yard for the elimination of the screening is appropriate. SCS'



engineers cost estimate used a cost of \$2.00 per cubic yard for the screening of the reclaimed sand for gas venting and barrier protection.

## SCS EVALUATION

The costs provided by TCM for the material and installation of the geotextile and the screening credit are summarized Attachment 2. The credit for the elimination of the screening activities was subtracted from costs for the geotextile materials and installation. The additional cost to the Town of Riverhead (Town) for the installation of 8 oz geotextile would be approximately \$54,000 including contractor's markup.

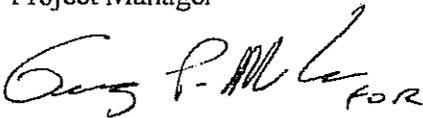
There will be no extension of time for this change order. A fully executed copy should be returned to SCS for our files.

Please call with any questions.

Very truly yours,



Lisa Wilkinson, PE  
Project Manager



Peter F. Kuniholm, PE  
Vice President  
**SCS ENGINEERS, PC**

cc: K. Peterson, SCS

**Attachment 1**

# Change Order

## No. 01

Date of Issuance: July 21, 2008 Effective Date: July 21, 2008

Project: Young's Avenue Landfill Closure	Owner: Town of Riverhead	Owner's Contract No.: 07-LFC*
Contract: Landfill Capping and Closure Project PO No. 080296		Date of Contract: January 24, 2008
Contractor: Terry Contracting and Materials, Inc.		Engineer's Project No.: 13208007.01

**The Contract Documents are modified as follows upon execution of this Change Order:**

Description: Purchase and installation of 8oz geotextile over the geomembrane in lieu of screening the reclaimed sand. This Change Order is subject to the approval of the NYSDEC for the use of the geotextile and the use of the reclaimed sand without further screening.

**Attachments: (List documents supporting change):**

SCS letter dated July 22, 2008

<b>CHANGE IN CONTRACT PRICE:</b>	<b>CHANGE IN CONTRACT TIMES:</b>
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Original Contract Price:  \$ <u>7,386,719.75</u>	Original Contract Times: <input type="checkbox"/> Working days <input checked="" type="checkbox"/> Calendar days Substantial completion (days or date): <u>360 days</u> Ready for final payment (days or date): _____
--------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

[(Increase) (Decrease)] from previously approved Change Orders No. _____ to No. _____:  \$ <u>0</u>	[(Increase) (Decrease)] from previously approved Change Orders No. _____ to No. _____: Substantial completion (days): <u>0</u> Ready for final payment (days): _____
-----------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Contract Price prior to this Change Order:  \$ <u>7,386,719.75</u>	Contract Times prior to this Change Order: Substantial completion (days or date): <u>360</u> Ready for final payment (days or date): _____
--------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------

Net increase of this Change Order: \$ 219,000 (Geotextile Cost) \$ -168,800 (Item 7 Screening Credit) \$ <u>54,000 (which includes 1.07 markup)</u>	[(Increase) (Decrease)] of this Change Order: Substantial completion (days or date): <u>0</u> Ready for final payment (days or date): _____
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Contract Price incorporating this Change Order:  \$ <u>7,440,719.75</u>	Contract Times with all approved Change Orders: Substantial completion (days or date): <u>360</u> Ready for final payment (days or date): _____
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RECOMMENDED: By: <u>[Signature]</u> Engineer (Authorized Signature) Date: <u>7/22/08</u>	ACCEPTED: By: _____ Owner (Authorized Signature) Date: _____	ACCEPTED: By: _____ Contractor (Authorized Signature) Date: _____
Approved by Funding Agency (if applicable): _____ Date: _____		

**Attachment 2**

# Terry Contracting & Materials, Inc.

840 West Main Street  
Riverhead, NY 11901  
Ph: (631) 727-0170 Fax: (631) 727-0410

611 Access Road  
Stratford, CT 06615  
Ph: (203) 375-8450 Fax: (203) 375-8510

May 28, 2008

SCS Engineering  
140 Route 303  
Valley Cottage, NY 10989  
Attn: Lisa Wilkinson, P.E.

Re: Filter fabric proposal above and below liner  
Young's Avenue Landfill  
Riverhead, NY

Dear Lisa,

As requested enclosed is a proposal from our subcontractor to place 3.5oz. filter fabric just below and above the liner. This will provide protection to the liner from the deleterious material in the soil that is to be used for gas venting and barrier protection layers. This fabric will allow the larger grain sized materials to remain in the soil thus improving it for its intended purpose.

If we are not screening the gas venting and barrier protection soils we can offer a credit of \$2.20 per cubic yard for the bid quantities. This number reflects our internal costs without overhead or mark-up. Additionally we would pass through the cost of Chenango's proposal with only 7% mark-up for the portion over the credit offered. As part of the evaluation of the true cost of this proposal, consideration should be given to the cost of disposal of the waste generated by screening. This waste would end up as cost under item 42 "increased volume under cap".

Another consideration should be that because the material has a significantly greater percentage of fines (material passing a 200 sieve) than was anticipated in the bid document there would be an additional cost for screening. This is because material passing a 200 sieve is much more difficult to screen and would result in added time and cost on our part.

Very truly yours,  
Terry Contracting & Materials, Inc.

Robert G. Terry  
President

# Chenango Contracting, Inc.

29 Arbutus Road  
Johnson City, NY 13790  
(607) 729-8500 Fax (607) 729 2415

## Proposal

Page 1 of 3

Date: 5/21/08

Estimate Number: 1859R

To: Terry Contracting, Inc.

Proposal for: Riverhead Landfill

Bid Date:

Plans and Specifications by:

### Description of Work/Pricing:

Furnish & Install Mirafi 135N non-woven geotextile (approximately 1,351,326 SF) below the textured geomembrane for \$0.138/SF (M-\$0.048/SF, I-\$0.09/SF).

Furnish & Install Mirafi 135N non-woven geotextile (approximately 1,351,326 SF) above the textured geomembrane for \$0.118/SF (M-\$0.048/SF, I-\$0.07/SF).

Alternate for Mirafi S600 for (M-\$0.076/SF). Installation remains the same, see above.

Alternate for Mirafi S800 for (M-\$0.092/SF). Installation remains the same, see above.

Chenango reserves the right to traffic on the geotextile during geomembrane deployment.

This proposal is offered in accordance with our Standard Terms and Conditions which is attached (page 2 of 3), with Technical Exceptions (page 3 of 3), and with the following additional clarifications:

Mobilizations Included: Included in Previous Contract

Cost for Additional Mobilizations: See Previous Contract

Sales Tax is Excluded

Bond Cost is Excluded

Chenango will provide a Forklift or Loader, Terry Contracting to provide an ASV (or equal), for handling and deployment of geosynthetics on site.

Measurement and Payment for Areas will be by Contract Measurement.

If we can provide any additional information about our company or about this proposal please contact us at (607)729-8500. Thank You.

Sincerely,  
Chenango Contracting, Inc.



Carl Burdick

## Chenango Contracting, Inc. Standard Terms and Conditions

All payment terms shall be net 30 days. Interest on past due accounts will be at 1 1/2 % per month or at the maximum legal rate whichever is greater. This proposal is subject to credit approval by Chenango Contracting, Inc.. Gross quantities of materials delivered to the site will be invoiced at delivery, or when provision is made for storage at an off site facility. Customer will not hold retainage on any amount due Chenango Contracting, Inc. unless specifically agreed to in writing by Chenango Contracting, Inc., but in no case will retainage be held in excess of 30 days beyond completion of supply or installation of materials. Customer will be responsible for payment of reasonable attorney fees required for the collection of past due or disputed accounts.

Chenango Contracting, Inc. is an open shop organization. This proposal assumes that no collective bargaining agreement will be required of Chenango, and that Chenango technical staff will not be bound by union work rules. Chenango Contracting, Inc. is an EEO employer.

Customer is responsible to provide the following to Chenango Contracting, Inc.:

- Customer is responsible for unloading and storage of materials.
- Customer is responsible to provide an adequate laydown area for storage of equipment and materials. The laydown area must be stable enough to support construction operations, free draining, free of materials objectionable to storage of geosynthetic materials, and directly accessible to the work area. The laydown area must also be accessible to delivery trucks.
- A firm and unyielding and accessible subgrade. The area to be lined must be accessible to rubber tired equipment. The subgrade must be firm enough not to rut. Additional costs resulting from a yielding subgrade will be the responsibility of the customer.
- Use of toilet facilities for our crew. Use of project field office for our QA/QC technician and supervisors.
- All civil construction, surface preparation, surface maintenance, and dewatering of soil and liner surfaces.
- Excavation and backfill of all anchor trenches so as not to delay the liner installation.
- Removal of snow, ice, mud, water or other obstructions from the liner or subgrade.
- Dust control to permit welding without excessive or unusual cleaning of the liner.
- A dumpster or a location to dump scamp onsite.
- Sand for the purpose of filling sandbags.
- Any surveying required including, but not limited to: layout of limits, offsets for limits, line, coordinates, any surveying required for as built drawings, surveying required for payments, any services of an L.S. or a P.E. to review, prepare or certify as built drawings (if required by spec), etc.
- Customer is responsible to install (remove) gas vents, wells, etc. to a height which will not impede geomembrane installation.

This proposal is based on Chenango Contracting, Inc. crew proceeding without interruption or delay caused by unprepared surface, dewatering, unfinished civil construction, Owner's changes or other causes beyond the control of Chenango Contracting, Inc. Delays shall be charged to the customer at a rate of \$55.00/per hour, or at a rate of 2.1 times the prevailing wage rate plus fringe, whichever is greater.

Chenango Contracting, Inc. may, at its option, proceed with work necessary to rectify unprepared surface or removal of obstructions and charge the customer at the above rates.

We exclude the cost of delays or loss of productivity resulting from work under winter conditions from our price. These additional costs will be the responsibility of the customer.

Chenango Contracting, Inc. will provide temporary sandbag ballasting only. The customer shall provide ballasting and backfilling on the completed liner. Customer shall be responsible for removal of sandbags, if required, at the completion of the project. Chenango Contracting, Inc. will not be responsible for any damages resulting from the customer's failure to ballast, cover and protect the completed liner in a timely manner. Customer may need to sequence covering operations to maintain or to provide Chenango Contracting, Inc. access to work areas.

Customer agrees to coordinate with Chenango Contracting, Inc. installation schedule. Customer will provide Chenango Contracting, Inc. with four weeks written notice to mobilize.

We assume installation on sites requiring OSHA 40 Hour HAZWOP training will be at level D protection. Installations requiring a higher level of protection will be at an additional cost. Customer shall provide all PPE and any required monitoring and orientation at hazardous installations.

If Chenango Contracting, Inc. is awarded this work, this proposal will become part of a mutually agreeable contract between the parties. In the event a term or condition of this quotation conflicts with those of the contract, the terms and conditions of this quotation shall supersede and take precedence over those of the contract.

Chenango Contracting, Inc. will not be liable for any indirect, incidental or consequential damages, including, but not limited to, damages for loss of profits, downtime, environmental damages or suits from the client or third parties, which result or are attributable to, any breach of contract or breach of warranty.

Unless otherwise noted, this proposal expires 30 days after the date issued. Unless noted otherwise, delivery more than 90 days beyond the date of this proposal is subject to increases equal to the applicable incremental resin cost increases.

Customer shall be responsible to inspect and/or otherwise satisfy themselves as to the integrity of liner installation prior to installing cover materials. Customer will provide any hydraulic testing if required. Customer will assume all liability for damage to the liner system and will be responsible for locating and repair of any leaks.

### Technical Exceptions:

Poly Flex, Inc. specifications will prevail for all Poly Flex liner installation. This includes but is not limited to physical properties, seam strengths, and warranties.

Unless specifically stated otherwise in our proposal, manufacturers standard testing frequencies will apply to all geosynthetic materials. Testing in excess of manufacturers standard testing frequencies will result in additional cost.

Unless specifically stated otherwise in our proposal, conformance testing is excluded from our price.

Unless specifically stated otherwise in our proposal, interface friction testing is excluded from our price.



# Mirafi



## Mirafi<sup>®</sup> S600

Mirafi<sup>®</sup> S600 is a needle-punched nonwoven geotextile composed of polypropylene fibers, which are formed into a stable network such that the fibers retain their relative position. Mirafi<sup>®</sup> S600 is inert to biological degradation and resistant to naturally encountered chemicals, alkalis, and acids.

Mechanical Properties	Test Method	Unit	Minimum Average Roll Value
Weight	ASTM D 5261	g/m <sup>2</sup> (oz/yd <sup>2</sup> )	203.4 (6.0)
Thickness	ASTM D 5199	mm (mils)	1.7 (65)
Grab Tensile Strength	ASTM D 4632	kN (lbs)	0.7 (160)
Grab Tensile Elongation	ASTM D 4632	%	50
Trapezoid Tear Strength	ASTM D 4533	kN (lbs)	0.3 (65)
Mullen Burst Strength	ASTM D 3786	kPa (psi)	2170.0 (315)
Puncture Strength <sup>1</sup>	ASTM D 4833	kN (lbs)	0.4 (95)
CBR Puncture Strength	ASTM D 6241	kN (lbs)	2.0 (450)
Apparent Opening Size (AOS) <sup>2</sup>	ASTM D 4751	mm (U.S. Sieve)	0.180 (80)
Permittivity	ASTM D 4491	sec <sup>-1</sup>	1.5
Permeability	ASTM D 4491	cm/sec	0.25
Flow Rate	ASTM D 4491	l/min/m <sup>2</sup> (gal/min/ft <sup>2</sup> )	4481.4 (110)
UV Resistance (at 500 hours)	ASTM D 4355	% strength retained	≥ 80

<sup>1</sup> ASTM D 4833 has been replaced with ASTM D 6241

<sup>2</sup> ASTM D 4751: AOS is a Maximum Opening diameter value.

Physical Properties	Test Method	Unit	Typical Value
Roll Dimensions (width x length)	--	m (ft)	4.5 x 91 (15 x 300)
Roll Area	--	m <sup>2</sup> (yd <sup>2</sup> )	418 (500)
Estimated Roll Weight	--	kg (lb)	104 (230)

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**TENCATE**  
materials that make a difference



# Mirafi



## Mirafi<sup>®</sup> S800

Mirafi<sup>®</sup> S800 is a needle-punched nonwoven geotextile composed of polypropylene fibers, which are formed into a stable network such that the fibers retain their relative position. Mirafi<sup>®</sup> S800 is inert to biological degradation and resistant to naturally encountered chemicals, alkalis, and acids.

Mechanical Properties	Test Method	Unit	Minimum Average Roll Value
Weight	ASTM D 5261	g/m <sup>2</sup> (oz/yd <sup>2</sup> )	271.2 (8.0)
Thickness	ASTM D 5199	mm (mils)	2.3 (90)
Grab Tensile Strength	ASTM D 4632	kN (lbs)	1.0 (230)
Grab Tensile Elongation	ASTM D 4632	%	50
Trapezoid Tear Strength	ASTM D 4533	kN (lbs)	0.4 (85)
Mullen Burst Strength	ASTM D 3786	kPa (psi)	2755.6 (400)
Puncture Strength <sup>1</sup>	ASTM D 4833	kN (lbs)	0.6 (130)
CBR Puncture Strength	ASTM D 6241	kN (lbs)	2.7 (600)
Apparent Opening Size (AOS) <sup>2</sup>	ASTM D 4751	mm (U.S. Sieve)	0.15 (100)
Permittivity	ASTM D 4491	sec <sup>-1</sup>	1.36
Permeability	ASTM D 4491	cm/sec	0.31
Flow Rate	ASTM D 4491	l/min/m <sup>2</sup> (gal/min/ft <sup>2</sup> )	4074.0 (100)
UV Resistance (at 500 hours)	ASTM D 4355	% strength retained	80

<sup>1</sup> ASTM D 4833 has been replaced with ASTM D 6241

<sup>2</sup> ASTM D 4751: AOS is a Maximum Opening diameter value

Physical Properties	Unit	Typical Value
Roll Dimensions (width x length)	m (ft)	4.5 x 91 (15 x 300)
Roll Area	m <sup>2</sup> (yd <sup>2</sup> )	418 (500)
Estimated Roll Weight	kg (lb)	130 (286)

**Disclaimer:** TenCate assumes no liability for the accuracy or completeness of this information or for the ultimate use by the purchaser. TenCate disclaims any and all express, implied, or statutory standards, warranties or guarantees, including without limitation any implied warranty as to merchantability or fitness for a particular purpose or arising from a course of dealing or usage of trade as to any equipment, materials, or information furnished herewith. This document should not be construed as engineering advice.



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materials that make a difference

**Attachment 3**

# SCS ENGINEERS, PC

## ENVIRONMENTAL CONSULTANTS

140 ROUTE 303  
VALLEY COTTAGE, NEW YORK 10989  
TEL 845 353-5727  
FAX 845 353-5731  
www.scsengineers.com

JOB 3206007,01  
SHEET NO. \_\_\_\_\_ OF \_\_\_\_\_ SCALE \_\_\_\_\_  
CALCULATED BY LKW DATE 6/26/08  
CHECKED BY \_\_\_\_\_ DATE \_\_\_\_\_

## EVALUATION OF GEOTEXTILE COST

### ABOVE MEMBRANE ONLY

### SCREENING OF SPL QUANTITY

BID ITEM 12 = 46,321  
" " 13 = 22,737

69058

ASSUME 10% SCREEN OVERS = 76,731 cy

CREDIT = \$2.20 x 76,731 cy = \$168,800  
(PER TCM PROPOSAL)

COST OF 8 OZ TEXTILE - TOP OF MEMBRANE  
(PER TCM PROPOSAL)

MATERIAL = \$0.092 / SF  
INSTALLATION = \$0.07 / S.F.  
0.162 / S.F.

AREA = 1,351,326 x 0.162 / S.F.  
= 218,914.81  
SAY 219,000

COST = 219,000  
168,800  
50,200 x 1.07 = \$54,000  
TCM markup

SMITH, FINKELSTEIN, LUNDBERG, ISLER AND YAKABOSKI, LLP

ATTORNEYS AND COUNSELORS AT LAW

450 GRIFFING AVENUE, CORNER OF LINCOLN STREET

P.O. BOX 380

RIVERHEAD, N.Y. 11901-0203

(631) 727-4100

FAX (631) 727-4130

E-MAIL: [sfily@peconic.net](mailto:sfily@peconic.net)

FRANK A. ISLER  
SUSAN ROGERS GRUN  
GAIL G. BETTS  
JEANMARIE GUNDERSON  
PHIL SIEGEL

HOWARD M. FINKELSTEIN  
RETIRED

PIERRE G. LUNDBERG  
RETIRED

FRANCIS J. YAKABOSKI  
OF COUNSEL

REGINALD C. SMITH  
1026-1083

July 30, 2008

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

*Re: Change order No. 1 for Youngs Avenue Landfill Capping and Closure Project*

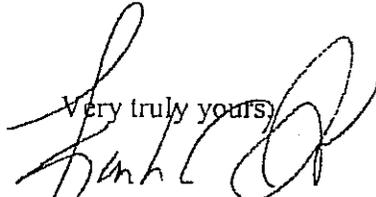
Dear Mr. Supervisor:

I have reviewed the proposed change order No. 1 that adds the placement of geotextile over the geomembrane, and removes the requirement of further screening of the layer of reclaimed sand to be placed over the geomembrane.

As set forth to the July 22, 2008 letter to the Board from SCS Engineers, P.C., the change order was necessitated by unforeseen field conditions. Due to this fact, together with the relatively small change in price, this change can be properly made by a change order approved by the Board.

Please give me a call if you have any questions.

Very truly yours,

  
Frank A. Isler

FAI/mc

cc: Ken Testa, Town Engineer by e-mail

## Ken Testa

---

**From:** Carl Fritz [cefritz@gw.dec.state.ny.us]  
**Sent:** Tuesday, August 05, 2008 8:15 AM  
**To:** testa@riverheadli.com; Lisa Wilkinson  
**Subject:** RE: Use of Geotextile

Dear Ken, in order to expedite the approval of the use of the geotextile for the capping project, please use this e-mail as the Department's approval of the change. The Department has reviewed the change data from SCS and Terry and finds no reason why the change will have any negative impact on the construction of the cap.

>>> "Wilkinson, Lisa" <LWilkinson@SCSEngineers.com> 08/01/08 11:21 AM

>>> >>>

The Town wants it in writing from you. Even if it is just a clear yes to my email below.

Thanks  
Lisa

-----Original Message-----

**From:** Carl Fritz [mailto:cefritz@gw.dec.state.ny.us]  
**Sent:** Friday, August 01, 2008 9:23 AM  
**To:** Wilkinson, Lisa  
**Cc:** Ken Testa  
**Subject:** Re: Use of Geotextile

yes, I thought this issue was resolved at the last meeting??

>>> "Wilkinson, Lisa" <LWilkinson@SCSEngineers.com> 07/29/08 2:42 PM >>>

Carl,

Do you agree to the use of the 8 oz/sy geotextile material over the geomembrane in lieu of screening the reclaimed sand to 1/4-inch as proposed in our Change Order No. 1 to the Town Board? The sand will be used as is for the barrier protection layer. The Board would like to see your approval before allowing the change order.

Please call with any questions

Lisa  
Lisa K. Wilkinson, PE  
SCS ENGINEERS, PC  
140 Route 303  
Valley Cottage, NY 10989  
(845) 353-5727  
(845) 353-5731 Fax

August 5, 2008

Adopted

TOWN OF RIVERHEAD

AWARDS BID FOR WATER METERS AND ACCESSORY  
EQUIPMENT FOR USE IN THE RIVERHEAD WATER DISTRICT

RESOLUTION # 664

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

**WHEREAS**, the Town Clerk was authorized to publish and post a notice to bidders for water meters for use by the Riverhead Water District; and

**WHEREAS**, bids were received, opened and read aloud on the 30<sup>TH</sup> day of May, 2008, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York 11901, the date, time and place given in the notice to bidders.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the bid for water meters for use in the Riverhead Water District be and is hereby awarded to Friendly Bytes Software, Inc., as listed on the bid proposal sheet and the exceptions to specifications attached hereto, effective retroactively to June 17, 2008, the date the original resolution was to come before the Town Board; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Friendly Bytes Software, Inc., 300 Rabro Drive, Hauppauge, New York, 11788.

**THE VOTE**

Buckley Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Wooten Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Dunleavy Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Blass Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Cardinale Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

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

8/5/08

Adopted

**ORDER ESTABLISHING LATERAL WATER MAIN  
RIVERHEAD WATER DISTRICT  
BAITING HOLLOW CLUB RESIDENTIAL SUBDIVISION  
WARNER ROAD, BAITING HOLLOW, NY**

Resolution # 665  
Adopted \_\_\_\_\_

COUNCILPERSON COUNCILMAN DUNLEAVY offered the following resolution which was seconded by COUNCILPERSON COUNCILMAN BUCKLEY

WHEREAS, a petition has been filed by the owners of the subdivision known as Baiting Hollow Club Residential Subdivision located along the west side of Warner Road of Baiting Hollow, New York, for the installation of a lateral water main of the Riverhead Water District, and

WHEREAS, by report dated September 1, 2007 and revised April 1, 2008, H2M, consulting engineers to the Riverhead Water District, did prepare a report detailing the necessary measures and costs associated with extending a lateral water main to the proposed subdivision, and

WHEREAS, this development will consist of the construction of 30 single family dwellings to be accessed via two new roadways to be dedicated to the Town of which Lot No. 1 will be accessed via Warner Road and is considered an agricultural lot in which the developer will not construct a new home. Although this lot will not be built on as part of this project, it is a buildable lot and the future construction of a single family dwelling is allowable, and

WHEREAS, approximately 3,500 feet of 6 inch and 8 inch water main will be installed to provide services to this development, and

WHEREAS, a map and plan is available for review and inspection at the Office of the Riverhead Town Clerk, 200 Howell Avenue, Riverhead, New York, during normal business hours, and

WHEREAS, all costs associated with this lateral shall be borne by the petitioner with an estimated cost of \$243,500 and the petitioner will be required to pay key money in the amount of \$6,052 for each proposed dwelling unit for a total cost of \$181,560. This cost represents the infrastructure costs to the Riverhead Water District to service these additional residences, and

WHEREAS, the Town Board held a public hearing on the 3<sup>rd</sup> day of June, 2008, wherein all persons wishing to be heard were heard,

THE VOTE  
Buckley  yes  no Wooten  yes  no  
Dunleavy  yes  no Blass  yes  no  
Cardinale  yes  no  
THE RESOLUTION ~~WAS~~ WAS NOT  
THEREFORE DULY ADOPTED

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board has considered the request of the applicant to impose a lower fee for this project, and after due consideration, declines to call a new hearing with public notice for a fee which is lower than that currently required by the Riverhead Town Code. The fee is required to offset the high irrigation consumption anticipated by this development, and be it further

RESOLVED, that the Town Board of the Town of Riverhead as governing body of the Riverhead Water District, hereby approves the lateral water main of Baiting Hollow Club Residential Subdivision, subject to the following conditions:

1. The applicant has posted a bond or secured a letter of credit issued by a commercial banking institution, doing business in the Town of Riverhead, in the form satisfactory to counsel to the Water District, in the amount of \$181,560 which is equal to \$6,052 key money for each dwelling unit within the proposed subdivision. Said \$6,052 to be paid upon the earlier of the happening of two events: (a) an application for a certificate of occupancy; (b) two years from the date hereof;

2. The applicant has posted a bond or secured a letter of credit issued by a commercial banking institution, doing business in the Town of Riverhead, in the form satisfactory to counsel to the Water District, in the amount of \$243,500;

3. A grant of a sub-surface easement to the Riverhead Water District covering all locations of the proposed water main installation; and be it further

RESOLVED, that the bid contemplated herein shall not be awarded unless approved by the petitioner or his successors in title, and be it further

RESOLVED, that the terms and conditions of this order shall be accepted and agreed to by the petitioner owner whose consent shall be duly acknowledged and shall be binding on the heirs and assigns of the petitioner and shall run with the land and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Gary Pendzick, Frank Isler, Esq. the applicant and H2M.

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

Dated: August 5, 2008  
Riverhead, NY

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

Adopted

8/5/08

RESOLUTION 666

**AUTHORIZES SUPERVISOR TO EXECUTE CHANGE ORDER NO. 3  
TRANSMISSION IMPROVEMENTS AT SOUND  
AVENUE AND VARIOUS LOCATIONS  
RIVERHEAD WATER DISTRICT**

Councilperson COUNCILMAN BUCKLEY offered the following  
resolution which was seconded by Councilperson COUNCILMAN WOOTEN,

RESOLVED, that the Supervisor be and is hereby authorized to execute Change Order No. 3 of the Riverhead Water District for the project known as the Transmission Improvements at Sound Avenue and various locations, and be it further

RESOLVED, that Change Order No. 3 is in the amount of \$124,356 for the supply, delivery, and installation of a booster pump package for Plant No. 8 by Bensin Contracting, Inc., 652 Union Avenue, Holtsville, NY 11742, Attn. Gary Donaghy, and be it further

RESOLVED, that the Town Clerk shall forward copies of this resolution to the Riverhead Water District, Accounting Department, Frank A. Isler, Esq., and the contractor, Bensin Contracting, Inc.

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

THE VOTE  
Buckley  yes  no Wooten  yes  no  
Dunleavy  yes  no Blass  yes  no  
Cardinale  yes  no  
THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

8/5/08

Adopte

**RESOLUTION NO. 667  
EMERGENCY REPLACEMENT OF SLEEVES AND BLOWERS  
RIVERHEAD SEWER DISTRICT**

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

WHEREAS, the blowers and sleeves for diffuser racks of the sequencing batch reactor (SBR) system at the Riverhead Sewer District require immediate replacement.

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board, as the governing body of the Riverhead Sewer District, does declare this an emergency and authorizes the issuance of the following emergency purchase orders:

Vendor: Aqua-Aerobic Systems, Inc.  
6306 N. Alpine Road  
Rockford, IL 61111

Amount: \$12,310.00

Description: Purchase of replacement sleeves for diffuser racks in the SBR system at Riverhead Sewer District

Vendor: Excelsior Blower Systems, Inc.  
24 Cokesbury Road, Suite 10  
Lebanon, NJ 08833

Amount: \$40,992.00

Description: Purchase of replacement blowers which supply air to the diffuser racks in the SBR system at Riverhead Sewer District

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Aqua-Aerobic Systems, Inc., Excelsior Blower Systems, Inc., Michael Reichel, Accounting Department, Purchasing Department and Frank Isler, Esq.

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

THE VOTE  
Buckley  yes  no Wooten  yes  no  
Dunleavy  yes  no Blass  yes  no  
Cardinale  yes  no  
THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

AUGUST 19, 2008

# Tabled

TOWN OF RIVERHEAD

Resolution # 668

**INCREASES FEE FOR RECYCLING CANS**

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

**WHEREAS**, the Sanitation Department's established fee for recycle pails is \$13.00 each to residents within the Town's six carting districts, excluding condominium complexes and mobile home parks; and

**WHEREAS**, the cost of the recycle pails has increased significantly to \$18.30 per pail, the Sanitation Department finds it necessary to increase the fee to \$19.00; and

**NOW, THEREFORE BE IT RESOLVED** that the Town Board hereby increases the fee for recycling pails to \$19.00; and

**BE IT FURTHER RESOLVED**, that new Town of Riverhead residents may receive their first pail free of charge and all Town residents may purchase a replacement pail for the fee of \$19.00; and

**BE IT FURTHER RESOLVED**, all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and if needed, a certified copy of same may be obtained from the office of the Town Clerk.

**THE VOTE**

DUNLEAVY  YES \_\_\_ NO    BUCKLEY \_\_\_ YES \_\_\_ NO  
BLASS  YES \_\_\_ NO    WOOTEN \_\_\_ YES \_\_\_ NO  
CARDINALE  YES \_\_\_ NO

THIS RESOLUTION \_\_\_ IS \_\_\_ IS NOT  
DECLARED DULY ~~ADOPTED~~

# Tabled

TOWN OF RIVERHEAD

Resolution # 669

AWARDS BID ON TRAFFIC PAINT

COUNCILMAN DUNLEAVY offered the following resolution which was  
seconded by COUNCILMAN BUCKLEY.

WHEREAS, the Town Clerk was authorized to advertise for sealed bids on Traffic Paint for the use of the Riverhead Highway Department, and

WHEREAS, all bids were received and read aloud on the 8th of July at 11:00 A.M. at the Town Hall, 200 Howell Avenue, Riverhead, New York the date, time and place given in the Notice to Bidders, and

WHEREAS, two bids were received,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for Traffic Paint be and is hereby awarded to Ennis Paint, Inc., 1855 Plymouth Road NW, Atlanta, Ga. 30318, and

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

DUNLEAVY  YES \_\_\_ NO BUCKLEY  YES \_\_\_ NO  
BLASS  YES \_\_\_ NO WOOTEN  YES \_\_\_ NO  
CARDINALE \_\_\_ YES \_\_\_ NO

THIS RESOLUTION  IS \_\_\_ IS NOT  
DECLARED DULY ADOPTED

Highway Dept.

Adopted

TOWN OF RIVERHEAD

Resolution # 670

AWARDS BID ON TRAFFIC LINE STRIPING

COUNCILMAN BUCKLEY offered the following resolution which was  
seconded by COUNCILMAN WOOTEN.

WHEREAS, the Town Clerk was authorized to advertise for sealed bids on Traffic Line Striping for the use of the Riverhead Highway Department, and

WHEREAS, all bids were received and read aloud on the 8th of July at 11: 05 A.M. at the Town Hall, 200 Howell Avenue, Riverhead, New York the date, time and place given in the Notice to Bidders, and

WHEREAS, three bids were received,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for Traffic Line Striping be and is hereby awarded to Seneca Pavement Marking, Inc. , 23 Hunters Run, Horseheads, NY 14845, and

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

DUNLEAVY  YES \_\_\_ NO BUCKLEY  YES \_\_\_ NO

BLASS  YES \_\_\_ NO WOOTEN  YES \_\_\_ NO

CARDINALE  YES \_\_\_ NO

THIS RESOLUTION  IS \_\_\_ IS NOT  
DECLARED DULY ADOPTED

Highway Dept.

Adopted

TOWN OF RIVERHEAD

Resolution # 671

AWARDS BID ON DRAINAGE RINGS AND ASSOCIATED ITEMS

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

WHEREAS, the Town Clerk was authorized to advertise for sealed bids on Drainage Rings and Associated Items for the use of the Riverhead Highway Department, and

WHEREAS, all bids were received and read aloud on the 8th of July at 11:15 A.M. at the Town Hall, 200 Howell Avenue, Riverhead, New York the date, time and place given in the Notice to Bidders, and

WHEREAS, two bids were received,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for Drainage Rings and Associated Items be and is hereby awarded to Suffolk Cement Precast Inc., PO Box 261, 1831 Middle Road, Calverton, New York 11933, and

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

DUNLEAVY  YES \_\_\_ NO BUCKLEY  YES \_\_\_ NO

BLASS  YES \_\_\_ NO WOOTEN  YES \_\_\_ NO

CARDINALE  YES \_\_\_ NO

THIS RESOLUTION  IS \_\_\_ IS NOT  
DECLARED DULY ADOPTED

Highway Dept.

Adopted

August 5, 2008

**TOWN OF RIVERHEAD**

**ACCEPTS RESIGNATION OF A HEAVY EQUIPMENT OPERATOR**

**RESOLUTION # 672**

**COUNCILWOMAN BLASS** \_\_\_\_\_ offered the following resolution,  
which was seconded by **COUNCILMAN DUNLEAVY** \_\_\_\_\_.

**WHEREAS**, the Town has received correspondence from James Warner, a Heavy Equipment Operator in the Riverhead Highway Department, indicating his intent to resign effective July 24, 2008.

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board hereby accepts the resignation of James Warner.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be, and is hereby, directed to forward a copy of this Resolution to James Warner, the Superintendent of Highway, the Accounting Office, and the Personnel Officer.

**The Vote**

**Wooten** ~~Yes~~ **No**                      **Buckley** ~~Yes~~ **No**  
**Dunleavy** ~~Yes~~ **No**                      **Blass** ~~Yes~~ **No**  
**Cardinale** ~~Yes~~ **No**

**THE RESOLUTION X WAS    WAS NOT**

**THEREFORE DULY ADOPTED**

August 5, 2008

Adopted

TOWN OF RIVERHEAD

ACCEPTS RESIGNATION OF A PART-TIME RECREATION AIDE

RESOLUTION # 673

COUNCILMAN DUNLEAVY offered the following resolution,  
which was seconded by COUNCILMAN BUCKLEY.

**WHEREAS**, the Town has received notification from Nicole Maccagli, a Part-Time Recreation Aide in the Riverhead Town Recreation Department, indicating her intent to resign effective July 19, 2008.

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board hereby accepts the resignation of Nicole Maccagli.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be, and is hereby, directed to forward a copy of this Resolution to Nicole Maccagli, the Recreation Department, the Accounting Office, and the Personnel Officer.

The Vote

Wooten ~~Yes~~ No      Buckley ~~Yes~~ No  
Dunleavy ~~Yes~~ No      Blass ~~Yes~~ No  
Cardinale ~~Yes~~ No

THE RESOLUTION  WAS  WAS NOT

**THEREFORE DULY ADOPTED**

August 5, 2008

TOWN OF RIVERHEAD

Adopted

Resolution # 674

**RATIFIES THE APPOINTMENT OF AN ASSISTANT SUPERINTENDENT OF RECREATION I**

COUNCILMAN BUCKLEY offered the following resolution, which was seconded by COUNCILMAN WOOTEN

**WHEREAS**, Kelly Tocci has been serving as a provisional appointment in the position of Assistant Superintendent of Recreation I; and

**WHEREAS**, Civil Service has established a certified list of Eligibles, list # 08-4021-137 for the position of Assistant Superintendent of Recreation I, and Kelly Tocci is reachable on that list.

**NOW, THEREFORE, BE IT RESOLVED**, that effective July 25, 2008, this Town Board hereby removes the provisional status of Kelly Tocci and ratifies her appointment to the position of Assistant Superintendent of Recreation I at no change in salary.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Kelly Tocci, the Superintendent of Recreation, the Accounting Office, and the Personnel Officer.

The Vote

Wooten ~~Yes~~ No      Buckley ~~Yes~~ No  
Dunleavy ~~Yes~~ No      Blass ~~Yes~~ No  
Cardinale ~~Yes~~ No

THE RESOLUTION X WAS    WAS NOT

THEREFORE DULY ADOPTED

8/5/08

Adopted

**TOWN OF RIVERHEAD**

Resolution # 675

**RATIFIES THE APPOINTMENT OF A CALL-IN ASSISTANT RECREATION LEADER (YOUTH SPORTS) LEVEL II TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILMAN WOOTEN offered the following resolution,  
COUNCILWOMAN BLASS  
which was seconded by \_\_\_\_\_

**RESOLVED**, that Jose Corapuna is hereby appointed as a Call-in Assistant Recreation Leader (Youth Sports) Level II effective, August 4, 2008 to serve as needed on an at will basis to be paid at the rate of \$11.55 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

THE VOTE  
Buckley ✓ yes \_\_\_ no Wooten ✓ yes \_\_\_ no  
Dunleavy ✓ yes \_\_\_ no Bläss ✓ yes \_\_\_ no  
Cardinale ✓ yes \_\_\_ no  
THE RESOLUTION ~~WAS~~ WAS NOT  
THEREFORE DULY ADOPTED

<sup>1</sup> Rec. Kelly/ Resolution. C/I Asst. Rec. Leader Jose Corapuna

8/5/08

Adopted

TOWN OF RIVERHEAD

Resolution # 676

**RATIFIES THE APPOINTMENT OF A CALL-IN RECREATION SPECIALIST  
(ART INSTRUCTOR)  
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILWOMAN BLASS offered the following resolution,  
COUNCILMAN DUNLEAVY  
which was seconded by \_\_\_\_\_

**RESOLVED**, that Michelle Milligan is appointed to serve as a Call-In Recreation Specialist (Art Instructor) Level 7, effective July 26, 2008, to serve as needed on an at will basis and to be paid at the rate of \$25.00 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

THE VOTE  
Buckley  yes \_\_\_ no Wooten  yes \_\_\_ no  
Dunleavy  yes \_\_\_ no Blass  yes \_\_\_ no  
Cardinale  yes \_\_\_ no  
THE RESOLUTION  WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED

<sup>1</sup> Rec./Kelly.Rec.Specialist- Art

8/5/08

Adopted

TOWN OF RIVERHEAD

Resolution # 677

**RATIFIES THE APPOINTMENT OF A CALL-IN RECREATION AIDE/  
YOUTH SPORTS  
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILMAN DUNLEAVY

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

COUNCILMAN BUCKLEY

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

**RESOLVED**, that Nicholas Cobis is hereby appointed to serve as a Call-In Recreation Aide/ Youth Sports Level II effective July 21, 2008, to serve as needed on an at-will basis and to be paid at the rate of \$8.25 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

THE VOTE

Buckley  yes  no Wooten  yes  no

Dunleavy  yes  no Blass  yes  no

Cardinale  yes  no

THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

<sup>1</sup> Rec.Kelly/ Res CI rec aide Nicholas Cobis

8/5/08

Adopted

**TOWN OF RIVERHEAD**

Resolution # 678

**RATIFIES THE APPOINTMENT OF A  
SEASONAL ASSISTANT RECREATION LEADER  
TO THE RIVERHEAD YOUTH BUREAU**

**COUNCILMAN BUCKLEY**

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

which was seconded by **COUNCILMAN WOOTEN** \_\_\_\_\_

**RESOLVED**, that the Town Board appoints Ethel Stokley as a Seasonal Assistant Recreation Leader, Level III to the Youth Bureau effective July 7, 2008 to and including August 15, 2008 to serve as needed on an at will basis to be paid at the rate of \$11.90 per hour, and to serve at the pleasure of the Town Board; and

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

All applications and appropriate forms are to be completed PRIOR to start date; and

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

THE VOTE

Buckley	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Wooten	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Bläss	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no			

THE RESOLUTION  WAS  WAS NOT THEREFORE DULY ADOPTED

<sup>1</sup> Rec. Kelly: Res Sum Asst Rec Leader/Stokley 08

8/5/08

Adopted

**TOWN OF RIVERHEAD**

Resolution # 679

**RATIFIES THE APPOINTMENT OF A PARK ATTENDANT I, LEVEL I  
TO THE RIVERHEAD RECREATION DEPARTMENT**

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

**RESOLVED**, that Thomas O'Dowd is hereby appointed as a Park Attendant I, Level I effective, July 21, 2008 to serve as needed on an at will basis to be paid at the rate of \$7.50 per hour, and to serve at the pleasure of the Town Board; and

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

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

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

THE VOTE

Buckley	<input checked="" type="checkbox"/>	yes	<input type="checkbox"/>	no	Wooten	<input checked="" type="checkbox"/>	yes	<input type="checkbox"/>	no
Dunleavy	<input checked="" type="checkbox"/>	yes	<input type="checkbox"/>	no	Blass	<input checked="" type="checkbox"/>	yes	<input type="checkbox"/>	no
Cardinale	<input checked="" type="checkbox"/>	yes	<input type="checkbox"/>	no					

THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

<sup>1</sup> Rec.Kelly/ Resolution. Park Attend I Thomas O'Dowd

Adopted

8/5/08

**TOWN OF RIVERHEAD**

**RESOLUTION # 680**

AUTHORIZES THE TOWN OF RIVERHEAD TO SECURE A POOL STRUCTURE AND LAND AT THE PREMISES KNOWN AS 29 RABBIT RUN, RIVERHEAD, NEW YORK, 11901, SCTM # 0600-084.00-02-034.04, PURSUANT TO RIVERHEAD TOWN CODE CHAPTER 54

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

WHEREAS, Chapter 54 of the Riverhead Town Code entitled, "Unsafe Buildings and Collapsed Structures" authorizes the Riverhead Town Board to secure structures determined by the Building Inspector or Code Enforcement Official to be unsafe to the public; and

WHEREAS, certain land and a pool structure reputedly owned by Amado Andrade located at 29 Rabbit Run, Riverhead, New York, 11901, Suffolk County Tax Map number 0600-084.00-02-034.04, has been determined by Riverhead Town Code Enforcement Official Nicole Buckner to be unsafe to the public by reason of an unsecured pool structure thereby creating an attractive nuisance; and

WHEREAS, unsecured pool structures and land pose a safety threat to the residents of and visitors to the Town of Riverhead, especially children; and

WHEREAS, Code Enforcement Official Nicole Buckner has determined that additional fencing material and a self-closing, self-latching gate will reasonably secure the subject property.

NOW THEREFORE BE IT RESOLVED, that the Town of Riverhead's Investigation Unit and/or the Town Building & Grounds Department or any other designated town department is authorized to secure the pool structure and land at 29 Rabbit Run, Riverhead, New York, 11901, subject to the notice provisions contained within Riverhead Town Code section 54-6(F).

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to: CEO Nicole Buckner, Town Investigation Unit; Buildings and Grounds Department; Leroy Barnes, Building Department; Office of the Supervisor; Town of Riverhead Police Department, Town Engineering Department and the Office of the Town Attorney .

THE VOTE

Wooten  Yes  No      Buckley  Yes  No  
Dunleavy  Yes  No      Blass  Yes  No

Cardinale  Yes  No

The Resolution  Was  Was Not  
Thereupon Duly Declared Adopted

Adopted

8/5/08

TOWN OF RIVERHEAD

Resolution # 681

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST  
PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER  
108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE**

COUNCILMAN DUNLEAVY offered the following resolution, was seconded  
by  
COUNCILMAN BUCKLEY :

**RESOLVED**, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning", Section 108-87 entitled "Yield plan and cluster plan; requirements and procedure for approval by Planning Board", of the Riverhead Town Code once in the August 14, 2008 issue of the News Review, 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 Riverhead Planning Department; the Riverhead Planning Board; the Riverhead Building Department and the Office of the Town Attorney.

THE VOTE  
Buckley  yes  no Wooten  yes  no  
Dunleavy  yes  no Blass  yes  no  
Cardinale  yes  no  
THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**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 3<sup>rd</sup> day of September, 2008 at 2:35 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

**Chapter 108  
Zoning  
ARTICLE XIX  
Cluster Development**

**§ 108-87 Yield plan and cluster plan; requirements and procedure for approval by Planning Board**

- A. In order to accomplish the clustering of residential lots, an applicant for subdivision shall provide a standard yield plan and a cluster plan.
- B. In its review of a cluster subdivision plan, the Planning Board shall consider the following:
  - (1) The location and extent of prime agricultural soils;
  - (2) The location of wooded areas;
  - (3) The location and extent of natural features;
  - (4) The general topography and the location and extent of sloped areas;
  - (5) The spatial relationship of the property to contiguous or neighboring preserved agricultural land;
  - (6) The general stormwater tributary area and the extent and direction of overland drainage.
- C. The cluster subdivision plat must locate and arrange the residential lots so as to accomplish the following:
  - (1) Protect, to the maximum extent practicable, that portion of the tract preserved for agricultural use.
  - (2) Reduce, to the maximum extent practicable, any nuisance or conflict between

residential and agricultural uses, both within the tract and in relation to adjoining and nearby tracts.

- (3) Demonstrate compatibility of the cluster plat with existing residential development and agricultural land uses.
  - (4) Demonstrate the ways in which scenic vistas are being considered or enhanced and shall depict a lot arrangement which has considered the visual impact of residential development upon such vistas.
  - (5) Remain harmonious with and protect during construction, to the maximum extent practicable, the natural environment, minimizing the clearing of treed areas, the grading of earth, removal of soils, and precluding the disturbance of surface waters and wetlands, and other similar disturbances of the natural environment pursuant to Chapter 107 of the Riverhead Town Code.
- D. The agricultural lots of a cluster subdivision plat must be so laid out as to provide for a minimum lot size of 10 acres, a minimum building area of one acre, contiguity with existing agricultural tracts, bounding of prime agricultural soils and retention of all stormwater runoff.
- E. ~~Cluster development shall require that a minimum of 70% of Class I or Class II prime agricultural soils are preserved through the creation of farm lots and the recording of agricultural easements, except that the Planning Board may approve a cluster subdivision with a lower percentage of preserved prime agricultural soils in order to ensure appropriate arrangement of lots, streets, and public facilities.~~

Cluster development in this article shall require that a minimum of 70% of Class I or Class II prime agricultural soils are preserved through the creation of farm lots or preservation of 70% of land as open space, recording of agricultural or open space easements which restrict division of said lot(s), coverage and such other items as the Planning Board deems appropriate to preserve the agriculture and scenic vistas created by the farm lot or open space area.

- F. ~~In the event that the Planning Board approves a cluster plat that preserves less than 70% of the prime agricultural soils, the reasons supporting such decision shall be set forth within the resolution approving the preliminary plat. The Planning Board shall not approve a cluster subdivision plat with less than 50% of the area of the tract being preserved as prime soils or open space areas.~~

The Planning board may approve a cluster subdivision with a reduced percentage of preserved prime agricultural soils or open space based upon unique characteristics of land such that public utilities, streets, arrangement of lots or existence of natural features require development with less than 70% preservation of prime agriculture soils or open space. In the event that the Planning Board approves a cluster subdivision that preserves less than 70% of prime agricultural soils or open space,

the Planning Board must set forth all considerations, practical difficulties, and or reasons supporting a decision to approve the cluster plat within the resolution approving the preliminary plat. In no event may the Planning Board approve a cluster subdivision plat with less than 50% of the area of the tract being preserved as prime soils or open space areas

- G. The Planning Board shall not cluster lots in order to create golf courses, playgrounds, tennis courts, swimming pools or any other amenity as required open space. The purpose of the cluster plan is to preserve agricultural land for agricultural use and other natural features to the greatest extent practicable.

\* Underline represents addition(s)

\*Strikethrough represents deletion(s)

Dated: Riverhead, New York  
\_\_\_\_\_, 2008

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

**BARBARA GRATTAN, Town Clerk**

8/5/08

Adopted

TOWN OF RIVERHEAD

Resolution # 682

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST  
PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER  
108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE**

COUNCILMAN BUCKLEY offered the following resolution, was seconded  
by

COUNCILMAN WOOTEN:

**RESOLVED**, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning", Section 108-26 entitled "Cluster development and additional subdivision requirements", of the Riverhead Town Code once in the August 14, 2008 issue of the News Review, 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 Riverhead Planning Department; the Riverhead Planning Board; the Riverhead Building Department and the Office of the Town Attorney.

THE VOTE  
Buckley ✓ yes \_\_\_ no Wooten ✓ yes \_\_\_ no  
Dunleavy ✓ yes \_\_\_ no Blass ✓ yes \_\_\_ no  
Cardinale ✓ yes \_\_\_ no  
THE RESOLUTION WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**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 3<sup>rd</sup> day of September, 2008 at 2:30 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

**Chapter 108  
Zoning  
ARTICLE VI  
Agriculture Protection Zoning Use District (APZ)**

**§ 108-26. Cluster development and additional subdivision requirements.**

A. Purpose and intent. It is the purpose of this article to require cluster development pursuant to §278 of the Town Law in order to allow for maximum flexibility in achieving a compatible arrangement of agricultural and residential land uses and to protect prime agricultural soils and scenic vistas without impeding agricultural land use on a portion of a property or on adjacent or nearby properties.

B. In order to accomplish the clustering of residential lots within the APZ, an applicant for subdivision shall provide a standard yield plan and a cluster plan, which succeeds in preserving agricultural land for agricultural use to the greatest extent practicable. In its review of a cluster subdivision plan, the Planning Board shall consider the following:

- (1) The location and extent of prime agricultural soils;
- (2) The location of wooded areas;
- (3) The location and extent of natural features;
- (4) The general topography and the location and extent of sloped areas;
- (5) The spatial relationship of the property to continuous or neighboring preserved agricultural land;
- (6) The general stormwater tributary area and the extent and direction of overland drainage.

C. ~~Cluster development in this article shall require that a minimum of 70% of Class I or Class II prime agricultural soils are preserved through the creation of farm lots~~

~~and the recording of agricultural easements, except that the Planning Board may approve a cluster subdivision with a lower percentage of preserved prime agricultural soils in order to ensure appropriate arrangement of lots, streets, and public facilities.~~

Cluster development in this article shall require that a minimum of 70% of Class I or Class II prime agricultural soils are preserved through the creation of farm lots or preservation of 70% of land as open space, recording of agricultural or open space easements which restrict division of said lot(s), coverage and such other items as the Planning Board deems appropriate to preserve the agriculture and scenic vistas created by the farm lot or open space area.

- D. ~~In the event that the Planning Board approves a cluster plat that preserves less than 70% of the prime agricultural soils, the reasons supporting such decision shall be set forth within the resolution approving the preliminary plat. The Planning Board shall not approve a cluster subdivision plat with less than 50% of the area of the tract being preserved as prime soils or open space areas.~~

The Planning board may approve a cluster subdivision with a reduced percentage of preserved prime agricultural soils or open space based upon unique characteristics of land such that public utilities, streets, arrangement of lots or existence of natural features require development with less than 70% preservation of prime agriculture soils or open space. In the event that the Planning Board approves a cluster subdivision that preserves less than 70% of prime agricultural soils or open space, the Planning Board must set forth all considerations, practical difficulties, and or reasons supporting a decision to approve the cluster plat within the resolution approving the preliminary plat. In no event may the Planning Board approve a cluster subdivision plat with less than 50% of the area of the tract being preserved as prime soils or open spaces area.

### **§ 108-26.1 Guidelines**

The following guidelines are to be applied in addition to subdivision regulations (Article XX) and cluster development (Article XIX) and shall apply to all cluster subdivisions within the APZ:

- A. ~~In order to better preserve agricultural vistas, the cluster subdivision plat shall be designed so as to situate agricultural lots along Sound Avenue or NYS Route 25~~

The cluster subdivision plat shall be designated so to situate the agricultural lots or open space along Sound Avenue or NYS Route 25 or adjacent to existing agricultural lots or preserved land or such other location such that maximum preservation of agricultural and scenic vistas are achieved.

- B. The cluster subdivision plat must locate and arrange the residential lots so as to protect the maximum extent practicable, that portion of the tract preserved for agricultural use.
- C. The cluster subdivision plat must depict an arrangement of residential lots so as to reduce, to the maximum extent practicable, any nuisance or conflict between residential and agricultural uses, both within the tract and in relation to adjoining and nearby tracts and to demonstrate compatibility of the cluster plat with existing residential development and agricultural land uses.
- D. The residential portion of the cluster subdivision plat must be so laid out, and protected during construction, as to remain as harmonious to the greatest extent practicable with the natural environment minimizing the clearing of treed areas, the grading of earth, removal of soils, and precluding the disturbance of surface waters and wetlands and other similar disturbances of the natural environment pursuant to Chapter 107 of the Riverhead Town Code.
- E. ~~The agricultural lots of a cluster subdivision plat must be so laid out as to provide for a minimum lot size of 10 acres, a minimum building area of one acre, contiguity with existing agricultural tracts, bounding of prime agricultural soils and retention of all stormwater runoff.~~

The agricultural lot shall be laid out as to provide for one building area and said building area shall be counted towards yield. The building area shall be plotted on the subdivision map and covenants and restrictions shall restrict modification of location, coverage for both the residential and agriculture component within the building area, impervious surface limits, retention or plan for all stormwater runoff, location and limitation of parking, outdoor storage, means of ingress and egress and such other items necessary to conform with the intent of the cluster provisions. The Planning Board shall require covenants and restrictions to be filed affecting the aforesated prior to issuance of final plat approval.

- F. ~~The cluster subdivision tract must demonstrate ways in which scenic vistas are being considered or enhanced and shall depict a lot arrangement which has considered the visual impact of residential development upon such vistas.~~

The agricultural lot must be laid out so as to provide a minimum lot size of 10 acres. An agricultural lot with a lot size greater than 20 acres shall only be divided if required to ensure appropriate arrangement of lots, streets and public utilities or preserve or highlight existence of natural features. An agricultural lot shall prohibit erection, construction, placement of any structures, permanent or temporary, except within the designated building area, prohibit division of said lot, prohibit use of land for parking, loading or storage, and restrict location of equipment and fencing, as may be required to preserve the agricultural and scenic vistas and effectuate the intent of the provisions herein.

G. The Planning Board shall not cluster lots in order to create golf courses, playgrounds, tennis courts, swimming pools or any other amenity as required open space. The sole purpose of the cluster plan is to preserve agricultural land for agricultural use and other natural features and open space to the greatest extent practicable.

\* Underline represents addition(s)

\*Strikethrough represents deletion(s)

Dated: Riverhead, New York  
\_\_\_\_\_, 2008

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

**BARBARA GRATTAN, Town Clerk**

8/5/08

Adopted

TOWN OF RIVERHEAD

Resolution # 683

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST  
PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER  
108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE**

COUNCILMAN WOOTEN offered the following resolution, was seconded  
by

COUNCILWOMAN BLASS :

**RESOLVED**, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning", Section 108-20.6 entitled "Cluster development and additional subdivision requirements", of the Riverhead Town Code once in the August 14, 2008 issue of the News Review, 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 Riverhead Planning Department; the Riverhead Planning Board; the Riverhead Building Department and the Office of the Town Attorney.

THE VOTE

Buckley	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Wooten	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no			

THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE** that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 3<sup>rd</sup> day of September, 2008 at 2:25 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

**Chapter 108  
Zoning  
ARTICLE VA  
Residence A-80 (RA-80) Zoning Use District**

**§ 108-20.6. Cluster development and additional subdivision requirements.**

- A. Purpose and intent. It is the purpose of this article to require cluster development pursuant to §278 of the Town Law in order to allow for maximum flexibility in achieving a compatible arrangement of agricultural and residential land uses and to protect prime agricultural soils, scenic vistas, and significant natural features.
- B. In order to accomplish the clustering of residential lots within the RA-80 Zoning Use District, an applicant for subdivision shall provide a standard yield plan and a cluster plan, which succeeds in preserving agricultural land for agricultural use to the greatest extent practicable. In its review of a cluster subdivision plan, the Planning Board shall consider the following:
- (1) The location and extent of prime agricultural soils;
  - (2) The location of wooded areas;
  - (3) The existence and extent of natural features;
  - (4) The general topography and the location and extent of sloped areas;
  - (5) The spatial relationship of the property to continuous or neighboring preserved agricultural land;
  - (6) The general stormwater tributary area and the extent and direction of overland drainage.
- C. ~~Cluster development in this article shall require that a minimum of 70% of Class I or Class II prime agricultural soils are preserved through the creation of farm lots and the recording of agricultural easements, except that the Planning Board may~~

~~approve a cluster subdivision with a lower percentage of preserved prime agricultural soils in order to ensure appropriate arrangement of lots, streets, and public facilities.~~

Cluster development in this article shall require that a minimum of 70% of Class I or Class II prime agricultural soils are preserved through the creation of farm lots or preservation of 70% of land as open space, recording of agricultural or open space easements which restrict division of said lot(s), coverage and such other items as the Planning Board deems appropriate to preserve the agriculture and scenic vistas created by the farm lot or open space area.

- D. ~~In the event that the Planning Board approves a cluster plat that preserves less than 70% of the prime agricultural soils, the reasons supporting such decision shall be set forth within the resolution approving the preliminary plat. The Planning Board shall not approve a cluster subdivision plat with less than 50% of the area of the tract being preserved as prime soils or open space areas.~~

The Planning board may approve a cluster subdivision with a reduced percentage of preserved prime agricultural soils or open space based upon unique characteristics of land such that public utilities, streets, arrangement of lots or existence of natural features require development with less than 70% preservation of prime agriculture soils or open space. In the event that the Planning Board approves a cluster subdivision that preserves less than 70% of prime agricultural soils or open space, the Planning Board must set forth all considerations, practical difficulties, and or reasons supporting a decision to approve the cluster plat within the resolution approving the preliminary plat. In no event may the Planning Board approve a cluster subdivision plat with less than 50% of the area of the tract being preserved as prime soils or open spaces area.

## § 108-20.7 Guidelines

The following guidelines are to be applied in addition to subdivision regulations (Article XX) and cluster development (Article XIX) and shall apply to all cluster subdivisions within the RA-80 Zoning Use District:

- A. ~~In order to better preserve agricultural vista, the cluster subdivision plat shall be designed so as to situate agricultural lots along Sound Avenue or NYS Route 25.~~

The cluster subdivision plat shall be designated so to situate the agricultural lots or open space along an existing highway or roadway or adjacent to existing agricultural lots or preserved land or such other location such that maximum preservation of agricultural and scenic vistas are achieved.

- B. ~~Within the RA-80 Zoning Use District, no more than 53% of wooded areas existing upon a tract shall be cleared.~~

The agricultural lot shall be laid out as to provide for one building area and said building area shall be counted towards yield. The building area shall be plotted on the subdivision map and covenants and restrictions shall restrict modification of location, coverage for both the residential and agriculture component within the building area, impervious surface limits, retention or plan for all stormwater runoff, location and limitation of parking, outdoor storage, means of ingress and egress and such other items necessary to conform with the intent of the cluster provisions. The Planning Board shall require covenants and restrictions to be filed affecting the aforesaid prior to issuance of final plat approval.

- C. ~~The agricultural lots of a cluster subdivision plat must be laid out as to provide for a minimum lot size of 10 acres, a minimum building area of one acre, contiguity with existing agricultural tracts, bounding of prime agricultural soils and retention of all stormwater runoff.~~

The agricultural lot must be laid out so as to provide a minimum lot size of 10 acres. An agricultural lot with a lot size greater than 20 acres shall only be divided if required to ensure appropriate arrangement of lots, streets and public utilities or preserve or highlight existence of natural features. An agricultural lot shall prohibit erection, construction, placement of any structures, permanent or temporary, except within the designated building area, prohibit division of said lot, prohibit use of land for parking, loading or storage, and restrict location of equipment and fencing, as may be required to preserve the agricultural and scenic vistas and effectuate the intent of the provisions herein.

- D. Within the RA-80 Zoning Use District, no more than 53% of wooded areas existing upon a tract shall be cleared.

- E. The Planning Board shall not cluster lots in order to create golf courses, playgrounds, tennis courts, swimming pools or any other amenity as required open space. The sole purpose of the cluster plan is to preserve agricultural land for agricultural use and other natural features and open space to the greatest extent practicable.

\* Underline represents addition(s)

\*Strikethrough represents deletion(s)

Dated: Riverhead, New York  
\_\_\_\_\_, 2008

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

**BARBARA GRATTAN, Town Clerk**

Adopted

8/5/08

TOWN OF RIVERHEAD

Resolution # 684

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST  
PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER  
108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE**

COUNCILWOMAN BLASS offered the following resolution, was seconded  
by

COUNCILMAN DUNLEAVY :

**RESOLVED**, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning", Section 108-19.1 entitled "Cluster development and additional subdivision requirements", of the Riverhead Town Code once in the August 14, 2008 issue of the News Review, 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 Riverhead Planning Department; the Riverhead Planning Board; the Riverhead Building Department and the Office of the Town Attorney.

THE VOTE  
Buckley ✓ yes \_\_\_ no Wooten ✓ yes \_\_\_ no  
Dunleavy ✓ yes \_\_\_ no Blass ✓ yes \_\_\_ no  
Cardinale ✓ yes \_\_\_ no  
THE RESOLUTION ~~WAS~~ WAS NOT  
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**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 3<sup>rd</sup> day of September, 2008 at 2:40 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

**Chapter 108  
Zoning  
ARTICLE V  
Residence B-80 Zoning Use District**

**§ 108-19.1. Cluster development and additional subdivision requirements.**

A. Purpose and intent. It is the purpose of this article to require cluster development pursuant to §278 of the Town Law in order to allow for maximum flexibility in achieving a compatible arrangement of agricultural and residential land uses and to protect prime agricultural soils, scenic vistas, and significant natural features.

B. In order to accomplish the clustering of residential lots within the RB-80 Zoning Use District, an applicant for subdivision shall provide a standard yield plan and a cluster plan, which succeeds in preserving agricultural land for agricultural use to the greatest extent practicable. In its review of a cluster subdivision plan, the Planning Board shall consider the following:

- (1) The location and extent of prime agricultural soils;
- (2) The location of wooded areas;
- (3) The location and extent of natural features;
- (4) The general topography and the location and extent of sloped areas;
- (5) The spatial relationship of the property to continuous or neighboring preserved agricultural land;
- (6) The general stormwater tributary area and the extent and direction of overland drainage.

C. ~~Cluster development in this article shall require that a minimum of 70% of Class I or Class II prime agricultural soils are preserved through the creation of farm lots and the recording of agricultural easements, except that the Planning Board may~~

~~approve a cluster subdivision with a lower percentage of preserved prime agricultural soils in order to ensure appropriate arrangement of lots, streets, and public facilities.~~

Cluster development in this article shall require that a minimum of 70% of Class I or Class II prime agricultural soils are preserved through the creation of farm lots or preservation of 70% of land as open space, recording of agricultural or open space easements which restrict division of said lot(s), coverage and such other items as the Planning Board deems appropriate to preserve the agriculture and scenic vistas created by the farm lot or open space area.

- D. ~~In the event that the Planning Board approves a cluster plat that preserves less than 70% of the prime agricultural soils, the reasons supporting such decision shall be set forth within the resolution approving the preliminary plat. The Planning Board shall not approve a cluster subdivision plat with less than 50% of the area of the tract being preserved as prime soils or open space areas.~~

The Planning board may approve a cluster subdivision with a reduced percentage of preserved prime agricultural soils or open space based upon unique characteristics of land such that public utilities, streets, arrangement of lots or existence of natural features require development with less than 70% preservation of prime agriculture soils or open space. In the event that the planning board approves a cluster subdivision that preserves less than 70% of prime agricultural soils or open space, the Planning Board must set forth all considerations, practical difficulties, and or reasons supporting a decision to approve the cluster plat within the resolution approving the preliminary plat. In no event may the Planning Board approve a cluster subdivision plat with less than 50% of the area of the tract being preserved as prime soils or open spaces area.

## **§ 108.19.2 Guidelines**

~~The following guidelines are to be applied in addition to subdivision regulations (Article XX) and cluster development (Article XIX) and shall apply to all cluster subdivisions within the RB-80 Zoning Use District.~~

The Planning Board shall apply the following guidelines in addition to subdivision regulations (Article XX) and cluster development (Article XIX) for all cluster subdivisions:

- A. ~~The cluster subdivision plat must located and arrange the residential lots so as to protect, to the maximum extent practicable, that portion of the tract preserved for agricultural use or open space.~~

The cluster subdivision plat shall be designated so as to situate the agricultural lots or open space along an existing highway or roadway or adjacent to existing agricultural lots or preserved land or such other location such that maximum

playgrounds, tennis courts, swimming pools or any other amenity as required open space. The sole purpose of the cluster plan is to preserve agricultural land for agricultural use and other natural features and open space to the greatest extent practicable.

\* Underline represents addition(s)

\*Strikethrough represents deletion(s)

Dated: Riverhead, New York  
\_\_\_\_\_, 2008

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

**BARBARA GRATTAN, Town Clerk**

8/5/08

Adopted

**TOWN OF RIVERHEAD**

**Resolution # 685**

**AUTHORIZES THE REPLACEMENT OF 100% SITE PLAN SECURITY OF NF  
MANAGEMENT, INC.**

COUNCILMAN DUNLEAVY offered the following resolution,

which was seconded by COUNCILMAN BUCKLEY:

**WHEREAS**, by Resolution #589 adopted on July 1, 2008, the Town Board accepted a Capital One Bank Certificate of Deposit No. 1243384083 in the sum of Thirty Seven Thousand Five Hundred (\$37,500.00) representing the 100% site plan security in connection with Riverhead Town Board Resolution #785, dated August 15, 2006, for the construction of a two story mixed-use building upon real property located on Peconic Avenue, Riverhead, New York, further described as Suffolk County Tax Map #0600-128-6-86.3, pursuant to Section 108-133 (I) of the Riverhead Town Code; and

**WHEREAS**, by letter from Capital One Bank, dated July 2, 2008, the Bank has advised that an error was made in setting up the aforementioned certificate of deposit; and

**WHEREAS**, Capital One Bank has forwarded a Certificate of Deposit No. 1243404999 in the sum of Thirty Seven Thousand Five Hundred (\$37,500.00) to replace the aforementioned certificate of deposit; and

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

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby accepts Capital One Bank Certificate of Deposit No. 1243404999 in the sum of Thirty Seven Thousand Five Hundred (\$37,500.00); and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to return Capital One Bank Certificate of Deposit No. 1243384083 in the sum of Thirty Seven Thousand Five Hundred (\$37,500.00); and be it further

**RESOLVED**, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to NF Management, Inc., P.O. Box 696, Aquebogue, New York, 11931; and be it further

THE VOTE

Buckley	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Wooten	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
			Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no

THE RESOLUTION WAS WAS NOT  
THEREFORE DULY ADOPTED

**RESOLVED**, all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.



**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**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 \_\_\_\_ day of June, 2008 at \_\_\_\_\_ o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

**Chapter 108  
Zoning  
ARTICLE VI  
Agriculture Protection Zoning Use District (APZ)**

§ 108-26. Cluster development and additional subdivision requirements.

- A. Purpose and intent. It is the purpose of this article to require cluster development pursuant to §278 of the Town Law in order to allow for maximum flexibility in achieving a compatible arrangement of agricultural and residential land uses and to protect prime agricultural soils and scenic vistas without impeding agricultural land use on a portion of a property or on adjacent or nearby properties.
- B. In order to accomplish the clustering of residential lots within the APZ, an applicant for subdivision shall provide a standard yield plan and a cluster plan, which succeeds in preserving agricultural land for agricultural use to the greatest extent practicable. In its review of a cluster subdivision plan, the Planning Board shall consider the following:
- (1) The location and extent of prime agricultural soils;
  - (2) The location of wooded areas;
  - (3) The location and extent of natural features;
  - (4) The general topography and the location and extent of sloped areas;
  - (5) The spatial relationship of the property to continuous or neighboring preserved agricultural land;
  - (6) The general stormwater tributary area and the extent and direction of overland drainage.

C. ~~Cluster development in this article shall require that a minimum of 70% of Class-I~~

~~or Class II prime agricultural soils are preserved through the creation of farm lots and the recording of agricultural easements, except that the Planning Board may approve a cluster subdivision with a lower percentage of preserved prime agricultural soils in order to ensure appropriate arrangement of lots, streets, and public facilities.~~

Cluster development in this article shall require that a minimum of 70% of Class I or Class II prime agricultural soils are preserved through the creation of farm lots or preservation of 70% of land as open space, recording of agricultural or open space easements which restrict division of said lot(s), coverage and such other items as the Planning Board deems appropriate to preserve the agriculture and scenic vistas created by the farm lot or open space area.

- D. ~~In the event that the Planning Board approves a cluster plat that preserves less than 70% of the prime agricultural soils, the reasons supporting such decision shall be set forth within the resolution approving the preliminary plat. The Planning Board shall not approve a cluster subdivision plat with less than 50% of the area of the tract being preserved as prime soils or open space areas.~~

The Planning board may approve a cluster subdivision with a reduced percentage of preserved prime agricultural soils or open space based upon unique characteristics of land such that public utilities, streets, arrangement of lots or existence of natural features require development with less than 70% preservation of prime agriculture soils or open space. In the event that the planning board approves a cluster subdivision that preserves less than 70% of prime agricultural soils or open space, the Planning Board must set forth all considerations, practical difficulties, and or reasons supporting a decision to approve the cluster plat within the resolution approving the preliminary plat. In no event may the Planning Board approve a cluster subdivision plat with less than 50% of the area of the tract being preserved as prime soils or open spaces area.

- E. The Planning Board shall apply the following guidelines in addition to subdivision regulations (Article XX) and cluster development (Article XIX) for all cluster subdivisions:

- (1) The cluster subdivision plat shall be designated so to situate the agricultural lots or open space along an existing highway or roadway or adjacent to existing agricultural lots or preserved land or such other location such that maximum preservation of agricultural and scenic vistas are achieved.
- (2) The agricultural lot shall be laid out as to provide for one building area and said building area shall be counted towards yield. The building area shall be plotted on the subdivision map and covenants and restrictions shall restrict modification of location, coverage for both the residential and

agriculture component within the building area, impervious surface limits, location and limitation of parking, outdoor storage, means of ingress and egress and such other items necessary to conform with the intent of the cluster provisions. The Planning Board shall require covenants and restrictions to be filed affecting the aforesated prior to issuance of final plat approval.

- (3) The agricultural lot must be laid out so as to provide a minimum lot size of 10 acres. An agricultural lot with a lot size greater than 20 acres shall only be divided if required to ensure appropriate arrangement of lots, streets and public utilities or preserve or highlight existence of natural features. An agricultural lot shall prohibit erection, construction, placement of any structures, permanent or temporary, except within the designated building area, prohibit division of said lot, prohibit use of land for parking, loading or storage, and restrict location of equipment and fencing, as may be required to preserve the agricultural and scenic vistas and effectuate the intent of the provisions herein.
- (4) Within the APZ, no more than 53% of wooded areas existing upon a tract shall be cleared.
- (5) The Planning Board shall not cluster lots in order to create golf courses, playgrounds, tennis courts, swimming pools or any other amenity as required open space. The sole purpose of the cluster plan is to preserve agricultural land for agricultural use and other natural features and open space to the greatest extent practicable.

\* Underline represents addition(s)

\*Strikethrough represents deletion(s)

Dated: Riverhead, New York  
\_\_\_\_\_, 2008

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

**BARBARA GRATTAN, Town Clerk**

8/5/08

Adopted

TOWN OF RIVERHEAD

Resolution # 687

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE FOR A LOCAL LAW TO CONSIDER REPEAL OF §108-51.1 OF THE CODE OF THE TOWN OF RIVERHEAD ENTITLED "HANDICAPPED ACCESS RAMPS"**

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

**RESOLVED**, that the Town Clerk be and is hereby authorized to publish the attached public notice once in the August 14, 2008 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law repealing §108-51.1 entitled "Handicapped access ramps" of the Riverhead Town Code 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 members of the Riverhead Town Board, Planning Department, Building Department; Community Development Agency, Office of the Town Attorney and the Town Clerk.

WOOTEN  YES \_\_\_ NO      BUCKLEY  YES \_\_\_ NO  
DUNLEAVY  YES \_\_\_ NO      BLASS  YES \_\_\_ NO  
CARDINALE  YES \_\_\_ NO

THIS RESOLUTION  IS \_\_\_ IS NOT DECLARED DULY ADOPTED

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE** that a public hearing will be held before the Town Board of the Town of Riverhead, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 3<sup>rd</sup> day of September, 2008 at 2:15 o'clock p.m. to consider a local law repealing §108-51.1 entitled "Handicapped access ramps", of the Riverhead Town Code as follows:

~~§ 108-51.1 Handicapped access ramps.~~

~~A. Upon submission of a doctor's certificate as proof of a handicap condition, a handicapped access ramp of a minimum size necessary to meet the New York State Uniform Fire Prevention and Building Code and the American National Standards Institute (ANSI) shall be permitted for residential use in all zoning use districts and the minimum yard setback shall not apply, provided that a covenant and restriction, in recordable form, states that the handicapped access ramp shall be completely removed upon the happening of the following events, whichever first occurs:~~

- ~~(1) The handicapped access ramp is no longer necessary.~~
- ~~(2) The property is transferred.~~

~~B. This section shall not apply if the handicapped access ramp meets all setback requirements or if the owner elects to obtain a variance.~~

~~C. Handicapped access ramps and any other structure designed exclusively to facilitate accessibility to structures for the handicapped are exempt from a permit fee for that structure which would otherwise be required pursuant to Chapter 52.~~

- Strikethrough represents deletion(s)

Dated: Riverhead, New York  
August 5, 2008

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

8/5/08

Adopted

TOWN OF RIVERHEAD

Resolution # 688

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE FOR A LOCAL LAW TO CONSIDER THE ENACTMENT OF CHAPTER 53 OF THE CODE OF THE TOWN OF RIVERHEAD ENTITLED "IMPROVEMENTS FOR DISABLED AND ELDERLY"**

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

**RESOLVED**, that the Town Clerk be and is hereby authorized to publish the attached public notice once in the August 14, 2008 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law enacting Chapter 53 entitled "Improvements for disabled and elderly" of the Riverhead Town Code 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 members of the Riverhead Town Board, Planning Department, Building Department; Community Development Agency, Office of the Town Attorney and the Town Clerk.

WOOTEN  YES \_\_\_ NO      BUCKLEY  YES \_\_\_ NO  
DUNLEAVY  YES \_\_\_ NO      BLASS  YES \_\_\_ NO  
CARDINALE  YES \_\_\_ NO

THIS RESOLUTION  IS \_\_\_ IS NOT DECLARED DULY ADOPTED

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE** that a public hearing will be held before the Town Board of the Town of Riverhead, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 3<sup>rd</sup> day of September, 2008 at 2:20 o'clock p.m. to consider a local law enacting Chapter 53 entitled "Improvements for disabled and elderly", of the Riverhead Town Code as follows:

**CHAPTER 53**  
**Improvements for disabled and elderly**

**SECTION 1. Legislative Intent.**

It is becoming increasingly apparent that a growing percentage of the residents of the Town of Riverhead require design modifications and accessibility improvements in order to enter and exit their homes safely. In addition, commercial establishment and places of public accommodation require modifications to remove architectural barriers to access and improve access for persons with mobility impairments. This is particularly true where, as here, the demographics demonstrate that increasing numbers of residents aged 55 years and better are seeking to remain in their single family homes and "age-in-place".

In order to construct necessary design modifications and accessibility improvements in these homes and commercial establishments a building permit is required. The intent of this local law is to facilitate the processing of these permits through the Building Department and to allow for relief from certain strictures of the Zoning Code for these accessibility improvements.

Many existing homes have been built to occupy lots up to front, rear and side lot setback requirements. Often, design modifications and accessibility improvements may only be constructed within these required setbacks – which, under current Town Code requirements, often necessitate an area variance from the Zoning Board of Appeals. The Zoning Board of Appeals may vary these setback requirements, but only after proceedings that often require a hearing and other lengthy processes.

The Town Board finds that, in furtherance of the above stated goals of facilitating design modifications and accessibility improvements, exempting improvements to residential structures from the strict application of the Zoning Code will better assist residents who wish to "age-in-place" and improve their quality of life without adversely affecting neighboring properties.

As set forth in Chapter 52-10(c), construction items related solely to improving access, safety and independent living for the disabled and elderly at entrances to and within buildings shall be exempt from building permit fee requirements.

- (1) Commercial establishment modifications. The building permit fee shall be waived for all modifications to commercial buildings or places of public accommodation related solely to removing architectural barriers to access and improving access for persons with mobility impairments, including but not limited to ramps and bathroom renovations.
- (2) Home modification. The building permit fee shall be waived for all home modifications related to improving access for persons with mobility impairments, including but not limited to ramps and kitchen and bathroom renovations.
- (3) New single- family home construction. The building permit fee shall be reduced by \$300.00 for a new construction of single-family dwellings in which the applicant opts to incorporate the following universal design "basic access "features:
  - (a) At least one stepless entrance to the dwelling (may be located anywhere, front, rear, side or even in the garage);
  - (b) Wider doors on the first floor (at least 32 inches clear passage);
  - (c) At least a half bath on the first floor that enables a wheelchair user to enter and close the door. In addition, having reinforcements between wall studs in bathrooms, or what is commonly called "blocking", allows for easier and safer installation of grab bars if needed in the future for the home's occupants.
- (4) New two-family dwellings, multiple dwellings, apartments, condominiums and hotels. For new two-family dwellings, multiple dwellings, apartments, condominiums and hotels the building permit fee shall be reduced by \$300.00 if the dwelling units incorporate the following universal design "basic access" features:
  - (a) At least one stepless entrance to the dwelling (may be located anywhere, front, rear, side or even in the garage);
  - (b) Wider doors and hallways on the first floor (at least 32 inches clear passage);
  - (c) At least a half bath on the first floor that enables a wheelchair user to enter and close the door. In addition, having reinforcements between wall studs in bathrooms, or what is commonly called

"blocking", allows for easier and safer installation of grab bars if needed.

- (5) Priority review. The Building Department Administrator shall promulgate procedures for departmental review of applications for building permits related to design modifications and accessibility improvements which allow for priority review and expedited approval.
  
- (6) The Building Department Administrator or his/he designee shall have the authority to approve the installation of design modifications and accessibility improvements as a temporary exception from any applicable front, side and rear lot setback or similar dimensional restrictions governing the maximum building area of a residentially zoned lot, without necessity of an application for an area variance from the Zoning Board of Appeals, subject to the following:
  - (a) The applicant presents documentation from a licensed physician declaring that one or more residents domiciled at a dwelling within the Town of Riverhead requires the construction at said domicile of design modifications and accessibility improvements to provide for access or egress aided by equipment requiring ramps or lifts;
  
  - (b) Such design modifications and accessibility improvements shall not be included in the floor area or impervious surface calculations applicable to the dwelling;
  
  - (c) Such design modifications and accessibility improvements do not project more than seven (7) feet beyond the otherwise permissible building area on the front, side or rear of any dwelling;
  
  - (d) The construction of said facilities or improvements meets applicable code requirements for accessibility;
  
  - (e) In granting such exemption, the Building Administrator shall limit the duration of the exception to the time period specified by the licensed medical professional providing documentation for the home design modification and accessibility improvement. An extension of such duration may be permitted by presentation of further documentation from a medical professional addressing the continued need for the facility or improvement.
  
  - (f) The Building Department Administrator shall promulgate such rules, procedures, application forms and certificates as may be required to effectively implement the provisions of this subsection.

**SECTION 2. Legislative Authority.**

This Chapter is enacted pursuant to New York State Town Law §§130 and 138.

**SECTION 3. Severability.**

If any section or subsection, paragraph, clause, phrase or provision of this law shall be judged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

**SECTION 4. Effective Date.**

This local law shall become effective upon filing with the Secretary of State pursuant to the Municipal Home Rule Law.

- Underscore indicates additions

Dated: Riverhead, New York  
August 5, 2008

BY ORDER OF THE TOWN BOARD  
OF THE TONW OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

8/5/08

TOWN OF RIVERHEAD

Resolution # 689

**APPROVES CHAPTER 90 APPLICATION OF WSHU PUBLIC RADIO GROUP**

COUNCILMAN DUNLEAVY offered the following resolution, was seconded by

COUNCILMAN BUCKLEY :

**WHEREAS**, on July 22, 2008, the WSHU Public Radio Group had submitted a Chapter 90 Application for the purpose of conducting a fundraiser dinner to benefit Sacred Heart University, to be held at Paumanok Vineyards at 1074 Main Road, Aquebogue, New York, on September 7, 2008 between the hours of 5:30 p.m. and 8:30 p.m.; and

**WHEREAS**, WSHU Public Radio Group has completed and filed a Short 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**, WSHU Public Radio Group has requested the application fee for this event be waived due to WSHU Public Radio Group being owned and operated by Sacred Heart University, a not-for-profit organization; and

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

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

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

**RESOLVED**, that the application of WSHU Public Radio Group for the purpose of conducting a fundraiser dinner to benefit Sacred Heart University, to be held at Paumanok Vineyards at 1074 Main Road, Aquebogue, New York, on September 7, 2008 between the hours of 5:30 p.m. and 8:30 p.m. is hereby approved; and be it further

**RESOLVED**, that the Riverhead Town Board hereby waives the Chapter 90 Application fee for this event; and be it further

**RESOLVED**, that a fire safety inspection by the Town Fire Marshal is required prior to the opening of this event to the public. The Riverhead Fire Marshal shall be contacted at least three days in advance at (631) 727-3200 extension 601, for the purpose of arranging the "pre-opening" inspection appointment; and be it further

**RESOLVED**, that this approval is subject to the provisions of Riverhead Town Code Chapter 81 - "Noise Control", Chapter 108-56 - "Signs" and any other section of the Riverhead Town Code that may pertain to this event; and be further

**RESOLVED**, that any tent installations and any and all electric shall comply with the applicable provisions of the Building and Fire Code of New York State, including the necessary tent permits, the National Electrical Code and National Fire Protection Agency 102 (Tents & Membrane Structures); and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the WSHU Public Radio Group, Attn: Michael Stegman, Event Coordinator, P.O. Box 22, Shoreham, New York, 11786, Paumanok Vineyards, LLC, P.O. Box 741, Aquebogue, New York, 11931, the Riverhead Fire Marshal, Police Chief David Hegermiller, and the Office of the Town Attorney.

THE VOTE  
Buckley  yes  no Wooten  yes  no  
Dunleavy  yes  no Blass  yes  no  
Cardinale  yes  no  
THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

8/5/08

Adopted

TOWN OF RIVERHEAD

Resolution # 690

**APPROVES CHAPTER 90 APPLICATION OF EAST END ARTS & HUMANITIES COUNCIL, INC.**

**COUNCILMAN BUCKLEY**

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

**COUNCILMAN WOOTEN** \_\_\_\_\_:

**WHEREAS**, on July 23, 2008, the East End Arts & Humanities Council Inc. ("EEAC") had submitted a Chapter 90 application for the purpose of conducting a Dinner and Dance to be held on their property (west of the Carriage House) on Saturday, September 6, 2008 between the hours of 4:00 p.m. and 11:00 p.m.; and

**WHEREAS**, East End Arts & Humanities Council, Inc. has completed and filed a Short 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**, due to its not-for-profit status, the applicant has requested the Chapter 90 application fee be waived; and

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

**WHEREAS**, the Town Attorney of the Town of Riverhead has reviewed all documents 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 the East End Arts & Humanity Council, Inc. for the purpose of conducting a Dinner and Dance to be held on their property (west of the Carriage House) on Saturday, September 6, 2008 between the hours of 4:00 p.m. and 11:00 p.m. is hereby approved; and be it further

**RESOLVED**, that the Town Board of the Town of Riverhead hereby waives the Chapter 90 application fee; and be it further

**RESOLVED**, that any tent installations and any and all electric shall comply with the applicable provisions of the Building and Fire Code of New York State, including necessary tent permits, the National Electrical Code and National Fire Protection Agency 102 (Tents & Membrane Structures); and be it further

**RESOLVED**, that this approval is subject to the provisions of Riverhead Town Code Chapter 81 - "Noise Control", Chapter 108-56 - "Signs" and any other section of the Riverhead Town Code that may pertain to this event; and be further

**RESOLVED**, that a fire safety inspection by the Town Fire Marshal is required prior to the opening of this event to the public. The Riverhead Fire Marshal shall be contacted at (631) 727-3200 extension 601, for the purpose of arranging the "pre-opening" inspection appointment at least three days in advance; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the East End Arts & Humanities Council, Inc., 133 East Main Street, Riverhead, New York, 11901 and copies to the Riverhead Fire Marshal, Ken Testa, P.E., the Riverhead Police Department, and the Office of the Town Attorney.

THE VOTE  
Buckley  yes  no Wooten  yes  no  
Dunleavy  yes  no Blass  yes  no  
Cardinale  yes  no  
THE RESOLUTION ~~WAS~~ WAS NOT  
THEREFORE DULY ADOPTED

8/5/08

Adopted

TOWN OF RIVERHEAD

Resolution # 691

**APPROVES CHAPTER 90 APPLICATION OF PAUMANOK VINEYARDS, LTD.**

COUNCILMAN WOOTEN offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

**WHEREAS**, on July 25, 2008, Paumanok Vineyards, Ltd. had submitted a Chapter 90 Application for the purpose of conducting a Benefit Jazz Concert be held on their property located at 1074 Main Road, Aquebogue, New York, on Friday, September 5, 2008 between the hours of 6:00 p.m. and 9:00 p.m.; and

**WHEREAS**, Paumanok Vineyards, Ltd. has completed and filed a Short 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 Town Attorney of the Town of Riverhead has reviewed all documents regarding said application; and

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

**NOW THEREFORE BE IT RESOLVED**, that 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 Paumanok Vineyards, Ltd. for the purpose of conducting a Benefit Jazz Concert to be held on their property located at 1074 Main Road, Aquebogue, New York, on Friday, September 5, 2008 between the hours of 6:00 p.m. and 9:00 p.m. is hereby approved; and be it further

**RESOLVED**, that the Chapter 90 Application fee has been paid; 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 the provisions of Riverhead Town Code Chapter 108-56 - "Signs" and any other section of the Riverhead Town Code that may pertain to this event; and be further

**RESOLVED**, that a fire safety inspection by the Town Fire Marshal is required prior to the opening of this event to the public. The Riverhead Fire Marshal shall be contacted at (631) 727-3200 extension 601, for the purpose of arranging the "pre-opening" inspection appointment at least three days in advance; and be it further

**RESOLVED**, that any tent installations and any and all electric shall comply with the applicable provisions of the Building and Fire Code of New York State, including any necessary tent permits, the National Electrical Code and National Fire Protection Agency 102 (Tents & Membrane Structures); and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Paumanok Vineyards, Ltd., 1074 Main Road, P.O. Box 741, Aquebogue, New York, 11931 and copies to the Riverhead Fire Marshal, the Riverhead Police Department, and the Office of the Town Attorney.

THE VOTE  
Buckley  yes  no Wooten  yes  no  
Dunleavy  yes  no Blass  yes  no  
Cardinale  yes  no  
THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

8/5/08

Adopted

TOWN OF RIVERHEAD  
Resolution # 692

**WAIVES THE REQUIREMENT OF ACCESS FOR EMERGENCY VEHICLES  
PURSUANT TO CHAPTER 108 (§108-60 E. (5) (c)) OF THE RIVERHEAD  
TOWN CODE IN CONNECTION WITH THE SITE PLAN APPLICATION OF  
EAST END NEPHROLOGY**

COUNCILWOMAN BLASS

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

COUNCILMAN DUNLEAVY

**WHEREAS**, East End Nephrology has submitted a site plan application seeking approval to convert a two-story frame house into a medical office which is located on the east side of Roanoke Avenue across from Lincoln Street, Riverhead, further described as S.C.T.M. #0600-126-4-13; and

**WHEREAS**, it has been requested by Charles R. Cuddy, Attorney for East End Nephrology, that a waiver from **Chapter 108-60 Off-street parking. (5) Access for emergency vehicles.** be granted due to the existing driveway being 8 feet in width making it impassable for fire fighting apparatus; and

**WHEREAS**, access to the rear parking lot of the subject parcel may be obtained from Elton Place (a private roadway); and

**WHEREAS**, §108-60 E. (5) (c) of the Riverhead Town Code provides for the relief of this requirement.

**NOW THEREFORE BE IT RESOLVED**, the Town Board has determined that it is appropriate to waive the requirement of §108-60 E. (5) (c) of the Riverhead Town Code; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Charles R. Cuddy, Esq., 445 Griffing Avenue, Riverhead, New York, 11901 and copies to the Riverhead Planning Department, the Riverhead Building Department and the Office of the Town Attorney.

THE VOTE  
Buckley ✓ yes \_\_\_ no Wooten ✓ yes \_\_\_ no  
Dunleavy ✓ yes \_\_\_ no Blass ✓ yes \_\_\_ no  
Cardinale ✓ yes \_\_\_ no  
THE RESOLUTION ~~WAS~~ WAS NOT  
THEREFORE DULY ADOPTED

8/5/08

Adopted

TOWN OF RIVERHEAD

Resolution # 693

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO  
CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF  
THE RIVERHEAD TOWN CODE  
(\$108-60. Off-street parking.)**

COUNCILMAN DUNLEAVY

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

COUNCILMAN BUCKLEY  
\_\_\_\_\_:

**RESOLVED**, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the August 14, 2008 issue of the News Review, 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 is hereby directed to forward a copy of this resolution to the Riverhead Planning Department; the Riverhead Building Department and the Office of the Town Attorney.

THE VOTE

Buckley	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Wooten	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
	Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no		

THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE** that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 3<sup>rd</sup> day of September, 2008 at 2:05 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

Chapter 108  
Zoning  
Article XIII  
**Supplementary Use Regulations**

**§ 108-60. Off-street parking.**

(5) Access for emergency vehicles.

(c) The minimum requirements stated in § 108-60E(5)(a) may be reduced by written application to the applicable Town Board. Said application for relief shall be accompanied by the following:

- [1] Description of the relief sought.
- [2] Hardship to the applicant.
- [3] Report and recommendations of the Town Fire Marshal.

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

Dated: Riverhead, New York  
August 5, 2008

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

**BARBARA GRATTAN, Town Clerk**

8/5/08

Adopted

TOWN OF RIVERHEAD

Resolution # 694

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT OF CHAPTER 101 (VEHICLES & TRAFFIC) OF THE RIVERHEAD TOWN CODE (§101-20. Additional parking regulations.)**

**COUNCILMAN BUCKLEY**

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

which was seconded by **COUNCILMAN WOOTEN** \_\_\_\_\_:

**RESOLVED**, that the Town Clerk is hereby authorized to post and publish the attached public notice to consider a proposed local law to consider the amendment of Chapter 101 entitled "Vehicles & Traffic" of the Riverhead Town Code, once in the August 14<sup>th</sup>, 2008 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

**RESOLVED**, that the Town Clerk shall provide copies of this resolution to the Riverhead Police Department, Riverhead Building Department, and the Office of the Town Attorney.

THE VOTE

Buckley	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Wooten	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
	Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no		

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

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 19<sup>th</sup> day of August, 2008 at 7:10 o'clock p.m. at the George C. Young Community Center, S. Jamesport Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

Chapter 101  
VEHICLES AND TRAFFIC  
ARTICLE V  
**Parking, Standing and Stopping**

**§ 101-20. Additional parking regulations.**

E. The Riverhead Police Department or Code Enforcement Officials, as set forth in §3.1 of the Riverhead Town Code, shall enforce all parking regulations within the parking areas of approved site plans.

- Underline represents addition(s)

Dated: Riverhead, New York  
August 5, 2008

BY ORDER OF THE BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

August 5, 2008

**TOWN OF RIVERHEAD**

**Resolution # 695**

**AUTHORIZES THE ADOPTION OF THE SUFFOLK COUNTY MULTI-JURISDICTIONAL MULTI-HAZARD MITIGATION PLAN**

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

**WHEREAS**, all of Suffolk County has exposure to natural hazards that increase the risk to life, property, environment and economy; and

**WHEREAS**, pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

**WHEREAS**, the Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

**WHEREAS**, a coalition of Suffolk County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies to be implemented within each partners identified capabilities, within Suffolk County; and

**WHEREAS**, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

**NOW, THEREFORE, BE IT RESOLVED** that the Town of Riverhead:

1. Adopts the Suffolk County Multi-Jurisdictional Multi-Hazard Mitigation Plan (the "Plan") as this jurisdiction's Natural Hazards Mitigation Plan, and resolves to work towards executing the actions identified in the Plan that pertain to this jurisdiction.
2. Will use the adopted and approved portions of the Plan to guide pre and post-disaster mitigation of the hazards identified.
3. Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.

4. Will continue its support of the Mitigation Planning Committee as described within the Plan.
5. Will help to promote and support the mitigation successes of all participants in this Plan.
6. Will incorporate mitigation planning as an integral component of government and partner operations.

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Town Supervisor, Police Chief David J. Hegermiller and Joseph F. Williams, Commissioner, Suffolk County Department of Fire, Rescue and Emergency Services.

BLASS  YES \_\_\_ NO      BUCKLEY  YES \_\_\_ NO  
DUNLEAVY  YES \_\_\_ NO      WOOTEN  YES \_\_\_ NO  
CARDINALE  YES \_\_\_ NO  
THIS RESOLUTION  IS \_\_\_ IS NOT  
DECLARED DULY ADOPTED

8/5/08

Adopted

TOWN OF RIVERHEAD

Resolution #696

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (ARTICLE XXVI - Site Plan Review §108-133. Conditions for approval.)**

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

**RESOLVED**, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the August 14, 2008 edition of the News Review, the official newspaper of the Town of Riverhead 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 is hereby directed to forward a copy of this resolution to the Riverhead Planning Department, the Riverhead Building Department, the Riverhead Police Department and the Office of the Town Attorney.

THE VOTE  
Buckley  yes \_\_\_ no Wooten  yes \_\_\_ no  
Dunleavy  yes \_\_\_ no Blass  yes \_\_\_ no  
Cardinale  yes \_\_\_ no  
THE RESOLUTION  WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE** that a public hearing will be held before the Town Board of the Town of Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 3<sup>rd</sup> day of September, 2008 at 2:10 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

**ARTICLE XXVI  
Site Plan Review**

**§ 108-133. Conditions for approval.**

In reviewing a site plan submitted to it under this article, the Planning Board may call upon expert advice in varied disciplines to assist it in making the determination required of it. It shall seek to further the overall purposes and goals of this chapter, and of other applicable provisions of the Town Code and state law. Moreover, it shall make certain that any development plan it approves hereunder conforms to the following:

- C. **Parking.** Parking areas and driveways shall be sufficiently drained so as to prevent ponding. All drainage structures, paving, access driveways and parking areas shall be laid out and constructed in accordance with the standards for such facilities contained in this chapter. Wherever feasible, parking areas shall be placed at the rear of buildings and/or screened by plantings so as not to be visible from the highway. No materials, merchandise, supplies, work in process, finished or semifinished products, waste materials, commercial vehicles or construction or earth-moving equipment shall be permitted to be used for an industrial or commercial purpose outside of a building in such a way as to present an unsightly appearance when viewed from adjacent roads or properties. Such materials, merchandise, etc., must be kept in the rear or side yard and screened by landscaping or fencing which is in harmony with the principal structure and which has been approved by the Town Board. Vehicles being repaired shall be screened from adjacent properties. The Riverhead Police Department or Code Enforcement Officials as set forth in §3.1 of the Riverhead Town Code shall enforce all parking regulations within the parking areas of approved site plans.

- Underline represents addition(s)

Dated: Riverhead, New York  
August 5, 2008

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

**BARBARA GRATTAN, Town Clerk**

8/5/08

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 697

AUTHORIZES THE SUPERVISOR TO AUTHORIZE THE TOWN PLANNING DIRECTOR TO CERTIFY THE STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM (SPDES) ANNUAL REPORT

COUNCILMAN DUNLEAVY, offered the following resolution, which was seconded by COUNCILMAN BUCKLEY.

WHEREAS, the Town of Riverhead is required to certify and file its state pollutant discharge elimination system annual report with the New York State Department of Environmental Conservation for the period March 10, 2007 through March 9, 2008 pursuant to the Town's SPDES Permit No. GP-02-02; and

WHEREAS, the New York State Department of Environmental Conservation requires the SPDES annual report to be certified by an authorized signatory or his/her authorized designee; and

WHEREAS, the Town Supervisor is an authorized signatory who may designate another party to certify the SPDES annual report; and

WHEREAS, the Town Supervisor is desirous of designating the Town Planning Director as an authorized signatory.

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to designate the Town Planning Director as the authorized signatory regarding the state pollutant discharge elimination system annual report.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to: Office of the Supervisor; Town Planning Director; Town Engineering Department and the Office of the Town Attorney.

THE VOTE

Wooten  Yes  No      Buckley  Yes  No  
Dunleavy  Yes  No      Blass  Yes  No

Cardinale  Yes  No

The Resolution  Was  Was Not  
Thereupon Duly Declared Adopted

August 5, 2008

TOWN OF RIVERHEAD

Adopted

Resolution #698

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING TO CONSIDER THE CREATION OF A WADING RIVER HISTORIC DISTRICT

COUNCILMAN BUCKLEY offered the following resolution, which was seconded by COUNCILMAN WOOTEN.

**WHEREAS**, pursuant to Article III of Chapter 73 of the Riverhead Town Code entitled, "Landmarks Preservation", a procedure exists for the designation of an historic districts; and

**WHEREAS**, the Landmarks Preservation Commission recommends the creation of a Wading River District as depicted on the attached map; and

**WHEREAS**, the Town Board in its discretion may call a public hearing on this designation and wishes to exercise its option and must hold said hearing concurrently with the Commission hearing.

**NOW THEREFORE BE IT RESOLVED**, that the Town Clerk is hereby directed to publish and post the attached Notice of Public Hearing, once in the August 14, 2008 issue of the News Review, the official newspaper for this purpose and to cause such additional notification as required pursuant to Article III, Section 73-4(E) of the Riverhead Town Code; and be it further

**RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to the Landmarks Preservation Commission; the Building Department; the Assessor's Office and the Office of the Town Attorney.

THE VOTE

Dunleavy	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Blass	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Buckley	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Wooten	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Cardinale	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No					

THIS RESOLUTION ~~WAS~~ WAS NOT THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held jointly by the Riverhead Town Board and Landmarks Preservation Commission on the 16<sup>th</sup> day of September, 2008 at 7:05 o'clock p.m. at Wading River Congregational Church, North Country Road, Wading River, New York to consider the designation of the following area as historical:

Wading River Historic District as per attached map.

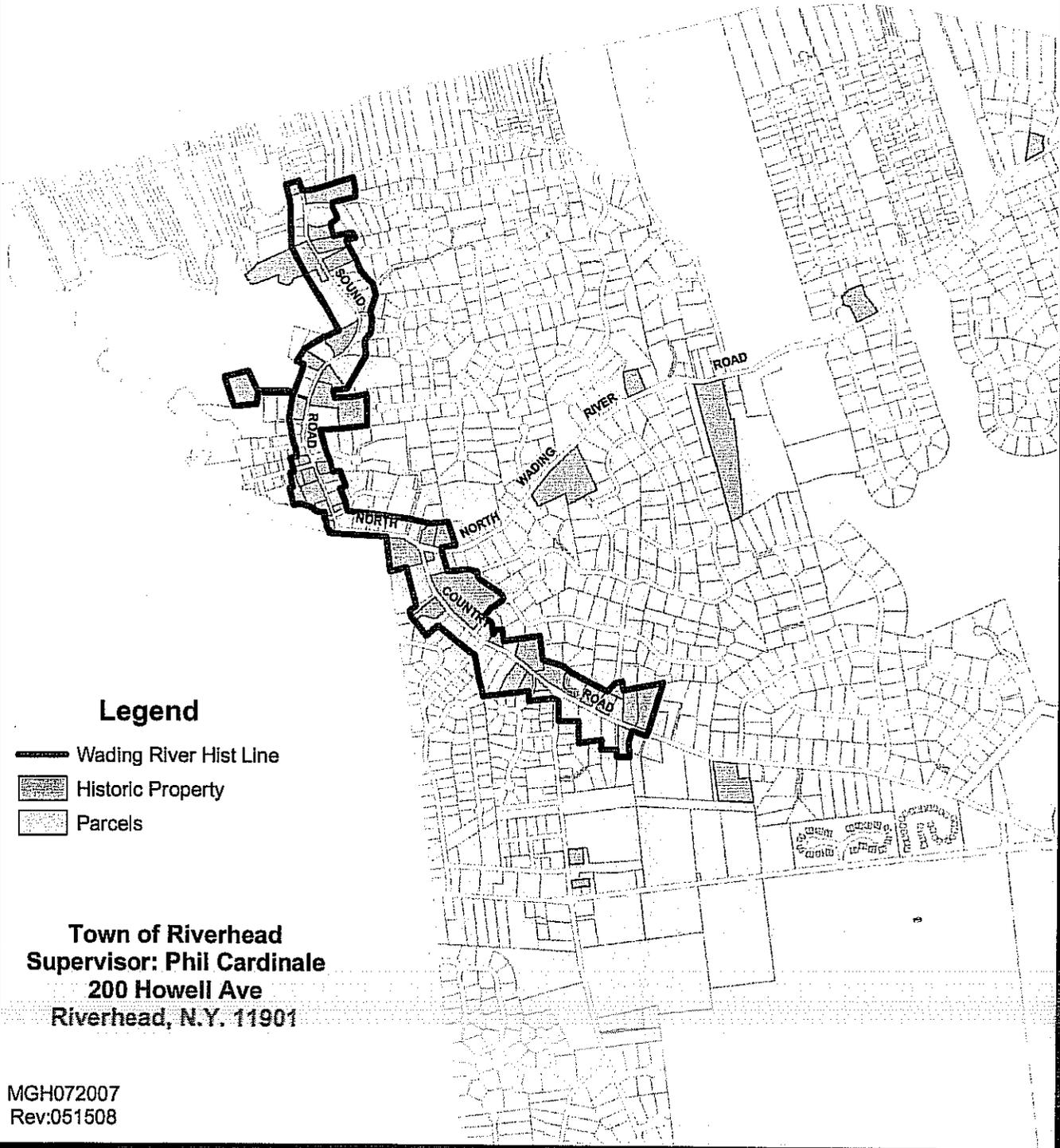
Dated: Riverhead, New York  
August 5, 2008

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

**BARBARA GRATTAN, TOWN CLERK**

# 4

## WADING RIVER HISTORIC DISTRICT



### Legend

- Wading River Hist Line
- Historic Property
- Parcels

Town of Riverhead  
Supervisor: Phil Cardinale  
200 Howell Ave  
Riverhead, N.Y. 11901

RIVERHEAD LANDMARKS PRESERVATION COMMISSION

**PROPOSED WADING RIVER HISTORIC DISTRICT**

**WHEREAS**, Wading River, first settled in 1671, is one of most historic areas of Riverhead Town and the town's oldest hamlet; and

**WHEREAS**, the 1.5-mile corridor along Sound and North Country Roads contains at least 40 structures that can be considered historic under Department of Interior Guidelines; and

**WHEREAS**, the two roads date to the early 18th century and eight of the buildings date to that century, including five that predate the Revolution (more than any other part of town); and

**WHEREAS**, the proposed district contains nine structures built in the first half of the 19th century, including the landmark 1837 Wading River Congregational Church, as well as additional structures from the first decades of the 20<sup>th</sup> century; and

**WHEREAS**, over the last two years the Commission has held meetings and reached out in various ways to inform property owners in the area of the proposed historic district and solicit their; and

**WHEREAS**, the Landmarks Preservation Commission believes there is strong support from the public for the creation of a Wading River Historic District; and

**WHEREAS**, after consulting with as many property owners as possible in the area, the Commission has proposed the designation of a historic district running along sections of Sound and North Country Roads in Wading River with boundaries as identified on the attached map; and

**WHEREAS**, the Commission believes that these properties possess special character, historic interest and aesthetic value as part of the cultural, political and social history of the Town of Riverhead; and

**WHEREAS**, the dense concentration of historic structures gives the area special historic and architectural character that would be destroyed if these historic structures were to be lost or their historic architecture compromised by inappropriate modifications; and

**WHEREAS**, the special historic and architectural character of the district would be enhanced if new construction adjacent and between the historic structures is consistent with the special historic and architectural characteristics of the proposed district; and

**WHEREAS**, the creation of an historic district will ensure the protection of older buildings that we all value and love and will enhance the special sense of place that attracts residents and visitors alike; and

**WHEREAS**, the creation of historic districts generally encourages landowners to invest in their properties, leads to higher property values, benefits businesses in the districts and helps make available significant federal tax benefits to owners of income-producing properties; and

**WHEREAS**, after considering input from residents and the public and considering the benefits of historic district designation, the Commission is considering recommending to the Town Board the designation of this area as an official town historic district under the provisions of Chapter 73 of Riverhead Town Code, as revised on June 20, 2006.

**NOW THEREFORE BE IT RESOLVED**, under the provisions of Chapter 73 of Riverhead Town Code, the Commission requests that the Town Board schedule a joint public hearing on this proposed designation of a Wading River Historic District at the Town Board meeting scheduled for September 16 in Wading River; and be it further

**RESOLVED**, the Commission hereby requests that the Town Clerk make this resolution available for public inspection and send notification of the hearing by registered mail to the owners of all properties within the proposed historic district as soon as possible, but at least 10 days prior to the date of the hearing, as provided for in Chapter 73-4-d of Town Code.

August 5, 2008

# Tabled

TOWN OF RIVERHEAD

RESOLUTION # 699

AUTHORIZES THE ADOPTION OF A PARKING PLAN TO SERVE  
SUFFOLK COUNTY SUPREME COURT

COUNCILMAN WOOTEN offered the following resolution which was

seconded by COUNCILWOMAN BLASS

WHEREAS, the Town Board of the Town of Riverhead desires to assure adequate parking for the Suffolk County Court Complex on Griffing Avenue in Riverhead;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board adopts the following parking plan to assure adequate parking for the Suffolk County Court Complex within close proximity to the Court complex.

ITEM #	LOCATION	# OF SPACES
1	COURT STREET PARKING LOT	253
2	LOT AT CORNER OF THIRD STREET AND ROANOKE AVENUE	56
3	HALLET STREET ABANDONMENT AND CONVEYANCE TO SUFFOLK COUNTY	22
4	HALLET STREET CURBSIDE (WEST SIDE)	12
5	RAILROAD AVENUE ADJACENT TO SUFFOLK COUNTY NATIONAL BANK	14
6	RAILROAD AVENUE BETWEEN OSBORN AVENUE AND GRIFFING AVENUE	18
7	LINCOLN AVENUE CURBSIDE ADJACENT TO POLONAISE PARK	17
8	PARKING LOT BETWEEN GRIFFING AVENUE AND WEST MAIN STREET	80
9	GRIFFING/ROANOKE AVENUE PARKING LOT	16 - 50
	TOTAL	488 - 522

: and

RESOLVED, appropriate signage indicating allocation of the above area for Court parking between the hours of 9:00 – 12:00 Monday through Friday shall be installed; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Supervisor to continue to explore alternative spaces at 0600-128-1-13, 0600-128-3-22, and 600-128-3-26; which are in close proximity to the Court complex; and

BE IT FURTHER RESOLVED, that the Town Board be and does hereby authorize the Town Clerk to forward a copy of this resolution to Suffolk County Department of Public Works attention Gil Anderson, the Town Engineering Department attention Ken Testa and the Chief Deputy County Executive, Jim Mergo.

THE VOTE

Buckley  yes  no Wooten  yes  no  
Dunleavy  yes  no Bläss  yes  no  
Cardinale  yes  no

THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

# Tabled

8/5/08

Adopted

TOWN OF RIVERHEAD

Resolution # 700

**ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED,  
"ZONING" OF THE RIVERHEAD TOWN CODE  
(Section 108-51 Nonconforming buildings and uses.)**

COUNCILWOMAN BLASS offered the following resolution, was seconded by

COUNCILMAN DUNLEAVY :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 108 entitled "Zoning", Article XIII entitled "Supplementary Use Regulations", Section 108-51 entitled "Nonconforming buildings and uses", of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the on the 15<sup>th</sup> day of July, 2008 at 7:20 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 108 entitled "Zoning", Article XIII entitled "Supplementary Use Regulations", Section 108-51 entitled "Nonconforming buildings and uses", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

RESOLVED, that all Town Hall Departments may review and obtain a copy, of this resolution from the E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Buckley	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Wooten	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
			Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no

THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that the Town Board of the Town of Riverhead adopted a local law amending, Chapter 108 entitled "Zoning", Article XIII entitled "Supplementary Use Regulations", Section 108-51 entitled "Nonconforming buildings and uses", of the Riverhead Town Code at its regular meeting held on August 5, 2008. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**Chapter 108  
Zoning**

**ARTICLE XIII  
Supplementary Use Regulations**

**§ 108-51 Nonconforming buildings and uses**

A. Any building, structure or use existing on the effective date of this chapter, or any amendment thereto, may be continued on the same lot held in single and separate ownership, although such building, structure or use does not thereafter conform to the regulations of the district in which it is located, and may thereafter be extended on the same lot by special permit of the Town Board. If the extent of the change is 10% or less, the public hearing requirement may be waived by the Town Board. An application seeking to extend a single family residence shall be exempt from the requirement of a special permit provided that any extension thereof maintains existing residential use, existing lot areas, lot setbacks and lot coverage that were required at the time the residence was issued a certificate of occupancy or letter of pre-existing use.

\*Underline represents addition(s)

Dated: Riverhead, New York  
August 5, 2008

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

TOWN OF RIVERHEAD

Resolution # 701

**ADOPTS A LOCAL LAW AMENDING  
CHAPTER 90 ENTITLED "SPECIAL EVENTS" OF THE RIVERHEAD TOWN CODE**

COUNCILMAN DUNLEAVY offered the following resolution, was seconded by  
COUNCILMAN BUCKLEY :

**WHEREAS**, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 90 entitled "Special Events" §90-4 entitled "Conditions for granting permit", of the Riverhead Town Code; and

**WHEREAS**, a public hearing was held on the on the 15<sup>th</sup> day of July, 2008 at 7:30 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all person wishing to be heard were heard.

**NOW THEREFORE BE IT RESOLVED**, that a local law amending Chapter 90 "Special Events" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

Buckley  yes  no Wooten  yes  no  
Dunleavy  yes  no Blass  yes  no  
Cardinale  yes  no

THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that the Town Board of the Town of Riverhead adopted a local law amending Chapter 90 "Special Events" §90-4 entitled "Conditions for granting permit" of the Riverhead Town Code at its regular meeting held on August 5, 2008. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**Chapter 90  
Special Events**

**§90-4. Conditions for granting permit.**

- C. Where the special event will impact the health, safety and welfare, as a condition of the granting of the permit, the Town Board may require the permitted to reimburse the town for costs of police, ambulance protection and/or other Town services as may be deemed necessary by the Town Board to adequately and safely control and protect the persons attending the event, the event area and traffic in and around the area of the event. In no event, however, will the Town be obligated to provide police and ambulance protection or other Town services. Costs for such police, ambulance protection and/or other services provided by Town employees in processing the permit application shall include those over and above routine staffing, including costs for overtime and for the hiring of special police officers and/or emergency medical services personnel. The estimated costs for services shall be provided to the applicant and the Town Board by written report from the Chief of Police, Ambulance Chief, Fire Marshal or other Town department head prior to the issuance of the permit. Based on the number of people, date of the event, the time of the event and the location of the event, the applicant ~~shall~~ may be required to reimburse the Town for the cost of police to ensure public health and safety through the smooth flow of traffic in and around the area of the event. The applicant may be required to pay these fees prior to the event, but all fees shall be due and payable within 10 days of rendering of an invoice for said expenses by the Town of Riverhead. This section shall not apply to any special event held on public property, open to the public that is free of charge.

\* Underline represents addition(s)

\*Strikethrough represents deletion(s)

Dated: Riverhead, New York  
August 5, 2008

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

8/5/08

Adopted

TOWN OF RIVERHEAD

Resolution # 702

**ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED,  
"ZONING" OF THE RIVERHEAD TOWN CODE  
(Section 108-133.1 Special Permit.)**

COUNCILMAN BUCKLEY offered the following resolution, was seconded by

COUNCILMAN WOOTEN :

**WHEREAS**, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 108 entitled "Zoning", Article XXVIA entitled "Special Permit", Section 108-133.1 entitled "Special permit general use requirements", of the Riverhead Town Code; and

**WHEREAS**, a public hearing was held on the on the 15<sup>th</sup> day of July, 2008 at 7:25 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

**NOW THEREFORE BE IT RESOLVED**, that a local law amending Chapter 108 entitled "Zoning", Article XXVIA entitled "Special Permit", Section 108-133.1 entitled "Special permit general use requirements", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

Buckley  yes  no    Wooten  yes  no  
Dunleavy  yes  no    Blass  yes  no  
Cardinale  yes  no

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

**TOWN OF RIVERHEAD  
NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that the Town Board of the Town of Riverhead adopted a local law amending, Chapter 108 entitled "Zoning", Article XXVIA entitled "Special Permit", Section 108-133.1 entitled "Special permit general use requirements" of the Riverhead Town Code at its regular meeting held on August 5, 2008. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**Chapter 108  
Zoning  
ARTICLE XXVIA  
Special Permit**

§108-133.1. Special permit general use requirements.

The special uses for which conformance with additional standards is required by this chapter shall be deemed to be special permit uses in their respective districts subject to the satisfaction of the requirements and standards set forth herein, in addition to all other requirements of this chapter, except as set forth in §108-51(A) for pre-existing, non-conforming single family residences. All such uses are declared to possess characteristics of such unique and special forms that each specific use shall be considered as an individual case.

\*Underline represents addition(s)

Dated: Riverhead, New York  
August 5, 2008

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

**BARBARA GRATTAN, Town Clerk**

Adopted

TOWN OF RIVERHEAD

Resolution # 703

**ADOPTS A LOCAL LAW AMENDING  
CHAPTER 18 ENTITLED "CODE OF ETHICS" OF THE RIVERHEAD TOWN CODE**

COUNCILMAN WOOTEN

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

COUNCILWOMAN BLASS

**WHEREAS**, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 18 entitled "Code of Ethics" §18-10, of the Riverhead Town Code; and

**WHEREAS**, a public hearing was held on the on the 15<sup>th</sup> day of July, 2008 at 7:35 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all person wishing to be heard were heard.

**NOW THEREFORE BE IT RESOLVED**, that a local law amending Chapter 18 "Code of Ethics" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to the Riverhead Town Building Department, Ethics Board, and the Office of the Town Attorney.

THE VOTE

Buckley  yes \_\_\_ no \_\_\_ Wooten  yes \_\_\_ no \_\_\_  
Dunleavy  yes \_\_\_ no \_\_\_ Blass  yes \_\_\_ no \_\_\_  
Cardinale  yes \_\_\_ no \_\_\_

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

**TOWN OF RIVERHEAD  
NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that the Town Board of the Town of Riverhead adopted a local law amending Chapter 18 "Code of Ethics" §18-10 of the Riverhead Town Code at its regular meeting held on August 5, 2008. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**§18-10. Annual financial disclosure and conflict statement.**

- A. Town officers and employees required to file an annual financial and conflict disclosure statement. All elected officials, all Town Department Heads, Planning Board members, Zoning Board of Appeals members, Deputy Town Supervisor, Town Attorney, Deputy Town Attorneys, persons who are certified as Code Enforcement Officials as provided by Title 19 of the New York Code of Rules and Regulations Part 434, Building Inspectors, the Ethics Board, the Industrial Development Agency, the Farmland Preservation Committee, the Open Space/Park Preserve Committee, Accessory Apartment Review Board, and certain Town officers and employees and members of appointed boards and committees, as determined by the Town Board by resolution, are required to file a signed annual financial disclosure and conflict statement, which must be signed by the individual Town officer or employee.

- Underline represents addition(s)

Dated: Riverhead, New York  
August 5, 2008

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

# Adopted

RESOLUTION # <u>704</u> ABSTRACT #08-30 July 24, 2008 (TBM 8/05/08)			
COUNCILWOMAN BLASS offered the following Resolution which was seconded by			
COUNCILMAN DUNLEAVY			
FUND NAME		CD 7/18/08	CHECKRUN TOTALS GRAND TOTALS
GENERAL FUND	1	14,050,000.00	161,914.75 14,211,914.75
POLICE ATHLETIC LEAGUE	4	25,000.00	270.00 25,270.00
TEEN CTR	5	10,000.00	10,000.00
RECREATION PROGRAM FUND	6	190,000.00	4,238.00 194,238.00
SITE COUNCIL	7	2,000.00	2,000.00
DARE	8	3,000.00	3,000.00
CHILD CARE CENTER BUILDING FUN	9	144,000.00	- 144,000.00
TB SPEC PROG	24	103,000.00	103,000.00
SRS DAY CARE	27	40,000.00	40,000.00
ECONOMIC DEVELOPMENT ZONE FUND	30	30,000.00	34.42 30,034.42
HIGHWAY FUND	111	3,550,000.00	209,427.57 3,759,427.57
WATER DISTRICT	112	800,000.00	45,476.07 845,476.07
R & M	113	80,000.00	80,000.00
RIVERHEAD SEWER DISTRICT	114	2,415,000.00	9,600.31 2,424,600.31
REFUSE & GARBAGE COLLECTION DI	115	1,595,000.00	384.57 1,595,384.57
STREET LIGHTING DISTRICT	116	640,000.00	717.10 640,717.10
PUBLIC PARKING DISTRICT	117	180,000.00	1,089.07 181,089.07
BUSINESS IMPROVEMENT DISTRICT	118	110,000.00	- 110,000.00
AMBULANCE DISTRICT	120	325,000.00	35.10 325,035.10
EAST CREEK DOCKING FACILITY FU	122		102.80 102.80
CALVERTON SEWER DISTRICT	124	365,000.00	384.50 365,384.50
RIVERHEAD SCAVANGER WASTE DIST	128	1,710,000.00	10,086.58 1,720,086.58
SEWER DISTRICT FD	130	290,000.00	290,000.00
WORKERS' COMPENSATION FUND	173	2,210,000.00	6.60 2,210,006.60
RISK RETENTION	175	560,000.00	560,000.00
UNEMPLOYMENT	176	4,500.00	4,500.00
REV LOAN	178	14,000.00	14,000.00
RES REHAB	179	5,000.00	5,000.00
CDBG CONSORTIUM ACOUNT	181	115,000.00	113.33 115,113.33
PUB PRK DEBT	381	5,000.00	5,000.00
SEWER DISTRICTS DEBT SERVICE	382	455,000.00	41,562.73 496,562.73
GENERAL FUND DEBT SERVICE	384	7,810,000.00	1,083,947.77 8,893,947.77
SCAVANGER WASTE DISTRICT DEBT	385	15,000.00	2,704.10 17,704.10
SUFF THEATRE	386	620,000.00	620,000.00
TOWN HALL CAPITAL PROJECTS	406		- -
2 BEARS CAP PROJ	440	3,000.00	3,000.00
YOUTH SERVICES CAP PROJECT	452	65,000.00	9.04 65,009.04
EISEP	454	20,000.00	20,000.00
MUNICIPAL FUEL FUND	625		27,762.15 27,762.15
MUNICIPAL GARAGE FUND	626		145.28 145.28
TRUST & AGENCY	735		1,341,227.60 1,341,227.60
SPEC TRUST	736	50,000.00	50,000.00
COMMUNITY PRESERVATION FUND	737	2,755,000.00	226.20 2,755,226.20
CALVERTON PARK - C.D.A.	914	195,000.00	- 195,000.00
<b>TOTAL ALL FUNDS</b>		<b>41,558,500.00</b>	<b>2,941,465.64 44,499,965.64</b>

THE VOTE  
 Buckley  yes \_\_\_ no Wooten  yes \_\_\_ no  
 Dunleavy  yes \_\_\_ no Blass  yes \_\_\_ no  
 Cardinale \_\_\_ yes \_\_\_ no  
 THE RESOLUTION  WAS \_\_\_ WAS NOT  
 THEREFORE DULY ADOPTED

RESOLUTION # 704 ABSTRACT #08-31 July 31, 2008 (TBM 8/05/08)					
COUNCILMAN BLASOFF offered the following Resolution which was seconded by					
COUNCILMAN DUNLEAVY					
FUND NAME		7/29/08 CD	7/30/08 CD	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1		5,020,000.00	851,039.48	5,871,039.48
POLICE ATHLETIC LEAGUE	4		22,000.00	0	22,000.00
TEEN CENTER	5		10,000.00		10,000.00
RECREATION PROGRAM FUND	6		125,000.00	49,728.25	174,728.25
CHILD CARE	9		39,000.00		39,000.00
TB SPEC PROG	24		8,000.00		8,000.00
Y/C SCHOLAR	25		2,000.00		2,000.00
SRS DAYCARE	27		5,500.00		5,500.00
AN SPAY/NEUT	29		1,000.00		1,000.00
ECONOMIC DEVELOPMENT ZONE FUND	30		7,500.00	2,882.48	10,382.48
REC YOUTH	31		2,000.00		2,000.00
HIGHWAY FUND	111		1,100,000.00	106,989.49	1,206,989.49
WATER DISTRICT	112			278,821.25	278,821.25
R&M	113		262,000.00		262,000.00
RIVERHEAD SEWER DISTRICT	114		2,775,000.00	55,965.72	2,830,965.72
REFUSE & GARBAGE COLLECTION DI	115		885,000.00	6,250.32	891,250.32
STREET LIGHTING DISTRICT	116		147,000.00	11,539.05	158,539.05
PUBLIC PARKING	117		100,000.00		100,000.00
BUSINESS IMPROVEMENT DISTRICT	118		70,000.00	19,952.74	89,952.74
AMBULANCE DISTRICT	120		225,000.00	146,245.04	371,245.04
EAST CREEK DOCKING FACILITY FU	122			822.09	822.09
CALVERTON SEWER DISTRICT	124		200,000.00	2,408.51	202,408.51
RIVERHEAD SCAVANGER WASTE DIST	128		2,000.00	18,809.30	20,809.30
SEWER DIST FD	130		290,000.00		290,000.00
WORKERS' COMPENSATION FUND	173		1,485,000.00	6,769.87	1,491,769.87
RISK RETENTION FUND	175		767,000.00	3,600.00	770,600.00
UNEMPLOYMENT	176		35,000.00		35,000.00
REV LOAN PROG	178		16,000.00		16,000.00
RES REHAB	179		15,000.00		15,000.00
CDBG CONSORTIUM ACOUNT	181		163,000.00	613.79	163,613.79
UDC WORKING	182		6,000.00		6,000.00
RESTORE	184		6,000.00		6,000.00
PUB PARKING DEBT	381		30,000.00		30,000.00
SEWER DEBT	382		415,000.00		415,000.00
WATER DEBT	383		435,000.00		435,000.00
GENERAL FUND DEBT	384		3,900,000.00		3,900,000.00
SCAV WASTE DEBT	385		92,000.00		92,000.00
COMMUNITY DEVELOPMENT AGENCY C	405		100,000.00	10,663.75	110,663.75
TOWN HALL CAPITAL PROJECTS	406	27,348,000.00	500,000.00	1,453,661.66	29,301,661.66
800 SERIES CP	408		17,000.00		17,000.00
TWO BEARS	440		35,000.00		35,000.00
YOUTH SERVICES CAP PROJECT	452			4,710.75	4,710.75
SENIORS HELP SENIORS CAP PROJE	453		25,000.00	3,134.96	28,134.96
EISEP	454		160,000.00		160,000.00
MUNICIPAL FUEL FUND	625			2,121.88	2,121.88
MUNICIPAL GARAGE FUND	626			33,671.85	33,671.85
TRUST & AGENCY	735			970,331.71	970,331.71
SPECIAL TRUST	736		2,700,000.00		2,700,000.00
COMM PRESERVATION	737		7,075,000.00		7,075,000.00
CDA CALVERTON	914		186,000.00		186,000.00
<b>TOTAL ALL FUNDS</b>		<b>27,348,000.00</b>	<b>29,461,000.00</b>	<b>4,040,733.94</b>	<b>60,849,733.94</b>

RESOLUTION # 704 ABSTRACT #08-29 July 17, 2008 (TBM 8/05/08)				
COUNCILWOMAN BLA offered the following Resolution which was seconded by COUNCILMAN DUNLEAVY				
FUND NAME		7/15/08 CD	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1		1,055,391.30	1,055,391.30
RECREATION PROGRAM FUND	6		9,546.55	9,546.55
CHILD CARE CENTER BUILDING FUN	9		49.17	49.17
TOWN BOARD SPECIAL PROGRAM FUN	24		1,655.86	1,655.86
ECONOMIC DEVELOPMENT ZONE FUND	30		3,949.26	3,949.26
HIGHWAY FUND	111		124,143.55	124,143.55
WATER DISTRICT	112		320,046.03	320,046.03
RIVERHEAD SEWER DISTRICT	114		313,186.70	313,186.70
REFUSE & GARBAGE COLLECTION DI	115		341,582.06	341,582.06
STREET LIGHTING DISTRICT	116		33,875.06	33,875.06
PUBLIC PARKING DISTRICT	117		4,374.97	4,374.97
BUSINESS IMPROVEMENT DISTRICT	118		1,147.23	1,147.23
AMBULANCE DISTRICT	120		124.12	124.12
EAST CREEK DOCKING FACILITY FU	122		895.18	895.18
CALVERTON SEWER DISTRICT	124		40,902.96	40,902.96
RIVERHEAD SCAVANGER WASTE DIST	128		14,968.71	14,968.71
RIVERHEAD SEWER DENITRIFICATIO	130		0.00	0.00
WORKERS' COMPENSATION FUND	173		13,083.18	13,083.18
RISK RETENTION FUND	175		500	500
UNEMPLOYMENT INSURANCE RESERVE	176		710.41	710.41
CDBG CONSORTIUM ACOUNT	181		553.79	553.79
TOWN HALL CAPITAL PROJECTS	406	27,348,000.00	56,450.05	27,404,450.05
LOCAL ST & HIGHWAY CAP PROJECT	451		175,000.00	175,000.00
YOUTH SERVICES CAP PROJECT	452		5,823.74	5,823.74
SENIORS HELP SENIORS CAP PROJE	453		3,076.01	3,076.01
MUNICIPAL FUEL FUND	625		9,404.17	9,404.17
MUNICIPAL GARAGE FUND	626		19,601.28	19,601.28
TRUST & AGENCY	735		1,021,516.40	1,021,516.40
CALVERTON PARK - C.D.A.	914		24.58	24.58
<b>TOTAL ALL FUNDS</b>		<b>27,348,000.00</b>	<b>3,571,582.32</b>	<b>30,919,582.32</b>

RESOLUTION # 704		ABSTRACT #08-29 July 17, 2008 (TBM 8/05/08)		
COUNCILWOMAN BLASS offered the following Resolution which was seconded by COUNCILMAN DUNLEAVY				
FUND NAME		7/15/08 CD	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1		1,055,391.30	1,055,391.30
RECREATION PROGRAM FUND	6		9,546.55	9,546.55
CHILD CARE CENTER BUILDING FUN	9		49.17	49.17
TOWN BOARD SPECIAL PROGRAM FUN	24		1,655.86	1,655.86
ECONOMIC DEVELOPMENT ZONE FUND	30		3,949.26	3,949.26
HIGHWAY FUND	111		124,143.55	124,143.55
WATER DISTRICT	112		320,046.03	320,046.03
RIVERHEAD SEWER DISTRICT	114		313,186.70	313,186.70
REFUSE & GARBAGE COLLECTION DI	115		341,582.06	341,582.06
STREET LIGHTING DISTRICT	116		33,875.06	33,875.06
PUBLIC PARKING DISTRICT	117		4,374.97	4,374.97
BUSINESS IMPROVEMENT DISTRICT	118		1,147.23	1,147.23
AMBULANCE DISTRICT	120		124.12	124.12
EAST CREEK DOCKING FACILITY FU	122		895.18	895.18
CALVERTON SEWER DISTRICT	124		40,902.96	40,902.96
RIVERHEAD SCAVANGER WASTE DIST	128		14,968.71	14,968.71
RIVERHEAD SEWER DENITRIFICATIO	130		0.00	0.00
WORKERS' COMPENSATION FUND	173		13,083.18	13,083.18
RISK RETENTION FUND	175		500	500
UNEMPLOYMENT INSURANCE RESERVE	176		710.41	710.41
CDBG CONSORTIUM ACOUNT	181		553.79	553.79
TOWN HALL CAPITAL PROJECTS	406	27,348,000.00	56,450.05	27,404,450.05
LOCAL ST & HIGHWAY CAP PROJECT	451		175,000.00	175,000.00
YOUTH SERVICES CAP PROJECT	452		5,823.74	5,823.74
SENIORS HELP SENIORS CAP PROJE	453		3,076.01	3,076.01
MUNICIPAL FUEL FUND	625		9,404.17	9,404.17
MUNICIPAL GARAGE FUND	626		19,601.28	19,601.28
TRUST & AGENCY	735		1,021,516.40	1,021,516.40
CALVERTON PARK - C.D.A.	914		24.58	24.58
<b>TOTAL ALL FUNDS</b>		<b>27,348,000.00</b>	<b>3,571,582.32</b>	<b>30,919,582.32</b>

THE VOTE  
 Buckley \_\_\_ yes \_\_\_ no Wooten \_\_\_ yes \_\_\_ no  
 Dunleavy \_\_\_ yes \_\_\_ no Blass \_\_\_ yes \_\_\_ no  
 Cardinale \_\_\_ yes \_\_\_ no  
 THE RESOLUTION \_\_\_ WAS \_\_\_ WAS NOT  
 THEREFORE DULY ADOPTED



August 5, 2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 706

AUTHORIZES THE SUPERVISOR TO EXECUTE A GRANT AGREEMENT WITH  
NYS DEPARTMENT OF STATE FOR FUNDS TO SUPPORT  
THE CALVERTON PARK RECREATIONAL TRAIL

COUNCILMAN DUNLEAVY offered the following resolution, which was  
seconded by COUNCILMAN BUCKLEY.

WHEREAS, grant funding is available from the New York State Department of State ("DOS") to provide funds to the Town of Riverhead for the Calverton Park Recreational Trail; and

WHEREAS, the DOS has awarded the Town of Riverhead a grant in the amount of \$100,000 for the Calverton Park Recreational Trail (see attached contract); and

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby authorizes the Town Supervisor to execute the grant contracts with NYS DOS.

BE IT FURTHER RESOLVED, that the Town Clerk shall provide notification of this resolution to CDD Director Chris Kempner and the Accounting Department.

THE VOTE

Wooten ~~Yes~~ No      Buckley ~~Yes~~ No  
Dunleavy ~~Yes~~ No      Blass ~~Yes~~ No  
Cardinale ~~Yes~~ No

THE RESOLUTION ~~X~~ WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED.

M08 1196

## 2008-2009 SENATE INITIATIVE FORM

**Project Title:** Riverhead, Town Of  
(Incorporated Name of Organization)

**Location of Project:** Riverhead

**County:** Suffolk

**Description of Project:** Recreational trails project (running, walking and bicycling path around perimeter of EPCAL property)

**Funding Level:** \$100,000.00

**Previous Funding**

07-08 Funding

**Requested Agency to Administer Program:** State

**Program Contact Information:**

**Name:** John Dunleavy

**Title:** Councilman

**Address:** Town Hall  
200 Howell Ave  
Riverhead, NY 11901

**Phone:** 631 727-3200

**Ext.** 224

**Additional Phone:**

**Fax:** 631 369-3990

**Senator's Name:** Senator LaValle

**Date:** March 31, 2008

2008 MAY - 9 AM 9: 06  
CONTR P YMT OFFICE  
CONTR ADMIN UNIT  
NYS DEPT OF STATE

# CONTRACT FACE PAGE

**STATE AGENCY**

New York State Department of State  
One Commerce Plaza, 99 Washington Avenue  
Albany, New York 12231

**NYS CONTRACT NUMBER:**

M081196

**BOX 1 - CONTRACTOR** (Name and Business Address)

Town of Riverhead

**ORIGINATING AGENCY CODE:**

19000

**TYPE OF PROGRAM:**

Legislative Member Initiative

State 100 % Federal 0 %**FEDERAL FUNDS CFDA #:** N/A**BOX 2 - FEDERAL TAX ID NUMBER**  
\_ \_ \_ \_ \_**INITIAL CONTRACT PERIOD:**

FROM: 04/01/2008 TO: 07/31/2009

**MUNICIPAL CODE #**  
\_ \_ \_ \_ \_**MULTI-YEAR TERM:** N/A

FROM: TO:

**BOX 3 - STATUS**Sectarian entity? Yes  No   
Not-for-profit organization? Yes  No **FUNDING FOR INITIAL PERIOD:**

\$100,000.00

**BOX 4 - CHARITIES REGISTRATION NUMBER** \_ \_ - \_ \_ - \_ \_ / **EXEMPTION (E-2) -** \_ \_ \_  
**ESTATES, POWERS AND TRUSTS LAWS REPORTING EXEMPTION (E-3) -** \_ \_**BOX 5 - If you did not claim an exemption to both of the items in Box 4, you must check the applicable response in the following:**  
Contractor has \_\_\_ / has not \_\_\_ timely filed with the Attorney General's Charities Bureau all required periodic or annual written reports.**APPENDICES ATTACHED TO AND PART OF THIS AGREEMENT**

- APPENDIX A: Standard Clauses as Required by the Attorney General for all State Contracts
- APPENDIX A1: Agency-specific Clauses
- APPENDIX B: Budget
- APPENDIX C: Payment and Reporting Schedule
- APPENDIX D: Program Workplan
- APPENDIX E: Charities Bureau Registration and Reporting Exemptions
- APPENDIX X: Modification Agreement Form (to accompany modified appendices for changes in term or consideration on an existing period or for renewal periods)

August 5, 2008

**Adopted**

**TOWN OF RIVERHEAD**

**RESOLUTION # 707**

**CDBG CONSORTIUM 2008**

**BUDGET ADOPTION**

COUNCILMAN BUCKLEY

offered the following resolution,

which was seconded by

COUNCILMAN WOOTEN

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

		<u>FROM</u>	<u>TO</u>
181.084910.493000.06908	Federal Aid	\$156,000	
181.086680.540000.06908	Home Improvement Program		\$121,850
181.086760.542200.06908	Soup Kitchen Supplies		\$ 10,000
181.086760.543401.06908	Family Service – Training & Education		\$ 5,000
181.086760.543408.06908	Drug Abuse Prevention Education		\$ 5,000
181.086760.543410.06908	Homeless Outreach		\$ 5,000
181.086860.540000.06908	Administration		\$ 9,150

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

**THE VOTE**

Blass ~~Yes~~ No

Wooten ~~Yes~~ No

Dunleavy ~~Yes~~ No

Buckley ~~Yes~~ No

Cardinale ~~Yes~~ No

**THE RESOLUTION ~~X~~ WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED.**

August 5, 2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 708

**Authorizes Publication of Notice to Amend CDBG Program**

COUNCILMAN WOOTEN offered the following resolution,

which was seconded by COUNCILWOMAN BLASS.

**WHEREAS**, the Town of Riverhead desires to amend its FY2000 & FY 2005 Community Development Block Grant ("CDBG") Program; and

**WHEREAS**, such an amendment requires notification of the public prior to submission of the amendment for transfer of funds and budget modification to provide for public comment.

**THEREFORE, BE IT RESOLVED**, that the Town Clerk is hereby authorized to publish the attached notice in the News Review on Thursday, August 14, 2008, and

**BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to Joseph Sanseverino, Director, Suffolk County Community Development and notification of this resolution to the Community Development Department and the Accounting Department.

**THE VOTE**

Wooten ~~Yes~~ No

Buckley ~~Yes~~ No

Dunleavy ~~Yes~~ No

Blass ~~Yes~~ No

Cardinale ~~Yes~~ No

**THE RESOLUTION ~~X~~ WAS \_\_\_ WAS NOT THEREFORE DULY ADOPTED.**

**PUBLIC NOTICE**  
**AMENDMENT TO TOWN OF RIVERHEAD**  
**COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

The Town of Riverhead is proposing the following changes to its Community Development Block Grant Program:

<u>Year 2005</u>	<u>Current</u>	<u>Proposed Change</u>	<u>Amended Budget</u>
Downtown Pedestrian Safety Improvement	\$12,614.93	-\$8,238.89)	\$4,376.04

<u>Year 2000</u>	<u>Current</u>	<u>Proposed Change</u>	<u>Amended Budget</u>
Milbrook Gables Clearance	\$25,437.11	+\$8,238.89	\$33,676.00

Interested citizens may submit comments on or before Monday, September 15<sup>th</sup>, 2008 to:

Town of Riverhead  
Community Development Office  
200 Howell Avenue  
Riverhead, NY 11901

The Town Board will consider a Resolution authorizing the proposed change at the September 16, 2008 Board Meeting to be held at 7:00 p.m. Wading River Congregational Church, at 2057 North Country Road, Wading River, NY 11792.

Dated: August 14, 2008

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

BARBARA GRATTAN, TOWN CLERK

August 5, 2008

TOWN OF RIVERHEAD

Adopted

RESOLUTION #709

**AUTHORIZES APPLICATION TO THE NEW YORK DEPARTMENT OF STATE  
FOR FUNDING TO CREATE A PECONIC RIVER BLUEWAY TRAIL**

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

**WHEREAS**, the New York Department of State Environmental Protection Fund/Local Waterfront Revitalization Program (DOS EPF/LWRP) offers 2008/9 funding to municipalities to support local waterfront revitalization projects that incorporate the creation of Blueway Trails; and

**WHEREAS**, the objective of the creation of bona fide Peconic River "BlueWay" trail is to educate, organize and motivate the public to realize an enhanced image and reputation of Riverhead, as an environmentally friendly community as well as an eco-recreation destination openly accessible to all.

**WHEREAS**, creation of a Peconic River "BlueWay" trail along with a Peconic River Greenbelt will achieve the goals to foster economic growth, protect environmental resources, enhance public health, and plan for development; and

**WHEREAS**, the natural features, location, historic sensitivity, ecological significance, and ability to augment limited recreational facilities and public access opportunities has made the Peconic River Greenway a priority acquisition on local, county, state and regional acquisition lists [*see* New York State Open Space Conservation Priority Acquisition List (2005) & 2008), the Town of Riverhead Comprehensive Plan (2003), the Town of Riverhead Local Waterfront Revitalization Program (draft 2005), the Town of Riverhead Community Preservation Project Plan (1998-2001), the Town of Riverhead Priority Acquisition List (2004), and the Peconic Estuary Program Critical Lands Protection Strategy (CLPS) of the Comprehensive Conservation and Management Plan (CCMP)].

**NOW, THEREFORE, BE IT RESOLVED**, that the Riverhead Town Board hereby authorizes the Community Development Department to submit an application to the New York State DOS EPF/LWRP FY 2008/9 in the amount of \$675,000 to be matched with a local share of \$715,000 through contribution sources such as in-kind services of the Engineering Department (including Buildings and Grounds), Recreational Department staff, Community Development Department staff, site furniture, land value, Community Preservation Funds and Recreation Funds, for funding to create a Peconic River Blueway Trail.

**AND BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a notification of this resolution to the Community Development Department and Accounting Department.

**THE VOTE**

Wooten ~~Yes~~ No

Buckley ~~Yes~~ No

Dunleavy ~~Yes~~ No

Blass ~~Yes~~ No

Cardinale ~~Yes~~ No

**THE RESOLUTION ~~X~~ WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED.**

August 5, 2008

Adopted

**TOWN OF RIVERHEAD**

**RESOLUTION # 710**

**AUTHORIZES APPLICATION TO THE NEW YORK DEPARTMENT OF STATE  
FOR FUNDING TO CREATE A PECONIC RIVER/NYS ROUTE 25 ECO-CORRIDOR**

**COUNCILMAN DUNLEAVY**

offered the following resolution, which was

seconded by **COUNCILMAN BUCKLEY**

**WHEREAS**, the New York Department of State Environmental Protection Fund/Local Waterfront Revitalization Program (DOS EPF/LWRP) offers 2008/9 funding to municipalities to support local waterfront revitalization projects that incorporate downtown and hamlet revitalization, urban waterfront redevelopment and the creation of Blueway Trails; and

**WHEREAS**, the objective of the creation of a Peconic River/Route 25 Riverhead ECO CORRIDOR that is user friendly and publicly accessible with "BlueWay" trails and Greenbelt is to call attention to the value of the Peconic River as a resource, and to educate, organize and motivate the public to realize an enhanced image and reputation of Riverhead, as an environmentally friendly community as well as an eco-recreation destination openly accessible to all; and

**WHEREAS**, local, county, and state open space preservation groups list the Peconic River Greenway on priority acquisition lists, and the Town of Riverhead requires significant state financial assistance as the Town does not have the resources to remediate the Peconic River and create a Peconic River/Route 25 Riverhead ECO CORRIDOR through acquisition of over 70+ parcels of over 150 acres to create a greenbelt along the riverfront and develop infrastructure to support a true "Blueway Trail".

**WHEREAS**, creation of a Peconic River/Route 25 Riverhead ECO CORRIDOR and "BlueWay" trail along with a Peconic River Greenbelt will achieve the goals to foster economic growth, protect environmental resources, enhance public health, and plan for development; and

**WHEREAS**, the natural features, location, historic sensitivity, ecological significance, and ability to augment limited recreational facilities and public access opportunities has made the Peconic River Greenway a priority acquisition on local, county, state and regional acquisition lists [*see* New York State Open Space Conservation Priority Acquisition List (2005) & 2008), the Town of Riverhead Comprehensive Plan (2003), the Town of Riverhead Local Waterfront Revitalization Program (draft 2005), the Town of Riverhead Community Preservation Project Plan (1998-2001), the Town of Riverhead Priority Acquisition List (2004), and the Peconic Estuary Program Critical Lands Protection Strategy (CLPS) of the Comprehensive Conservation and Management Plan (CCMP)].

**NOW, THEREFORE, BE IT RESOLVED**, that the Riverhead Town Board hereby authorizes the Community Development Department to submit an application to the New York State DOS EPF/LWRP FY 2008/9 for funding in the amount of \$658,000 to be matched with a local share of \$674,500 through contribution sources such as in-kind services of the Engineering Department (including Buildings and Grounds), Recreational Department staff, Community Development staff, site furniture, land value, Community Preservation Funds and Recreation Funds, for funding to create a Peconic River/Route 25 Riverhead ECO CORRIDOR and "BlueWay" trail along with a Peconic River Greenbelt.

**AND BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a notification of this resolution to the Community Development Department and Accounting Department.

**THE VOTE**

<b>Wooten</b>	<del>Yes</del>	<del>No</del>	<b>Buckley</b>	<del>Yes</del>	<del>No</del>
<b>Dunleavy</b>	<del>Yes</del>	<del>No</del>	<b>Blass</b>	<del>Yes</del>	<del>No</del>
<b>Cardinale</b>			<del>Yes</del>	<del>No</del>	

**THE RESOLUTION ~~\_\_\_\_\_~~ WAS ~~\_\_\_\_\_~~ WAS NOT THEREFORE DULY ADOPTED.**

August 5, 2008

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 711

**AUTHORIZES INITIAL PREPARATION FOR GRANT APPLICATION TO NEW YORK STATE EMPIRE STATE DEVELOPMENT CORPORATION RESTORE NY ROUND 3 AS PART OF THE DOWNTOWN REVITALIZATION OF RIVERHEAD**

COUNCILMAN BUCKLEY offered the following resolution, which was seconded by COUNCILMAN WOOTEN.

**WHEREAS**, the Community Development Department is preparing an application to the New York State Empire State Development Corporation in anticipation of funds to be made available under Restore New York Community Initiatives Program for funding of the Downtown Revitalization Program in the community of Riverhead, and

**WHEREAS**, it is anticipated that New York State Empire State Development Corporation, Restore New York Community Initiatives, (hereinafter referred to as "**Restore NY Round 3**"), will make available funds for the demolition, rehabilitation or reconstruction of vacant, abandoned, surplus or condemned commercial and/or residential buildings within their control, to help New York communities with the Downtown revitalization efforts; and

**WHEREAS**, the Town of Riverhead anticipates submitting an application to Restore NY Round 3 for grant funds for the revitalization efforts in the Riverhead community; and

**WHEREAS**, the Town of Riverhead Community Development Department anticipates making an application to Restore NY Round 3 for grant funds in an amount not to exceed THREE MILLION (\$3,000,000.00) DOLLARS to be utilized in the Riverhead community, specifically for the redevelopment of the buildings and lots located at Tax Map Numbers 0600-129-4-020, 0600-129-4-021.002, 0600-129-4-021.001, 0600-129-4-017 and 0600-129-4-19.1 known in part as Atlantis Marine World, Main Street, Riverhead, New York; and

**WHEREAS**, the grant application requires the submission of a resolution of support from the municipality within the proposed service area; and

**WHEREAS**, to satisfy the grant application requirements and to demonstrate its commitment of cooperation with Restore NY Round 3 in this effort, the Town Board wishes to express its support of the application being filed by the Community Development Department for the Riverhead community and finds the project consistent with the Draft East Main Street Urban Renewal Area Plan 2008 Update, an effective and efficient use of public resources so as to promote both economic development and preservation of community resources, and a development and enhancement of facilities such that it will attract, create and sustain employment opportunities.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board authorizes the preparation and submission of the above mentioned grant application to New York State Empire State Development Corporation Restore NY Round 3; and

**AND BE IT FURTHER RESOLVED**, the Town Board supports the application filed by the Community Development Department for the reasons stated above;

**AND BE IT FURTHER RESOLVED**, that the Supervisor is hereby authorized to execute such documents and take such other action as may be necessary to carry out the foregoing grant application with Restore NY Round 3 from the Town of Riverhead Community Development Department.

**THE VOTE**

Wooten	<del>Yes</del>	No	Buckley	<del>Yes</del>	No
Dunleavy	<del>Yes</del>	No	Blass	<del>Yes</del>	No
		Cardinale	<del>Yes</del>	No	

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

