

PUBLIC COMMENT ON ANY CDA RESOLUTION LISTED BELOW:

CDA

Res. #1 Authorizes the Town Attorney to Order an Appraisal for Real Property Located at 103-105 East Main Street; 111 East Main Street; 117 East Main Street; 121 East Main Street and 127 East Main Street, Riverhead

CDA

Res. #2 Authorizes Publication of Notice to Solicit Proposals for Community Visioning for Parcels Under Consideration for Acquisition by the Town of Riverhead

CDA

Res. #3 Authorizes Supervisor to Sign Attached Hold Harmless Agreement with LED Display Technology

PUBLIC COMMENT ON ANY REGULAR TOWN BOARD RESOLUTION LISTED BELOW:

Res. #39 Authorizes Fire Marshal to Attend Electrical Fire Cause Determination Course

Res. #40 Authorizes Fire Marshal I, David Andruszkiewicz to Attend the “Forensic Fire Scene Reconstruction” Seminar

Res. #41 Authorizes the Town Clerk to Publish and Post a Help Wanted Ad for Call-In Automotive Equipment Operators

Res. #42 Ratifies the Appointment of a Wastewater Treatment Plant Operator II (Robert Helupka)

Res. #43 Ratifies the Appointment of a Member to the Zoning Board of Appeals (Charles Sclafani)

Res. #44 Ratifies the Appointment of a Member to the Planning Board of the Town of Riverhead (Louis Boschetti)

Res. #45 Ratifies the Appointment of the Chairman of the Riverhead Zoning Board of Appeals (Frederick J. McLaughlin)

- Res. #46** Authorizes Attendance at the 2009 Training School Held by the Association of Towns
- Res. #47** Appoints a Member to the Animal Advisory Committee (Noreen LeCann)
- Res. #48** Sets the Fees for Usage of Recreation and Other Town Facilities
- Res. #49** Authorizes Town Clerk to Post and Publish Public Notice of Empire Zone Administrative Board Meetings
- Res. #50** Authorizes Town Clerk to Publish and Post a Public Notice of a Public Hearing to Amend the Town of Riverhead Zoning Use District Map
- Res. #51** Appoints a Call-In Assistant Recreation Leader (Skatepark) Level II to the Riverhead Recreation Department (David Guity)
- Res. #52** Authorizes Amendment to Resolution #27 Storage Fees
- Res. #53** Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagee of the Property Located at 74 Nadel Drive, Riverhead, New York
- Res. #54** Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagee of the Property Located at 20 Dolphin Way, Riverhead, New York
- Res. #55** Offers Opposition to the Proposed Changes to the Public Health Law, Consolidating Local Registrars of Vital Statistics
- Res. #56** Authorizes the Town Supervisor to File State Form TE-9-A
- Res. #57** Authorization for Supervisor to Execute an Agreement with the Galamery Company, Inc.
- Res. #58** Ratifies the Authorization for the Supervisor to Execute Agreement between Town of Riverhead and Delta Computer Group

- Res. #59** Authorizes the Supervisor to execute a Contract Agreement between the Town of Riverhead and Peggy Schiefer (Court Reporter Services)
- Res. #60** Authorizes Supervisor to Execute No Cost Change Order No. 1 Transmission Improvements at Sound Avenue & Various Locations Contract E- Electrical Work H2M Project No. RDWD 06-01 Riverhead Water District
- Res. #61** Authorizes Town Clerk to Advertise for Bids Installation of Water Mains & Appurtenances at Ext. No. 85 – Mastro Realty Riverhead Water District
- Res. #62** Authorizes Town Clerk to Advertise for Bids Construction of Plant No. 15 Contract G—General & Mechanical Construction Project No.: RDWD 06-05 Riverhead Water District
- Res. #63** Adopts a Local Law Amending Chapter 108 Entitled “Zoning” of the Riverhead Town Code (RB-80)
- Res. #64** Adopts a Local Law Amending Chapter 108 Entitled “Zoning” of the Riverhead Town Code (RA-80)
- Res. #65** Adopts a Local Law Amending Chapter 108 Entitled “Zoning” of the Riverhead Town Code (APZ)
- Res. #66** Adopts a Local Law to Amend Chapter 101 Entitled “Vehicles & Traffic” of the Riverhead Town Code (§101-3. Stop and Yield Intersections; Railroad Crossings; Parking Fields.)
- Res. #67** Adopts a Local Law Amending Chapter 108 Entitled “Zoning” of the Riverhead Town Code (Agriculture Protection (APZ) Zoning Use District
- Res. #68** Adopts a Local Law Amending Chapter 108 Entitled “Zoning” of the Riverhead Town Code (Residence B-80 (RB-80) Zoning Use District)

- Res. #69** **Declares Lead Agency and Determines Significance of Action: Special Permit of Beacon and Verizon Wireless, Wading River (Little Flower)**
- Res. #70** **Awards Bid for Abandoned/Junk Vehicles**
- Res. #71** **Authorizes Supervisor to execute Sublicense Agreement Between the Town of Riverhead as Sublicensor and Open Arms Care Center, Inc. as Sublicensee**
- Res. #72** **Authorizes Town Clerk to Publish and Post Notice of Public Hearing Regarding the Special Use Permit Petition of Hampton Jitney – Motor Coach Terminal**
- Res. #73** **Authorizes Town Clerk to Publish and Post Notice of Public Hearing Regarding the Special Use Permit of Theodora Cohen**
- Res. #74** **Authorizes an Intermunicipal Agreement with the Suffolk County Planning Commission Regarding Zoning Referrals**
- Res. #75** **Pays Bills**

Adopted

1/21/09

TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY

Resolution # 1

AUTHORIZES THE TOWN ATTORNEY TO ORDER AN APPRAISAL FOR REAL PROPERTY LOCATED AT 103-105 EAST MAIN STREET; 111 EAST MAIN STREET; 117 EAST MAIN STREET; 121 EAST MAIN STREET AND 127 EAST MAIN STREET, RIVERHEAD

COUNCILMAN BUCKLEY offered the following resolution, was seconded by

COUNCILMAN WOOTEN :

WHEREAS, the Town Board of the Town of Riverhead is interested in revitalizing East Main Street in Riverhead for the purpose of stimulating economic growth and prosperity by purchasing the commercial property located at 103-105 East Main Street; 111 East Main Street; 117 East Main Street; 121 East Main Street and 127 East Main Street, Riverhead; and

WHEREAS, in order to effectuate this acquisition, it is necessary for the Town of Riverhead to obtain an appraisal of the property,

NOW, THEREFORE, BE IT RESOLVED that the Town Attorney is hereby authorized to order an appraisal from Rogers & Taylor Appraisers, Inc., at a cost of \$12,000.00, for the real property commonly known as 103-105 East Main Street, Riverhead; 111 East Main Street, Riverhead; 117 East Main Street, Riverhead; 121 East Main Street, Riverhead; 127 East Main Street, Riverhead; Suffolk County Tax Map Nos. #0600-129-1-10; #600-129-1-11; #600-129-1-12; #600-129-1-13; #600-129-1-14, respectively, in connection with the acquisition of said parcels, and be it further

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

WOOTEN YES NO BUCKLEY YES NO *absent*

DUNLEAVY YES NO BLASS YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

Adopted

January 21, 2009

TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY

RESOLUTION # 2

AUTHORIZES PUBLICATION OF NOTICE TO SOLICIT PROPOSALS FOR COMMUNITY VISIONING FOR PARCELS UNDER CONSIDERATION FOR ACQUISITION BY THE TOWN OF RIVERHEAD

COUNCILMAN WOOTEN

_____ offered the following resolution,

COUNCILWOMAN BLASS

which was seconded by _____:

WHEREAS, the Riverhead East Main Street Urban Renewal Area is a priority of the Town of Riverhead Board and has been the focus of numerous plans and studies, capital improvement projects and substantial investment by the Town of Riverhead.

WHEREAS, the Town of Riverhead through its Community Development Agency hereby solicits proposals from a creative and qualified consultant to conduct and facilitate community visioning for a potential redevelopment of parcels in the Riverhead East Main Street Urban Renewal Area under consideration for acquisition by the Town of Riverhead to include a minimum of three community outreach meetings and possibly to be followed by a charrette activity to examine alternatives for redevelopment and presents a preferred alternative; and

THEREFORE, BE IT RESOLVED, that Riverhead Town Board authorizes the issuance of the attached Request for Proposals.

THEREFORE, BE FURTHER IT RESOLVED, that the Riverhead Town Board hereby authorizes publishing and posting of the attached public notice in the Thursday, January 29, 2009, issue of the News Review and to post same on the signboard in Town Hall.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide notification of this resolution to the Community Development Director.

absent

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 the Town of Riverhead through its Community Development Agency hereby solicits proposals from a creative and qualified consultant to conduct and facilitate community visioning for a potential redevelopment of parcels in the Riverhead East Main Street Urban Renewal Area under consideration for acquisition by the Town of Riverhead to include a minimum of three community outreach meetings and possibly followed by a charrette activity to examine alternatives for redevelopment and present a preferred alternative.

A Request for Proposals has been issued by the Town of Riverhead Community Development Agency and is available at the Town Clerk or through the Community Development Department during business hours or by calling 727-3200 ext. 287.

Dated: January 29, 2009

Diane M. Wilhelm
Town Clerk

REQUEST FOR PROPOSALS

DOWNTOWN RIVERFRONT REDEVELOPMENT COMMUNITY VISIONING PROJECT



January 29, 2009

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I. OFFERING SUMMARY

Introduction

The Town of Riverhead hereby solicits proposals from a creative and qualified consultant (experienced planners, architects, meeting facilitators or other similar professions) to assist the Town of Riverhead to engage the community in a visioning process for potential redevelopment of multiple parcels on the south side of East Main Street along the waterfront in downtown Riverhead adjacent or near to the Town of Riverhead property currently occupied by the East End Arts Council located within the East Main Street Urban Renewal Area.

Requirements to Fulfill Required Task:

1. Review of Available Data, Kick Off Meeting, and Site Visit
2. Project Management and Meetings
3. Stakeholder Outreach
4. Facilitation of Three Community Visioning Meetings
5. Final Report

Alternative A

6. Facilitation of Charrette Activity

Submittal of Proposals: Submit responses to the office of the Town Clerk:

Diane M. Wilhelm, Town Clerk
Town of Riverhead
200 Howell Ave.
Riverhead, NY 11901

General Information: All prospective respondents should familiarize themselves with the project area. For general information regarding the project area or questions regarding the submission, contact:

Chris Kempner, Director
Community Development Agency
Town of Riverhead
200 Howell Avenue
Riverhead, NY 11901
(631) 727-3200 x287
Kempner@riverheadli.com

REQUEST FOR PROPOSALS (RFP)
TOWN OF RIVERHEAD

DOWNTOWN RIVERFRONT REDEVELOPMENT
COMMUNITY VISIONING PROJECT

January 29, 2009

OBJECTIVE

The Town of Riverhead seeks proposals and qualifications from a creative and qualified consultant (experienced planners, architects, meeting facilitators or other similar professions) to assist the Town of Riverhead to engage the community in a visioning process for potential redevelopment of multiple parcels on the south side of East Main Street along the waterfront in downtown Riverhead adjacent or near to the Town of Riverhead property currently occupied by the East End Arts Council located within the East Main Street Urban Renewal Area.

The overall goal of this effort is to assess the community vision for revitalization of this currently underutilized area by facilitating a minimum of three community meetings and potentially a charrette activity to solicit ideas that support the following Town of Riverhead goals:

1. To develop innovative approaches to downtown redevelopment that incorporate a wide range of community views. The visioning process should solicit ideas and focus theme issues of most importance to the community and specifically identify redevelopment opportunities within current zoning.
2. To revitalize downtown Riverhead as a community gathering place that will accentuate the central location as well as existing natural and historic features, promote and attract pedestrian traffic, provide venues for community activities and interaction for a variety of populations, and promote revitalization in surrounding areas. The visioning process should incorporate placemaking methodology, which includes community meeting/workshops of a broad range of stakeholders to identify how the project area can be enhanced as a community gathering place and destination.
3. To promote, expand and diversify economic opportunities and sustainability for Town of Riverhead residents, visitors and entrepreneurs through development of new micro-economies accentuating Riverhead's strengths. Potential areas of exploration, include but are not limited to, agricultural related business, water-enhanced and water-dependent uses, as well as historic and arts related endeavors.

The process is expected to result in conceptual directives for uses that will help the Town of Riverhead to achieve these goals. Ultimately, the Town intends to work with a private planning firm or developer to design and implement the community visioning project ideas. The proposal should incorporate a comprehensive visioning process that

will facilitate the generation of new options for improved quality of life for Town of Riverhead residents and visitors alike, including improved economic opportunities that accentuate and connect the waterfront and retail centers, as well as enhancement of public open spaces, streetscapes, historic resources, and access to transportation and parking.

Attachments:

- Riverhead Town Code Sections 108 - 297 through 300 and 301 through 304 (Downtown Center: Main Street Zoning Use District/DC-1 and DC-2)

PROPOSED PROJECT LOCATION

The area being considered for potential redevelopment is located within the Town of Riverhead East Main Street Urban Renewal Area with primary focus on properties located on the area south of Main Street, Riverhead, bordering the Town of Riverhead property currently occupied by the East End Arts Council (see <http://www.eastendarts.org>). Emphasis will be placed on creating public space for community recreation and gatherings, maximizing green space while maintaining vehicular access to storefronts, and improving the appeal of the nearby retailers and commercial properties. The redevelopment area is characterized by numerous vacant buildings, public parking areas and underutilized properties.

SCOPE

The intent of the Town of Riverhead is to provide a process to stimulate community and stakeholder participation into the redevelopment of the downtown business district by encouraging new ideas for improvements to property along the riverfront that may at present be publicly or privately owned. The end result of the process is to produce a vision for the redevelopment of this area within the historic context of the surrounding buildings and with sensitivity to the environment that encourages incorporation of ideas consistent with current zoning for this area, including but not limited to public gathering spaces and activities, museums and other institutional uses, entertainment, recreation, retail/commercial and housing. Other significant aspects of the redevelopment visioning process will potentially incorporate dual frontage of existing or new buildings, additional marine access to the dock, pedestrian and bicycle utilization of the greenspace along the river, scenic vistas, access from Route 25 and Route 94, the potential for synergistic development in the Town of Southampton, and impetus for increased resident and visitor use of the riverfront. Celebratory greenspace plazas are encouraged.

For more information on the area and redevelopment planning documents, responders are directed to the Town of Riverhead website www.riverheadli.com for links to the following planning documents and Town Code:

- East Main Street Urban Renewal Plan Update (2008)
- East Main Street Urban Renewal Plan Update Generic Environmental Impact Study
- Town of Riverhead Comprehensive Plan

The visioning process is intended to produce a result compatible with the historic nature and waterfront location of the downtown area and relate to the surrounding buildings with historic significance as well as to the waterfront. The visioning process should consider regulatory issues. The ultimate resulting project directive will involve the cooperation of all levels of government as well as the private sector for successful planning and implementation.

III. TERMS AND CONDITIONS

Proposals are to be submitted in compliance with the terms and conditions as set forth herein. Proposals should be typed (double-spaced), bound and accompanied by an executed copy of this Request for Proposal signed by a principal of the submitting Proposer thereby affirming its agreement with the requirements hereof.

PROPOSAL FORMAT AND INFORMATION

General Information: All prospective respondents should familiarize themselves with the project area. For general information regarding the project area or questions regarding the submission, contact:

Chris Kempner, CDA Director – 631-727-3200 x287

Submittal of Proposals: Submit responses to the office of the Town Clerk:

Diane M. Wilhelm, Town Clerk
Town of Riverhead
200 Howell Ave.
Riverhead, NY 11901

Submission Format: Interested proposers should submit ten (10) copies of their response to the address cited above. All submissions must contain the following:

1. Required Information Regarding the Proposer: each proposal must include the following information:
 - a. Letter of Interest, including overview of firm and officers;
 - b. Contact person for the proposal (include address of primary business operations and that of office that will handle this transaction);
 - c. General background of the Proposer, and its business organization, including:
 - Proven qualifications to carry out a project as outlined;
 - Demonstrated experience in similar projects.
 - Demonstrated understanding of the Town's vision and goals for the project.
 - d. List of clients to whom your firm has provided similar services including the names, titles and phone numbers of individuals whom the Town may contact as references.

2. Summary of proposed visioning concept and process with a detailed strategy containing at a minimum:
 - a. Insights and approaches for facilitating ideas from stakeholders for uses that will assist revitalization of the project area. Reference should be made to similar experiences in comparable areas and show an understanding of all stages of the visioning process.
 - b. Description of the proposed visioning plan including a breakdown and description of project elements.
 - A project schedule identifying milestone dates;
 - Identification of the Team, key principals and qualifications;
 - Description of relevant expertise and experience including examples of successful projects of similar or larger scope and scale, any unique qualifications that the Proposer brings to the project, understanding of the Riverhead area and waterfront potential.
3. Preliminary lump sum cost proposal identifying tasks and costs with a minimum breakdown of the following tasks:
 - a. Three community visioning meetings;
 - b. Alternative A: Charrette Activity (to be conducted contingent upon funding availability)

SCHEDULE

Responses must be submitted by 4:00 pm on Friday, March 6, 2009 to the Town Clerk, 200 Howell Ave., Riverhead, NY 11901. Emailed or faxed responses will not be accepted. Responses must be enclosed in a sealed envelope marked "**Downtown Riverfront Redevelopment Visioning**". Late submissions will not be accepted and incomplete proposals will not be considered.

The Town of Riverhead reserves the right to reject any and all proposals if it is determined to be in the best interests of the Town. In addition, the Town assumes no responsibility or liability for costs incurred by respondents for the preparation/submission of a response to this request or for any subsequent requests made by the Town. Furthermore, the Town reserves the right to award or not award a contract for community vision meetings, charrette activity or both resulting from this request for proposals depending upon availability of funding.

PROPOSAL PROCEDURES AND CONDITIONS

1. Expenses of Proposal Preparation. Each Proposal prepared in response to this RFP will be prepared solely at the cost and expense of the Proposer with the express understanding that there will be no claim whatsoever for reimbursement from Town for any cost or expense incurred in its preparation. Nor will there be any claims whatsoever for reimbursement from the Town for any other costs or expenses incurred by any Proposer, including, without limitation, the selected Proposer.

2. Required Forms. All Proposals must be typed. Proposers are free to, and are encouraged to, submit supplementary information as attachments. The parties hereto expressly acknowledge, accept, and agree that all documents submitted in response to this RFP will become the property of the Town of Riverhead and will not be returned.
3. Except as hereinafter provided. No officer, agent, or employee of the Town is authorized to amend any of the provisions or specifications contained in this RFP. Accordingly, all changes, if any, must appear as a written addenda attached to this RFP.
4. Changes to this RFP. The Town reserves the right to make any additions, deletions, corrections, or changes to the RFP package. In addition, the Town may issue an interpretation or clarification of Proposal submission requirements, or procedures, or of any terms and conditions of any document contained in or required by the RFP package.
5. Addenda to this RFP. Any such addenda by the Town will be delivered and made in writing to all Proposers who have requested an RFP package and/or returned a completed RFP submission. All such Proposers will be required to acknowledge receipt of any such addenda issued by the Town, by returning and/or attaching a signed and dated copy of the addenda transmission cover sheet as may be instructed in the addenda transmittal.
6. Modifications of Proposals. A submitted Proposal may be modified by the submitting Proposer, in part or in whole, by a written document executed in the same manner and in the same number as the original, submitted Proposal (i.e., with original verification and original supporting forms), provided such modification is received by the Town of Riverhead prior to the stated submission deadline. Such modification must be submitted by such valid means as set forth herein for submission of a Proposal, and which is endorsed on the front thereof with the words "Downtown Riverhead Historic District Guidelines -- Proposal Modification."
7. Withdrawal of Proposals. A Proposer may, by written request (made with an original stipulation), withdraw its Proposal, provided such request is received by the Town of Riverhead prior to the submission deadline. Such request must be submitted in an envelope clearly showing the return address of the submitting Proposer, and which is endorsed on the front thereof with the words "Downtown Riverfront Redevelopment Visioning -- Proposal Withdrawn".
8. Late Filings. Proposals, modifications of Proposals, and withdrawal requests received by the Town after the submission deadline will not be considered, and will be returned to the Proposer unopened.

9. Proposers' Exceptions to the RFP. Should a Proposer take exception to any provision of this RFP, such exception must be clearly stated (referencing the affected section, paragraph, and page in this RFP), must set forth the reason(s) for the objection, and indicate what (if any) alternative is being offered by the objecting Proposer to the Town as to a substitute provision. When exception(s) are taken, the Town shall determine (in its sole discretion) the acceptability of the proposed exception(s). Exceptions may be accepted or rejected, and the Town is under no obligation to accept any such exceptions or proposed alternatives. Where exceptions are rejected, the Town may insist that the Proposer negotiate an acceptable alternative thereto. In the event of an impasse, the Town may permit a Proposer to withdraw its Proposal; however, in such circumstances, the Proposer will be disqualified from any further proceeding under the instant RFP. If no exceptions are stated, the Town shall assume that the Proposer has accepted all the terms and conditions of the RFP package.
10. Oral Presentations. The Town may require Proposers to give oral presentations in support of their Proposals, and to exhibit or otherwise demonstrate the information contained therein. Such presentations will be conducted privately, one Proposer at a time. Non-presenting Proposers will be excluded from any other Proposer's presentation. No oral presentation will be permitted, unless a Proposer has timely filed a complete written Proposal.
11. Negotiations. The Town may issue its Notice of Award on the basis of initial Proposals received without discussions or negotiations. Accordingly, the Town reserves the right to enter into Contract (and/or Contract negotiations) with any selected Proposer. If the Town and the selected Proposer cannot successfully negotiate a Contract acceptable to the Town, then the Town may declare that said negotiations are terminated and begin negotiations with an alternate selected Proposer. No Proposer shall have any rights against the Town (for purchase of the Property or otherwise) arising from such negotiations or the termination thereof.
12. Conflicting Provisions. The Contract will constitute the entire understanding and agreement between the Town and the selected Proposer, and shall set forth all the terms and conditions therefore. In the case of a conflict between this RFP and the Contract, the Contract shall control.
13. Proposal Award. The Town intends to enter into contract negotiations with the Proposer selected by the Town's RFP evaluation committee. If the selected Proposer (who shall receive a "Notice of Award" letter from the Town) fails to enter into negotiations or fails to execute and return the tendered Contract (together with any necessary documents, attachments, affidavits, and/or deposits) within ten (10) days after the issuance of such Notice of Award letter, then the Town, at its sole option, may determine and declare that said Proposer has abandoned the Contract, and a Notice of Award may be issued to the next most qualified and selected Proposer for the purchase of the Property. Neither

the issuance of a Notice of Award nor the negotiation of the Contract with the selected Proposer shall constitute the Town's acceptance of the Proposal or a binding commitment on behalf of the Town to enter into a Contract with such Proposer.

14. The Town of Riverhead reserves the right to reject any and all proposals if it is determined to be in the best interests of the Town. In addition, the Town assumes no responsibility or liability for costs incurred by respondents for the preparation/submission of a response to this request or for any subsequent requests made by the Town. Furthermore, the Town reserves the right to award or not award a contract for community vision meetings, charrette activity or both resulting from this request for proposals depending upon availability of funding.

Dated: _____

I have read the requirements for a selected Proposer, acknowledge, agree and accept the terms and requirements hereof, and will be able to comply with them if selected as the purchasing Proposer.

Proposer: _____

Name: _____

Title: _____

Company Name: _____

III. ATTACHMENTS

A. CDA BOARD RESOLUTION #2 DATED 1/21/09

B. TOWN OF RIVERHEAD TOWN CODE
SECTIONS 108 - 297 THROUGH 300 AND 301 THROUGH 304
(DOWNTOWN CENTER 1 AND 2: MAIN STREET ZONING USE
DISTRICT/DC-1 AND DC-2)

January 21, 2009

**TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY**

RESOLUTION #2

**AUTHORIZES PUBLICATION OF NOTICE TO SOLICIT PROPOSALS FOR
COMMUNITY VISIONING FOR PARCELS UNDER CONSIDERATION FOR
ACQUISITION BY THE TOWN OF RIVERHEAD**

_____ offered the following resolution,

which was seconded by _____:

WHEREAS, the Riverhead East Main Street Urban Renewal Area is a priority of the Town of Riverhead Board and has been the focus of numerous plans and studies, capital improvement projects and substantial investment by the Town of Riverhead.

WHEREAS, the Town of Riverhead through its Community Development Agency hereby solicits proposals from a creative and qualified consultant to conduct and facilitate community visioning for a potential redevelopment of parcels in the Riverhead East Main Street Urban Renewal Area under consideration for acquisition by the Town of Riverhead to include a minimum of three community outreach meetings and possibly to be followed by a charrette activity to examine alternatives for redevelopment and presents a preferred alternative; and

THEREFORE, BE IT RESOLVED, that Riverhead Town Board authorizes the issuance of the attached Request for Proposals.

THEREFORE, BE FURTHER IT RESOLVED, that the Riverhead Town Board hereby authorizes publishing and posting of the attached public notice in the Thursday, January 29, 2009, issue of the News Review and to post same on the signboard in Town Hall.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide notification of this resolution to the Community Development Director.

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

Please take notice that the Town of Riverhead through its Community Development Agency hereby solicits proposals from a creative and qualified consultant to conduct and facilitate community visioning for a potential redevelopment of parcels in the Riverhead East Main Street Urban Renewal Area under consideration for acquisition by the Town of Riverhead to include a minimum of three community outreach meetings and possibly followed by a charrette activity to examine alternatives for redevelopment and present a preferred alternative.

A Request for Proposals has been issued by the Town of Riverhead Community Development Agency and is available at the Town Clerk or through the Community Development Department during business hours or by calling 727-3200 ext. 287.

Dated: January 29, 2009

Diane M. Wilhelm
Town Clerk

**CODE OF THE TOWN OF RIVERHEAD, NEW YORK, v217 Updated 12-01-2008 /
PART II GENERAL LEGISLATION / Chapter 108, ZONING / ARTICLE LVI,
Downtown Center 1: Main Street (DC-1) Zoning Use District [Added 11-3-2004 by
L.L. No. 45-2004]**

**ARTICLE LVI, Downtown Center 1: Main Street (DC-1) Zoning Use District [Added
11-3-2004 by L.L. No. 45-2004]**

**CODE OF THE TOWN OF RIVERHEAD, NEW YORK, v217 Updated 12-01-2008 /
PART II GENERAL LEGISLATION / Chapter 108, ZONING / ARTICLE LVI,
Downtown Center 1: Main Street (DC-1) Zoning Use District [Added 11-3-2004 by
L.L. No. 45-2004] / § 108-297 Purpose and intent.**

§ 108-297 Purpose and intent.

The intent of the Downtown Center 1: Main Street (DC-1) Zoning Use District is to allow, maintain, and foster a traditional downtown character along Main Street, with a pedestrian-friendly streetscape, active ground-floor uses, a twenty-four-hour presence from upper-story residential, with a compact, walkable scale.

**CODE OF THE TOWN OF RIVERHEAD, NEW YORK, v217 Updated 12-01-2008 /
PART II GENERAL LEGISLATION / Chapter 108, ZONING / ARTICLE LVI,
Downtown Center 1: Main Street (DC-1) Zoning Use District [Added 11-3-2004 by
L.L. No. 45-2004] / § 108-298 Uses.**

§ 108-298 Uses.

In the DC-1 Zoning Use District, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise provided in this chapter, except for that following permitted uses or specially permitted uses and their customary accessory uses:

A. Permitted uses: [Amended 2-7-2006 by L.L. No. 8-2006]

- (1) Retail stores.
- (2) Banks.

- (3) Personal service businesses.
- (4) Indoor public markets.
- (5) Art galleries and studios.
- (6) Museums, libraries, aquariums and other cultural attractions.
- (7) Restaurants, cafes, bakeries with retail sale on premises, banquet facilities, specialty food stores, ice cream parlors.
- (8) Theaters and cinemas.
- (9) Professional offices (except for veterinary offices) on the ground floor.
- (10) Schools (including business and secretarial).
- (11) Places of worship.
- (12) Residential units on upper floors with a minimum unit size of 650 square feet.
- (13) Bed-and-breakfast establishments.
- (14) Townhouses upon lots with frontage along public highways other than New York State Route 25.

*Note: Subsequent to the date of enactment of this article, upon the issuance of certificates of occupancy for 500 residential units, such residential units as set forth in § 108-298(A)(13) shall be prohibited within the DC-1 Zoning Use District.

B. Special permit uses:

- (1) Hotels.
- (2) Marinas.
- (3) Taverns.
- (4) Indoor recreation facilities.
- (5) Day-care, nursery schools.
- (6) Dormitories, on upper floors.

(7) Retail stores with greater than 10,000 square feet of gross leasable floor area.

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

(1) Artists' studios, provided that they occupy 40% or less of a principal residence or are located in a detached accessory building on a residential pare, and do not exceed 1,000 square feet of floor area.

D. Prohibited uses:

(1) All ground-floor offices, with the exception of real estate and professional offices.

(2) Office-only buildings.

(3) Ground-floor residential units, with the exception of townhouse uses.

(4) Flea markets, with the exception of farmers markets.

(5) Gas stations, car washes, and other automobile-oriented uses.

(6) Drive-through windows for restaurants and banks.

(7) Antennas for wireless providers.

**CODE OF THE TOWN OF RIVERHEAD, NEW YORK, v217 Updated 12-01-2008 /
PART II GENERAL LEGISLATION / Chapter 108, ZONING / ARTICLE LVI,
Downtown Center 1: Main Street (DC-1) Zoning Use District [Added 11-3-2004 by
L.L. No. 45-2004] / § 108-299 Lot, yard, bulk, and height requirements.**

§ 108-299 Lot, yard, bulk, and height requirements.

No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule^{EN(1)} incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.

**CODE OF THE TOWN OF RIVERHEAD, NEW YORK, v217 Updated 12-01-2008 /
PART II GENERAL LEGISLATION / Chapter 108, ZONING / ARTICLE LVI,
Downtown Center 1: Main Street (DC-1) Zoning Use District [Added 11-3-2004 by
L.L. No. 45-2004] / § 108-300 Supplementary requirements.**

§ 108-300 Supplementary requirements.

The following design and parking standards shall apply:

A. Design standards.

- (1) The principal building entrance and front shall face the primary street frontage and sidewalk. Secondary building entrances on the south side of Main Street shall face the Peconic Riverfront.
- (2) At least 75% of linear width of the front facade shall be comprised of transparent windows. Where shade is desired, awnings are encouraged. Windows may not be obscured more than 10% by opaque banners, or either permanent or temporary advertisements or signs.
- (3) Building shape, massing, and siting should reflect the prevalent character of surrounding buildings on the block.
- (4) Facades of commercial buildings that face sidewalks or pedestrian walkways shall be required to have variations in facade plane, piers, or other architectural features.
- (5) Signage in the DC-1 Zoning Use District shall be provided in accordance with § 108-56, Signs.
- (6) Buffering and transitions:
 - (a) Trash and/or dumpster areas shall be screened by wood fences or landscaping, or a combination thereof pursuant to § 98-8.
 - (b) Buffer plantings or landscaping or opaque fences, preferably wood fences, shall be provided between commercial businesses and adjoining residential uses.
 - (c) Deliveries and loading activities shall, to the extent possible, be restricted to the hours between 8:00 a.m. and 5:00 p.m. on weekdays.

B. Parking standards.

- (1) The number of off-street parking spaces in the DC-1 Zoning Use District shall be provided in accordance with § 108-80, Off-street parking.
- (2) Where credible evidence is provided by traffic counts or data by a licensed traffic engineer, up to a twenty-percent reduction in off-street parking may be permitted for shared parking, where the peak parking of two or more uses occurs at different times.
- (3) The parking requirement may be reduced with payment of a fee in lieu of providing

off-street parking as provided for in § 108-60.

- (4) Off-street parking shall not be permitted in the front yard. Parking shall be sited to the rear of buildings, away from street frontage(s) when possible, or to the side of buildings. In all cases, garages and parking areas shall be recessed at least five feet from the primary front facade plane of the main building, and at least 15 feet back from the front property line.
- (5) Parking may also be located fully below buildings, partially below grade in a building, or at-grade within a building, provided it is fully enclosed and no entry is provided facing a public street or front yard. Structured parking that is partially below grade shall be screened from the street by steps, trellises, or screens.
- (6) Curb cuts to parking lots and garages shall be minimized by sharing driveways for access to adjacent parking lots. However, curb cuts and driveways are prohibited along the front property line for properties less than 30 feet in width; in these situations, parking must be accessed from a rear alley, side street, or shared rear lot.
- (7) Curb cuts, driveways, and garages shall meet the following dimensional regulations:
 - (a) Curb cuts and driveways at the front property line leading to parking areas of 10 or fewer spaces shall not exceed 10 feet in width along any point.
 - (b) Curb cuts and driveways at the front property line leading to parking areas of 11 or more spaces shall not exceed 14 feet in width at any point.
 - (c) The maximum width of garage entryways facing a front street shall not exceed 18 feet.

**CODE OF THE TOWN OF RIVERHEAD, NEW YORK, v217 Updated 12-01-2008 /
PART II GENERAL LEGISLATION / Chapter 108, ZONING / ARTICLE LVII,
Downtown Center 2: Waterfront (DC-2) Zoning Use District [Added 11-3-2004 by
L.L. No. 46-2004]**

**ARTICLE LVII, Downtown Center 2: Waterfront (DC-2) Zoning Use District [Added
11-3-2004 by L.L. No. 46-2004]**

**CODE OF THE TOWN OF RIVERHEAD, NEW YORK, v217 Updated 12-01-2008 /
PART II GENERAL LEGISLATION / Chapter 108, ZONING / ARTICLE LVII,
Downtown Center 2: Waterfront (DC-2) Zoning Use District [Added 11-3-2004 by
L.L. No. 46-2004] / § 108-301 Purpose and intent.**

§ 108-301 Purpose and intent.

The intent of the Downtown Center 2: Waterfront (DC-2) Zoning Use District is to create a downtown waterfront area that meets the combined goals of continuous pathways and public waterfront access, generous open space and landscaping, and watershed protection through limits on impervious surfaces.

**CODE OF THE TOWN OF RIVERHEAD, NEW YORK, v217 Updated 12-01-2008 /
PART II GENERAL LEGISLATION / Chapter 108, ZONING / ARTICLE LVII,
Downtown Center 2: Waterfront (DC-2) Zoning Use District [Added 11-3-2004 by
L.L. No. 46-2004] / § 108-302 Uses.**

§ 108-302 Uses.

In the DC-2 Zoning Use District, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

A. Permitted uses:

- (1) Marina, resort.
- (2) Retail stores.

- B. Special permit uses:
- (1) Hotels, inns, and bed-and-breakfast establishments.
 - (2) Indoor recreation facilities.
- C. Accessory uses. Accessory uses shall include those uses customarily incidental to any of the above permitted uses or specially permitted uses when located on the same lot. Specifically permitted are the following:
- (1) Restaurants, cafes, cafeterias.
 - (2) Outdoor storage of boats and other watercraft as an accessory use to a marina.
- D. Prohibited uses:
- (1) Offices.
 - (2) Gas stations, car washes, and other automobile-oriented uses.
 - (3) Drive-through windows for restaurants and banks.

**CODE OF THE TOWN OF RIVERHEAD, NEW YORK, v217 Updated 12-01-2008 /
PART II GENERAL LEGISLATION / Chapter 108, ZONING / ARTICLE LVII,
Downtown Center 2: Waterfront (DC-2) Zoning Use District [Added 11-3-2004 by
L.L. No. 46-2004] / § 108-303 Lot, yard, bulk, and height requirements.**

§ 108-303 Lot, yard, bulk, and height requirements.

- A. No buildings shall be erected nor any lot or land area utilized unless in conformity with the Zoning Schedule^{EN(1)} incorporated into this chapter by reference and made a part hereof with the same force and effect as if such requirements were herein set forth in full as specified in said schedule, except as may be hereafter specifically modified.
- B. In order to foster environmental conservation as well as preservation of the Town's scenic and rural quality, properties shall provide a contiguous open space area equal to at least 30% of the lot area. Such open space areas shall use native plant species to enhance the appearance and function of the riverfront as ecological habitat. In order to protect the health of the river, the use of lawns and other plantings which rely on fertilizers and herbicides is strongly discouraged at the rear of lots facing the river.

**CODE OF THE TOWN OF RIVERHEAD, NEW YORK, v217 Updated 12-01-2008 /
PART II GENERAL LEGISLATION / Chapter 108, ZONING / ARTICLE LVII,**

Downtown Center 2: Waterfront (DC-2) Zoning Use District [Added 11-3-2004 by L.L. No. 46-2004] / § 108-304 Supplementary requirements.

§ 108-304 Supplementary requirements.

The following design and parking requirements shall apply.

A. Design standards.

- (1) All properties shall provide a pedestrian easement for a walking trail that connects to existing trails or provides the ability to connect to future trails on adjacent properties. Trails shall be at least four feet wide and constructed of a permeable surface.
- (2) New buildings and all other elements of the site plan, including access, parking areas and landscaped open space, shall be sited to preserve and enhance pedestrian pathways to, and view corridors of, the Peconic River.
- (3) All buildings in the DC-2 Zoning Use District shall provide entries to both a public street and the Peconic River walkway or trail.
- (4) For building facades facing West or East Main Street, at least 50% of the linear width of the facade shall be comprised of transparent windows. Where shade is desired, awnings are encouraged. Windows may not be obscured more than 10% by opaque banners, or either permanent or temporary advertisements or signs.
- (5) Signage in the DC-2 Zoning Use District shall be provided in accordance with § 108-56, Signs.
- (6) Buffering and transitions:
 - (a) Trash and/or dumpster areas shall be screened by wood fences or landscaping, or a combination thereof, pursuant to § 98-8.
 - (b) Buffer plantings or landscaping or opaque fences, preferably wood fences, shall be provided between commercial businesses and adjoining residential uses.
 - (c) Deliveries and loading activities shall, to the extent possible, be restricted to the hours between 8:00 a.m. and 5:00 p.m. on weekdays.

B. Parking standards.

- (1) The number of off-street parking spaces in the DC-2 Zoning Use District shall be provided in accordance with § 108-60, Off-street parking.
- (2) Where credible evidence is provided by traffic counts or data by a licensed traffic

engineer, up to a twenty-percent reduction in off-street parking may be permitted for shared parking, where the peak parking of two or more uses occurs at different times.

- (3) The parking requirement may be reduced with payment of a fee in lieu of providing off-street parking as provided for in § 108-60.
- (4) Off-street parking shall not be permitted In the front yard. Parking shall be sited to the rear of buildings, away from street frontage(s) when possible, or to the side of buildings. In all cases, garages and parking areas shall be recessed at least five feet from the primary front facade plane of the main building, and at least 15 feet back from the front property line.
- (5) Parking may also be located fully below buildings, partially below grade in a building, or at-grade within a building, provided it is fully enclosed and no entry is provided facing a public street or front yard. Structured parking that is partially below grade shall be screened from the street by steps, trellises, or screens.
- (6) Curb cuts to parking lots and garages shall be minimized by sharing driveways for access to adjacent parking lots. However, curb cuts and driveways are prohibited along the front property line for properties less than 30 feet in width; in these situations, parking must be accessed from a rear alley, side street, or shared rear lot.
- (7) Curb cuts, driveways, and garages shall meet the following dimensional regulations:
 - (a) Curb cuts and driveways at the front property line leading to parking areas of 10 or fewer spaces shall not exceed 10 feet in width along any point.
 - (b) Curb cuts and driveways at the front property line leading to parking areas of 11 or more spaces shall not exceed 14 feet in width at any point.
 - (c) The maximum width of garage entryways facing a front street shall not exceed 18 feet.
- (8) In order to soften the appearance of parking lots, parking lots shall be landscaped with ground cover, grasses or low shrubs for at least 15% of their land area. This landscaping requirement is in addition to the thirty-percent parcelwide landscaping mentioned above.
- (9) In order to provide shade, parking lots with 21 or more spaces shall have "orchard" planting: one tree per 10 off-street spaces. Such trees shall be spread throughout the parking lot and along the edges.
- (10) In order to provide recharge of the groundwater basin and minimize runoff into water bodies, at least one of the following stormwater management techniques shall be used in parking lots where underlying soils support infiltration of precipitation to the

groundwater:

- (a) Where sanding and salting are not used in the winter, low-traffic or seasonal parking-overflow areas of the parking lot shall be surfaced with porous pavement or gravel.
- (b) Landscaped areas of the parking lot shall be sited, planted, and graded in a manner to provide infiltration and detention of runoff from paved areas.

Adopted

January 21, 2009

COMMUNITY DEVELOPMENT AGENCY
Town of Riverhead

Resolution # 3

AUTHORIZES SUPERVISOR TO SIGN ATTACHED HOLD HARMLESS
AGREEMENT WITH LED DISPLAY TECHNOLOGY

Councilwoman Blass offered the following resolution,
which was seconded by COUNCILMAN DUNLEAVY

WHEREAS, LED Display Technologies is currently designing and developing new product and technology at the Stony Brook Incubator within EPCAL, and

WHEREAS, LED Display Technologies has requested permission to periodically test the electrical and mechanical components on the perimeter road at EPCAL, and

WHEREAS, LED Display Technologies represents that testing would takes place on average of three times per month, and

WHEREAS, the Town of Riverhead desires to cooperate with fledgling businesses in the spirit of the incubator concept,

NOW THEREFORE BE IT

RESOLVED, that the Town of Riverhead hereby permits LED Display Technologies the use of the perimeter road at EPCAL for consideration of one dollar (\$1.00) for a period of one year from the date of the agreement which fee shall be re-evaluated upon the conclusion of one year; and

BE IT FURTHER RESOLVED, that the Supervisor is hereby directed to sign the attached Hold Harmless Agreement with LED Display Technologies and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to James M. Hoffman, President of LED Display Technologies, Monique Gablenz, Executive Director of the Stony Brook Incubator and the Offices of the Town Attorney.

absent
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

HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

Agreement, made this ____ day of January, 2009, by and between _____ (hereinafter "Indemnitor") and the Town of Riverhead (hereinafter "Town"), a municipal corporation authorized under the laws of the State of New York, with offices located at 200 Howell Avenue, Riverhead, NY 11901.

Whereas, Indemnitor wishes to have access to Town's property located at _____, and

Whereas, Town wishes to grant access provide it is indemnified and held harmless from any acts of the Indemnitor which result in harm or injury to persons or property,

NOW, THEREFORE, it is hereby agreed as follows:

To the fullest extent permitted by law, indemnitor shall indemnify and hold harmless the Town of Riverhead from and against claims, damages, losses and expense, including but not limited to attorneys' fees, arising out of or resulting from performance of the work, provided that such claim, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property including loss therefrom, but only to the extent caused in whole or part by the negligent acts or omissions of indemnitor.

LED Display Technology, Inc.
By: JAMES M. HOFFMAN, President

TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY
By: Philip J. Cardinale, Chairman

Adopted

**AUTHORIZES FIRE MARSHAL TO ATTEND
ELECTRICAL FIRE CAUSE DETERMINATION COURSE**

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

WHEREAS, based upon the recommendation of the Chief Fire Marshal, that Fire Marshal I Craig Zitek attend the Electrical Fire Cause Determination I & II Course at the New York State Fire Training Academy; and

WHEREAS, the training at said class is necessary for the understanding of electrical behavior as related to fire cause and origin for a Fire Marshal I; and

WHEREAS, the Electrical Fire Cause Determination I & II Course will be held June 15, 2009 through June 19, 2009 in Montour Falls, New York; and

WHEREAS, the cost to attend said course shall not exceed \$500 (expenses to include fees for registration, lodging, meals and other travel costs such as tolls and gas); and

NOW, THEREFORE BE IT RESOLVED, that Fire Marshal Zitek be authorized to attend this course and shall remit to the Accounting Department all pertinent receipts and documentation to be reimbursed for expenditures not to exceed the authorized limit; and

BE IT FURTHER RESOLVED, that the Town Clerk be a is authorized to forward a copy of this resolution to Chief Fire Marshal Scott W. Davonski 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.**

Resolution #40

AUTHORIZES FIRE MARSHAL I DAVID ANDRUSZKIEWICZ TO ATTEND THE "FORENSIC FIRE SCENE RECONSTRUCTION" SEMINAR

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

WHEREAS, based upon the recommendation of the Chief Fire Marshal, that Fire Marshal I David Andruszkiewicz attend the "Forensic Fire Scene Reconstruction" Seminar at Bally's Atlantic City; and

WHEREAS, "Forensic Fire Scene Reconstruction" Seminar will be held March 4, 2009 through March 6, 2009 in Atlantic City, New Jersey; and

WHEREAS, the cost to attend said seminar shall not exceed \$1000 (expenses to include fees for registration, lodging, meals and other travel costs such as tolls and gas); and

NOW, THEREFORE BE IT RESOLVED, that Fire Marshal Andruszkiewicz be authorized to attend this seminar and shall remit to the Accounting Department all pertinent receipts and documentation to be reimbursed for expenditures not to exceed the authorized limit; and

BE IT FURTHER RESOLVED, that the Town Clerk be a is authorized to forward a copy of this resolution to Chief Fire Marshal Scott W. Davonski and the Office of Accounting.

THE VOTE

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

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED.

January 21, 2009

Tabled

TOWN OF RIVERHEAD

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST A HELP WANTED AD FOR CALL-IN AUTOMOTIVE EQUIPMENT OPERATORS

RESOLUTION # 41

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

BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the January 29, 2009 issue of The News Review.

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

The Vote

Wooten Yes No

Buckley Yes No *absent*

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

PLEASE TAKE NOTICE that the Town of Riverhead is seeking qualified individuals to serve in the position of call-in Automotive Equipment Operators in the Highway Department. Must possess a clean valid CDL and be available to snow plow. Applications are to be submitted to the Riverhead Town Hall, 200 Howell Ave., Riverhead, NY. No applications will be accepted after 4:00pm on February 13, 2009. EOE

BY ORDER OF:
THE RIVERHEAD TOWN BOARD
DIANE WILHELM, TOWN CLERK

January 20, 2009

TOWN OF RIVERHEAD

Adopted

Resolution # 42

RATIFIES THE APPOINTMENT OF A WASTEWATER TREATMENT PLANT OPERATOR II

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

WHEREAS, Robert Helupka has been serving as a provisional appointment in the position of Wastewater Treatment Plant Operator II; and

WHEREAS, Civil Service has established a certified list of Eligibles, list # 08-7462-314 for the position of Wastewater Treatment Plant Operator II, and Robert Helupka is reachable on that list.

NOW, THEREFORE, BE IT RESOLVED, that effective January 16, 2009, this Town Board hereby removes the provisional status of Robert Helupka and ratifies his appointment to the position of Wastewater Treatment Plant Operator II 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 Robert Houlka, the Superintendent of Wastewater, the Accounting Office, and the Personnel Officer.

The Vote

Wooten Yes No

Buckley Yes No *absent*

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

THE RESOLUTION WAS WAS NOT

THEREFORE DULY ADOPTED

January 21, 2009

TOWN OF RIVERHEAD

Adopted

Resolution # 43

RATIFIES THE APPOINTMENT OF A MEMBER TO THE ZONING BOARD OF APPEALS

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

BE IT

RESOLVED, effective January 1, 2009, Charles Sclafani be and is hereby appointed as as a member of the Town of Riverhead Zoning Board of Appeals for a term of five (5) years through December 31, 2013, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Charles Sclafani, the Zoning Board of Appeals, the Planning Department and the Office of Accounting.

THE VOTE

DUNLEAVY YES NO BUCKLEY YES NO *absent*

BLASS YES NO WOOTEN YES NO

CARDINALE YES NO *abstain*

THIS RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

January 21, 2009

TOWN OF RIVERHEAD

Adopted

Resolution # 44

**RATIFIES THE APPOINTMENT OF A MEMBER TO THE
PLANNING BOARD OF THE TOWN OF RIVERHEAD**

COUNCILMAN DUNLEAVY

_____ offered the following resolution,

which was seconded by _____ COUNCILMAN BUCKLEY *WOOTEN*

BE IT

RESOLVED, effective January 1, 2009, Louis Boschetti be and is hereby appointed as a member of the Town of Riverhead Planning Board for a term of five (5) years through December 31, 2013, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Louis Boschetti, the Planning Department, the Planning Board and the Office of Accounting.

THE VOTE

DUNLEAVY YES ___ NO BUCKLEY ~~___~~ YES ___ NO *absent*

BLASS YES ___ NO WOOTEN YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION WAS ___ WAS NOT THEREFORE DULY ADOPTED

January 21, 2009

TOWN OF RIVERHEAD

Resolution # 45

Adopted

**RATIFIES THE APPOINTMENT OF THE CHAIRMAN OF THE
RIVERHEAD
ZONING BOARD OF APPEALS**

COUNCILMAN ^{BLASS} ~~BUCKLEY~~ offered the following resolution,

which was seconded by COUNCILMAN WOOTEN

BE IT

RESOLVED, effective January 1, 2009, Frederick J. McLaughlin be and is hereby appointed as Chairman of the Town of Riverhead Zoning Board of Appeals at a salary as determined by the Town Board, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Frederick J. McLaughlin, the Zoning Board of Appeals, the Planning Department and the Office of Accounting.

THE VOTE

DUNLEAVY YES NO BUCKLEY YES NO ^{absent}

BLASS YES NO WOOTEN YES NO

CARDINALE YES NO

THIS RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

Town of Riverhead

Adopted

Resolution # 46

Authorizes Attendance at the 2009 Training School held by the Association of Towns

COUNCILMAN WOOTEN offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

WHEREAS, the Association of Towns is hosting their 2009 Training School at the Hilton Hotel, New York City, on February 16th through February 18, 2009; and

WHEREAS, it is the desire of Philip J. Cardinale, Town Supervisor, Barbara Blass, Councilwoman, John Dunleavy, Councilman, and Leroy E. Barnes, Jr., Building Department Administrator to attend such courses.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the aforementioned individuals to attend the Association of Towns 2009 Training School to be held at the Hilton Hotel, New York City on February 16th through February 18, 2009; and be it further

RESOLVED, that all related expenses incurred will be reimbursed upon proper submission of receipts; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Phillip J. Cardinale, Town Supervisor, Barbara Blass, Councilwoman, John Dunleavy, Councilman, and Leroy E. Barnes, Jr., Building Department Administrator and the Office of Accounting.

The Vote

Wooten Yes ___ No

Buckley ___ Yes ___ No *absent*

Dunleavy Yes ___ No

Blass Yes ___ No

Cardinale Yes ___ No

This Resolution is ___ is not

Declared Duly Adopted

January 21, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 47

Ratifies the Appointment of Member to the Animal Advisory Committee

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

WHEREAS, pursuant to Advisory Committee guidelines adopted by the Riverhead Town Board, one vacancy exists on the Animal Advisory Committee; and

WHEREAS, it is desirable for each Advisory Committee to have adequate representation; and

WHEREAS, Noreen LeCann has expressed an interest in serving as a volunteer on the Animal Advisory Committee.

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby ratifies the appointment of Noreen LeCann to the Animal Advisory Committee effective January 1, 2009; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to the members of the Animal Advisory Committee, and Noreen LeCann.

THE VOTE

Dunleavy <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Blass <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Buckley <u>absent</u> Yes <input type="checkbox"/> No <input type="checkbox"/>	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

Resolution # 48

SETS THE FEES FOR USAGE OF RECREATION AND OTHER TOWN FACILITIES

COUNCILMAN DUNLEAVY

offered the following resolution,

which was seconded by COUNCILMAN ~~BUCKLEY~~ WOOTEN

RESOLVED, that the Town Board does authorize the Recreation Department to set the following fees for the 2009 calendar year.

PARK / BEACH RESERVATIONS (Residents/Taxpayers Only)

- Group Picnic/ Beach Party/ Field Use (One Session) \$5.00 Application fee
- Group Picnic/Beach Party/Field Use (Multiple Sessions) \$25.00 Application Fee
- Group Picnic/Beach Party/Field Use (5pm-Dusk) \$15.00 per hour
- Gazebo Rental (residents) \$50 per hour **
- Gazebo Rental (non-residents) \$100 per hour**
- Field Lights & Attendant \$35.00 per hour

**Permits cannot be issued during beach operation.

BALL FIELDS/MULTI-USE (Profit Making Organizations)

- Tournament Reservations/Daily Field Rental \$195.00 per day/ Field
- Lights \$35.00 per hour
- Field Rental (Season) \$750 per field per season ***
- Field Rental w/lights \$2,000 per field per season ***
*** (Max 18 dates)

BALL FIELDS/MULTI-USE (Non-Profit Organizations)

- Daily Field Rental \$55.00 per day/ Field
8am-8pm
- Lights \$35.00 per hour
- Field Rental (Season) \$250 per field per season ***
- Field Rental w/lights \$650 per field per season ***
*** (Max 18 dates)

TOWN BUILDINGS (Residents/Taxpayers Only)

- Weekday during regular business hours (one session) \$5 Application Fee
- Weekday during regular business hours (multiple sessions) \$25 Application Fee
- Fees for after hours* and Weekend Use \$35.00 per hour
\$5.00 Application Fee
\$100.00 Deposit

* After hours consist from 4p.m. through 11p.m Monday through Friday and from 8a.m. to 11p.m. Saturday and Sunday** Deposit will be refunded if the building guidelines are followed and there is no damage to the building.

EAST CREEK DOCK

- Resident/ Taxpayer \$60.00 per foot
- Electricity \$250.00 per line
- Initial Processing Fee \$100.00
- Renewal Thereafter fee \$50.00

RIVERFRONT DOCKING

- Daily (Overnight) \$25.00 fee
- Weekly \$150.00 fee

HOCKEY RINK

- Rink use \$5.00 Application fee
- Rental: \$15.00/per hour
(Minimum 2 hours)
**During non-business hours. Subject to availability and coverage.

SKATEPARK

- Group/Party Rental 8:30- 12:00 p.m. \$55.0 per hour (min 2 hrs)
(Subject to availability and coverage) (20 Participant max)

SESSION FEE

\$7.00 Residents
\$15.00 Non-Residents
\$5.00 Card Replacement Fee

ANNUAL FEES

\$30.00 Residents
\$100.00 Non-Residents

VEHICLE USAGE

Bus rental fee \$30.00 per hour
(Riverhead sponsored groups only)

BEACH STICKERS

4X4 Permits	\$60.00**Resident Parking Inclusive		
Boat Ramps Permit	\$15.00		
Daily Permit	\$35.00	Non-Resident Permit	\$200.00
Resident Permit	\$15.00	Senior Resident	\$5.00
Resident Bus Fee	\$ 85.00		

BE IT FURTHER RESOLVED, that the town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department, Supervisor Office and the Office of Accounting.¹

absent 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

¹ Rec.Doris/ Resolution Facility usage& sticker fees

Adopted

01/21/09

TOWN OF RIVERHEAD

Resolution # 49

**AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE OF
EMPIRE ZONE ADMINISTRATIVE BOARD MEETINGS**

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

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice of Empire Zone Board meetings in the January 29, 2009 issue of the News Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a copy of this resolution to the Empire Zone Coordinator and the Town Attorney.

absent
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

Ez/TLS

PUBLIC NOTICE
TOWN OF RIVERHEAD
Zone Administrative Board Meetings

PLEASE TAKE NOTICE, that the Suffolk County/Town of Riverhead Empire Zone Administrative Board has scheduled its meetings for every third Tuesday of each month beginning with January 20, 2009. The meetings are held in the board room of the Suffolk County National Bank Headquarters on West Second Street, Riverhead at 9am unless otherwise determined. Changes in the schedule will be posted prior to the meeting on the Town Clerk Public Notice Board in Town Hall, the Empire Zone website www.riverheadzone.com, or call Zone Office prior to meetings (631-727-3200 X373).

DATE: 01-21-09

Riverhead, New York

Adopted

TOWN OF RIVERHEAD

Resolution # 50

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE OF A PUBLIC HEARING TO AMEND THE TOWN OF RIVERHEAD ZONING USE DISTRICT MAP.

COUNCILMAN WOOTEN offered the following resolution, which was seconded by

COUNCILWOMAN BLASS ;

WHEREAS, by resolution dated June 22, 2004, the Town Board resolved to amend the Zoning Use District Map of the Town of Riverhead to provide for the Residence RB-40 Zoning Use District upon certain lands within the Town of Riverhead, AND

WHEREAS, upon the adoption of such resolution, the Zoning Use District Map of the Town of Riverhead was amended to implement the aforementioned zoning legislation, AND

WHEREAS, it has become apparent that a draftsman's error improperly included Suffolk County Tax Map Parcel numbers 0600-097-2-81 & 82 within the Residence RB-40 Zoning Use District; such parcels to remain within the existing Industrial B Zoning Use District, AND

WHEREAS, the Town Board desires to correct the error, NOW

THEREFORE BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the attached notice of Public Hearing.

THE VOTE

DUNLEAVY	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	BUCKLEY	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO
						<i>absent</i>			
BLASS	<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 IS IS NOT
DECLARED DULY ADOPTED

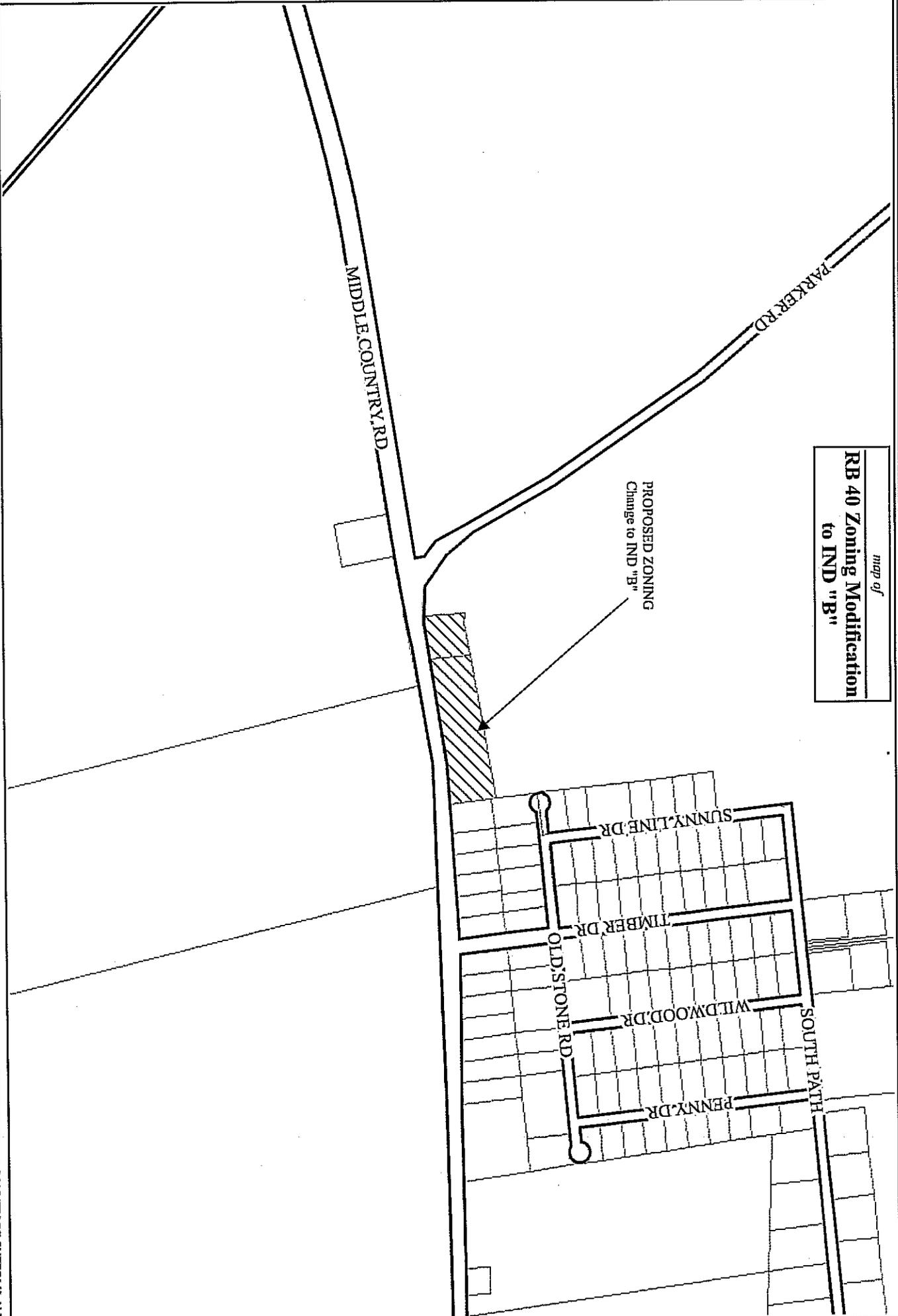
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board at Town Hall, 200 Howell Avenue, Riverhead, New York on the 3rd of February 2009 at 2:05 PM to consider an amendment to the Zoning Use District Map of the Town of Riverhead to correct a draftman's error and to correctly provide for the Industrial B Zoning Use District to the exclusion of the mapped Residential RB-40 Zoning Use District, as depicted upon the attached map.

Dated: Riverhead, New York
January 21, 2009

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

map of
**RB 40 Zoning Modification
 to IND "B"**



PROPOSED ZONING
 Change to IND "B"

MIDDLE COUNTRY RD

PARKER RD

SUNNY LINE DR

TIMBER DR

OLD STONE RD

WILDWOOD DR

PENNY DR

SOUTH PATH

DATE: 12/30/2008
 PLANNING DEPARTMENT
 N:\GIS\maps\66 Zoning Modification to IND B Publish Bw.mxd



TOWN OF RIVERHEAD

Phil Cardinale, Supervisor
 200 Howell Ave.
 Riverhead, New York 11901



Suffolk County Real Property Tax Service COPYRIGHT 2007, COUNTY OF SUFFOLK, N.Y.
 Depicted illustrations should not be considered a final agency determination. The Town of Riverhead, nor any of its agencies, makes no guarantees as to the accuracy or content of information, and is not responsible for the results of any defects or misinformation that may be found to exist. Please verify with the Town of Riverhead codes and regulations for all information and illustrations herein

1/21/09

Adopted

TOWN OF RIVERHEAD

Resolution # 51

APPOINTS A CALL-IN ASSISTANT RECREATION LEADER (SKATEPARK) LEVEL II TO THE RIVERHEAD RECREATION DEPARTMENT

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

RESOLVED, that David Guity is hereby appointed as a Call-In Assistant Recreation Leader (Skatepark) Level I effective, January 22, 2009 to serve as needed on an at will basis to be paid at the rate of \$10.45 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 David Guity, the Recreation Department, the Personnel Officer and the Office of Accounting.¹

THE VOTE

Buckley ^{absent} yes no Wooten yes no
Dunleavy yes no Blass yes no
Cardinale yes no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

¹ Rec. Kelly/ Resolution C/I Asst. Rec. Leader D.Guity

January 21, 2009

Adopted

TOWN OF RIVERHEAD

AUTHORIZES AMENDMENT TO RESOLUTION # 27

STORAGE FEES

RESOLUTION # 52

COUNCILMAN DUNLEAVY

_____ offered the following resolution, which was seconded by COUNCILMAN ~~BUCKLEY~~ BLASS

WHEREAS, the adopted resolution #27 January 6, 2009 set an incorrect Towing fee at \$310.00.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the amendment of Town Board Resolutions #27 adopted January 6, 2009 to reflect the correct Fee for Towing at \$ 375.00 effective January 1, 2009.

THE VOTE

Wooten Yes No

Buckley Yes No *absent*

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

01/21/09

Adopted

TOWN OF RIVERHEAD

Resolution # 53

AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS AND MORTGAGEE OF THE PROPERTY LOCATED AT 74 NADEL DRIVE, RIVERHEAD, NEW YORK

COUNCILMAN ~~BUCKLEY~~ BLASS

_____ offered the following resolution, was seconded by

COUNCILMAN WOOTEN _____:

WHEREAS, the Town Board has determined that the property situated at 74 Nadel Drive, Riverhead, New York, is being used and occupied in violation of various sections of the Code of the Town of Riverhead;

NOW, THEREFORE, BE IT RESOLVED, that the attached Resolution authorizing legation action against the owners, tenants, occupants and mortgagee of the property located at 74 Nadel Drive, Riverhead, New York, and be it further

RESOLVED that Dawn C. Thomas, Town Attorney for the Town of Riverhead is authorized to institute legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the property situated at 74 Nadel Drive, Riverhead, New York, in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property; and be it further

RESOLVED, that it is left to the discretion of Dawn C. Thomas, Town Attorney for the Town of Riverhead as whether said cause of action should seek monetary and/or punitive damages and/or injunctive relief against the owners, tenants, occupants and/or mortgagee of said property for their illegal use, occupancy and maintenance of said property.

WOOTEN YES ___ NO BUCKLEY absent YES ___ NO

DUNLEAVY YES ___ NO BLASS YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

1/21/09

Adopted

TOWN OF RIVERHEAD

Resolution # 54

AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS AND MORTGAGEE OF THE PROPERTY LOCATED AT 20 DOLPHIN WAY, RIVERHEAD, NEW YORK

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

WHEREAS, the Town Board has determined that the property situated at 20 Dolphin Way, Riverhead, New York is being used and occupied in violation of various sections of the Code of the Town of Riverhead and the New York State Uniform Fire Prevention and Building Code;

NOW, THEREFORE, BE IT HEREBY RESOLVED, that Dawn C. Thomas, Town Attorney for the Town of Riverhead is authorized to institute legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the structures situated at 20 Dolphin Way, Riverhead, New York in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property and the structures situated upon such; and be it further

RESOLVED, that it is left to the discretion of Dawn C. Thomas, Town Attorney for the Town of Riverhead as whether said cause of action should seek monetary and/or punitive damages against the owners, tenants, occupants and/or mortgagee of said property for their illegal use, occupancy and maintenance of said property.

WOOTEN YES ___ NO BUCKLEY ^{absent} ~~___ YES ___ NO~~

DUNLEAVY YES ___ NO BLASS YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

1/21/09

Adopted

TOWN OF RIVERHEAD

Resolution 55

OFFERS OPPOSITION TO THE PROPOSED CHANGES TO THE PUBLIC HEALTH LAW, CONSOLIDATING LOCAL REGISTRARS OF VITAL STATISTICS

COUNCILWOMAN BLASS

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

WHEREAS, the New York State Local Government Commission on Efficiency and Competiveness has made certain recommendations to the Governor which affects the operation of local governments; and

WHEREAS, one of the recommendations of the Commission was to move all Registrar of Vital Statistics duties to the County level under the direction of the New York State Health Commissioner; and

WHEREAS, the New York State Department of Health has developed a program bill that would allow the Commissioner to consolidate the function of the local registrars of vital statistics; and

WHEREAS, the New York State Department of Health has inappropriately attached these proposed changes in the structure of the Registrar of Vital Statistics duties to the "Pandemic Flu and Public Health Emergency Preparedness Law"; and

WHEREAS, the Commissioner could consolidate these services without county legislative approval; and

WHEREAS, the local city, town and village Clerks have provided this service professionally and efficiently over the years; and

WHEREAS, losing this business would have a financial impact on the local governments; and

WHEREAS, many citizens are under financial stress due to high fuel costs; and

WHEREAS, the Count's geography would increase this burden since services would be located further from the residents; and

WHEREAS, the local Registrars presently charge \$10.00 per certified copy and the State proposes that the County will charge \$30.00 per copy.

NOW THEREFORE, BE IT RESOLVED, that in the interest of good government, the Riverhead Town Board opposes the consolidation of the function of local registrars of vital statistics; and be it further

RESOLVED, that a copy of this resolution be forwarded to our Governor and State Elected Officials to encourage their support.

absent
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

January 21, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 56

AUTHORIZES THE TOWN SUPERVISOR TO FILE STATE FORM TE-9-A

COUNCILMAN DUNLEAVY

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

WHEREAS, due to safety concerns for all Riverhead residents and all visitors to the Town of Riverhead, the Riverhead Police Department has recommended that the Town of Riverhead reduce the speed zone for traffic vehicles as follows:

ROAD	ROAD TYPE	BETWEEN	CURRENT MPH	ADJUSTED MPH
Middle Road	Town	Doctor's Path & Manor Road (entire length)	40 mph	30 mph

WHEREAS, the Town Board of the Town of Riverhead agrees with this recommendation and believes that a speed zone study should be conducted by the New York State Department of Transportation for safety reasons.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be directed, under Section 1622.1 of the Vehicle and Traffic Law of the State of New York, to file New York State form TE-9-A with the New York State Department of Transportation requesting such change.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution and New York State form TE-9-A to the New York State Department of Transportation, Chief David J. Hegermiller and Riverhead Town Highway Superintendent George Woodson.

BLASS YES NO

BUCKLEY ~~YES~~ NO *absent*

DUNLEAVY YES NO

WOOTEN YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

January 21, 2009

Adopted

TOWN OF RIVERHEAD

57

AUTHORIZATION FOR SUPERVISOR TO EXECUTE AN AGREEMENT WITH
THE GALAMERY COMPANY, INC.

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

WHEREAS, the Town is in need of the analyses of the activities of Town of Riverhead's Capital Projects, Debt Service Funds and other related activities on a project level basis for 2008; and

WHEREAS, The Galamery Company, Inc. has certain expertise in this area.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor's execution of the attached Agreement with The Galamery Company, Inc. for the purpose of analyzing the Town's Capital Projects, Debt Service Funds on a project level basis and other related activities for 2008, and be it further

RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to The Galamery Company, Inc., Post Office Box 830, Hicksville, New York 11802-0830, and be it further

RESOLVED that the Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet.

THE VOTE

Wooten Yes No

Buckley Yes No *absent*

Dunleavy Yes No

Blass Yes No

Cardinale Yes No



The Galamery Company, Inc.

PO Box 830, Hicksville, New York 11802-0830
(516) 364-3800 facsimile (516) 364-0083

January 12, 2009

Mr. William Rothaar
Financial Administrator
Town of Riverhead
552 East Main Street
Riverhead, NY 11901

Dear Mr. Rothaar:

We are pleased to confirm our understanding of the terms and objectives of our engagement and the nature and limitations of the services we will provide. We will analyze the activities of the Capital Projects and related Debt Service Funds on a project level basis from the records provided by management. Each project analysis will be documented and include journal entries, if necessary, to be recorded to accurately reflect the funding and expenditures authorized and spent and the current balances of each project. The goal is to properly close all completed projects (including proposing transferring funds) and provide a comprehensive summary of open capital projects, as of the beginning of the year, with activity for the year that will be reconciled to the general ledger of the Town of Riverhead (the "Town") as of December 31, 2008, and for the year then ended. It is anticipated that this information and any additional tasks performed will be utilized to support the completion of the Town's Annual Update Document in a timely fashion.

This engagement letter embodies the entire agreement regarding the services to be rendered by The Galamery Company, Inc. (the "Firm") to the Town.

Planned Timing of the Engagement

We expect to commence our work immediately after receiving Town Board approval. We will provide monthly status updates indicating the tasks completed.

Management's Responsibilities and Representations

Management is responsible for:

- ⊗ Making all financial records and related information available to the Firm and assuring the accuracy and completeness of this information;
- ⊗ Designating a qualified management-level individual to be responsible and accountable for overseeing the accounting services;
- ⊗ Reviewing all proposed journal entries and understanding the nature of those entries and the impact they have on the financial statements;
- ⊗ Ensuring the Town complies with the laws and regulations applicable to its activities.

Because of the importance of management's representations, the Town hereby releases and will indemnify, defend and hold harmless the Firm and its personnel from any claims, liabilities, costs and expenses from intentional misrepresentations by management.

By signing this engagement letter we have assumed that you are the person responsible for these matters of the Town. If this is not a correct assumption, please furnish us with the name of the individual with whom this work should be coordinated.

Rates and Payment Terms

The above services will be performed on an hourly basis. Travel time will not be billed on this engagement.

Accounting services – Hourly Rate

Michele Calen Yen \$140

This rate is based upon the complexity of the work to be performed, timing of the engagement and experience level of the personnel required to complete the required services. Timely completion of this engagement is dependent on the availability, quality and completeness of your records and, where applicable, upon Town personnel providing the level of assistance identified during our planning work. Should our assumptions with respect to these matters be incorrect or should the condition of the records, degree of cooperation, or other matters beyond the Firm's reasonable control require additional time an adjustment of the planned completion dates may become necessary. In addition, fees for any research and/or consultation on other issues, will be billed separately from the accounting services referred to above and will be the subject of other written agreements. Our billing rates do not include out-of-pocket expenses, which will only be charged with prior authorization, based on actual costs.

A monthly billing will be submitted with a summary of the services provided. Billings are payable upon receipt.

Except to the extent finally determined to have resulted from the Firm's fraudulent behavior or willful misconduct, the Firm's maximum liability to the Town for any reason, including the Firm's negligence related to the services under this letter, shall be limited to the fees paid to the Firm for the services or work product giving rise to the liability or the actual damages of the Town, whichever is less.

Use of the Analysis

This analysis is intended solely for the information and use of the Town, and is not intended to be and should not be used by anyone other than the parties specified by the Town.

Workpapers Requested

In the event that we are requested or authorized by the Town or are required by government regulation, subpoena, or other legal process to produce documents or personnel as witnesses with respect to our engagements for the Town, the Town will, so long as we are not a party to the proceeding in which the information is sought, reimburse us for our professional time and expenses, as well as for the fees and expenses of our counsel incurred in responding to such requests.

Records and Retention Policy

At the conclusion of this agreement, we will return all original records supplied by the Town. The Town records are the primary records for your operations and comprise the backup and support for your financial statements. Our records and files are our property and are not a substitute for your own records. Our firm destroys our current client files and all pertinent work papers after a retention period of seven (7) years, after which time, these items will no longer be available. Catastrophic events or physical deterioration could result in our firm's records being unavailable.

Disputes

We agree that any dispute other than those arising from fee and payment terms, including those that arise regarding the meaning, performance, or enforcement of this engagement will, prior to resorting to litigation, be submitted to mediation upon the written request of either party. The results of this mediation shall be binding only upon agreement of each party to be bound. Costs of any mediation proceeding shall be shared equally by both parties.

Use of e-mail

This letter shall serve as the Town's authorization for the use of e-mail and other electronic methods to transmit and receive information, including confidential information, between our organizations. The Town acknowledges that e-mail travels over the public Internet, which is not a secure means of communication and thus, confidentiality of the transmitted information could be compromised through no fault of the Firm. The Firm will employ

Mr. William Rothaar
January 12, 2009
Page 4

commercially reasonable efforts and take appropriate precautions to protect the privacy and confidentiality of transmitted information. As e-mails can be intercepted and read, disclosed, or otherwise used or communicated by an unintended third party, or may not be delivered to each of the parties to whom they are directed and only to such parties, we cannot guarantee or warrant that e-mails from us will be properly delivered and read only by the addressee. Therefore, the Firm specifically disclaims and waives any liability or responsibility whatsoever for interception or unintentional disclosure or communication of e-mail transmissions, or for the unauthorized use or failed delivery of e-mails transmitted by us in connection with the performance of this engagement. In that regard, the Town agrees that the Firm shall have no liability for any loss or damage to any person or entity resulting from the use of e-mail transmissions, including any consequential, incidental, direct, indirect, or special damages, such as loss of revenues or anticipated profits, or disclosure or communication of confidential information.

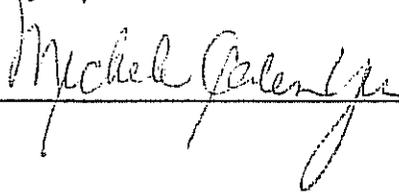
Entire Agreement

This engagement letter reflects the entire agreement between the Town and the Firm relating to the services covered by this letter. It replaces and supersedes any previous proposals, correspondence and understanding, whether written or oral. The understanding of the Town and the Firm contained in this engagement letter shall survive the completion or termination of this engagement letter.

We appreciate the opportunity to be of service to you. If you have any questions, please let us know. Please sign the enclosed copy of this letter and return it to us.

Sincerely yours,
The Galamery Company, Inc.

Officer's signature: _____

Handwritten signature of Mitchell Galamery in cursive script, written over a horizontal line.

Title: President

Date: January 12, 2009

Enclosure

RESPONSE:

This letter correctly sets forth the understanding of

Town of Riverhead

and The Galamery Company, Inc.

Officer's signature: _____

Title: _____

Date: _____

January 21, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 58

RATIFIES THE AUTHORIZATION FOR THE SUPERVISOR TO EXECUTE AGREEMENT BETWEEN TOWN OF RIVERHEAD AND DELTA COMPUTER GROUP

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

WHEREAS, the Town of Riverhead has requested the services of Delta Computer Group (DCG) for the purposes of recovering data from damaged computers and servers.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby ratifies the authorization for the Supervisor to execute the attached Professional Services Agreement with Delta Computer Group (DCG); and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Delta Computer Group, Four Dubon Court, Farmingdale, NY 11735, Accounting Department, Information Technology Department and Office of the Town Attorney.

WOOTEN YES NO BUCKLEY YES NO *absent*

DUNLEAVY YES NO BLASS YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

PROFESSIONAL SERVICES AGREEMENT

IIS AGREEMENT made the 13 day of January 2009 between the TOWN OF RIVERHEAD, (hereinafter "Town") a municipal corporation with offices located at 200 Howell Avenue, Riverhead, Suffolk County, New York, 11901, and DELTA COMPUTER GROUP (DCG), professional corporation existing under the laws of the State of New York, with a principal place of business at Four Dubon Court, Farmingdale, New York 11735

WITNESSETH:

WHEREAS, the Town of Riverhead has requested the services of DELTA COMPUTER GROUP (DCG) for the purposes of recovering data from damaged computers and servers.

NOW THEREFORE, IT IS MUTUALLY AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

1. Scope of services

The Town of Riverhead (Town) hereby retains the services of DELTA COMPUTER GROUP (DCG) for the purposes of recovering data from the Town of Riverhead computers and or servers.

2. Compensation for service

As compensation for such services, the Town will pay DELTA COMPUTER GROUP (DCG) hourly as set forth on Exhibit A annexed hereto up to a maximum of Two Thousand Five Hundred (\$2,500.00) Dollars for labor and materials as set forth described in Exhibit A attached hereto to the satisfaction of the Town Board and the Financial Administrator of the Town. The full cost of all professional services in accordance with this agreement and other services as may be required to provide for complete field work and written reports shall not exceed of Two Thousand Five Hundred (\$2,500.00) Dollars unless the Town and DELTA COMPUTER GROUP (DCG) shall otherwise agree in writing as set forth herein. DELTA COMPUTER GROUP (DCG) shall notify the Town in writing providing a description of the additional services it proposes to provide together with an explanation as to why the additional services are necessary. In no event shall DELTA COMPUTER GROUP (DCG) perform any additional services without the prior written agreement of the Town Board. DELTA COMPUTER GROUP (DCG) shall complete its obligations hereunder no later than sixty days from the date hereof unless the Town and DELTA COMPUTER (DCG) shall agree otherwise in writing. DELTA COMPUTER GROUP (DCG) shall supply information regarding services they have performed as may be requested from time to time by the Town.

DELTA COMPUTER GROUP (DCG) shall submit invoices to the Town every month and will indicate time and expenses incurred during that period pursuant to the tasks identified herein. Invoices shall be due and payable within 30 days of their receipt by the Town. The Town has the right to withhold payment for portions of work not completed, after notification to DELTA COMPUTER GROUP (DCG) unless the schedule is extended for reasons beyond the control of DELTA COMPUTER GROUP (DCG), including extra agency review or other unanticipated events.

3 Term of Agreement

together with the Town's reasonable attorneys fees incurred in connection with such unauthorized distribution, use or exposure of confidential Town documents. DELTA COMPUTER GROUP (DCG) shall immediately notify the Town in writing should its employees or agents become aware that copying, use, distribution or other unauthorized exposure of Town documents has occurred.

7. Controlling Law

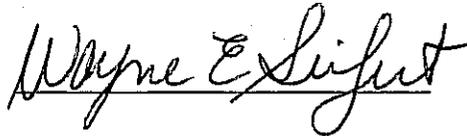
This Agreement shall be construed according to the laws of the State of New York.

IN WITNESS WHEREOF, this Agreement has been duly executed by the parties hereto.

TOWN OF RIVERHEAD

DELTA COMPUTER GROUP

By: 
Philip J. Cardinale, Supervisor

By: 

1/21/09

Town of Riverhead

Adopted

Resolution # 59

**AUTHORIZES THE SUPERVISOR TO EXECUTE A CONTRACT AGREEMENT
BETWEEN THE TOWN OF RIVERHEAD AND PEGGY SCHIEFER
(COURT REPORTER SERVICES)**

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

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute a contract agreement (copy attached herewith) between the Town of Riverhead and Peggy Schiefer for court reporter services in Riverhead Justice Court; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Peggy Schiefer; Justice Richard A. Ehlers; Justice Allen M. Smith; the Office of the Town Attorney and the Office of Accounting.

absent
 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

AGREEMENT

THIS AGREEMENT, made the 22nd day of January, 2009, by and between the TOWN OF RIVERHEAD, a municipal corporation with its principal place of business at 200 Howell Avenue, Riverhead, New York, 11901 and PEGGY SCHIEFER, Certified Court Reporter, residing at 175 Storm Drive, Holtsville, New York, 11742.

WITNESSETH

The parties hereto agree as follows:

WHEREAS, the Town of Riverhead wishes to engage the services of PEGGY SCHIEFER, Certified Court Reporter, who will personally, or by her agent, provide court reporting services to the Riverhead Town Justice Court; and

WHEREAS, PEGGY SCHIEFER has agreed to perform services as a Certified Court Reporter to the Riverhead Justice Court.

NOW THEREFORE, it is agreed as follows:

1. Two Hundred and Twenty-Five 00/100 (\$225.00) Dollars per appearance from 9:00 a.m. session until 5:00 p.m., or any part thereof if an extra session is required between the hour of 5:00 p.m. and 6:00 p.m., this fee would be an additional Fifty and 00/100 (\$50.00) Dollars for that hour, or any part thereof. If a session is required after 5:00 p.m., and extends past 6:00 p.m., the fee will be that of a full session; to wit: Two Hundred and Twenty-Five 00/100 (\$225.00) Dollars. These fees include regular court calendars and jury trials. If a jury trial is cancelled, and unless 48 hours notice is given, there shall be an appearance fee of One Hundred and 00/100 (\$100.00) Dollars. Special jury trial assignments shall be paid the same as stated herein. The

Town may cancel such an appointment up to 48 hours prior to the time of trial without incurring a show-up fee.

2. If a scheduled Monday, Tuesday, Wednesday or Thursday session is cancelled, there will be a fee of One Hundred and 00/100 (\$100.00) Dollars.
3. In the event the morning court session does not adjourn by 1:00 p.m., PEGGY SCHIEFER shall be entitled to an addition fee of Twenty-Five and 00/100 (\$25.00) Dollars.
4. There will be a Three and 50/100 (\$3.50) Dollar per page fee for any transcript of proceedings as required by the Town.
5. The above services shall be provided by PEGGY SCHIEFER, or her agent(s).
6. The terms of this agreement shall commence on January 1, 2009 and are to remain in effect until this agreement is modified/terminated.

TOWN OF RIVERHEAD

By: _____
PHILIP J. CARDINALE
Town Supervisor

PEGGY SCHIEFER

1/21/09

Adopted

RESOLUTION # 60

**AUTHORIZES SUPERVISOR TO EXECUTE
NO COST CHANGE ORDER NO. 1
TRANSMISSION IMPROVEMENTS AT
SOUND AVENUE & VARIOUS LOCATIONS
CONTRACT E - ELECTRICAL WORK
H2M PROJECT NO. RDWD 06-01
RIVERHEAD WATER DISTRICT**

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

WHEREAS, the Riverhead Water District is in receipt of a no cost change order with Hinck Electrical Contractors, Inc. for contract known as Transmission Improvements at Sound Avenue & Various Locations, Contract E, Electrical Work with reasons for the change order described in the attached Change Order No. 1.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and is hereby authorized to execute the attached Change Order No. 1 of the Riverhead Water District for the project known as the Transmission Improvements at Sound Avenue & Various Locations, Contract E, Electrical Work, 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 Hinck Electrical Contractors, Inc., 75 Orville Drive, Bohemia, NY 11716.

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

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

RIVERHEAD WATER DISTRICT

**TRANSMISSION IMPROVEMENTS AT
SOUND AVENUE & VARIOUS LOCATIONS
H2M PROJECT NO.: RDWD 06-01**

CHANGE ORDER NO. 1

December 11, 2008

Owner: RIVERHEAD WATER DISTRICT
1035 Pulaski Street
Riverhead, New York 11901
Contact: Supt. Gary Pendzick (631) 727-3205

Contractor: HINCK ELECTRICAL CONTRACTORS, INC.
75 Orville Drive
Bohemia, New York 11716
Contact: Fred Finley (631) 277-7700

Engineer: HOLZMACHER, McLENDON & MURRELL, P.C.
575 Broad Hollow Road
Melville, New York 11747
Contact: James L. Neri, P.E. (631) 756-8000, ext. 1486

REASONS FOR CHANGES:

- Spare parts for the radio telemetry equipment. A lightning strike that occurred during the summer of 2008, damaged radio equipment and these spares are required to ensure that there is minimal downtime should a similar event occur.

DESCRIPTION AND COST OF CHANGES:

1. 4 x MDS net I/O base modules	\$7,244.00
2. 4 x NET I/O expansion modules	\$3,336.00
3. Repair cost	<u>\$2,501.25</u>
4. Allocated from Item 5 - Cash Allowances	\$13,081.25
5. Item 5 – Cash Allowance	<\$25,000.00>
6. Unused Balance in Item 5 – Cash Allowance	<\$11,918.75>

TOTAL COST OF CHANGE ORDER NO. 1:

\$0.00

CONTRACT COST SUMMARY

A. Original Contract Price:	\$139,900.00
B. Cost of Change Order No. 1:	\$0.00
C. New Contract Price:	\$139,900.00

Recommended By: _____ Date: _____
Holzmacher, McLendon & Murrell, P.C.

Accepted By: _____ Date: _____
Hinck Electrical Contractors, Inc.

Approved By: _____ Date: _____
Riverhead Water District

Adopted

1/21/09

**AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS
INSTALLATION OF WATER MAINS & APPURTENANCES
AT EXT. NO. 85 – MASTRO REALTY
RIVERHEAD WATER DISTRICT**

Adopted _____
Resolution # 61

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

WHEREAS, plans and specifications have been prepared by H2M,
consulting engineers to the Riverhead Water District, regarding installation
of water mains and appurtenances at Ext. No. 85 – Mastro Realty.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to
publish and post the attached Notice to Bidders in the January 29, 2009,
edition of The News Review, with regard to receiving bids for the
installation of water mains and appurtenances at Ext. No. 85 – Mastro
Realty, and be it further

RESOLVED, that the Town Clerk shall publicly open and read aloud
the submitted bids on the date as advertised in the Notice to Bidders, and be
it further

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

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

THE VOTE
Buckley ^{absent} yes no Wooten yes no
Dunleavy yes no Blass yes no
Cardinale yes no
THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

NOTICE TO BIDDERS

The Town Board of Riverhead will receive bids for the "*Installation of Water Mains and Appurtenances*" for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, until **11:00 A.M.**, on **February 12, 2009**, at which time and place all bids will be publicly opened and read aloud for:

PROJECT NO.: RDWD 05-55,

Installation of Water Mains & Appurtenances

Extension No. 85 – Mastro Realty

Riverhead Town No.: 30079

Plans and specifications may be examined and obtained on or after *January 29, 2009* at the Office of the Town Clerk between the hours of 8:30 A.M. and 4:30 P.M. weekdays, except holidays or by visiting the Town of Riverhead website: www.riverheadli.com and click on "Bid Requests".

Each proposal must be accompanied by a bid bond in the amount of five percent (5%) of the total bid, or a certified check made payable to the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

The right is reserved to reject any or all bids, to waive any informality, and to accept the lowest responsible bid.

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

ACTING AS THE GOVERNING BODY
OF THE RIVERHEAD WATER
DISTRICT

TOWN CLERK, TOWN OF RIVERHEAD

DATED: January 29, 2009

Adopted

1/21/09

**AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS
CONSTRUCTION OF PLANT NO. 15
CONTRACT G – GENERAL 7 MECHANICAL CONSTRUCTION
PROJECT NO.: RDWD 06-05
RIVERHEAD WATER DISTRICT**

Adopted _____
Resolution # 62

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

WHEREAS, plans and specifications have been prepared by H2M,
consulting engineers to the Riverhead Water District, regarding construction
of Plant No. 15 including Contract G – General & Mechanical Construction.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to
publish and post the attached Notice to Bidders in the January 29, 2009,
edition of The News Review, with regard to receiving bids for construction
of Plant No. 15, Contract G – General & Mechanical Construction, and be it
further

RESOLVED, that the Town Clerk shall publicly open and read aloud
the submitted bids on the date as advertised in the Notice to Bidders, and be
it further

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

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

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

H2M
NOTICE TO BIDDERS

The Town Board of Riverhead will receive bids for the “*CONSTRUCTION OF PLANT No. 15*” for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, until 11:00 A.M., on February 12, 2009, at which time and place all bids will be publicly opened and read aloud for:

***PROJECT NO.: RDWD 06-05,
CONSTRUCTION OF PLANT No. 15
CONTRACT G – GENERAL & MECHANICAL CONSTRUCTION***

Plans and specifications may be examined on or after January 29, 2009 at the Office of the Town Clerk between the hours of 8:30 A.M. and 4:30 P.M. weekdays, except holidays. Plans and specifications may be obtained on or after January 29, 2009 by visiting the Town of Riverhead website: www.riverheadli.com and click on “Bid Requests”.

Each proposal must be accompanied by a bid bond in the amount of five percent (5%) of the total bid, or a certified check made payable to the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

The right is reserved to reject any or all bids, to waive any informalities, and to accept the lowest responsible bid.

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

**ACTING AS THE GOVERNING BODY
OF THE RIVERHEAD WATER DISTRICT**

DIANE M. WILHELM, TOWN CLERK

DATED: January 29, 2009

January 21, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 63

ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED "ZONING" OF THE RIVERHEAD TOWN CODE

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", §108-19.1 entitled "Cluster development and additional subdivision requirements", of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 6th day of January, 2009 at 2:10 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW, THEREFORE, BE IT RESOLVED, that a local law amending Chapter 108 entitled "Zoning" §108-19.1 of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

WOOTEN YES NO BUCKLEY YES NO *absent*

DUNLEAVY YES NO BLASS YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED 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 "Zoning" §108-19.1 of the Riverhead Town Code at its regular meeting held on January 6, 2009. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**Chapter 108
Zoning
ARTICLE V
Residence B-80 (RB-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 XX) 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 plan must locate 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 preservation of agricultural and scenic vistas are achieved.

- B. 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.
- C. 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.
- D. ~~The agricultural lots of a cluster subdivision 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 Planning Board shall describe the square footage of the building area, and the Planning Board may, in its discretion, require that the building area be plotted on the subdivision map. The Planning Board shall require covenants and restrictions to enforce dimensional requirements, lot coverage, impervious surface limits, retention or plan for all stormwater runoff for both the residential and agricultural component of the subject property as set forth in the Town Code, and such other items the Planning Board deems appropriate to conform with the intent of the cluster regulations, including but not limited to, location and limitation of parking, outdoor storage, clearing limits, and means of ingress and egress. The Planning Board shall require covenants and restrictions to be filed affecting the aforesaid prior to issuance of final plat approval.

- E. ~~The cluster subdivision tract must 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.~~

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, without prior approval of the Planning Board.

- F. 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
January 21, 2009

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

DIANE M. WILHELM, Town Clerk

January 21, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 64

**ADOPTS A LOCAL LAW AMENDING CHAPTER 108
ENTITLED "ZONING" OF THE RIVERHEAD TOWN CODE**

COUNCILMAN DUNLEAVY

_____ offered the following resolution, was seconded by

COUNCILMAN ~~BUCKLEY~~ *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", §108-20.6 entitled "Cluster development and additional subdivision requirements", of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 6th day of January, 2009 at 2:15 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW, THEREFORE, BE IT RESOLVED, that a local law amending Chapter 108 entitled "Zoning" §108-20.6 of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

WOOTEN YES NO BUCKLEY YES NO *absent*

DUNLEAVY YES NO BLASS YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED 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 "Zoning" §108-20.6 of the Riverhead Town Code at its regular meeting held on January 6, 2009. **Be it enacted** by the Town Board of the Town of Riverhead 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 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.

§108-20.7. 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.

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. ~~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 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 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 Planning Board shall describe the square footage of the building area, and the Planning Board may, in its discretion, require that the building area be plotted on the subdivision map. The Planning Board shall require covenants and restrictions to enforce dimensional requirements, lot coverage, impervious surface limits, retention or plan for all stormwater runoff for both the residential and agricultural component of the subject property as set forth in the Town Code, and such other items the Planning Board deems appropriate to conform with the intent of the cluster regulations, including but not limited to, location and limitation of parking, outdoor storage, clearing limits, and means of ingress and egress. 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 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 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, without prior approval of the Planning Board.

- 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
January 21, 2009

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

DIANE M. WILHELM, Town Clerk

January 21, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 65

**ADOPTS A LOCAL LAW AMENDING CHAPTER 108
ENTITLED "ZONING" OF THE RIVERHEAD TOWN CODE**

COUNCILMAN ~~BUCKLEY~~ DUNLEAVY

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", §108-26 entitled "Cluster development and additional subdivision requirements", of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 6th day of January, 2009 at 2:20 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW, THEREFORE, BE IT RESOLVED, that a local law amending Chapter 108 entitled "Zoning" §108-26 of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

WOOTEN YES NO BUCKLEY YES NO *absent*

DUNLEAVY YES NO BLASS YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED 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 "Zoning" §108-26 of the Riverhead Town Code at its regular meeting held on January 6, 2009. **Be it enacted** by the Town Board of the Town of Riverhead 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 plan shall be designated so as 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 so as to provide for one building area and said building area shall be counted towards yield. The Planning Board shall describe the square footage of the building area, and the Planning Board may, in its discretion, require that the building area be plotted on the subdivision map. The Planning Board shall require covenants and restrictions to enforce dimensional requirements, lot coverage, impervious surface limits, retention or plan for all stormwater runoff for both the residential and agricultural component of the subject property as set forth in the Town Code, and such other items the Planning Board deems appropriate to conform with the intent of the cluster regulations, including but not limited to, location and limitation of parking, outdoor storage, clearing limits, and means of ingress and egress. The Planning Board shall require covenants and restrictions to be filed affecting the aforesaid 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, without prior approval of the Planning Board.

- 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.

* Under line represents addition(s)

* Strikethrough represents deletion(s)

Dated: Riverhead, New York
January 21, 2009

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

DIANE M. WILHELM, Town Clerk

1/21/09

TOWN OF RIVERHEAD

Adopted

Resolution # 66

ADOPTS A LOCAL LAW TO AMEND CHAPTER 101 ENTITLED "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE
(§101-3. Stop and yield intersections; railroad crossings; parking fields.)

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 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 16th day of December, 2008 at 7:10 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 the local law amending Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk is hereby authorized to publish the attached notice of adoption once in the News Review and to post same on the signboard at Town Hall; 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
Buckley absent yes ___ no ___ Wooten yes ___ no ___
Dunleavy yes ___ no ___ Blasz 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 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code at its regular meeting held on January 21, 2009.

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

§ 101-3. Stop and yield intersections; railroad crossings; parking fields.

- A. Stop intersections. The following intersections are designated as stop intersections, and stop signs shall be erected at such intersections as follows:

Intersection	Stop Sign On	Entrance From
Hill Street	Sound Road	North and south
Oliver Street	Sound Road	North and south
Point Street Pond	3rd Street Sound	East and west
View Boulevard	Road	North and south
<u>Point Street</u>	<u>3rd Street</u>	<u>East and west</u>

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

Dated: Riverhead, New York
January 21, 2009

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

DIANE M. WILHELM, Town Clerk

1/21/09

Adopted

TOWN OF RIVERHEAD

Resolution # 67

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

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" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the on the 18th day of November, 2008 at 7:25 o'clock p.m. at the Town of Riverhead, 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 108 "Zoning" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

Absent

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 "Zoning" of the Riverhead Town Code at its regular meeting held on January 21, 2009. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

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

§108-22. Uses.

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

- B. Specially permitted uses, by special use permit of the Town Board.
- (1) Golf course (standard), with or without clubhouse.
 - (2) Bed-and-breakfast.
 - (3) Overhead electrical power transmission and distribution lines in excess of 13 kilovolts.
 - (4) Kennel, commercial.
 - (5) Educational institution without boarding facilities or dormitories, private.
 - (6) Day-care facility conducted in a residence.
 - (7) An accessory dwelling unit with a maximum living area of 1,000 square feet on a lot of 10 acres or more, provided that the total number of dwelling units yielded by the original subdivision creating such lot is not exceeded.
 - (8) Professional offices of attorneys, architects, medical doctors, or dentists provided that the subject real property conforms to the following conditions:
 - (a) the property is improved with a single family residence at the time of the adoption of this local law.
 - (b) the professional office use shall be within the building footprint of the existing single family residence.

(c) the property has frontage along New York State Route 25 between Route 105 and the town boundary with the Town of Southold.

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

Dated: Riverhead, New York
January 21, 2009

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

DIANE M. WILHELM, Town Clerk

1/21/09

Adopted

TOWN OF RIVERHEAD

Resolution # 68

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

COUNCILMAN DUNLEAVY

_____ offered the following resolution, was seconded by

COUNCILMAN ~~BUCKLEY~~ 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" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the on the 18th day of November, 2008 at 7:20 o'clock p.m. at the Town of Riverhead, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the 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, the Riverhead Town Planning Department, and the Office of the Town Attorney.

THE VOTE

Buckley ^{absent} ~~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 "Zoning" of the Riverhead Town Code at its regular meeting held on January 21, 2009. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**Chapter 108
Zoning
ARTICLE V
Residence B-80 (RB-80) Zoning use District**

§108-16. Uses.

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

- B. Specially permitted uses, by special use permit of the Town Board.
- (1) Bed-and-breakfast.
 - (2) Overhead electrical power transmission and distribution lines in excess of 13 kilovolts.
 - (3) Educational institution without boarding facilities or dormitories, private.
 - (4) Day-care facility conducted in a residence.
 - (5) Golf course (standard), with or without clubhouse.
 - (6) An accessory dwelling unit with a maximum living area of 1,000 square feet on a lot of 10 acres or more, provided that the total number of dwelling units yielded by the original subdivision creating such lot is not exceeded.
 - (7) Professional offices of attorneys, architects, medical doctors, or dentists provided that the subject real property conforms to the following conditions:
 - (a) the property is improved with a single family residence at the time of the adoption of this local law.
 - (b) the professional office use shall be within the building footprint of the existing single family residence.

(c) the property has frontage along New York State Route 25 between Route 105 and the town boundary with the Town of Southold.

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

Dated: Riverhead, New York
January 21, 2009

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

DIANE M. WILHELM, Town Clerk

January 21, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 69

**DECLARES LEAD AGENCY AND DETERMINES SIGNIFICANCE
OF ACTION: SPECIAL PERMIT OF BEACON AND VERIZON
WIRELESS, WADING RIVER (LITTLE FLOWER)**

~~COUNCILMAN BUCKLE~~ BLASS

_____ offered the following resolution which

was seconded by COUNCILMAN WOOTEN

WHEREAS, the Riverhead Town Board is in receipt of a petition from Beacon Wireless Management, LLC and New York SMSA, LP (Verizon Wireless) pursuant to Article XLI of the Town Code for a 150ft. agl monopole with 12 wireless communication antenna panels and related equipment within a 4,200sq.ft. leased area of a 98.5ac. parcel zoned Residence B-80 and improved with a children's and family services facility; such property more particularly described as SCTM 0600-36-1-2, and

WHEREAS, the Riverhead Planning Department has identified the intent as an Unlisted action pursuant to 6NYCRR Part 617 for which coordinated review is optional and deemed to be unnecessary in this case, and

WHEREAS, the Riverhead Planning Department has reviewed the project and has prepared a SEQR report identifying the potential impacts on the natural and social environment, and

WHEREAS, the Riverhead Town Board held the requisite public hearing on the application on 10/21/08 and has taken due consideration of verbal and written commentary received, and

WHEREAS, the Town Board believes there is the potential for at least one significant impact to result from the project and that an Environmental Impact Statement should be prepared, 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 special permit application of Beacon and Verizon Wireless for monopole construction at Little Flower Children and Family Services, and

BE IT FURTHER

RESOLVED, that the application be considered an Unlisted action with the potential for significant impact upon the natural and social environment and that an 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 copy of this resolution to the Planning Department and to the applicant or his agent.

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

January 21, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 70

AWARDS BID FOR ABANDONED/JUNK VEHICLES

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

WHEREAS, two (2) bids for abandoned/junk vehicles were received, opened and read aloud by the Town Clerk on the 12th day of November, 2008 at 11:00 a.m. in the Town Clerk's Office at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders.

NOW, THEREFORE BE IT RESOLVED, that the bid for abandoned/junk vehicles is awarded to Fred Gallo Used Auto Parts, Incorporated, for the purchase price of \$77.00 per vehicle from January 1, 2009 to and including January 1, 2010; and.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Fred Gallo Used Auto Parts, Incorporated, Chief of Police David J. Hegermiller and the Accounting Department.

BLASS YES NO BUCKLEY ^{absent} YES NO

DUNLEAVY YES NO WOOTEN YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

January 21, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 71

**AUTHORIZES SUPERVISOR TO EXECUTE SUBLICENSE AGREEMENT
BETWEEN THE TOWN OF RIVERHEAD AS SUBLICENSOR AND
OPEN ARMS CARE CENTER, INC. AS SUBLICENSEE**

~~COUNCILMAN BUCKLEY~~ DUNLEAVY

offered the following resolution, was seconded by

COUNCILMAN WOOTEN :

WHEREAS, the Riverhead Railroad Station has been licensed by The Long Island Rail Road Company to the Town of Riverhead under a License Agreement dated February 19, 2002; and

WHEREAS, Open Arms Care Center, Inc. wishes to occupy a portion of the Station for the free distribution of pre-packaged foods and hot and cold beverages; and

WHEREAS, the Town of Riverhead wishes to enter into a Sublicense Agreement to conduct the aforementioned activity; and

WHEREAS, the Town of Riverhead communicated its desire to grant a Sublicense to the Open Arms Care Center, Inc. to the Long Island Rail Road Company and reviewed proposed terms and conditions with the Long Island Rail Road Company; and

WHEREAS, all the parties referenced hereinabove agreed to the principal terms and conditions regarding a sublicense agreement; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the Supervisor to execute the attached Sublicense Agreement; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Open Arms Care Center, Inc., 1018 Northville Turnpike, Riverhead, NY 11901, The Long Island Rail Road Company, the Accounting Department and the Town Attorney's Office.

WOOTEN YES NO . BUCKLEY ^{absent} YES NO
DUNLEAVY YES NO BLASS YES NO
CARDINALE YES NO

THIS RESOLUTION IS NOT
DECLARED DULY ADOPTED

SUBLICENSE AGREEMENT

THIS SUBLICENSE AGREEMENT ("Sublicense"), made as of the 21st day of January, 2009, by and between the Town of Riverhead, ("Sublicensor"), a municipal corporation organized and existing under the laws of the State of New York, with its principal place of business located at 200 Howell Avenue, Riverhead, New York 11901, and Open Arms Care Center, Inc, a not-for-profit organization existing under the laws of the State of New York ("Sublicensee"), having a mailing address at 1018 Northville Turnpike, Riverhead, New York 11901.

WITNESSETH:

WHEREAS, the Riverhead Railroad Station ("Station") has been licensed by The Long Island Rail Road Company ("Licensor") to Sublicensor under a License Agreement dated February 19, 2002 (as modified from time to time, "License Agreement"); and

WHEREAS, Sublicensee wishes to occupy a portion of the Station for the free distribution of pre-packaged foods and hot and cold beverages (see use clause, Paragraph 7); and

WHEREAS, Sublicensor wishes to grant Sublicensee the right to conduct the aforementioned activity;

NOW, THEREFORE, in consideration of the mutual agreements herein contained, Sublicensor and Sublicensee, for themselves and their successors, hereby agree as follows:

1. **Licensing:** Upon the terms and conditions hereinafter set forth, Sublicensor hereby sublicenses to Sublicensee the right to use the Sublicensed Premises (as hereinafter defined). Sublicensee hereby acknowledges that this Sublicense does not create any landlord-tenant relationship between the parties or between any of the parties and LIRR, nor does it grant Sublicensee any real property rights in or to the Sublicensed Premises.

2. **Sublicensed Premises:** Sublicensed Premises shall include the first floor lobby area of Station. In addition to the Sublicensed Premises, Sublicensee may use a portion of the janitor's closet portion of the Station for those purposes set forth in Section 7 below.

3. **Condition of the Sublicensed Premises:** Sublicensee is familiar with the Sublicensed Premises, has examined same, and, except as explicitly hereinafter provided, Sublicensee agrees to accept the Sublicensed Premises in its "AS IS" condition without reliance upon any representations or warranties of or made by Sublicensor or LIRR. Sublicensee is familiar with the terms and conditions of the License Agreement and agrees to comply with all of the duties and obligations of Licensee under the License Agreement as such

duties and obligations apply in part or in whole to the Sublicensed Premises. This Sublicense is subject and subordinate in all respects to the License Agreement.

4. **Term of the Sublicense:** The term of this Sublicense ("Term") shall be for a period of ninety (90) days, and shall commence on the date that this agreement is fully executed by all parties.

5. **Insurance and Indemnification:** Sublicensee shall procure, at its sole cost and expense, and shall maintain in force at all times during the term of this Sublicense, the same types and levels of policies of insurance required to be maintained by Licensee under the License Agreement, including Article 16 thereof. All of the terms and conditions of said Article 16 shall apply hereunder as if Sublicensee was Licensee thereunder. In addition to its obligations to Licensor, Sublicensee shall include Sublicensor and the Metropolitan Transportation Authority as an additional insured under such policies.

The existing insurance policy for Open Arms Care Center covering the period from 11/30/08 through 11/30/11, with Church Mutual Insurance Company, Policy No. 0223084-81-992407, will remain in full force and effect during the entire term of the Sublicense Agreement. However, The Town of Riverhead, Metropolitan Transportation Authority and The Long Island Rail Road Company will added to the policy as additional Insured.

Sublicensee agrees to indemnify the Indemnitees (as such term is defined in Article 15 of the License Agreement), together with Sublicensor, in the same manner and to the same extent that Licensee indemnifies the Indemnitees under the License Agreement, including Article 15 thereof. All of the terms and conditions of said Article 15 shall apply hereunder as if Sublicensor was Licensee thereunder and any of the benefits to the Indemnitees under said Article 15 shall also extend to Sublicensor and the Metropolitan Transportation Authority.

6. **Sublicense Fee:** In consideration of the type of use to which Sublicensee intends to conduct at the Sublicensed Premises, and as provided in the License Agreement, Sublicensor hereby waives any Sublicense fee for the use of the Sublicensed Premises by Sublicensor.

7. **Use of Sublicensed Premises:** (a) Sublicensee hereby agrees to utilize the Sublicensed Premises as a location for the distribution of pre-packaged foods and hot and cold beverages, consistent with its not-for-profit purposes, including use of the janitor's closet in connection with maintenance and cleaning. No other use whatsoever is permitted. Hours of distribution will be between 11:00 am through 2:00 pm, Monday through Friday. No food preparation will be done on the Licensed or Sublicensed Locations. Sublicensee agrees to allow the general public to use the rest rooms in Station.

If any government licenses or permits shall be required for the proper and lawful conduct of Sublicensee's business operation at the Riverhead Station, Sublicensee agrees, at its sole cost and expense, to procure and maintain such licenses or permits throughout the term and agrees to submit copies of the same to Licensor prior to the commencement of business operations, including compliance with all applicable Department of Health and Fire Marshall requirements.

8. Repair, Maintenance and Inventory of Sublicensed Premises:

- (a) Sublicensee agrees to maintain the Sublicensed Premises free of trash and debris and to return the premises back to its original condition the end of the Term or any earlier termination of this Sublicense.
- (b) Sublicensee shall not be permitted to alter the Sublicensed Premises.
- (c) Sublicensee shall not have the right to install signage of any kind outside the Sublicensed Premises without the prior written approval of Licensor as required under the License Agreement.
- (d) Sublicensor shall clean the bathrooms at the Sublicensed Premises daily on an "as needed" basis, as required by the extent of public use of said bathrooms, and shall clean the Sublicensed Premises daily.
- (f) All other maintenance and repair responsibilities, costs and obligations for the Sublicensed Premises as required under the License Agreement not specifically assumed by Sublicensee under this Sublicense, shall remain the responsibility and obligation of Sublicensor.
- (g) There will not be any loitering permitted in the Sublicensed Premises.

9. **Assignment.** Notwithstanding anything to the contrary contained in the Sublicense, Sublicensee shall not assign this Sublicense, the Sublicensed Premises, in whole or in part, or permit Sublicensee's interest to be vested in any other party other than Sublicensee by operation of law or otherwise.

10. **Town of Riverhead Police Department:** The Town of Riverhead will provide a police presence at all times during the hours of operation by the Sublicensee at the Sublicensed Premises.

11. **Notices:** Any notices to be given under this Sublicense shall be in writing and shall be sent by registered or certified mail, return receipt requested. If such notice is directed to Sublicensor, it shall be addressed to the attention of the Riverhead Town Supervisor, with a copy to the Riverhead Town Attorney, both at 200 Howell Avenue, Riverhead, New York 11901. If such notice is directed to Sublicensee, it shall be addressed to:

1018 Northville Turnpike, Riverhead, New York 11901.

DPM
12.

11. Miscellaneous: (a) All prior understandings and agreements between the parties with respect to the subject matter hereof are merged within this Sublicense, which alone, fully and completely sets forth the understanding of the parties with respect to the subject matter hereof. This Sublicense may not be changed or terminated orally, or in any manner, other than in writing signed by the party against whom enforcement is sought and only with the consent of the Licensor.

(b) Licensor's consent hereto shall not change in any way the terms and conditions of the License Agreement.

IN WITNESS WHEREOF, Sublicensor and Sublicensee do hereby execute this Sublicense as of the date and year first above written.

TOWN OF RIVERHEAD

By _____

Name:

Title:

Open Arms Care Center, Inc.

Zona J. Stroy

Name: Zona Stroy STROY

Title: Chairperson

Hereby Agreed and Consented to:

THE LONG ISLAND RAIL ROAD COMPANY

By: Metropolitan Transportation Authority

Name: Roco Krsulic

Title: Director, Real Estate

January 21, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 72

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE
OF PUBLIC HEARING REGARDING THE SPECIAL PERMIT OF
HAMPTON JITNEY-MOTOR COACH TERMINAL**

COUNCILMAN DUNLEAVY

_____ offered the following resolution which
was seconded by COUNCILMAN ~~BUCKLEY~~ WOOTEN

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Hampton Jitney pursuant to Article XXVIA and Section 108-278B.(3) of the Riverhead Town Code, for the construction of a two story bus terminal and one story maintenance building totaling 44,589 sq. ft. footprint and 60,429 sq. ft. gross floor area with related improvements including fuel storage and washing facilities on a 13.9 ac. parcel zoned Industrial C (IC), such property more particularly described as SCTM 0600-117-1-8.6, and

WHEREAS, the petitioner has appeared before the Town Board at a work session held on January 15, 2009, and

WHEREAS, the Town Board desires to hold a public hearing on this matter at this time, now

THEREFORE, BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the attached notice of public hearing in the January 29, 2009 edition of the official newspaper of the Town of Riverhead.

THE VOTE

DUNLEAVY YES ___ NO BUCKLEY YES ___ NO *absent*
BLASS YES ___ NO WOOTEN YES ___ NO
CARDINALE YES ___ NO
THIS RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York, on the 3rd Day of March, 2009 at 2:05 o'clock pm, to consider the special use permit petition of Hampton Jitney to allow the construction of a motor coach terminal upon real property located at Edwards Avenue, Calverton, New York; such property more particularly described as SCTM 0600-117-1-8.6.

Dated: Riverhead, New York

Date: January 29, 2009

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

January 21, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 73

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING REGARDING THE SPECIAL PERMIT OF THEODORA COHEN – SINGLE FAMILY RESIDENCE

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

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Theodora Cohen to allow the conversion of an existing storage structure into a single family resident upon real property located at East Main Street, Riverhead, New York; such property more particularly described as SCTM 0600-127-7-14 and 0600-127-7-24, and

WHEREAS, the applicant has appeared before the Town Board at a work session, and

WHEREAS, the Town Board desires to hold a public hearing on this matter at this time, now

THEREFORE, BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the attached notice of public hearing in the January 29, 2009 edition of the official newspaper of the Town of Riverhead.

THE VOTE

DUNLEAVY YES NO BUCKLEY YES NO *absent*

BLASS YES NO WOOTEN YES NO

CARDINALE YES NO

THIS RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York, on the 18th Day of February, 2009 at 7:15 o'clock pm, to consider the special use permit petition of Theodora Cohen to allow the conversion of an existing storage structure into a single family residence upon real property located at East Main Street, Riverhead, New York; such property more particularly described as SCTM No. 0600-127-7-14 and 0600-127-7-24.

Dated: Riverhead, New York

Date: January 29, 2009

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

- (ii) Change of one permitted use to another with no changes in parking requirements (i.e. retail to office);
- (iii) Minor additions less than 1,000 square feet with on change to use or occupancy;
- (iv) Site plan applications proposing less than 5,000 square feet ~~of~~ new or renovated floor area or less than 10,000 square feet of land disturbance;

Excepting those actions that have been given a Positive Declaration pursuant to SEQR or actions involving property abutting state or county parkland, the Atlantic Ocean, Long Island Sound, any bay in Suffolk County or estuary of any of the foregoing bodies of water shall be subject to the full review process.

BE IT FURTHER

RESOLVED, that the Town Clerk is directed to forward a copy of this resolution to the Suffolk County Planning Commission, the Riverhead Planning Board, the Riverhead Zoning Board of Appeals, the Riverhead Planning Department and the office of the Town Attorney.

THE VOTE

DUNLEAVY ___ YES ___ NO BUCKLEY ___ YES ___ NO

BLASS ___ YES ___ NO WOOTEN ___ YES ___ NO

CARDINALE ___ YES ___ NO

**THIS RESOLUTION ___ WAS ___ WAS NOT
THEREFORE DULY ADOPTED**

January 21, 2009

Adopted

TOWN OF RIVERHEAD

Resolution No. 74

**Authorizes Inter-Municipal Agreement with the
Suffolk County Planning Commission Regarding Zoning Referrals**

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

WHEREAS, General Municipal Law (GML) Section 239 requires the referral of certain proposed planning and zoning actions to the Suffolk County Planning Commission by local Towns and Villages within the County, and

WHEREAS, GML also allows for the County to enter into an agreement with a referring body or other duly authorized body of a Town or Village to provide that certain proposed actions be deemed matters of local rather than inter-community or county-wide concern and, therefore, not subject to referral, and

WHEREAS, the Town of Riverhead has proposed a litany of actions which are consistent with the intent of GML and represent matters of local not county-wide concern, and

WHEREAS, the adoption of the attached inter-municipal agreement would streamline the referral review process without any compromise to county-wide or inter-community planning considerations,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to the above, the Suffolk County Planning Commission considers the following list of actions to constitute matters of local determination which are NOT subject to the referral process:

- (i) All area variances associated with single family residences;

- (ii) Change of one permitted use to another with no changes in parking requirements (i.e. retail to office);
- (iii) Minor additions less than 1,000 square feet with on change to use or occupancy;
- (iv) Site plan applications proposing less than 5,000 square feet of new or renovated floor area or less than 10,000 square feet of land disturbance;

Excepting those actions that have been given a Positive Declaration pursuant to SEQR or actions involving property abutting state or county parkland, the Atlantic Ocean, Long Island Sound, any bay in Suffolk County or estuary of any of the foregoing bodies of water shall be subject to the full review process.

BE IT FURTHER

RESOLVED, that the Town Clerk is directed to forward a copy of this resolution to the Suffolk County Planning Commission, the Riverhead Planning Board, the Riverhead Zoning Board of Appeals, the Riverhead Planning Department and the office of the Town Attorney.

THE VOTE

DUNLEAVY YES ___ NO BUCKLEY YES ___ NO *absent*

BLASS YES ___ NO WOOTEN YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

Adopted

RESOLUTION # <u>75</u> ABSTRACT #09-01 January 8, 2009 (TBM 01/20/08)				
COUNCILMAN DUNLEAVY offered the following Resolution which was seconded by				
COUNCILMAN DUNLEAVY <u>BLASS</u>				
FUND NAME		1/5/09 CD	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1	2,000,000.00	101,602.68	2,101,602.68
PAL	4	6,000.00		6,000.00
TEEN CENTER	5	10,000.00		10,000.00
RECREATION	6	70,000.00		70,000.00
CHILD CARE CENTER BUILDING FUN	9	40,000.00	7,740.96	47,740.96
TOWN BOARD SPECIAL PROGRAM FUN	24		427.82	427.82
YOUTH COURT SCHOLAR	25	1,000.00		1,000.00
SRS DAYCARE	27	7,000.00		7,000.00
ANIMAL SPAY/NEUTER	29	1,000.00		1,000.00
ECONOMIC DEVELOPMENT ZONE FUND	30	20,000.00	27.94	20,027.94
HIGHWAY FUND	111	550,000.00	34,109.65	584,109.65
WATER DISTRICT	112		39,548.89	39,548.89
R & M	113	250,000.00		250,000.00
RIVERHEAD SEWER DISTRICT	114	2,225,000.00	68,693.18	2,293,693.18
REFUSE & GARBAGE COLLECTION DI	115	50,000.00	77.36	50,077.36
STREET LIGHTING DISTRICT	116	300,000.00	5,336.40	305,336.40
PUBLIC PARKING DISTRICT	117	100,000.00	618.18	100,618.18
BUSINESS IMPROVEMENT DISTRICT	118	100,000.00	762.00	100,762.00
AMBULANCE DISTRICT	120	100,000.00		100,000.00
CALVERTON SEWER DISTRICT	124	225,000.00	51,656.19	276,656.19
RIVERHEAD SCAVANGER WASTE DIST	128	175,000.00	15,421.62	190,421.62
SEWER DIST. FUND	130	300,000.00		300,000.00
WORKERS' COMPENSATION FUND	173	1,420,000.00	6,494.55	1,426,494.55
RISK RET	175	740,000.00		740,000.00
UNEMPLOYMENT	176	45,000.00		45,000.00
MAIN ST. REHAB	177	75,000.00		75,000.00
REV LOAN PRO	178	20,000.00		20,000.00
RES REHAB LOAN	179	15,000.00		15,000.00
CDBG CONSORTIUM ACOUNT	181		18,713.14	18,713.14
RESTORE	184	7,000.00		7,000.00
PUB PARK DEBT	381	25,000.00		25,000.00
SEWER DEBT	382	350,000.00		350,000.00
GENERAL FUND DEBT	384	4,000,000.00		4,000,000.00
SUFFOLK THEATER	386	20,000.00		20,000.00
800 SERIES	408	12,000.00		12,000.00
TWO BEARS	440	35,000.00		35,000.00
SENIORS HELP SENIORS CAP PROJE	453		109.57	109.57
EISEP	454	130,000.00		130,000.00
MUNICIPAL FUEL FUND	625		21,029.20	21,029.20
MUNICIPAL GARAGE FUND	626		27.94	27.94
TRUST & AGENCY	735		15,750,804.36	15,750,804.36
SPECIAL TRUST	736	1,850,000.00		1,850,000.00
COMM PRES	737	7,400,000.00		7,400,000.00
CALVERTON PARK - C.D.A.	914	275,000.00	5,912.52	280,912.52
C.D.A.	915	1,500.00		1,500.00
TOTAL ALL FUNDS		22,950,500.00	16,129,114.15	39,079,614.15

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