

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

October 23rd, 2006

**Edward Densieski, Councilman
George Bartunek, Councilman**

**Barbara Blass, Councilwoman
John Dunleavy, Councilman**

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

ELECTED OFFICIALS

**Laverne Tennenberg
Madelyn Sendlewski
Paul Leszczynski
Mark Kwasna
Maryann Wowak Heilbrunn
Richard Ehlers
Allen M. Smith**

**Chairwoman Board of Assessors
Board of Assessors
Board of Assessors
Highway Superintendent
Receiver of Taxes
Town Justice
Town Justice**

DEPARTMENT HEADS

**William J. Rothaar
Leroy E. Barnes, Jr
Andrea Lohneiss
Ken Testa
Richard Hanley
Chief David Hegermiller
Ray Coyne
Judy Doll
John Reeve
Michael Reichel
Gary Pendzick**

**(Interim)Accounting Department
Building Department
Community Development
Engineering Department
Planning Department
Police Department
Recreation Department
Senior Services
Sanitation Department
Sewer District
Water Department**

- 1.) Authorizes Town Clerk To Publish And Post Notice of Public Hearing To Consider The Adoption Of The 2007 Preliminary Annual Budget For The Town Of Riverhead.
- 2.) Authorizes The Town Clerk To Publish And Post Public Notice To Consider A Local Law to Amend Chapter 108 Entitled, "Zoning" Of The Riverhead Town Code (Site Plan Review)
- 3.) Ratifies The Approval Of Chapter 90 Application Of East End Rowing
- 4.) Authorizes The Publication Of A Help Wanted Ad For Executive Director Of Youth Bureau
- 5.) Accepts 5% Security Bond Of Culinary Arts, Riverhead LLC

OCTOBER 23, 2006

Adopted

TOWN OF RIVERHEAD

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE 2007 PRELIMINARY ANNUAL BUDGET FOR THE TOWN OF RIVERHEAD

RESOLUTION # 973

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

BE IT RESOLVED, that the Town Clerk be, and is hereby, directed to publish the attached Public Notice in the October 26, 2006 issue of The News Review;

BE IT RESOLVED, that the Town Board hereby authorizes the publication of the attached Public Notice in the October 26, 2006 issue of The News Review by the Town Clerk.

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that a Public Hearing will be held on the 8th day of November, 2006 at 2:00 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons to consider the adoption of the 2007 Annual Budget for the Town of Riverhead, which shall include the following specific items:

ELECTED OFFICIALS' SALARIES

<u>Position</u>	<u>Proposed Salary</u>
Town Supervisor	\$108,800
Town Board Councilpersons (4)	\$45,000
Town Receiver of Taxes	\$65,799
Town Assessors (3)	\$68,435
Town Clerk	\$74,383
Town Justices (2)	\$69,027
Highway Superintendent	\$77,372

PLEASE TAKE FURTHER NOTICE, that a copy of the Preliminary Budget is available in the Office of the Town Clerk for inspection during normal business hours, Monday through Friday, 8:30 a.m. – 4:30 p.m.

DATED: Riverhead, New York
October 17, 2006

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

THE VOTE
Dunleavy yes ___ no Bartunek yes ___ no
Blas yes ___ no Denisieski yes ___ no
Cardinale yes ___ no
**THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED**

October 23, 2006

TOWN OF RIVERHEAD

Adopted

Resolution # 974

**AUTHORIZES THE PUBLICATION OF A HELP WANTED AD
FOR EXECUTIVE DIRECTOR OF YOUTH BUREAU**

Councilwoman Blass offered the following resolution, which was seconded by

COUNCILMAN DENSIESKI

BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Advertisement in the October 26, 2006 issue of The News Review and the October 29 issue of the Sunday Newsday.

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

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking a qualified individual to serve in the position of Executive Director of Youth Bureau. B.A. in Behavioral Sciences/Sociology and 4 yrs. exp. in social and education youth programs required. Grant proposal preparation a plus. Applications can be downloaded at www.Riverheadli.com and submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY. No applications will be accepted after 4:30pm on November 3, 2006. EOE

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

EXECUTIVE DIRECTOR OF YOUTH BUREAU/65K

Riverhead Town seeks candidate to oversee municipal Youth Bureau.

BA Behav. Sci./Socio. & 4 yrs.exp. in social/educ. youth programs.

Apply Acctg Dept 200 Howell Ave Rvhd NY EOE

10/23/06

Adopted

TOWN OF RIVERHEAD

Resolution # 975

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

COUNCILMAN BARTUNEK

_____ offered the following resolution, was seconded

by **COUNCILMAN DENSIESKI**

RESOLVED, the Town Clerk be and is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the October 26, 2006 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

THE VOTE

Dunleavy yes ___ no Bartunek yes ___ no
 Blass yes ___ no Densieski yes ___ no
 Cardinale yes ___ no

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

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 8th day of November, 2006 at 2:40 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

**Chapter 108
Zoning
ARTICLE XXVI Site Plan Review**

§ 108-129. Review authorized; approval required; penalties; issuance of permits and certificates of occupancy; expiration.

- A. Authorization. The Town Board ~~is hereby authorized~~ hereby authorizes the Planning Board, pursuant to §274-a of the Town Law, to review and approve, approve with modifications, or disapprove site plans for the activities and land uses listed herein except for site plan petitions upon real property within urban renewal designated areas pursuant to Article 15 of the General Municipal Law.
- C. Permits. No building permit or land clearing permit as required by Chapter 52, Building Construction, required for any such activity, including, without limitation, grading, clearing, cutting and filling, excavating or tree removal associated therewith, or the erection, construction, alteration, demolition or moving of any structure, shall be issued until the required site plan approval shall have been granted, and the approved site plan thereafter shall have been signed by a majority of the ~~Town Board~~ Planning Board.
- D. Certificates of occupancy. No certificate of occupancy shall be issued until all requirements and conditions of the site plan approval have been implemented and an as-built survey, including without limitation the location of all buildings, structures, curb cuts, and other required improvements (e.g., berms, buffer areas), has been submitted to the Planning Director or his duly authorized representative. Any significant change to the approved site plan or elevations that affects the physical character of the building(s) and/or the site, in the absence of an approved amended site plan reflecting said changes, shall cause the certificate of occupancy to be withheld until such change is approved by the ~~Town Board~~ Planning Board. The Planning Director shall determine the significance of any such change.
- E. Expiration. Site plan approval shall remain in effect for 36 months. In the event that the applicant has not obtained a valid building permit within said thirty-six-month period, the ~~Town Board~~ Planning Board may grant one twelve-month extension of site plan approval, upon the request of the applicant made at least 30 days prior to the expiration of the original thirty-six-month period. This section shall also apply to site plans which have been approved but which have not obtained a building permit prior

to the date of adoption of this section.

§ 108-130. Review and approval required.

The following shall be subject to site plan review and require site plan approval by the ~~Town Board~~ Planning Board:

§ 108-131. Application procedure; fees.

E. Appeals.

- ~~(Where relief is required of the Zoning Board of Appeals, or any other body with jurisdiction over the site, the time utilized to obtain such relief shall not be tolled) towards the sixty two day limitation imposed herein.~~
- ~~(Should such relief be sought and obtained, said relief does not preclude denial of the site plan by the Town Board when appropriate cause for such denial is duly indicated.~~

E. Inspections.

Subsequent to site plan approval and the issuance of a building permit, it is the obligation of the applicant to call for site plan inspections upon the installations or construction of each of the following:

- (1) drainage improvements prior to backfill
- (2) grading and site improvements prior to the first lift of paving
- (3) post construction prior to the issuance of a certificate

An inspection fee of \$250 per inspection must be paid prior to each inspection

§ 108-133. Conditions for approval.

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

- I. Performance bond or other equivalent security. Upon approval of a final site plan by the ~~Town Board~~ Planning Board and prior to the issuance of a building permit, the applicant shall post a ~~performance bond~~ letter of credit or

other equivalent security in a form approved by the Town Attorney and adopted by resolution of the Town Board, in an amount equal to ~~5%~~ 100% of the cost of construction of site improvements as estimated by the ~~Building~~ Planning Department ~~or Town Engineer~~. The Town Board may, at its discretion, reduce or waive a performance bond upon a showing of significant hardship. No certificate of occupancy shall be issued until all site improvements have been inspected and approved by the Planning Department ~~and Architectural Review Board~~ and said ~~performance bond~~ letter of credit or equivalent security has been released by resolution of the Town Board. In the event that the applicant fails to comply with the provisions of this article, the ~~performance bond~~ letter of credit or other security shall be forfeited to the Town, and the Town of Riverhead shall complete the site plan improvements. Where the cost of the improvements exceeds the forfeited security, the additional cost, including but not limited to any legal fees incurred, shall be and constitute a lien upon the land upon which the improvements are to be made and shall be included in the levy against such property and shall be collected and enforced in the same manner, by the same proceedings, at the same time and under the same penalties as are provided by law for the collection and enforcement of real property taxes in the Town of Riverhead.

Dated: Riverhead, New York
October 26, 2006

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

BARBARA GRATTAN, Town Clerk

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

Adopted

TOWN OF RIVERHEAD

Resolution # 976

RATIFIES THE APPROVAL OF CHAPTER 90 APPLICATION OF EAST END ROWING

COUNCILMAN DUNLEAVY

_____ offered the following resolution, was seconded by

COUNCILMAN BARTUNEK

WHEREAS, on October 2, 2006, East End Rowing had submitted a Chapter 90 application for the purpose of conducting a Renaissance Fair having children’s crafts and games to be held at the Hallockville Museum property located at 6038 Sound Avenue, Riverhead, Riverhead, New York, on Saturday, October 21, 2006, between the hours of 10:00 a.m. and 5:00 p.m.; and

WHEREAS, East End Rowing has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

WHEREAS, due to its not-for-profit status, the applicant has requested the Chapter 90 application fee be waived; and

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

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

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

RESOLVED, that the application of the East End Rowing for the purpose of conducting a Renaissance Fair having children’s crafts and games to be held at the Hallockville Museum property located at 6038 Sound Avenue, Riverhead, Riverhead, New York, on Saturday, October 21, 2006, between the hours of 10:00 a.m. and noon and 5:00 p.m. is hereby approved; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby waives the Chapter 90

application fee; and be it further

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

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

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the East End Rowing, P.O. Box 295, Westhampton Beach, New York, 11978; Bruce Johnson, Fire Marshal; the Riverhead Police Department and the Office of the Town Attorney.

THE VOTE

Dunleavy yes no Bartunek yes no
 Blass yes no Densieski yes no
 Cardinale yes no

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

TOWN OF RIVERHEAD

Adopted

Resolution # 977

ACCEPTS 5% SECURITY BOND OF CULINARY ARTS RIVERHEAD LLC

offered the following resolution,
COUNCILMAN DENSIESKI
which was seconded by

COUNCILMAN BARTUNEK

WHEREAS, Culinary Arts Riverhead LLC has posted a security bond (#7 11919) in the sum of One Hundred Twenty Five Thousand Dollars (\$125,000.00) representing the 5% site plan security bond as noted in the approved site plan dated August 1, 2006 Resolution #727 for work located at East Main Street, Riverhead, New York, Suffolk County Tax Map# 0600-128.00-06-050.1, 0600-128.00-05-051.00, 0600-128.00-06-053.00, 0600-128.00-06-055.00 and 0600-128.00-06-066.3 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% performance bond (#711919) in the sum of One Hundred Twenty Five Thousand Dollars (\$125,000.00) issued to the Town of Riverhead; and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Culinary Arts Riverhead LLC, 2150 Smithtown Avenue, Suite One, Ronkonkoma, New York 11901, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Dunleavy Yes No

Bartunek Yes No

Blass Yes No

Densieski Yes No

Cardinale Yes No

The Resolution Is Is Not
Declared Duly Adopted