

**Riverhead Town Board Special Town Board Meeting  
Monday June 11, 2007 @ 10:00 a.m.**

**Authorizes Chairman To Commence Negotiations For The Development Of A Contract Of Sale For A 300+- Parcel Of Property Within The Light Industrial Portion Of The Epcal Site.**

**Authorizes The Temporary Use Of Town Equipment To Kent Animal Shelter.**

**Reduces Irrevocable Letter Of Credit Of Edward Carrera (Subdivision Entitled, "Edward Carrera At Old Field Court").**

**Accepts 5% Security Of J. Petrocelli Contracting, Inc. (Stop& Shop A/K/A Richmond Riverhead Realty, Llc).**

**Authorizes Town Supervisor To Execute Change Order No.1 For Calverton Enterprise Park Phase I.**

**Authorizes The Supervisor To Execute An Agreement To Spend Town Highway Funds For The Repair And Improvement Of Various Highways Throughout The Town.**

**Authorizes The Town Attorney To Order An Appraisal For Real Property Commonly Known As Miamogue Point, South Jamesport, Owned By Fort Pat Motel, Inc.**

**Riverhead Housing Development Corp. Budget Adoption.**

June 11, 2007

Adopted

**TOWN OF RIVERHEAD**

Resolution # 559

**AUTHORIZES THE TEMPORARY USE OF TOWN EQUIPMENT TO KENT ANIMAL SHELTER**

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

**WHEREAS**, Kent Animal Shelter is in need of additional cages; and

**WHEREAS**, the Riverhead Animal Shelter has cages stored at its facility that are no longer in use; and

**WHEREAS**, Chief Hegermiller has deemed the cages excess Town property and offered to loan the cages to Kent Animal Shelter until such time they can be properly disposed of at public auction.

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes Chief David J. Hegermiller to loan the cages to Kent Animal Shelter temporarily until they can be disposed of at public auction.

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Police Chief David J. Hegermiller, Pam Green, Director, Kent Animal Shelter and the Office of Accounting.

DUNLEAVY  YES \_\_\_ NO BARTUNEK  YES \_\_\_ NO  
BLASS  YES \_\_\_ NO DENSIESKI  YES \_\_\_ NO  
CARDINALE  YES \_\_\_ NO

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

TOWN OF RIVERHEAD

Adopted

Resolution # 560

**REDUCES IRREVOCABLE LETTER OF CREDIT OF EDWARD CARRERA  
(SUBDIVISION ENTITLED, "EDWARD CARRERA AT OLD FIELD COURT")**

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

**WHEREAS**, pursuant to Resolution #30 adopted on April 10, 2006, the Riverhead Town Board accepted Suffolk County National Bank Irrevocable Letter of Credit #060517 in the amount of Two Hundred Twenty Two Thousand (\$222,000.00) Dollars representing improvements within the subdivision entitled, "Edward Carrera at Old Field Court "; and

**WHEREAS**, pursuant to Subdivision Inspection Memo dated June 4, 2007, Vincent A. Gaudiello, P.E. of the Raynor Group, P.E. & L.S. PLLC, has determined that a substantial portion of the improvements have been completed and has further recommended that the irrevocable letter of credit be reduced to the amount of \$100,000.00.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby approves the reduction of Suffolk County National Bank Irrevocable Letter of Credit #060517 in the amount of Two Hundred Twenty Two Thousand (\$222,000.00) Dollars to the amount of \$100,000.00 representing improvements within the subdivision entitled, "Edward Carrera at Old Field Court"; and be it further

**RESOLVED**, that upon receipt of the letter of credit in the amount of \$100,000.00, the Town Clerk is hereby authorized to release Suffolk County National Bank Irrevocable Letter of Credit #060517 in the amount of Two Hundred Twenty Two Thousand (\$222,000.00) Dollars; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Robert F. Kozakiewicz, Esq., 431 Griffing Avenue, Riverhead, New York, 11901; the Riverhead Planning Department; the Riverhead Building Department and the Office of the Town Attorney.

THE VOTE

Dunleavy  yes \_\_\_ no Bartunek  yes \_\_\_ no  
Blass  yes \_\_\_ no DeSieski  yes \_\_\_ no  
Cardinale  yes \_\_\_ no

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

6/11/07

Adopted

TOWN OF RIVERHEAD

Resolution # 561

ACCEPTS 5% SECURITY OF J. PETROCELLI CONTRACTING, INC. (Stop & Shop a/k/a Richmond Riverhead Realty, LLC)

COUNCILMAN BARTUNEK

offered the following resolution,

COUNCILMAN DUNLEAVY

which was seconded by :

WHEREAS, J. Petrocelli Contracting, Inc., as general contractor for Richmond Riverhead Realty, LLC, has posted an Arch Insurance Company Site Improvement Bond #SU1027593 in the sum of Three Hundred Thousand Dollars (\$300,000.00) representing the 5% site plan security bond in connection with Riverhead Planning Board Resolution #786 dated August 15, 2006 for construction and improvements to be completed at 1615 Old Country Road, Riverhead, New York, further described as Suffolk County Tax Map #0600-119-1-19.1, pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said site improvement 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 Arch Insurance Company Site Improvement Bond #SU1027593 in the sum of Three Hundred Thousand Dollars (\$300,000.00); and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to J. Petrocelli Contracting, Inc., 100 Comac Street, Ronkonkoma, New York, 11779; Dana Lanzillo, Esq., Deonne & Gass, Esqs., 131 Dartmouth Street, Suite 501, Boston, MA, 02108; David Armanetti, Richmond Company, Inc., 23 Concord Street, Wilmington, MA, 01887; 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 WAS WAS NOT THEREFORE DULY ADOPTED

June 11, 2007

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 562

AUTHORIZES TOWN SUPERVISOR TO EXECUTE CHANGE ORDER NO. 1 FOR CALVERTON ENTREPIRSE PARK PHASE I

COUNCILMAN DUNLEAVY offered the following resolution which was seconded by COUNCILMAN DENSIESKI

WHEREAS, on January 4, 2007, the Riverhead Town Board adopted Resolution No. 37 entitled, "Awards Bid for Calverton Enterprise Park Phase I"; and

WHEREAS, the bid was awarded to DF Stone Contracting, Ltd. in the amount of Nine Hundred Eighty Six Thousand Four Hundred Ninety Five & 00/100 (\$986,495.00); and

WHEREAS, it is the recommendation of the Town Engineer that additional supplies and additional work is required for the installation of four (4) backstops which had been originally scheduled for installation during Phase II of this project, however, installation during Phase I would cause less disturbance of the Phase I completion and would be more cost effective to install the backstop fencing during Phase I; and

WHEREAS, the installation of the backstop fencing during Phase I requires Change Order No. 1 for an additional amount of Eighty One Thousand Four Hundred Twenty & 00/100 (\$81,420.00).

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute Change Order No. 1 in the amount of \$81,420.00 to DF Stone & Contracting, Ltd.; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to DF Stone Contracting, Ltd., 888 Vets Highway, Suite 430, Hauppauge, NY 11788 and a copy to Christine Fetten, P.E. and the Purchasing Department.

THE VOTE
Dunleavy [checked] yes \_\_\_ no Bartunek [checked] yes \_\_\_ no
Blass [checked] yes \_\_\_ no Densieski [checked] yes \_\_\_ no
Cardinale [checked] yes \_\_\_ no

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

Z: Lisa, Engineering

6/11/07

Adopted

TOWN OF RIVERHEAD

Resolution # 563

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT TO SPEND TOWN HIGHWAY FUNDS FOR THE REPAIR AND IMPROVEMENT OF VARIOUS HIGHWAYS THROUGHOUT THE TOWN.**

COUNCILMAN DENSIESKI offered the following resolution, which

was seconded by COUNCILWOMAN BLASS:

**WHEREAS**, The Town of Riverhead Highway Department would like to make general repairs and improvements to various highways throughout the Town using existing Highway accounts and the Local Street and Highway Capital Project (CHIPS); and

**WHEREAS** pursuant to the provisions of Section 284 of the Highway law, the Town agrees that money levied and collected for the repair and improvement of highways, and received from the state for the repair and improvement of highways, shall be extended for general repairs and improvements.

**NOW, THEREFORE, IT IS HEREBY RESOLVED** that the Town Board of the Town of Riverhead authorizes the Supervisor and members of the Town Board to execute the attached agreements to spend Town Highway funds, and

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to send notification of this resolution to the Office of the Town Attorney, the Riverhead Highway Superintendent and the Office of Accounting.

**THE VOTE**

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

June 4, 2007

TO: Supervisor Cardinale

FROM: A. Prudenti, Deputy Town Attorney

Re: Agreements to Spend Town Highway Funds

Pursuant to your request, I reviewed the proposed agreements to spend Town Highway Funds. While the agreements are in proper form and pursuant to statute and past practice do not require a resolution to proceed with required execution by yourself and majority of members of the Town Board, I have prepared a draft resolution in the event it is your preference to adopt same prior to signature. Please advise and I will make certain the resolution appears in final form for next work session and town board hearing.

cc: Kathy Schroeder

AGREEMENT TO SPEND TOWN HIGHWAY FUNDS

TOWN OF Riverhead  
COUNTY OF SUFFOLK

Pursuant to the provisions of Section 284 of the Highway law, we agree that moneys levied and collected for the repair and improvement of highways, and received from the state for the repair and improvement of highways, shall be extended as follows:

1. GENERAL REPAIRS. The sum of \$ 2819,400<sup>-</sup> may be expended for general repairs upon 201 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

2. IMPROVEMENTS. The following sums shall be set aside to be expended for the improvement of town highways:

(a.) On the road commencing at Rt. 25 (Union Ave. Aquebogue) and leading to Rt. 105, a distance of 1 miles, there shall be expended over the sum of \$ 105,000<sup>-</sup>  
Type 1A TOP Width of traveled surface 28 Feet  
Thickness 1 1/2 inch Subbase \_\_\_\_\_

(b.) On the road commencing at Peconic Bay Blvd. (Holly Trees LA.) and leading to End, a distance of 1/10 miles, there shall be expended not over the sum of \$ 10,000<sup>-</sup>  
Type 1A TOP Width of traveled surface 20 Feet  
Thickness 1 1/2 inch Subbase \_\_\_\_\_

(c.) On the road commencing at Sound Ave. (Pier Ave.) and leading to Long Island Sound, a distance of 3/4 miles, there shall be expended not over the sum of \$ 90,000<sup>-</sup>  
Type 1A TOP Width of traveled surface 28 Feet  
Thickness 1 1/2 inch Subbase \_\_\_\_\_

Executed in duplicate this 1 day of March, 2007

\_\_\_\_\_  
SUPERVISOR  
  
\_\_\_\_\_  
COUNCILMAN  
  
\_\_\_\_\_  
COUNCILMAN

\_\_\_\_\_  
COUNCILMAN  
  
\_\_\_\_\_  
COUNCILMAN  
  
[Signature]  
TOWN SUPERINTENDENT

NOTE: This agreement should be signed in duplicate by a majority of the members of the Town Board and by the Town Superintendent. One copy must be filed in the Town Clerk's office and one in the Town Superintendent's office. COPIES DO NOT HAVE TO BE FILED IN ALBANY.



AGREEMENT TO SPEND TOWN HIGHWAY FUNDS

TOWN OF Riverhead  
COUNTY OF Suffolk

Pursuant to the provisions of Section 284 of the Highway law, we agree that moneys levied and collected for the repair and improvement of highways, and received from the state for the repair and improvement of highways, shall be extended as follows:

1. GENERAL REPAIRS. The sum of \$ 2819400<sup>-</sup> may be expended for general repairs upon 201 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

2. IMPROVEMENTS. The following sums shall be set aside to be expended for the improvement of town highways:

(a.) On the road commencing at 25 A (Dogwood Drive W.R.) and leading to Gully Rd, a distance of 1/2 miles, there shall be expended over the sum of \$ 50,000  
Type 1A Top Width of traveled surface 28 FT.  
Thickness 1 1/2 inch Subbase \_\_\_\_\_

(b.) On the road commencing at Dogwood Dr. (Overhill Rd W.R.) and leading to END, a distance of 1/2 miles, there shall be expended not over the sum of \$ 40,000<sup>-</sup>  
Type 1A Top Width of traveled surface 30 Feet  
Thickness 1 1/2 inch Subbase \_\_\_\_\_

(c.) On the road commencing at N.W.R.R. (Bayberry Rd W.R.) and leading to Bayberry Park, a distance of 1/4 miles, there shall be expended not over the sum of \$ 40,000<sup>-</sup>  
Type 1A Top Width of traveled surface 28 Feet  
Thickness 1 1/2 inch Subbase \_\_\_\_\_

Executed in duplicate this 1 day of March, 2007

\_\_\_\_\_  
SUPERVISOR  
  
\_\_\_\_\_  
COUNCILMAN  
  
\_\_\_\_\_  
COUNCILMAN

\_\_\_\_\_  
COUNCILMAN  
  
\_\_\_\_\_  
COUNCILMAN  
  
Michael A. Russo  
TOWN SUPERINTENDENT

NOTE: This agreement should be signed in duplicate by a majority of the members of the Town Board and by the Town Superintendent. One copy must be filed in the Town Clerk's office and one in the Town Superintendent's office. COPIES DO NOT HAVE TO BE FILED IN ALBANY.

AGREEMENT TO SPEND TOWN HIGHWAY FUNDS

TOWN OF Riverhead  
COUNTY OF Suffolk

Pursuant to the provisions of Section 284 of the Highway law, we agree that moneys levied and collected for the repair and improvement of highways, and received from the state for the repair and improvement of highways, shall be extended as follows:

1. GENERAL REPAIRS. The sum of \$ 281,9400 may be expended for general repairs upon 2.01 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

2. IMPROVEMENTS. The following sums shall be set aside to be expended for the improvement of town highways:

(a.) On the road commencing at Sound Ave (Edwards Ave. North of Sound Ave) and leading to Long Island Sound a distance of 3/4 miles, there shall be expended over the sum of \$ 80,000  
Type 1A Top Width of traveled surface 27 Feet  
Thickness 1 1/2 inch Subbase

(b.) On the road commencing at Sound Ave (Zdunko Lane) and leading to End a distance of 1/4 miles, there shall be expended not over the sum of \$ 16,000  
Type 1A Top Width of traveled surface 20 Feet  
Thickness 1 1/2 inch Subbase

(c.) On the road commencing at Griffing Ave. (2nd St. Riverhead) and leading to Detrandee Ave. a distance of 1/2 miles, there shall be expended not over the sum of \$ 60,000  
Type 1A Top Width of traveled surface 28 Feet  
Thickness 1 1/2 inch Subbase

Executed in duplicate this 1 day of March, 2007

\_\_\_\_\_  
SUPERVISOR  
  
\_\_\_\_\_  
COUNCILMAN  
  
\_\_\_\_\_  
COUNCILMAN

\_\_\_\_\_  
COUNCILMAN  
  
\_\_\_\_\_  
COUNCILMAN  
  
John A. Kavan  
TOWN SUPERINTENDENT

NOTE: This agreement should be signed in duplicate by a majority of the members of the Town Board and by the Town Superintendent. One copy must be filed in the Town Clerk's office and one in the Town Superintendent's office. COPIES DO NOT HAVE TO BE FILED IN ALBANY.

6/11/07

Adopted

TOWN OF RIVERHEAD

Resolution # 564

**AUTHORIZES THE TOWN ATTORNEY TO ORDER AN APPRAISAL FOR REAL PROPERTY COMMONLY KNOWN AS MIAMOGUE POINT, SOUTH JAMESPORT, OWNED BY FORT PAT MOTEL, INC.,**

COUNCILWOMAN BLASS offered the following resolution, was seconded by

COUNCILMAN BARTUNEK :

**WHEREAS**, on May 16, 2006, the Town Board of the Town of Riverhead adopted a resolution authorizing the Town of Riverhead Community Development Office to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation for financial assistance in order to acquire property commonly known as Miamogue Point South Jamesport; 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 R. J. Matuza & Associates, at a cost of \$2,500.00, for the real property commonly known as Miamogue Point, South Jamesport, owned by Fort Pat Motel, Inc. and designated on the Suffolk County Tax Map as Nos. #0600-92-4-5 in connection with the acquisition of said parcel, and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to the Office of the Deputy Supervisor, Community Development Agency 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

June 11, 2007

Adopted

**TOWN OF RIVERHEAD**  
**RIVERHEAD HOUSING DEVELOPMENT CORP**

**BUDGET ADOPTION**

**RESOLUTION # 565**

COUNCILMAN BARTUNEK

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

which was seconded by COUNCILMAN DUNLEAVY.

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

		<u>FROM</u>	<u>TO</u>
001.000000.390599	Appropriated Fund Balance	14,200	
001.086860.543150	Accounting - RHDC		8,500
001.086860.546150	Telephone - RHDC		2,700
001.086860.548300	Unallocated Insurance		3,000

**THE VOTE**

Dunleavy  Yes  No      Bartunek  Yes  No  
 Blass  Yes  No      Densieski  Yes  No  
 Cardinale  Yes  No