

WAIVER OF NOTICE AND CONSENT  
OF SPECIAL MEETING

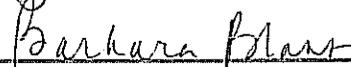
We, the Undersigned, being all members of the Riverhead Town Board of the Town of Riverhead, County of Suffolk, and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York at 12:00 p.m. on the 12th day of November, 2009 and do consent to the holding of such meeting for the purpose of (see attached):

Dated: November 12th, 2009  
Media Notified by  
Supervisor

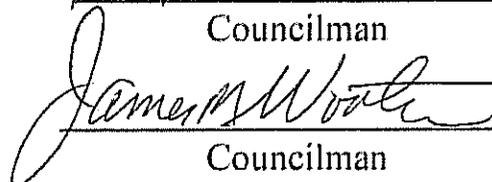
TOWN BOARD MEMBERS  
of Riverhead, New York

\_\_\_\_\_  
Supervisor

  
\_\_\_\_\_  
Councilman

  
\_\_\_\_\_  
Councilwoman

  
\_\_\_\_\_  
Councilman

  
\_\_\_\_\_  
Councilman

TOWN OF RIVERHEAD

Resolution # 1034

**RATIFIES AUTHORIZATION FOR TOWN CLERK TO POST AND PUBLISH A NOTICE TO BIDDERS FOR CALVERTON ENTERPRISE PARK WALKING TRAIL**

Councilwoman Blass offered the following resolution,

which was seconded by Councilman Dunleavy

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the November 12, 2009 issue of the official Town newspaper for the Calverton Enterprise Park Walking Trail, Calverton, New York; and

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

**THE VOTE**

Wooten Yes No      Dunleavy Yes No  
Blass Yes No      Gabrielsen Yes No  
Cardinale Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD  
NOTICE TO BIDDERS

Sealed proposals for the Calverton Enterprise Park Walking Trail will be received by the Town of Riverhead in the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:00 am November 25, 2009 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and/or obtained on or about November 12, 2009 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays or by visiting the Town of Riverhead website: [www.riverheadli.com](http://www.riverheadli.com) and click on Bid Requests.

A non-refundable fee of \$50.00 will be required for each hard copy of the contract documents obtained from the Office of the Town Clerk.

Each proposal must be submitted on the form provided and must be in a sealed envelope clearly marked, "Calverton Enterprise Park Walking Trail" and must be accompanied by a bid surety as stated in the Instructions to Bidders.

PLEASE TAKE FURTHER NOTICE, that the Town Board reserves the right to reject in whole or in part any or all bids, waive any informality in the bids and accept the bid which is deemed most favorable in the interest of the Town of Riverhead. The Town Board will use its discretion to make judgmental determination as to its best estimate of the lowest bidder.

BY ORDER OF THE RIVERHEAD TOWN BOARD  
DIANE M. WILHELM, TOWN CLERK  
RIVERHEAD, NEW YORK 11901

Dated: November 12, 2009

TOWN OF RIVERHEAD

Resolution # 1035

**AUTHORIZING SANITATION SUPERINTENDENT TO AWARD BID TO NEXT LOWEST BIDDER FOR PICK-UP AND REMOVAL OF YARD WASTE DEBRIS FROM YOUNGS AVENUE YARD WASTE FACILITY**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

BE IT HEREBY RESOLVED that the Sanitation Superintendent is hereby authorized to award the bid for pick-up and removal of yard waste debris from the Youngs Avenue Yard Waste Collection Facility to the next lowest bidder, to wit: Horton Avenue Materials, LLC, for the remainder of the contract period; and be it further

RESOLVED that the Town Clerk is hereby directed to forward a copy of this Resolution to Horton Avenue Materials, LLC, 229 Horton Avenue, Riverhead, New York 11901; and be it further

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

**THE VOTE**

Wooten Yes No      Dunleavy Yes No  
Blass Yes No      Gabrielsen Yes No  
Cardinale Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

11/12/09

Adopted

**TOWN OF RIVERHEAD**

**Resolution #1036**

**APPROVES CHAPTER 90 APPLICATION OF  
THE RIVERHEAD ELKS LODGE #2044**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, on October 16, 2009, the Riverhead Elks Lodge #2044 (Riverhead Elks) submitted a Chapter 90 Application for the purpose of conducting an event to include lawn mower race(s), a children's bicycle race, and a kick ball event to be held at the Riverhead Elks Lodge located at 1239 East Main Street, Riverhead, New York, on November 15, 2009, having a rain date of November 22, 2009, between the hours of 12:00 noon and 4:00 p.m.; and

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

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

**WHEREAS**, a certificate of insurance has been received; and

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

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

**RESOLVED** that the Chapter 90 Application of the Riverhead Elks for the purpose of conducting an event to include lawn mower race(s), a children's bicycle race, and a kick ball event to be held at the Riverhead Elks Lodge located at 1239 East Main Street, Riverhead, New York, on November 15, 2009, having a rain date of November 22, 2009, between the hours of

12:00 noon. and 4:00 p.m., is hereby approved subject to the conditions set forth herein; and be it further

**RESOLVED**, that there shall be no music played out of doors before 12:30 p.m. or after 5:30 p.m. on the day of the event, including music played from vehicles; and be it further

**RESOLVED**, that the Town Board of the Town of Riverhead hereby waives the Chapter 90 Application fee due to the applicant's not-for-profit status; 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 it further

**RESOLVED**, that any tent permits shall be obtained and any tent installations and all electrical work 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 (Tents & Membrane Structures); and be it further

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

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

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Riverhead Elks Lodge #2044, P.O. Box 688, 1239 E. Main Street, Riverhead, New York, 11901; and be it further

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

**THE VOTE**

Wooten Yes No      Dunleavy Yes No  
Blass Yes No      Gabrielsen Yes No  
Cardinale Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 1037

**AUTHORIZATION TO PUBLISH AND POST A NOTICE OF PUBLIC HEARING UNDER THE MONROE BALANCING TEST TO CONSIDER THE JAMESPORT FIRE DISTRICT'S APPLICATION FOR AN EXEMPTION FROM THE ZONING PROVISIONS OF THE TOWN CODE OF THE TOWN OF RIVERHEAD**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Blass

**BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby determines to hold a public hearing on 1<sup>st</sup> day of December, 2009 at 2:25 o'clock in the afternoon of that day to hear all interested persons with regard to whether the proposed plans to expand the existing parking lot area so as to provide for a total of 59 parking stalls at Jamesport Fire District property situate immediately west of the existing Jamesport Fire House located on Manor Lane, Jamesport, New York, must comply with the zoning provisions of the Town Code of the Town of Riverhead; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to publish the attached notice of public hearing as follows:

a. in the *News Review*, the official newspaper of the Town of Riverhead on Thursday, November 19, 2009; and

b. by mailing a copy of the notice, by certified mail, return receipt requested, to Francis J. Yakaboski, Esq., 456 Griffing Avenue, Riverhead, New York 11901; and be it further

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

**THE VOTE**

Wooten Yes No      Dunleavy Yes No  
Blass Yes No      Gabrielsen Yes No  
Cardinale Yes No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

## **PUBLIC NOTICE**

**PLEASE TAKE NOTICE**, that a public hearing will be held before the Town Board of the Town of Riverhead on December, 1, 2009 at 2:25 o'clock in the afternoon of that day at Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to whether the proposed plans to expand the existing parking lot area so as to provide for a total of 59 parking stalls at Jamesport Fire District property situate immediately west of the existing Jamesport Fire House located on Manor Lane, Jamesport, New York, must comply with the zoning provisions of the Town Code of the Town of Riverhead.

Dated: Riverhead, New York  
November 12, 2009

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

DIANE WILHELM, Town Clerk