

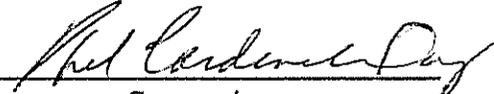
WAIVER OF NOTICE AND CONSENT
OF SPECIAL MEETING

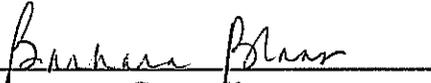
We, the Undersigned, being all members of the Riverhead Town Board of the Town of Riverhead, County of Suffolk, and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York at 11:30 p.m. on the 17th day of December, 2009 and do consent to the holding of such meeting for the purpose of (see attached):

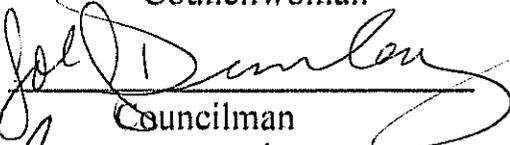
Res. #1174 Authorizes Town Supervisor to Execute Change Orders 3,4,5,6 and 7 for Youngs Avenue Landfill Capping and Closure Project

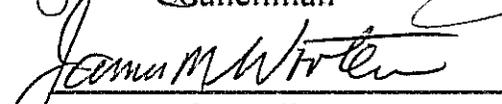
Dated: December 17th, 2009
Media Notified by
Supervisor

TOWN BOARD MEMBERS
of Riverhead, New York


Supervisor


Councilwoman


Councilman


Councilman


Councilman

TOWN OF RIVERHEAD

Resolution # 1139

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT
TOWN OF RIVERHEAD CALVERTON SEWER DISTRICT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, currently Water & Sewage Treatment Enterprises, Inc. is under contract with the Calverton Sewer District to provide for the daily operation, maintenance and necessary testing to meet permit and treatment requirements; and

WHEREAS, the Adopted 2010 Budget of the Calverton Sewer District provides for the continued services of the contractor; and

NOW THEREFORE BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute the attached two year agreement between the Calverton Sewer District and Water & Sewage Treatment Enterprises, Inc.; 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

12.17.09

Councilman Wooten offered to UNTABLE this resolution, Councilman Gabrielsen seconded the resolution. THE VOTE: Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Blass, yes; Cardinale, yes. The Resolution is UNTABLED.

Councilman Wooten then offered the resolution to be ADOPTED. Councilman Gabrielsen seconded the resolution. THE VOTE: Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Blass, yes; Cardinale, yes. The Resolution is ADOPTED.

TOWN OF RIVERHEAD

Resolution #1153

APPOINTS AN AUTOMOTIVE EQUIPMENT OPERATOR TO THE HIGHWAY DEPARTMENT

Councilwoman Blass offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, vacancies exist in the Highway Department for Automotive Equipment Operators; and

WHEREAS, pursuant to the CSEA contract, these positions were duly posted for, Job Posting #17, interviews were held, background investigations were conducted, and the Highway Superintendent and Personnel Officer have made recommendations of suitable candidates,

NOW, THEREFORE, BE IT RESOLVED, that effective December 21, 2009, this Town Board hereby appoints Neil D'Amara to the position of Automotive Equipment Operator as found in Group 6, Step P of the Operational and Technical Salary Schedule, 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 TABLED

12.17.09

Councilwoman Blass offered to UNTABLE this resolution, Councilman Dunleavy seconded the resolution. THE VOTE: Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Blass, yes; Cardinale, yes. The Resolution is UNTABLED.

Councilwoman Blass then offered the resolution to be ADOPTED. Councilman Dunleavy seconded the resolution. THE VOTE: Gabrielsen, yes; Wooten, yes; Dunleavy, no; Blass, yes; Cardinale, yes. The Resolution is ADOPTED.

TOWN OF RIVERHEAD

Resolution # 1174

AUTHORIZES TOWN SUPERVISOR TO EXECUTE CHANGE ORDERS NO. 3, 4, 5, 6, AND 7 FOR YOUNGS AVENUE LANDFILL CAPPING AND CLOSURE PROJECT

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

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

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

WHEREAS, the Town Engineer and the Town consulting engineering firm, SCS Engineers, PC, has recommended the approval Change Order No.'s 3 , 4 , 5, 6, and 7 as follows:

Change Order No. 3 – Extends the final completion date due to unanticipated field conditions that uncovered additional waste beyond the limit of cap defined in the contract documents with no net increase as outlined in SCS Engineers, PC letter dated March 30, 2009.

Change Order No. 4 – Increase due to the necessary grout at the east channel discharge (\$6,916.12), additional waste on the top area of the landfill with re-grade (\$23,271.87) and the need for additional asphalt in the parking area and two bollards (\$36,421.00) for a total net increase (\$66,608.99) as outlined in the SCS Engineers, PC letter dated April 20, 2009.

Change Order No. 5 – Increase due to additional cap drains as indicated on revised drawing No. 6A, 6B and 25 (\$123,119.11) and to relocate the existing compost and yard waste as indicated on revised drawing No. 6A (\$35,069.95) for a total net increase (\$158,189.06) as outlined in the SCS Engineers, PC letter dated May 19, 2009.

Change Order No. 6 – Increase due to additional cap drains (\$14,067.85), additional guide rails (\$42,698.72) and the placement of topsoil in the relocated yard waste area (\$103,625.00) for a total net increase of (\$160,391.57) as outlined in the SCS Engineers, PC letter dated July 15, 2009.

Change Order No. 7 – Increase due to revisions to west channel construction (\$59,923.40) and waste excavation bid item reconciliation Item No.'s 8, 36 & 42

(\$384,255.98) for a total net increase of (\$444,179.38) as outlined in SCS Engineers, PC letter dated December 16, 2009.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute Change Order No.'s 3, 4, 5, 6, and 7 for a total net increase of Eight Hundred Twenty Nine Thousand Three Hundred Sixty Nine &00/100 (\$829,369.00); and

BE IT FURTHER RESOLVED, that the Town Board be and does hereby authorize the Town Engineer to secure a change order to the Terry Contracting & Materials, Inc. purchase order; and

BE IT FURTHER RESOLVED, that the Town Board be and does hereby authorize the Town Clerk to forward a copy of this resolution to Robert Terry, Terry Contracting & Materials, Inc., 840 West Main Street, Riverhead, New York 11901 and Lisa Wilkinson, P.E., SCS Engineers, PC, 140 Route 303, Valley Cottage, NY 10989; 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

SCS ENGINEERS, PC

March 30, 2009
File Number 13206007.01

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

Subject: Change Order No. 3 – Contract Time Extension
Youngs Avenue Landfill Closure
Riverhead, New York

Dear Supervisor and Town Board Members:

SCS Engineers, PC (SCS) recommends approval of Change Order No. 3 (see Attachment No. 1) for a contract time extension due to additional capping areas. The time extension is requested by Terry Contracting and Materials, Inc. (TCM) for unanticipated field conditions. Additional waste was found beyond the limit of cap defined in the contract documents. Therefore, there is an additional area requiring capping of approximately 1.75 acres. The cost for this additional capping is covered by unit price items.

TCM PROPOSAL

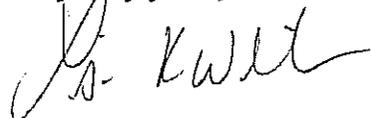
TCM has requested an extension to mid-June for the final completion of the capping project (see Attachment No. 2)

SCS EVALUATION

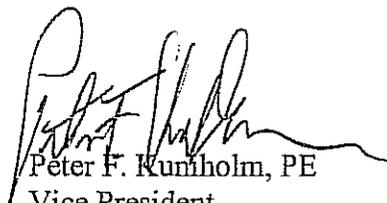
SCS agrees with the extension of time to mid-June as documented in our letter dated February 23, 2009 (see Attachment No. 3). The NYSDEC was in agreement with the time extension as documented in Item D.11 in Meeting Minutes No. 12 (see Attachment No. 4).

A fully executed copy should be returned to SCS for our files. Please call with any questions.

Very truly yours,



Lisa Wilkinson, PE
Project Manager
SCS ENGINEERS, PC



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

Change Order

No. 03

Date of Issuance: March 30, 2009 Effective Date: March 30, 2009

Project: Young's Avenue Landfill Closure	Owner: Town of Riverhead	Owner's Contract No.: 07-LFC
Contract: Landfill Capping and Closure Project PO No. 080296		Date of Contract: January 24, 2008
Contractor: Terry Contracting and Materials, Inc.		Engineer's Project No.: 13206007.01

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

Description: Extend final completion date of the contract.

Attachments: (List documents supporting change):

SCS letter dated March 30, 2009.

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$ 7,398,219.75

Net decrease from previously approved Change Orders

No. 1 to No. 2 :

(\$ 780.00)

Contract Price prior to this Change Order:

\$ 7,397,439.75

Net decrease of this Change Order:

\$ 0

Contract Price incorporating this Change Order:

\$ 7,397,439.75

CHANGE IN CONTRACT TIMES:

Original Contract Times: Working days Calendar days

Substantial completion (days or date): 360 days

Ready for final payment (days or date): _____

Increase from previously approved Change Orders

No. _____ to No. _____ :

Substantial completion (days): 0

Ready for final payment (days): _____

Contract Times prior to this Change Order:

Substantial completion (days or date): 360

Ready for final payment (days or date): _____

Increase of this Change Order:

Substantial completion (days or date): May 30, 2009

Ready for final payment (days or date): June 15, 2009

Contract Times with all approved Change Orders:

Substantial completion (days or date): May 30, 2009

Ready for final payment (days or date): June 15, 2009

RECOMMENDED:

By: [Signature]
Engineer (Authorized Signature)

Date: 5/19/09

ACCEPTED:

By: _____
Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: [Signature]
Contractor (Authorized Signature)

Date: 5/20/09

Approved by Funding Agency (if applicable): _____

Date: _____

SCS ENGINEERS, PC

April 20, 2009
File Number 13206007.01

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

Subject: Change Order No. 4 – Additional Work Items
Grout at East Channel
Top Area Regrade
Asphalt in Parking Area
Youngs Avenue Landfill Closure
Riverhead, New York

Dear Supervisor and Town Board Members:

SCS Engineers, PC (SCS) recommends approval of Change Order No. 4 (see Attachment No. 1) for additional work items requested including grout at the east channel discharge, the regarding of the top deck area and the asphalt in the parking area and additional bollards. The total amount of this change order is \$66,608.99. Each item is described in further detail below.

GROUT AT EAST CHANNEL

Terry Contracting and Materials, Inc. (TCM) has provided a cost estimate of \$6,916.12 to install grout in the rip rap at the east channel discharge (see Attachment 2). SCS requested the grout be installed per revised drawings and details issued to TCM on January 7, 2009. The partial grouting of the rip rap will prevent future erosion and potential maintenance issues at this location.

TOP AREA REGRADE

TCM has provided a cost estimate of \$23,271.87 to regrade a portion of the top deck of the landfill mound area (see Attachment 3). Due to additional waste volumes discovered within the 50 foot setback zone in the vicinity northeast property line, the waste needed to be placed on the top mound area of the landfill. SCS issued revised drawings to TCM on October 16, 2008.

ASPHALT IN PARKING AREA

TCM has provided a cost estimate of \$36,421.00 to install asphalt in the parking area at the north side of the site and two (2) bollards (see Attachment 4). SCS discussed the paving the parking area during Progress Meeting No. 11 held on December 4, 2008 and revised drawings



were issued to TCM on January 7, 2009. The asphalt surface will be easily for Town personnel to maintain and the bollards will discourage public vehicle traffic on the 8-foot walking path.

A fully executed copy should be returned to SCS for our files. Please call with any questions.

Very truly yours,



Lisa Wilkinson, PE
Project Manager
SCS ENGINEERS, PC



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

Change Order

No. 04

Date of Issuance: April 13, 2009 Effective Date: April 13, 2009

Project: Young's Avenue Landfill Closure	Owner: Town of Riverhead	Owner's Contract No.: 07-LFC
Contract: Landfill Capping and Closure Project PO No. 080296		Date of Contract: January 24, 2008
Contractor: Terry Contracting and Materials, Inc.		Engineer's Project No.: 13206007.01

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

Description: Grout at the east channel discharge, regarding of additional waste on the top area of the landfill, additional asphalt in the parking area and two ballards

Attachments: (List documents supporting change):

SCS letter dated April 13, 2009.

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price:

\$ 7,398,219.75

Original Contract Times: Working days Calendar days
Substantial completion (days or date): 360 days
Ready for final payment (days or date): _____

Net decrease from previously approved Change Orders
No. 1 to No. 3:

(\$ 780.00)

Increase from previously approved Change Orders
No. 1 to No. 3:
Substantial completion (date): May 30, 2009
Ready for final payment (date): June 15, 2009

Contract Price prior to this Change Order:

\$ 7,397,439.75

Contract Times prior to this Change Order:
Substantial completion (date): May 30, 2009
Ready for final payment (date): June 15, 2009

Net increase of this Change Order:
\$ 6,916.12 (grout)
\$23,271.87 (top area regrade)
\$36,421.00 (asphalt)
\$66,608.99 (total)
Contract Price incorporating this Change Order:
\$ 7,464,048.74

Increase of this Change Order:
Substantial completion (days or date): none
Ready for final payment (days or date): none

Contract Times with all approved Change Orders:
Substantial completion (days or date): May 30, 2009
Ready for final payment (days or date): June 15, 2009

RECOMMENDED:
By: [Signature]
Engineer (Authorized Signature)

ACCEPTED:
By: _____
Owner (Authorized Signature)

ACCEPTED:
By: [Signature]
Contractor (Authorized Signature)

Date: 5/19/09

Date: _____

Date: 5/19/09

Approved by Funding Agency (if applicable): _____

Date: _____

SCS ENGINEERS, PC

April 30, 2009
File Number 13206007.01

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

Subject: Change Order No. 5
Additional Cap Drains, Relocate Compost and Yard Waste
Youngs Avenue Landfill Closure
Riverhead, New York

Dear Supervisor and Town Board Members:

SCS Engineers, PC (SCS) recommends approval of Change Order No. 5 (see Attachment No. 1) for additional work items requested including excavation and installation of additional cap drains and for the relocation of compost and yard waste. The total amount of this change order is \$158,189.06. Each item is described in further detail below.

ADDITIONAL CAP DRAINS

In order to save material costs for the cap project, the reclaimed sand was used as the barrier protection layer of the landfill cap. The permeability of the reclaimed sand has been variable over the course of the project resulting in perched liquid in the barrier sand above the geomembrane. Seeps and sloughing of the reclaimed sand used as barrier protection layer has been observed. Therefore, additional cap drains are required to promote drainage within the barrier layer and will prevent future maintenance issues. Accordingly, SCS revised Drawings No. 6A, 6B and 25 issued to TCM on December 22, 2008 and requested a cost estimate for the work.

Terry Contracting and Materials, Inc. (TCM) has provided a cost estimate of \$123,119.11 for the excavation and installation of the additional cap drains (see Attachment 2). SCS has reviewed the unit prices and quantities provided by TCM and are in agreement with the estimate provided.

RELOCATE COMPOST AND YARD WASTE

Due to the expansion of the cap area on the western slope of the landfill, the existing lower western sideslope of the landfill (i.e., the lower east sideslope of the former sand mining area) was disturbed. The lower western sideslope was not intended to be disturbed as part of the original scope of work since the work did not extend into this area. Additional stormwater items were added to the lower western sideslope of the landfill to manage runoff from the cap



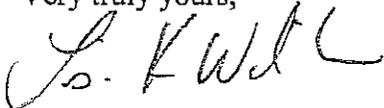
area. These stormwater features include stabilization of the lower western sideslope. The costs for the stormwater features will be presented in a future change order.

The Town has ceased yard waste activities at the Northwest side of the site but it has been left with piles of single and double ground material. SCS recommends stabilization of the lower western sideslope with the existing, onsite compost or yard waste. This will reduce costs of purchasing and bringing in offsite materials.

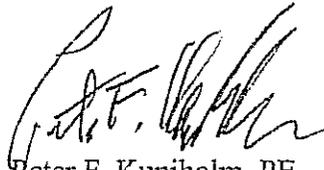
TCM has provided a cost estimate of \$35,069.95 for the relocating the compost and yard waste (see Attachment 3). TCM will remove all compost and mulch from the yard waste area and place on the existing exposed side slopes of the former sand mining area. Specifically, mulch will be placed on the lower west slope of the landfill as shown on Drawing No. 6A, revision 4, dated February 23, 2009, and other exposed areas as needed to prevent erosion and future maintenance issues.

A fully executed copy should be returned to SCS for our files. Please call with any questions.

Very truly yours,



Lisa Wilkinson, PE
Project Manager
SCS ENGINEERS, PC



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

Change Order

No. 05

Date of Issuance: April 30, 2009 Effective Date: April 30, 2009

Project: Young's Avenue Landfill Closure	Owner: Town of Riverhead	Owner's Contract No.: 07-LFC
Contract: Landfill Capping and Closure Project PO No. 080296		Date of Contract: January 24, 2008
Contractor: Terry Contracting and Materials, Inc.		Engineer's Project No.: 13206007.01

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

Description: The excavation and installation of additional cap drains as indicated on revised Drawing No. 6A, 6B and 25 and relocate compost and yard waste as indicated on revised Drawing No. 6A.

Attachments: (List documents supporting change):

SCS letter dated April 30, 2009.

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price:	Original Contract Times: <input type="checkbox"/> Working days <input checked="" type="checkbox"/> Calendar days
\$ <u>7,398,219.75</u>	Substantial completion (days or date): <u>360 days</u>
	Ready for final payment (days or date): _____

Net increase from previously approved Change Orders No. <u>1</u> to No. <u>4</u> :	Increase from previously approved Change Orders No. <u>1</u> to No. <u>4</u> :
\$ <u>65,828.99</u>	Substantial completion (date): <u>May 30, 2009</u>
	Ready for final payment (date): <u>June 15, 2009</u>

Contract Price prior to this Change Order:	Contract Times prior to this Change Order:
\$ <u>7,464,048.74</u>	Substantial completion (date): <u>May 30, 2009</u>
	Ready for final payment (date): <u>June 15, 2009</u>

Net increase of this Change Order:	Increase of this Change Order:
\$ <u>123,119.11</u> (additional cap drains)	Substantial completion (days or date): <u>none</u>
\$ <u>35,069.95</u> (relocate compost and yard waste)	Ready for final payment (days or date): <u>none</u>
\$ <u>158,189.06</u> (total)	

Contract Price incorporating this Change Order:	Contract Times with all approved Change Orders:
\$ <u>7,622,237.80</u>	Substantial completion (days or date): <u>May 30, 2009</u>
	Ready for final payment (days or date): <u>June 15, 2009</u>

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: <u>[Signature]</u>	By: _____	By: <u>[Signature]</u>
Engineer (Authorized Signature)	Owner (Authorized Signature)	Contractor (Authorized Signature)

Date: <u>5/19/09</u>	Date: _____	Date: <u>5/20/09</u>
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Approved by Funding Agency (if applicable): _____ Date: _____

SCS ENGINEERS, PC

July 15, 2009

File Number 13206007.01

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

Subject: Change Order No. 6
Additional Cap Drains and Guiderails
Relocate Yard Waste Area and Topsoil Placement
Request for Time Extension
Youngs Avenue Landfill Closure
Riverhead, New York

Dear Supervisor and Town Board Members:

SCS Engineers, PC (SCS) recommends approval of Change Order No. 6 (see Attachment No. 1) for additional work items requested including excavation and installation of additional cap drains and installation of additional guiderails at the site entrance. The change order also includes relocation of the yard waste area, topsoil placement, and a request for time extension. The total amount of this change order is \$160,391.57. Each item is described in further detail below.

ADDITIONAL CAP DRAINS

As previously stated in Change Order No. 5, the reclaimed sand was used as the barrier protection layer of the landfill cap in order to save material costs for the cap project. The permeability of the reclaimed sand has been variable over the course of the project resulting in perched liquid in the barrier sand above the geomembrane. Seeps and sloughing of the reclaimed sand used as barrier protection layer has been observed. Per Change Order No. 5, additional cap drains were installed in May 2009. Subsequent sloughing was observed during the site meeting on May 14, 2009 on the west sideslope of the landfill mound area. SCS directed Terry Contracting and Materials, Inc. (TCM) to install additional cap drains at that time to promote drainage within the barrier layer and to prevent future maintenance issues.

TCM has provided a cost estimate of \$14,067.85 for the excavation and installation of the additional cap drains (see Attachment 2). SCS has reviewed the unit prices and quantities provided by TCM and are in agreement with the estimate provided.



ADDITIONAL GUIDERAILS

Additional guiderails are required at the site entrance in the vicinity of the parking area to restrict public vehicle access onto the grassed areas of the landfill. The additional guiderails will be installed around the perimeter of the parking area.

TCM has provided a cost estimate of \$42,698.72 for the installation of the additional guiderails (see Attachment 3). SCS has reviewed the unit prices and quantities provided by TCM and are in agreement with the estimate provided.

We note that this cost estimate includes a request for time extension of ten days. This request is discussed in further detail below.

RELOCATE YARD WASTE AREA AND TOPSOIL PLACEMENT

During our site meeting on May 14, 2009, it was determined the final slopes of the reclaimed sand pile warrant topsoil and seeding to prevent erosion. The contract documents indicated an expected final slope of the reclaimed sand to be approximately 4 percent beyond those areas covered under Item 26 for seeding outside the cap. Areas disturbed by cap construction on regraded steep slopes are shown on original contract drawings. However, due to the additional volumes of waste excavation on the north east and east side and additional capping areas, more reclaimed sand was used than originally anticipated. This resulted in steeper west side slopes which are subject to erosion and potential damage to cap construction.

The Town has requested that TCM relocate the existing yard waste area to the north side of Youngs Avenue. This will provide access to approximately 3 to 4 feet of topsoil under the existing yard waste area which can be used to topsoil the steeper side slopes. TCM will place the topsoil on the bare east and west slopes of the borrow pit.

TCM has provided a cost estimate of \$103,625 for placement of RCA in the new yard waste area, site security of the new yard waste area, hedge buffer and relocation of existing topsoil and seeding (see Attachment 4). The Town has reviewed the costs provided by TCM and is in agreement with the estimate provided.

TCM has requested a time extension of three weeks to complete the yard waste relocation and placement and seeding of the topsoil. This request is discussed in further detail below.

REQUEST FOR TIME EXTENSION

Change Order No. 3 allowed a contract time extension due to unanticipated field conditions until mid-June. Additional waste was found beyond the limit of cap defined in the contract documents required excavation and relocation and additional capping areas were required.

TCM has requested an additional 24 days due to the excavation and installation of additional cap drains. This includes the cap drains installed under Changer Order No. 5 and the

installation of the cap drains discussed above (see Attachment 4). TCM has also requested an additional 10 days for installation of the additional guiderails as discussed above. TCM has requested an additional three weeks for relocation of the yard waste area and placement and seeding of the topsoil as discussed above.

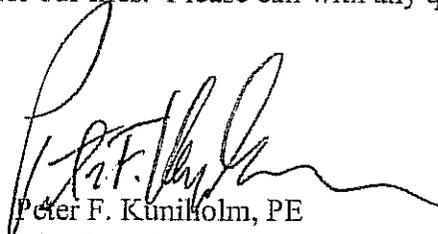
The additional 55 days extends the substantial completion date to July 24, 2009 and the final completion date to August 7, 2009. These work items are outside of the original scope of work and SCS agrees with the extension of time to August 7, 2009.

A fully executed copy should be returned to SCS for our files. Please call with any questions.

Very truly yours,



Lisa Wilkinson, PE
Project Manager
SCS ENGINEERS, PC



Peter F. Kunitzholm, PE
Vice President
SCS ENGINEERS, PC

Change Order

No. 06

Date of issuance: July 15, 2009

Effective Date: July 15, 2009

Project: Young's Avenue Landfill Closure	Owner: Town of Riverhead	Owner's Contract No.: 07-LFC
Contract: Landfill Capping and Closure Project PO No. 080296		Date of Contract: January 24, 2008
Contractor: Tarry Contracting and Materials, Inc.		Engineer's Project No.: 13206007.01

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

Description: Installation of additional cap drains and guiderail, relocation of yard waste area and topsoil placement and an increase in Contract Time for installation the additional cap drains and guiderail.

Attachments: (List documents supporting change):

SCS letter dated July 15, 2009.

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$ 7,398,219.75

Net increase from previously approved Change Orders
No. 1 to No. 5:

\$ 224,018.05

Contract Price prior to this Change Order:

\$ 7,622,237.80

increase
Net ~~decrease~~ of this Change Order:

\$ 14,067.85 (additional cap drains)

\$ 42,698.72 (additional guiderails)

\$ 103,625 (relocate yard waste area, topsoil)

\$ 160,391.57 (Total)

Contract Price incorporating this Change Order:

\$ 7,782,629.37

CHANGE IN CONTRACT TIMES:

Original Contract Times: Working days Calendar days

Substantial completion (days or date): 360 days

Ready for final payment (days or date): _____

Increase from previously approved Change Orders
No. 1 to No. 5:

Substantial completion (date): May 30, 2009

Ready for final payment (date): June 15, 2009

Contract Times prior to this Change Order:

Substantial completion (date): May 30, 2009

Ready for final payment (date): June 15, 2009

Increase of this Change Order:

Substantial completion (days or date): July 24, 2009

Ready for final payment (days or date): August 7, 2009

Contract Times with all approved Change Orders:

Substantial completion (days or date): July 24, 2009

Ready for final payment (days or date): August 7, 2009

RECOMMENDED:

By: [Signature]

Engineer (Authorized Signature)

Date: 7/15/09

ACCEPTED:

By: _____

Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: [Signature]

Contractor (Authorized Signature)

Date: _____

Approved by Funding Agency (if applicable): _____

Date: _____



December 16, 2009
File No 13206007.01

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

Subject: Change Order No. 7
West Channel Revisions
Unit Price Bid Items #8, 36, and 42
Youngs Avenue Landfill Closure
Riverhead, New York

Dear Supervisor and Town Board Members:

SCS Engineers (SCS) recommends approval of Change Order No. 7 related to the revisions to the west channel and the increased quantities for unit price bid items No. 8, 36 and 42 based on final survey information (see Attachment 1). The total amount of this change order is \$444,179.38. Each item is described in further detail below.

WEST CHANNEL REPAIR

TCM observed repeated washouts at the main west channel along the main access road between Manhole 5 and the bridge area. The washout was approximately 200 feet in length and not in the steepest portion of the channel. The channel is located on the liner and the reclaimed sand is used as the barrier protection material. Similar to the seeps observed on the sideslopes the reclaimed sand repeatedly washed out the channel due to the low permeability of the reclaimed sand. The west channel detail was revised to include pipes for additional drainage within the reclaimed sand and stone pockets to release the pore pressure that could build up within the reclaimed sand. SCS provided a revised detail to TCM and has reviewed their cost proposal and are in agreement with the provided of \$59,923.40 (see Attachment 2).

UNIT PRICE BID ITEMS #8, 36, AND 42

The volumes for Payment for Item 8 – North East Setback Zone, Item 36 – Additional Waste Excavation, and Item 42 – Increase Volume Under Cap have been under disagreement with TCM for some time. TCM is now requesting payment up to the quantities and amounts recommended for payment by SCS per our draft letter dated April 1, 2009 (see Attachment 2). We concur with these payments. The total increase in the bid items over the contract amount is \$384,255.98.

Town Board Members
December 16, 2009
Page 2

A fully executed copy should be returned to SCS for our files. Please call with any questions.

Very truly yours,

Lisa Wilkinson, PE
Project Manager

Peter F. Kuniholm, PE
Vice President
SCS ENGINEERS

Change Order

No. 07

Date of Issuance: December 16, 2009 Effective Date: December 16, 2009

Project: Young's Avenue Landfill Closure	Owner: Town of Riverhead	Owner's Contract No.: 07-LFC
Contract: Landfill Capping and Closure Project PO No. 080296		Date of Contract: January 24, 2008
Contractor: Terry Contracting and Materials, Inc.		Engineer's Project No.: 13206007.01

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

Description: Revisions to West Channel construction and waste excavation bid item reconciliation.

Attachments: (List documents supporting change):

TCN letter dated March 30, 2009, SCS letter draft letter dated April 1, 2009.

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price: \$ 7,398,219.75

Original Contract Times: Working days Calendar days
Substantial completion (days or date): 360 days
Ready for final payment (days or date): _____

Net Increase from previously approved Change Orders
No. 1 to No. 6:
\$ 384,409.62

Increase from previously approved Change Orders
No. 1 to No. 6:
Substantial completion (date): July 24, 2009
Ready for final payment (date): August 7, 2009

Contract Price prior to this Change Order:
\$ 7,782,629.37

Contract Times prior to this Change Order:
Substantial completion (date): July 24, 2009
Ready for final payment (date): August 7, 2009

increase
Net ~~decrease~~ of this Change Order:
\$ 59,923.40 (west channel revisions)
\$ 384,255.98 (Unit Price bid items #8, 36, 42)
\$ 444,179.38 (Total)

Increase of this Change Order:
Substantial completion (days or date): _____
Ready for final payment (days or date): _____

Contract Price incorporating this Change Order:
\$ 8,226,808.75

Contract Times with all approved Change Orders:
Substantial completion (days or date): July 24, 2009
Ready for final payment (days or date): August 7, 2009

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: _____ Engineer (Authorized Signature)	By: _____ Owner (Authorized Signature)	By: _____ Contractor (Authorized Signature)
Date: _____	Date: _____	Date: _____
Approved by Funding Agency (if applicable): _____		Date: _____