

CDA

Res. #8 Accepts Annual Report and Annual Financial Report for 2010

**TOWN BOARD RESOLUTION LIST:**

Res. #219 21<sup>st</sup> Century Oncology Sewer Extension Capital Project Budget Adoption

Res. #220 77 Kay Road Chapter 54 Budget Adoption

Res. #221 2011 Stotzky Park Capital Improvement Project Budget Adoption

Res. #222 Amend Town Board Resolution #105 Department of Justice J.A.B./Youth Grant

Res. #223 New Well Construction for Plant 17 Budget Adjustment

Res. #224 Extends Bid contract for Well and Pump Testing for the Riverhead Water District

Res. #225 Grants Excavation Permit as Provided by Chapter 62 to Browning Hotel Properties, LLC

Res. #226 Awards Bid for Fertilizer and Lawn Chemical Bid

Res. #227 Corrects Resolution #113 (Awards Bid for Street Light and Traffic Signal Repair Parts)

Res. #228 Authorizes Town Clerk to Publish and Post a Notice to Bidders for the Jamesport Town Beach Boardwalk and Pavilion Replacement Project

Res. #229 Ratifies the Transport of the 1989 Hydra-Sport to Suffolk County Police Department's Marine Bureau

Res. #230 Authorizes Attendance of One Police Department Employee to NY/NJ Regional Fugitive Task Force Practical Training

- Res. #231 Appoints a Temporary Part-Time Recreation Aide (Regina Rywelski)
- Res. #232 Appoints a Temporary Part-Time Recreation Leader (Jennifer Petrosino-Dunleavy)
- Res. #233 Re-Appoints Member to the Planning Board of the Town of Riverhead (Joseph Baier)
- Res. #234 Ratifies the Appointment of the Chairman of the Planning Board of the Town of Riverhead (Richard M. O'Dea)
- Res. #235 Re-Appoints Member to the Zoning Board of appeals of the Town of Riverhead (Frederick J. McLaughlin)
- Res. #236 Ratifies the Appointment to the Chairman of the Zoning Board of Appeals of the Town of Riverhead (Frederick J. McLaughlin)
- Res. #237 Appoints a Seasonal Pump Out Boat Operator (Noah Gorman)
- Res. #238 Authorization to Publish Advertisement for Diesel Fuel for Use by the Town of Riverhead
- Res. #239 Appoints a Call-In Beach Manager to the Recreation Department (Michele Fusilli)
- Res. #240 Appoints Call-In Personnel for the Riverhead Youth Bureau/Recreation Department
- Res. #241 Extends Special Permit of Hampton Jitney, Inc.
- Res. #242 Authorizes Supervisor to Execute Agreement with Suffolk County Police Athletic League for Referee/Umpire Services for Town of Riverhead Police Athletic League Boys Lacrosse
- Res. #243 Authorizes the Town of Riverhead to Direct George Atkinson to Remove all Litter, Garbage/Refuse, Rubbish, Yard Waste, Weeds, Noxious Plants, Grass and/or Rank Vegetation in

Excess of Ten (10) Inches in Height Upon the Premises Known as 852 Roanoke Avenue, Riverhead,; New York, 11901 , a/k/a SCTM #0600-107.00-02-037.00 Pursuant to Riverhead Town Code Chapter 96

- Res. #244 Adopts a Local Law Amending Chapter 26 Entitled “Officers and Employees” of the Riverhead Town Code (Article III and Article IV)
- Res. #245 Authorizes the Supervisor to Execute an Agreement with Barist Elevator Company, Inc.
- Res. #246 Authorization to Publish Advertisement of a Request for Proposals for an Updated Market Study for Reuse and Revitalization of the Former Naval Weapons Industrial Reserve Plant (“NWIRP/ERCAL”)
- Res. #247 Approves Chapter 90 Application of the American Cancer Society (Dog Walk to Fight Cancer – April 10, 2011)
- Res. #248 Authorizes the Supervisor to Execute Professional Services Agreement with Albrecht, Viggiano, Zureck & Company, P.C. (AVZ) for Audit Services
- Res. #249 Authorizes Town Supervisor to Execute a Change Order No. 1 for Grangebel Park Improvement Project 2010 #0759.14
- Res. #250 Authorizes the Supervisor to Execute an Agreement with an Employee
- Res. #251 Authorizes Town Clerk to Publish and Post Public Notice to Consider the Renaming of the Southern Portion of Horton Avenue, a Town of Riverhead Road, to “Caffrey Court”
- Res. #252 Approves Chapter 90 Application of Church of the Harvest (Sunrise Service/Easter Egg Hunt)
- Res. #253 Authorizes the Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law for an

Amendment to Chapter 101 "Vehicles & Traffic" of the  
Riverhead Town Code (§101-10. Parking Prohibited)

- Res. #254 Supports the Increase of County Bus Fare and the  
Implementation of Limited Sunday Bus Service
- Res. #255 Supports the Increase of County Bus Fare on Two Routes for  
the Implementation of Limited Sunday Bus Service
- Res. #256 Establishes Date of Annual Riverhead Litter Awareness and  
Clean-Up Day
- Res. #257 Authorizes Attendance at the 2011 New York State Town  
Clerks Association Annual State conference
- Res. #258 Awards Bid for Troubleshooting, Maintenance & Repair of  
Foxboro Equipment
- Res. #259 Awards Bid for Dry Hydrated Lime (Calcium Hydroxide)
- Res. #260 Awards Bid for Corrosion Control Chemical
- Res. #261 Authorizes Supervisor to Execute Agreement with Suffolk  
County Girls Lacrosse, Inc. for Referee/Umpire Services for  
Town of Riverhead Police Athletic League Girls Lacrosse  
(affiliated and part of Suffolk County PAL Girls Lacrosse)
- Res. #262 Pays Bills

04.05.2011  
110219

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 219**

**21<sup>st</sup> CENTURY ONCOLOGY SEWER EXTENSION CAPITAL PROJECT**

**BUDGET ADOPTION**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, \$5,900 has been received for the preparation of the engineering study for a sewer extension at 21<sup>st</sup> Century Oncology in Riverhead (SCTM #0600.108.03.24);

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

		<u>FROM</u>	<u>TO</u>
414.092705.421050.20033	Developer Fees	5,900	
414.081300.543504.20033	Professional Svcs Engineer Expense		5,900

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to Young & Young, 400 Ostrander Avenue, Riverhead, NY 11901 and the Sewer Department.

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

**THE VOTE**

Giglio <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Gabrielsen <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Wooten <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Dunleavy <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Walter <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The Resolution Was  Thereupon Duly Declared Adopted

04.05.2011  
110220

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 220**

**77 KAY ROAD CHAPTER 54**

**BUDGET ADOPTION**

Councilman Gabrielsen offered the following resolution,  
which was seconded by Councilwoman Giglio

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

		<b><u>FROM</u></b>	<b><u>TO</u></b>
406.010010.411000.41076	Real Property Taxes	35,000	
406.086660.540000.41076	Contractual Expense		34,250
406.086660.549001.41076	Administrative Fee		750

**THE VOTE**

Giglio  Yes  No      Gabrielsen  Yes  No  
Wooten  Yes  No      Dunleavy  Yes  No  
Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

04.05.2011  
110221

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 221**

**2011 STOTZKY PARK  
CAPITAL IMPROVEMENT PROJECT**

**BUDGET ADOPTION**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

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

		<u>FROM</u>	<u>TO</u>
406.095031.481736.70110	Special Trust Transfer	340,000	
406.071100.523000.70110	Improvements		340,000

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Engineering Department and the Accounting Department.

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

**THE VOTE**

Giglio <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Gabrielsen <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Wooten <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Dunleavy <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Walter <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The Resolution Was  Thereupon Duly Declared Adopted

04.05.2011  
110222

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 222**

**AMEND TOWN BOARD RESOLUTION #105**  
**DEPARTMENT OF JUSTICE J.A.B./YOUTH GRANT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, Resolution #105 adopted 2/15/11 requires a revision to include salary expenses funded through grant proceeds along with a correction to the project account numbers.

**NOW THEREFORE BE IT RESOLVED**, that the Riverhead Town Board adopt the following budget amendment:

		<u>FROM</u>	<u>TO</u>
099.031250.493000.44016	Federal Aid Dept of Justice	45,000	
099.031250.524000.44016	Equipment		4,411
099.031250.540000.44016	Contractual		3,600
099.031250.542104.44016	Supplies		8,691
099.031250.543405.44016	Travel		2,998
099.031250.549000.44016	Miscellaneous		15,300
099.031250.511100.44016	Salaries		10,000

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Accounting Department and the Police Department.

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

**THE VOTE**

Giglio <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Gabrielsen <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Wooten <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Dunleavy <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Walter <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The Resolution Was  Thereupon Duly Declared Adopted

04.05.2011  
110223

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 223**

**NEW WELL CONSTRUCTION FOR PLANT 17**

**BUDGET ADJUSTMENT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

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

		<u>FROM</u>	<u>TO</u>
412.083200.547900.30103	Special Items-Contingency	102,219.46	
412.083200.523010.30103	Plant 17, Construction		102.219.49

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Accounting Department and the Water Department.

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

**THE VOTE**

Giglio <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Gabrielsen <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Wooten <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Dunleavy <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Walter <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 224**

**EXTENDS BID CONTRACT FOR WELL AND PUMP TESTING  
FOR THE RIVERHEAD WATER DISTRICT**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, Victor Elefante Technical Services was awarded the bid for well and pump testing services by Resolution #090418 adopted May 5, 2009, and extended per TBR # 100280 adopted April 6, 2010; and

**WHEREAS**, said contract allows for the contract to be extended; and

**WHEREAS**, the Riverhead Water District has requested that the bid be extended pursuant to the terms of the award document; and

**WHEREAS**, the above-named vendor agreed to extend the contract for one (1) year pursuant to the terms of the contract (see attached Bid Extension Notice); and

**WHEREAS**, the Town Board has reviewed said request.

**NOW, THEREFORE, BE IT RESOLVED**, that the bid contract for well and pump testing services be and is hereby extended to May 5, 2012 at the rate attached to this resolution; and be it further

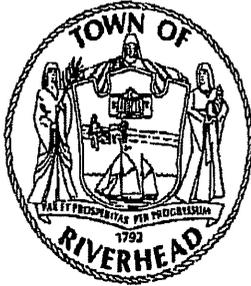
**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Victor Elefante Technical Services, 5 Monte Lane, Center Moriches, New York, 11934; and be it further

**RESOLVED**, that all Town Hall departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Town Clerk's Office.

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted



# *RWD Riverhead Water District*

Gary J. Pendzick, Superintendent  
1035 Pulaski Street, Riverhead, New York 11901  
Phone: 631-727-3205 FAX: 631-369-4608

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## **Bid Extension Notice**

To: Victor Elefante  
Victor Elefante Technical Services

From: Riverhead Water District

Date: March 30, 2011

Subject: Extension of Bid Services

This letter is to inform you that our current bid contract with you for well and pump testing services will expire on May 5, 2011.

The Town of Riverhead would like to extend this contract for a period of one (1) year until May 5, 2012, at the current bid price attached to this notice. This will be the second extension under the terms of the contract.

If this extension meets with your approval, please complete the bottom portion of this extension notice and return it to us immediately.

Date: 3-30-2011

VICTOR ELEFANTE TECHNICAL SERVICES

Victor Elefante  
Authorized Signature

VICTOR ELEFANTE

Title: President

APPENDIX B

**BID PROPOSAL  
RIVERHEAD WATER DISTRICT  
WELL AND PUMP TESTING, EVALUATION, REPORTING  
AND INFORMATION MANAGEMENT**

**ITEM 1 - Well & Pumps Testing, Evaluation, Reporting & Information Management**

- I Full performance tests and reports on performance characteristics throughout full operating range and vibration analysis price per well on an "as needed" basis \$ 595<sup>00</sup>
  
- II Periodic maintenance services and reports on performance under normal system condition with vibration testing per well on an "as needed" basis \$ 175<sup>00</sup>
  
- III Maintain operational and historical information on off-site database and update District database per well on an "as needed" basis \$ 140<sup>00</sup>
  
- \*IV "Hands-on" during maintenance inspections or full test of wells and pumps; N.Y.S.D.O.H approved to provide "contact hours" to operators, who assist in maintenance inspections; on-site covering various wells and pumping equipment-related subjects per well on an "as needed" basis \$ 0<sup>00</sup>

**ITEM 2 - Inspection, Analysis & Reports on the Condition of Wells & Pumping Equipment**

- I Includes regular maintenance with recommendations for most cost-effective repair of equipment; review and analysis of well performance and recommendations for correcting existing operational problems; well and pump maintenance management and oversight; assist in implementation of operation and equipment changes to assure success of program to maximize savings in power costs per well on an "as needed" basis.  
  
Hourly rate based upon the assumption  
Of 10 hrs per well @ \$140/hour \$ 1400<sup>00</sup>
  
- \*II "Hands-on" during maintenance inspections or full test of wells and pumps; N.Y.S.D.O.H approved to provide "contact hours" to operators, who assist in maintenance inspections; on-site covering various wells and pumping equipment-related subjects per well on an "as needed" basis. \$ 0<sup>00</sup>

**BID PROPOSAL (continued)**

**ITEM 3 - Power Cost Reduction Services**

Power Cost Reduction Study, including site survey, system profile through collection and analysis of operational information per well on an "as needed" basis.

\$ 140<sup>00</sup> per hr.

TOTAL AMOUNT BID FOR ITEMS PER WELL:

TOTAL \$ 2450<sup>00</sup>

**\*Attach certification and/or licences**

04.05.2011  
110225

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 225**

**GRANTS EXCAVATION PERMIT AS PROVIDED BY CHAPTER 62 TO BROWNING  
HOTEL PROPERTIES, LLC**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, Browning Hotel Properties, LLC , Lee Browning owner of the of the subject property located at 2012 Old Country Road, Riverhead, New York, Suffolk County tax map number, 600-118.-2-3.1 and

**WHEREAS**, the owner has petitioned the Town Board for an excavation permit pursuant to Chapter 62 of the Town Code of the Town of Riverhead which would require the exportation of 14,235 cubic yards of soils for the construction of a hotel as depicted on a survey dated August 15, 2005 prepared by Kosuri Engineering & Consulting, P.C., and

**WHEREAS**, the Town Board has reviewed and considered the application for the aforementioned excavation permit, and

**WHEREAS**, the applicant's engineer, Kosuri Engineering & Consulting, P.C. has submitted a map dated August 15, 2005 indicating a total of 14,235 cubic yards of soil to be exported, and such removal of material will be supported by a manifest from the owner and approved by the Town of Riverhead Engineer and Building Department, and

**NOW, THEREFORE, BE IT**

**RESOLVED**, that based upon the foregoing, the Town Board hereby grants the excavation permit requested by the applicant, such excavation permit authorizing the exportation of not more than another 14,235 cubic yards of soils in accordance with the permit application and calculations of Kosuri Engineering & Consulting, P.C., pursuant to map submitted with the application for excavation permit dated November 10, 2010, and be it further,

**RESOLVED**, the Building Department is hereby authorized to accept and collect all excavation permit fees concurrently with the Building Permit when issued, in the amount of \$28,470 dollars representing \$2.00 per cubic yard for the exportation of said soils, be it further,

**RESOLVED**, that the excavation permit is conditioned upon specified hours of operation, between the hours of 7:00 a.m. and 5:00 p.m. Monday through Saturday only, be it further,

**RESOLVED**, the applicant grants permission to the Town of Riverhead to randomly oversee the exportation of said soils and to enter the site to perform soil boring tests, if necessary, during the construction of the said project, be it further,

**RESOLVED**, that upon conclusion of the excavation operations that the applicant's engineer will provide certification to the building department confirming the total of 14,235 cubic yards that was removed from the property, and be it further,

**RESOLVED**, that all other provisions of Chapter 62 being hereby waived pursuant to Chapter 62.5, and be it further,

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to attn: Lee Browning, Browning Hotel Properties, LLC, 5000 Express Drive South, Ronkonkoma, NY 11779, and that all Town Hall Department may review and obtain a copy of this resolution from the electronic storage device, and if needed, a certified copy of same may be obtained for the Office of the Town Clerk.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 226**

**AWARDS BID FOR FERTILIZER AND LAWN CHEMICAL BID**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town Clerk was authorized to publish and post a Notice to Bidders for the Fertilizer and Lawn Chemical Bid, Riverhead, New York; and

**WHEREAS**, three (3) bids were received, opened and read aloud on the 11<sup>th</sup> day of March, 2011 at 11:15 am in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York.

**NOW, THEREFORE, BE IT RESOLVED**, that the bid for Fertilizer and Lawn Chemicals be and is hereby awarded as follows:

ITEM	DESCRIPTION	UNIT COST		Qty	Total	
1	GRASS SEED 30% FINE FESCUE, 40% PENTIUM P. RYE, 30% GOLDRUSH, KTY BLUE	1.04/lb	All Pro			
2	RAZOR PRO-GAL 2X2.5 GAL CASE**	78.00/cs - 39.00/21/2gal	LI Caulif			
3	ROUNDUP – GAL – 2X2.5 GAL CASE**	66.58/cs	John Deere			
4	BAYLETON 1% G-11.25 LB BAG	43.00/15# bag	All Pro			
5	PELLETIZED LIME 40 LB BAG	3.68/bag	All Pro			
6	PEAT MOSS 3.8 CU FT. BALE	9.40/bale	All Pro			
7	0-46-0 PHOSPHATE – 50 LB BAG	22.95/50 lb. bag	All Pro			
8	SCOTTS 19-0-7 26% SCU .9% PENDIMETHALIN CRABGRASS CONTROL 46 LB BAG **	14.75/bag	All Pro			
9	SCOTTS 18-0-9 29% SCU WEED & FEED 48 LB BAG **	14.85/40 lb bag	LI Caulif			
10	ANDERSONS 22-3-8 W/ 2% MERIT 50 LB BAG **	18.05/50 lb bag	LI Caulif			
11	24-0-11 40% PSCU 50 LB BAG	15.30/bag	All Pro			

12	4-2-3 BIOBASIC ORGANIC 50 LB BAG	8.95/bag	All Pro			
13	ROOTS 15-3-8 ORGANIC 50 LB BAG	9.79/bag	John Deere			
14	STARTER 10-20-10 50 LB BAG	15.90/bag	All Pro			
15	ACCLAIM EXTRA 2.5 GAL CONTAINER **	540.00/gal	LI Caulif			
16	WATER SOLUBLE 20-20-20 25 LB BAG	28.75/bag	All Pro			
17	OSMACOTE 15-9-12 5-6 MONTHS 40 LB BAG **	105.00/50 lb bag	All Pro			

; and

**BE IT FURTHER RESOLVED**, that the Town Board be and does hereby authorize various Town departments to secure purchase orders using this 2011 bid award resolution; and

**BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Engineering, Purchasing Department, Highway Department, Sewer District, Water District and the Office of Accounting.

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

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 227**

**CORRECTS RESOLUTION NO. 113**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, on February 15, 2011 the Riverhead Town Board did adopt Resolution No. 113 entitled, " Awards Bid for Street Light and Traffic Signal Replacement Repair Parts"; and

**WHEREAS**, bid item No.'s FP13 and FP14 were incorrectly awarded to City Energy as the items bid have not proven to be in the best interest of the Town and those items bid resulted numerous operating and maintenance problems and were unreliable causing the Town to request a complete replacement of the order.

**NOW, THEREFORE, BE IT RESOLVED**, that Town Board be and does hereby authorize the correction of Resolution No. 113 to reflect the following award corrections:

GE Street Light Fixtures

Item FP13 – 70 WHPS LU M2ARC07SIN2LMS21 to Kelly & Hayes \$ 168.98

Item FP14- 150W HPS LU M2AC15SIN2LMS21 to Schwing Elect. \$ 170.85

; and

**BE IT FURTHER RESOLVED**, that the Town Board be and does hereby authorize the Engineering Department to secure purchase orders from the Purchasing Department using the Street Light and Traffic Signal Replacement Repair Parts Bid Award; and

**BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Engineering, Purchasing Department, and the Office of Accounting.

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

**THE VOTE**

Giglio Yes No Gabrielsen Yes No

Wooten Yes No Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 228**

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST A NOTICE TO BIDDERS  
FOR THE JAMESPORT TOWN BEACH BOARDWALK AND PAVILION  
REPLACEMENT PROJECT**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**RESOLVED**, that the Town Clerk be and is hereby authorized to post and publish the attached Notice to Bidders for the Jamesport Town Beach Boardwalk and Pavilion Replacement Project in the April 14, 2011 issue of the official Town newspaper; and

**BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Chris Fetten, P.E., Purchasing Department, IT Department and the Office of Accounting.

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

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed proposals for the Jamesport Town Beach Boardwalk and Pavilion Replacement Project will be received by the Town of Riverhead in the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York by the close of business on Wednesday, April 27, 2011 and will be publicly opened and read aloud on Friday, April 29, 2011 at 11:00 am in the Office of the Town Clerk.

Plans and specifications may be examined and/or obtained on or about April 14, 2011 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 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, "Jamesport Town Beach Boardwalk and Pavilion Replacement Project" and must be accompanied by a bid surety as stated in the Instruction 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, NY 11901**

Dated: April 20, 2011

**TOWN OF RIVERHEAD**

**Resolution # 229**

**RATIFIES THE TRANSPORT OF THE 1989 HYDRA-SPORT TO SUFFOLK COUNTY  
POLICE DEPARTMENT'S MARINE BUREAU**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, Chief Hegermiller has requested that the former Bay Constable boat, a 1989 Hydra-Sport, be transported to Suffolk County Police Department's Marine Bureau on April 1, 2011 for training purposes; and,

**WHEREAS**, the Suffolk County Police Department's Marine Bureau will be hosting a Standardized Marine Patrol Vessel Operation Course, being held from April 4, 2011 through and including April 22, 2011; and,

**WHEREAS**, three members of the Riverhead Police Department will be attending this training session.

**NOW, THEREFORE, BE IT RESOLVED**, effective April 1, 2011 the Town Board ratifies and authorizes the transport of the above mentioned boat to Suffolk County Police Department's Marine Bureau to be utilized in this marine course.

**BE IT FURTHER RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same from the Office of the Town Clerk.

**. THE VOTE**

Giglio Yes No

Wooten Yes No

Gabrielsen Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 230**

**AUTHORIZES ATTENDANCE OF ONE POLICE DEPARTMENT EMPLOYEE TO NY/NJ  
REGIONAL FUGITIVE TASK FORCE PRACTICAL TRAINING**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, Police Chief Hegermiller has requested authorization from the Riverhead Town Board for the attendance of one police department employee to attend the NY/NJ Regional Fugitive Task Force Practical Training in Atlantic City, New Jersey; and

**WHEREAS**, the seminar will be held in Atlantic City, New Jersey, from June 13 – June 17, 2011.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes the attendance of one police department employee to attend the NY/NJ Regional Fugitive Task Force Training.

**BE IT FURTHER RESOLVED**, that the Town Board hereby authorizes reimbursement of expenses incurred, not to exceed \$150.00 upon submission of proper receipts; and

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

**THE VOTE**

Giglio Yes No

Wooten Yes No

Gabrielsen Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 231**

**APPOINTS A TEMPORARY PART-TIME RECREATION AIDE**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, the need for a temporary part-time Recreation Aide exists in the Youth Bureau Division of the Riverhead Town Recreation Department for the Mentoring Matters Program; and

**WHEREAS**, a recommendation of a suitable candidate has been made by the Superintendent of Recreation and the Executive Director of Youth Bureau.

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board hereby appoints Regina Rywelski to the position of temporary Part-Time Recreation Aide effective April 6, 2011 at the hourly rate of \$10.00; be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to Regina Rywelski, the Financial Administrator and the Personnel Officer; and be it further

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

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 232**

**APPOINTS A TEMPORARY PART-TIME RECREATION LEADER**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the need for a temporary part-time Recreation Leader exists in the Youth Bureau Division of the Riverhead Town Recreation Department for the Mentoring Matters Program; and

**WHEREAS**, having duly posted for the position, a recommendation of a suitable candidate has been made by the Executive Director of Youth Bureau and the Personnel Officer.

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board hereby appoints Jennifer Petrosino-Dunleavy to the position of temporary Part-Time Recreation Leader IV effective April 6, 2011 at the hourly rate of \$20.00; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to Jennifer Petrosino-Dunleavy, Financial Administrator and the Personnel Officer; and be it further

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

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy - ABSTAIN  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 233**

**RE-APPOINTS MEMBER TO THE  
PLANNING BOARD OF THE TOWN OF RIVERHEAD**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**BE IT RESOLVED**, effective January 1, 2011, Joseph Baier is hereby appointed as a member of the Town of Riverhead Planning Board for a term of five (5) years through December 31, 2015, and

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

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

04.05.2011  
110234

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 234**

**RATIFIES THE APPOINTMENT TO THE CHAIRMAN OF THE PLANNING BOARD  
OF THE TOWN OF RIVERHEAD**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**BE IT RESOLVED**, effective January 1, 2011, Richard M. O'Dea be and is hereby appointed as Chairman to the Town of Riverhead Planning Board 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 Richard M. O'Dea, the Planning Board, the Planning Department and the Office of Accounting.

**THE VOTE**

Giglio  Yes  No      Gabrielsen  Yes  No  
Wooten  Yes  No      Dunleavy  Yes  No  
Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution #235**

**RE-APPOINTS MEMBER TO THE  
ZONING BOARD OF APPEALS OF THE TOWN OF RIVERHEAD**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**BE IT RESOLVED**, effective January 1, 2011, Frederick McLaughlin is hereby appointed as a member of the Town of Riverhead Zoning Board of Appeals for a term of five (5) years through December 31, 2015, and

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

**THE VOTE**

Giglio  Yes  No      Gabrielsen  Yes  No  
Wooten  Yes  No      Dunleavy  Yes  No  
Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

04.05.2011  
110236

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 236**

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

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**BE IT RESOLVED**, effective January 1, 2011, Frederick J. McLaughlin be and is hereby appointed as Chairman to 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**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 237**

**APPOINTS A SEASONAL PUMP OUT BOAT OPERATOR**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, a vacancy for a Seasonal Pump Out Boat Operator exists in the Riverhead Town Police Department; and

**WHEREAS**, having completed a satisfactory background investigation, a recommendation of a suitable candidate has been made by the Chief of Police and the Personnel Officer.

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board hereby appoints Noah Gorman to the position of Seasonal Pump Out Boat Operator effective as for the period of May 15, 2011 through September 15, 2011 at the hourly rate of \$10.00.

**BE IT FURTHER RESOLVED**, that Gorman's training will commence the week of April 18, 2011 through April 22, 2011.

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

**THE VOTE**

Giglio <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Gabrielsen <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Wooten <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Dunleavy <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Walter <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 238**

**AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR DIESEL FUEL FOR USE  
BY THE TOWN OF RIVERHEAD**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town Clerk is authorized to publish and post a notice to bidders for proposals for DIESEL FUEL and;

**WHEREAS**, the Town Clerk is hereby authorized to publish and post the following public notice in the April 14, 2011 issue of the News Review;

**NOW THEREFORE BE IT RESOLVED**, all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of DIESEL FUEL for the use in the Town of Riverhead, will be received at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until 11:15 am on APRIL 25, 2010 at which time they will be publicly opened and read aloud.

Specifications may be examined and/or obtained on APRIL 14, 2011 on the Town of Riverhead website at www.riverheadli.com, click on bid requests or at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays.

Each proposal must be submitted on the form provided in sealed envelope clearly marked DIESEL FUEL 2011. Any and all exceptions to the specifications must be listed on a separate sheet of paper, bearing the designation 'EXCEPTIONS TO THE SPECIFICATIONS' and attached to the bid form.

The Town board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

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

**Diane M. Wilhelm, Town Clerk**

**TOWN OF RIVERHEAD**

**Resolution # 239**

**APPOINTS A CALL-IN BEACH MANAGER TO THE RECREATION DEPARTMENT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, a Call-In Beach Manager is needed by the Riverhead Town Recreation Department,

**NOW THEREFORE BE IT RESOLVED**, that effective April 9, 2011, this Town Board hereby appoints Michele Fusilli to the position of Call-In Beach Manager, Level 2, to be paid the rate of \$14.30 per hour and

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

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 240**

**APPOINTS CALL-IN PERSONNEL FOR THE RIVERHEAD YOUTH  
BUREAU/RECREATION DEPARTMENT**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Town of Riverhead Youth Bureau/Recreation Department needs to appoint staff for the spring recess youth recreation program,

**NOW THEREFORE BE IT RESOLVED**, that effective April 15, 2011 this Town Board hereby appoints the attached list of call-in recreation personnel

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

**THE VOTE**

Giglio Yes No

Wooten Yes No

Walter Yes No

Gabrielsen Yes No

Dunleavy Yes No

The Resolution Was  Thereupon Duly Declared Adopted

RIVERHEAD YOUTH BUREAU/RECREATION DEPARTMENT APPOINTMENTS

4/5/11 TOWN BOARD MEETING

<u>Last</u>	<u>First</u>	<u>Title</u>	<u>Level</u>	<u>Start Date</u>	<u>End Date</u>	<u>Salary</u>
Amato	Kristina	Call-In Rec. Leader II	4	4/15/11	5/1/11	\$14.00
Boeckman	Jaclyn	Call-In Rec. Aide II	2	4/15/11	5/1/11	\$10.00
Inzalaco	Robert	Call-In Rec. Aide II	3	4/15/11	5/1/11	\$10.30
Stephenson	Kyle	Call-In Rec. Aide II	3	4/15/11	5/1/11	\$10.30

Kelly: Rec Aides spring reso

**TOWN OF RIVERHEAD**

**Resolution # 241**

**Extends Special Permit of Hampton Jitney, Inc.**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the Riverhead Town Board granted a special use permit by Resolution No. 246 of March 17, 2009 to Hampton Jitney, Inc. pursuant to Article XXVIA and Section 108-278 B (3) of the Town Code to allow the construction of a motor coach terminal and maintenance facility, as well as related improvements upon real property located on Edwards Avenue, Calverton; such real property more particularly described as SCTM 0600-117-1-8.6, and

**WHEREAS**, the Town Board had conditioned approval to require that the special permit use shall commence within two (2) years of the date of the approval resolution, and

**WHEREAS**, the special permit use has yet to commence, and

**WHEREAS**, the applicant, by letter dated March 15, 2011, requested that the Riverhead Town Board extend the special use permit for a period of one year, now

**THEREFORE BE IT, RESOLVED**, that Riverhead Town Board hereby extends the special use permit of Hampton Jitney, Inc for an additional one year period to expire March 17, 2012, and

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to Hampton Jitney, Inc or their agent, the Building Department, the Town Attorney, the Fire Marshall and the Accounting Department and that a copy be scanned onto the Town Hall share drive for future reference.

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 242**

**AUTHORIZES SUPERVISOR TO EXECUTE AGREEMENT WITH SUFFOLK COUNTY POLICE ATHLETIC LEAGUE FOR REFEREE/UMPIRE SERVICES FOR TOWN OF RIVERHEAD POLICE ATHLETIC LEAGUE BOYS LACROSSE**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Suffolk County Police Athletic League, an organization devoted to the prevention of juvenile crime, was incorporated in 1973. While the Suffolk County Police Athletic League seeks to reach out to low income areas that are without organized education, sports and recreation programs, the Suffolk County Police Athletic League programs are available to all children throughout Suffolk County. As such, the Suffolk County Police Athletic League operates countywide programs and recreational opportunities in schools, sports complexes, town and private facilities; and

**WHEREAS**, similarly and affiliated with the Suffolk Police Athletic League, the Town of Riverhead Police Athletic League is a non-profit organization that provides organized sports programs, activities, and education for children ages 5-13 designed with the intent of giving children healthy social and behavioral skills and the goal to reduce their susceptibility to gang involvement, alcohol and drug use and delinquency; and

**WHEREAS**, the Suffolk County Police Athletic League Boys Lacrosse is one of the many Suffolk County/Town of Riverhead Police Athletic League organized sports programs available to the youth of Riverhead; and

**WHEREAS**, the Suffolk County Police Athletic League Boys Lacrosse provides various services related to the sport of lacrosse, including scheduling of games, rules of play for each division, and professional officials to referee games; and,

**WHEREAS**, the Suffolk County Police Athletic League Boys Lacrosse has offered to arrange and provide professional officials to referee games for the lacrosse program(s) offered to boys in Riverhead that are part of and affiliated with the Town of Riverhead Police Athletic League; and

**NOW THEREFORE BE IT RESOLVED**, that the Town Board authorizes the Supervisor to enter into an agreement with Suffolk County Police Athletic League Boys

for referee services for lacrosse program(s) offered to boys in Riverhead that are part of and affiliated with the Town of Riverhead Police Athletic League in an amount not to exceed \$5,000.00 for the Spring 2011 season; and

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

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 243**

**AUTHORIZES THE TOWN OF RIVERHEAD TO DIRECT GEORGE ATKINSON TO REMOVE ALL LITTER, GARBAGE/REFUSE, RUBBISH, YARD WASTE, WEEDS, NOXIOUS PLANTS, GRASS AND/OR RANK VEGETATION IN EXCESS OF TEN (10) INCHES IN HEIGHT UPON THE PREMISES KNOWN AS 852 ROANOKE AVENUE, RIVERHEAD, NEW YORK, 11901, a/k/a SCTM # 0600-107.00-02-037.00 PURSUANT TO RIVERHEAD TOWN CODE CHAPTER 96**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, Chapter 96 of the Riverhead Town Code entitled, "Rubbish, Refuse, Weeds and Other Rank Vegetation" authorizes the Riverhead Town Board to direct removal of all litter, garbage/refuse, rubbish, yard waste, weeds, noxious plants, grass and/or rank vegetation in excess of ten (10) inches in height upon the land by the owner, renter or occupier of the premises; and

**WHEREAS**, Riverhead Town Ordinance Inspector (CEO) Nicole Buckner observed on March 9, 2011, the accumulation of litter, garbage/refuse, rubbish, yard waste, weeds, noxious plants, grass and/or rank vegetation in excess of ten (10) inches in height at premises known as 852 Roanoke Avenue, Riverhead, New York, 11901, SCTM # 0600-107.00-02-037.00, owned by George Atkinson, and

**WHEREAS**, Riverhead Town Ordinance Inspector (CEO) Nicole Buckner has attempted to notify by posting the aforementioned premises on March 9, 2011, and by personal service a copy of such notice on March 10, 2011, to the aforesaid owner of said premises, whereby said owner was directed in said notice to remove all litter, garbage/refuse, rubbish, yard waste, weeds, noxious plants, grass and/or rank vegetation in excess of ten (10) inches in height; by March 19, 2011, and failed to do so, and

**WHEREAS**, the accumulation of litter, garbage/refuse, rubbish, yard waste, weeds, noxious plants, grass and/or rank vegetation in excess of ten (10) inches in height poses a fire hazard and a nuisance as defined in Chapter 96-4 of the Code of the Town of Riverhead; and

**WHEREAS**, pursuant to Code of the Town of Riverhead section §96-8, empowers the Riverhead Town Board to adopt a resolution authorizing the removal of all litter, garbage/refuse, rubbish, yard waste, weeds, noxious plants, grass and/or rank

vegetation in excess of ten (10) inches in height which creates a nuisance and furthermore authorizes entry onto such premises where such violation exists for the purposes of remedying such violation and to charge the cost or expense of such remediation against the owner of said premise; and

**WHEREAS**, pursuant to Code of the Town of Riverhead section §96-8 (C) authorizes the Riverhead Town Board to reimburse general town funds for the cost of any work performed or the services rendered by the Town of Riverhead, for said remediation to such violation, at its direction by assessment or levy (lien) upon lots or parcels of land where such work was performed and/or such violation exists for services rendered

**NOW THEREFORE BE IT RESOLVED**, the Town of Riverhead's Town Board is hereby directed to facilitate the removal of all litter, garbage/refuse, rubbish, yard waste, weeds, noxious plants, grass and/or rank vegetation in excess of ten (10) inches in height at the premise designated at 852 Roanoke Avenue, Riverhead, New York 11901, also known as SCTM # 0600-107.00-02-037.00, owned by George Atkinson; and

**BE IT FURTHER RESOLVED** and pursuant to Code of the Town of Riverhead section §96-8 (C), all costs for the removal of the aforesaid violation and/or nuisance shall be reported to the Town Board of the Town as the amount to be levied and assessed against the premises, and the expense(s) so reported shall constitute a lien and charge on the premises on which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other Town charges.

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to the last known address, if any, of the owner George Atkinson, as the same may appear on the records of the Receiver of Taxes of the Town, and that all Town Hall Departments may obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 244**

**ADOPTS A LOCAL LAW AMENDING CHAPTER 26 ENTITLED  
"OFFICERS AND EMPLOYEES" OF THE RIVERHEAD TOWN CODE  
(Article III and Article IV)**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**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 26 entitled "Officers and Employees" of the Riverhead Town Code; and

**WHEREAS**, a public hearing was held on the 15<sup>th</sup> day of March, 2011 at 7:05 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 a local law amending Chapter 26 entitled "Officers and Employees" 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 all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device, and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared 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 26 entitled "Officers and Employees", of the Riverhead Town Code at its regular meeting held on April 5, 2011. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**CHAPTER 26  
OFFICERS AND EMPLOYEES**

**Article III**  
**Office of the Town Attorney (§ 26-10 — § 26-14)**

**§ 26-10. Title.**

This article shall be known as "Office of the Town Attorney".

**§ 26-11. Definitions.**

Whenever used in this article, words in the singular include the plural and vice versa, and the following terms shall have the meaning indicated:

CODE -- The Code of the Town of Riverhead.

DEPUTY TOWN ATTORNEYS -- The Deputy Town Attorneys of the Office of the Town Attorney, one of whom shall act generally for and in place of the Town Attorney.

SUPERVISOR -- The Supervisor of the Town of Riverhead.

TOWN -- The Town of Riverhead.

TOWN ATTORNEY -- The head of the Office of the Town Attorney.

TOWN BOARD -- The Town Board of the Town of Riverhead.

**§ 26-12. Establishment; Department head; functions, powers and duties.**

A. Establishment. There shall be established herewith Office of the Town Attorney.

B. The principal executive officer and administrative head of the Office of the Town Attorney shall be the Town Attorney, who shall be appointed by the Town Board for the terms fixed by law at such salary as may from time to time be fixed by the Town Board. The Town Attorney shall be appointed on the basis of his administrative experience and qualifications for the duties of such office. The Town Board may appoint Deputy Town Attorneys, one of whom shall generally act for and in behalf of the Town Attorney, at such salary and for such term as may from time to time be fixed by the Town Board,

and who shall perform such duties as may be directed by the Town Board and as are vested in and imposed upon that office by the provisions of this article or any other statute or law.

C. Functions, powers and duties. The Town Attorney shall be the attorney for the Town Board and all of the Town officers in their official capacity and shall be the counsel and legal representative of the Town Board in all proceedings, undertakings or activities which the Town Board is concerned with or involved in. In addition, the Town Attorney shall have the following powers and duties:

- (1) To render legal advice to all Town departments, agencies and offices, as well as to special boards established by the Town Board.
- (2) To prepare or approve and process all leases and land acquisitions on behalf of the Town.
- (3) To prepare or approve and process all contracts entered into by the Town, its agencies and departments, including, where required, approval of notices to bidders, specifications, contract documents, insurance and bonds; to supervise the review and preparation of contracts and related local laws and any and all change orders and notices of lien; and to attend all necessary conferences involving departments, consultants and contractors and render legal advice and assistance during the term of such contracts.
- (4) To prepare and process all special agreements entered into by and on behalf of the Town, such as consultant agreements and concession agreements.
- (5) To prepare, review and recommend all Town local laws and amendments thereto and related public notices and local laws.
- (6) To perform legal research and render legal opinions.
- (7) To review all petitions and exhibits for changes of zone and special use permits, including preparation of public notices and related, local laws.
- (8) To review all applications and petitions in relation to special district improvements or extensions, including preparation of related public notices, local laws, orders and other required documents.
- (9) Except as otherwise provided, to represent the Town in all litigation matters, including the preparation and filing of all necessary pleadings, briefs, memoranda of law, etc., and make recommendations as to settlement or appeal of such matters.
- (10) To prosecute violations of Town local laws; provided, however, that the Town Attorney may negotiate dispositions in such matters.
- (11) The Town Attorney shall be empowered to commence and defend proceedings or file notice of appeal in the name of the Town as in his judgment may be necessary for the benefit or protection of the Town in any of

its rights or property. After filing of a notice of appeal, the Town Attorney, designee of the Town Attorney or special counsel shall be required to obtain Town Board approval prior to perfecting an appeal.

(12) The Town Attorney shall be empowered to perform such other duties and functions which are prescribed to be performed by him in any local law or resolution of the Town Board or lawful directive of the Supervisor. However, the Town Attorney may delegate any of his powers to or direct any of his duties to be performed to any Deputy Town Attorney.

(13) Furthermore, the Town Attorney is hereby authorized and empowered, subject to the prior approval of the Town Board, except that such prior approval will not be required in cases of emergency, to retain and employ private consultants, experts and other parties which the Town Attorney deems proper and appropriate in promulgating the responsibilities and obligations of his office.

(14) To assume any additional duties as may be assigned by the Town Board.

### **§ 26-13. Enactment pursuant to municipal home rule.**

The provisions set forth in this Article are enacted pursuant to Municipal Home Rule Law §§ 10(1)(ii)(a)(1) and 10(1)(ii)(d)(3), and is intended to supersede Town Law § 65(1).

### **§ 26-14. Powers of Supervisor.**

Nothing herein contained shall be construed to delegate or transfer any powers of the Supervisor contained in the Town Law of the State of New York or any other statutory or other powers which may be exercised lawfully by the Supervisor.

## **Article IV** **Zoning Officer of the Town of Riverhead (§26-15 - §26-21)**

### **§26-15. Title.**

This article shall be known as "Zoning Officer of the Town of Riverhead".

### **§ 26-16. Purpose.**

This article is adopted to codify a series of resolutions adopted in 1976 creating the position of Building & Zoning Administrator, the title "Building Inspector" was substituted in place of the title "Building & Zoning Administrator", and defining duties, including enforcement of the zoning code referred to as Ordinance 29, now known as Chapter 108. In addition, it is the intent of this article to clarify and designate additional town personnel to interpret and enforce the zoning provisions set forth in Chapter 108.

**§ 26-17. Administrator of the Building Department.**

The Administrator of the Building Department, also known as Senior Building Inspector, shall be the principal executive officer and administrative head of the Building Department.

**§26-18. Establishment, powers and duties.**

The Administrator of the Building Department shall administer, supervise, manage, coordinate and enforce the zoning laws and applicable local laws, ordinances, rules and regulations of the Town of Riverhead and the applicable building codes, state and/or local, and applicable laws of the State of New York as legally required throughout the properties of the Town of Riverhead, including issuance of appearance tickets as set forth in §3-1; issue stop work orders as set forth in §52-4 and §108-74.1; and, such other powers or duties set forth in the provisions of the Town Code or as in his judgment may be necessary for the benefit or protection of the Town in any of its rights or property. In addition, the Administrator of the Building Department shall have the authority to review, evaluate, judge and advise on applications related to the Town Code of the Town of Riverhead, and such other applicable laws, ordinances and regulations of the Town of Riverhead and applicable laws of the State of New York. The Administrator of the Building Department, in conformance with the Civil Service Law, may designate such building inspectors as he/she deems necessary to enforce the zoning laws and applicable local laws, ordinances, rules and regulations of the Town of Riverhead and the applicable building codes, state and/or local, and applicable laws of the State of New York. Nothing herein above, shall be deemed to diminish or restrict the performance of such duties as are vested in and imposed upon the Building Administrator, Senior Building Inspector, Building Inspector or such other officers or persons employed in the Building Department.

**§26-19. Investigations Unit of the Office of the Town Attorney.**

The Investigations Unit of the Office of the Town Attorney, commonly referred to as "Code Enforcement", shall have authority to enforce the zoning laws and applicable local laws, ordinances, rules and regulations of the Town of Riverhead and the applicable building codes, state and/or local, and applicable laws of the State of New York as legally required throughout the properties of the Town of Riverhead. In addition, the Town Investigator and such other persons who are certified as Code Enforcement Officials as provided by Title 19 NYCRR Part 434, are authorized to issue appearance tickets as defined by §150.10 of the Criminal Procedure Law, summonses or any other notices as permissible by law for violation of the sections of the Town Code of the Town of Riverhead over which they have jurisdiction. Nothing herein above, shall be deemed to diminish or restrict the performance of such duties as are vested in and imposed upon the departments, officers or employees identified above. Nothing herein above, shall be deemed to diminish or restrict the performance of such duties as are vested in and imposed upon the Investigations Unit, Senior Town Investigator, Town Investigator and such other officers or persons employed in the Investigations Unit.

**§26-20. Planning Director for the Town of Riverhead.**

The Planning Director of the Town of Riverhead shall be vested with authority to make, issue, and render determinations regarding compliance with the provisions of the zoning code for site plan, special permit, and subdivision applications, however, the Director of Planning shall not have authority as granted to "authorized issuing officers" as set forth in §3-1 of the Town Code. Nothing herein above shall be deemed to diminish or restrict the performance of such duties as are vested in and imposed upon the Planning Director or such officers or persons under the supervisor of the Planning Director.

**§26-21. Enactment pursuant to Town Law §268, §138 and Municipal Home Rule.**

The provisions set forth in this Article are enacted pursuant to Town Law §268, Town Law §138, Municipal Home Rule Law §§ 10(1)(ii)(a)(1) and 10(1)(ii)(d)(3), and is intended to supersede Town Law § 65(1).

- Underline represents addition(s)

Dated: Riverhead, New York  
April 5, 2011

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, Town Clerk

**TOWN OF RIVERHEAD**

**Resolution # 245**

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH  
BARIST ELEVATOR COMPANY, INC.**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the Town of Riverhead operates an elevator at the George Young Community Center/Jamesport Community Center in Jamesport, a Town facility; and

**WHEREAS**, the Town of Riverhead requires elevator maintenance and service regarding the elevator at the George Young Community Center/Jamesport Community Center; and

**WHEREAS**, Barist Elevator Company, Inc., is ready willing and able to provide elevator service and maintenance at the George Young Community Center/Jamesport Community Center.

**NOW THEREFORE BE IT RESOLVED**, that the Supervisor is authorized to execute an agreement with Barist Elevator Company, Inc., in substantially the same form annexed hereto, regarding elevator service and maintenance at the George Young Community Center/Jamesport Community Center in Jamesport, a Town facility for a fee of \$325.55 per month; and be it further

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

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

## SERVICE AGREEMENT

This Agreement made the \_\_\_\_\_ day \_\_\_\_\_ 2011 between the TOWN OF RIVERHEAD (hereinafter "Town"), a municipal corporation organized and existing under the laws of New York, with its office located at 200 Howell Avenue, Riverhead, New York, 11901, and BARIST ELEVATOR COMPANY, INC. (hereinafter "Barist"), a corporation existing under the laws of the State of New York with a principal place of business at 113F Brook Avenue, Deer Park, NY 11729.

In consideration of the mutual promises herein contained, Town of Riverhead and Barist agree as follows:

### I. SCOPE OF SERVICES

During the terms of this agreement, Barist shall provide elevator maintenance service at the Jamesport Community Center located at Jamesport Avenue, Jamesport, NY 11947, regarding one (1) hydraulic passenger elevator.

### 2. TERM OF AGREEMENT

The agreement shall commence on January 1, 2011 and terminate on December 31, 2011.

### 3. PAYMENT

For these services Town will pay Barist a fee of \$325.55 (three hundred twenty five dollars and fifty five cents) per month or \$3,906.60 (three thousand nine hundred six dollars and sixty cents) for the term. Payments will be made on a monthly basis upon receipt of an accurate, proper and timely invoice.

### 4. PUBLICITY

Barist shall not, without the prior written consent of Town, in any manner advertise or publish the fact that Town has entered into this agreement with Barist. Barist shall not, without the prior written consent of Town, provide, release or make available for inspection any document, data, or written material of any kind without the prior written consent of at least three members of the Town Board or by resolution of the Town Board.

### 5. ASSIGNMENT AND SUBCONTRACTING

Performance of any part of this agreement may not be subcontracted nor assigned without, in each case, the prior written consent of at least three members of the Town Board or by resolution of the Town Board.

### 6. TERMINATION

This agreement may be terminated at any time by either party upon thirty days written notice to the other party. In the event of such termination, Town shall have no further obligation to Barist except to make any payments which may have become due under this agreement.

### 7. RECORDS

Barist shall keep accurate records of the time spent in the performance of services hereunder. The Town shall, until the expiration of seven years after final payment under this agreement,

have access to and the right to examine any directly pertinent books, documents, papers and records of Barist involving transactions related to mis agreement.

#### **8. CHANGES**

The Town, by resolution of the Town Board or written request by at least three members of the Town Board, within the general scope of this agreement, may, at any time by written notice to Barist, issue additional instructions, require additional services or direct the omission of services covered by this agreement. In such event, there will be made an equitable adjustment in price and time of performance, but any claim for such an adjustment must be made within fifteen days of the receipt of such written notice. In the event that Barist determines that a change order is required, Barist shall obtain written approval of Town, by resolution or written consent of at least three members of the Town Board, and if the change shall require the payment of additional compensation, Barist must obtain the written approval of three members of the Town Board or resolution of the Town Board for the additional compensation prior to commencement of work regarding the change order. It is agreed and understood that no oral agreement, conversation, or understanding between Barist and Town, its departments, officers, agents and employees shall effect or modify any of the terms or obligations of this agreement or schedules annexed hereto and made a part hereof.

#### **9. NOTICES**

Any notice shall be considered as having been given: (i) to Town of Riverhead if mailed by certified mail, postage prepaid to Town of Riverhead, Attention: Daniel P. McCormick, Deputy Town Attorney, 200 Howell Avenue, Riverhead, NY 11901; or (ii) to Barist if mailed by certified mail, postage prepaid to Barist Elevator Company, Inc., Attention: Steven Dalvano, 113F Brook Avenue Deer Park, NY 11729.

#### **10. COMPLIANCE WITH LAWS**

Barist shall comply with all applicable federal, state and local laws and ordinances and regulations in the performance of its services under this agreement. Barist will notify Town immediately if Barist's work for Town becomes the subject of a government audit or investigation. Barist represents that it has not been convicted of fraud or any other felony arising out of a contract with any local, state or federal agency. In carrying out the work required hereunder, Barist agrees not to make any communication to or appearance before any person in the executive or legislative branches of the local, state or federal government for the purpose of influencing or attempting to influence any such persons in connection with the award, extension, continuation, renewal, amendment or modification of any contract or agreement. Barist may perform professional or technical services that are rendered directly in the preparation, submission or negotiation activities preceding award of a Town agreement/contract or to meet requirements imposed by law as a condition for receiving the award but only to the extent specifically detailed in the statement of work. Professional and technical services are limited to advice and analysis directly applying Barist's professional or technical discipline.

#### **11. INSURANCE. INDEMNITY AND LIABILITY**

Barist shall carry Comprehensive General Liability Insurance in the amount of two million dollars per occurrence and four million dollars in the aggregate and, if applicable, worker's compensation insurance. Barist shall provide a certificate of insurance regarding said liability

coverage which shall name the Town of Riverhead as an additional insured upon execution of this contract. Barist hereby indemnifies and holds Town, its departments, officers, agents and employees, harmless against any and all claims, actions or demands against Town, its departments, officers, agents and employees and against any and all damages, liabilities or expenses, including counsel fees, arising out of the acts or omissions of Barist under this agreement.

**12. CONFLICT OF INTEREST**

Barist hereby represents and covenants that neither it nor any of its employees or representatives has or shall have, directly or indirectly, any agreement or arrangement with any official, employee or representative of the Town of Riverhead which any such official, employee, representative shall receive either directly or indirectly anything of value whether monetary or otherwise as the result of or in connection with any actual or contemplated application before any department of the Town, or contract with the Town for sale of any product or service. Barist further represents and covenants that neither it nor any of its employees or representatives has offered or shall offer any gratuity to the Town, its officers, employees, agents or representatives with a view toward obtaining this agreement or securing favorable treatment with respect hereto. Barist further represents that it will not engage in any activity which presents a conflict of interest in light of its relationship with Town.

**13. DISCLOSURE**

The Town shall have the right, in its discretion, to disclose the terms and conditions of this Agreement (as it may be amended from time to time), including but not limited to amounts paid pursuant hereto, to agencies of the local, state and federal government.

**14. DISPUTES**

If Barist fails to perform any of its obligations hereunder in accordance with the terms hereof then, after reasonable notice to Barist not to exceed thirty days and an opportunity for Barist to cure such failure (except in case of emergency), the Town may (but shall not be obligated to) cure such failure at the expense of Barist and the amount incurred by the Town in connection with such care shall be payable by Barist to Town on demand. Notwithstanding the above, any dispute arising under this agreement which is not settled by agreement of the parties may be settled by appropriate legal proceedings. Pending any decision, appeal or judgment in such proceedings or the settlement of any dispute arising under this agreement, Barist shall proceed diligently with the performance of this agreement in accordance with the decision of Town.

**15. WORK HOURS**

All work is to be performed during Barist's regular working hours of 8:00 am to 4:30 pm on Barist's regular working days Monday through Friday excluding holidays. Included in this contract (only if marked X) are the following hours of coverage at no charge:

- 24 hours/7 days a week for emergency service on complete system failures
- 24 hours/7 days a week Emergency Telephone Monitoring Service (if applicable)

In the event a device malfunction occurs between regular examinations, Barist's customer service representative will, at Town's request, dispatch an examiner to perform emergency minor

adjustment callback service during Barist's regular working hours on Barist's regular working days.

If examinations, repairs or emergency minor adjustment callback services are later requested by the Town or its representative beyond regular working days/working hours, the Town agrees to pay extra for additional service/labor, as follows: for regular mechanic the billing rate is \$153.30 per hour; for team personnel (defined as two or more persons) billing rate is \$279.82 per hour; regarding service before 8:00 a.m. and after 5:00 p.m., Monday through Friday and all day on weekend days and holidays as follows: New Year's Day, Martin Luther King, Jr. Day, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day and Christmas Day.

Barist will use elevator mechanics directly employed and supervised by Barist who will use all reasonable care to maintain the elevator equipment in proper and safe operating condition.

#### **16. SERVICE**

Barist will regularly and systematically service, adjust and lubricate the elevator equipment and, if in Barist's professional judgment conditions warrant, repair or replace the following items in accordance with paragraph below entitled pro-rated parts: (Motor parts, controller parts, car door operating mechanisms, hoistway door interlocks and hangers, bottom door guides and auxiliary door closing devices, safety devices, hatchway limit switch(s), guide shoes and gibs and/or roller guides, steel selector tapes or cable and traveling conductor cables; pump parts, strainer and valve body, cylinder head packing, gland packing and hydraulic fluid tanks.) Signal lamps and position indicating equipment will be serviced during Barist's regular service intervals only. Barist will furnish all necessary lubricants to perform the aforementioned service.

Barist agrees to do all work in compliance with the rules and regulations of the subject municipality having jurisdiction provided that such work/violations are due to normal wear and tear while this maintenance contract is in effect, are not pre-dated from the date this agreement is signed and do not cover any additions, changes to, or alter the equipment's existing design or its method of operation existing on the date this agreement is signed.

#### **17. PRO-RATED PARTS**

Notwithstanding the aforementioned, in order to provide Town with the maximum of service from the parts listed above, Barist is accepting them in their present condition with the understanding that Town is to pay, in addition to the base amount of this contract, an extra charge at the time the items listed are first replaced, if replaced during the term of this contract. The charge for this replacement will be determined by prorating the total cost of replacing the individual items.

#### **18. SPECIFIC EXCEPTIONS**

The following of the aforementioned items are specifically exempt from the repair and replacement guarantee: Piston, Cylinder, Oil Line Piping, Hydraulic fluid, Obsolete Equipment For Which Replacement Parts Are No Longer Available, Replacement with parts of a different design or type, Misuse/Abuse of The Elevator Equipment, Modifications, Alterations of Any Kind, New attachments, Water Damage, Power Failure(s), Brown outs, Computer and Microcomputer devices, Machine parts, Rotating elements, Safeties or Compensation equipment of any kind, Proprietary equipment and Any Damages as a Result of Occurrences Beyond Our Control.

**19. GENERAL EXCEPTIONS**

This contract does not, under any circumstances, include any work on or cover any of the following items including but not limited to: Machine room, power feeders, mainline disconnect switches their wiring and fuses, hoistway enclosure, hoistway inserts and brackets, rails or rail alignment, hatchway entrances, hatchway entrance finish, hoistway door checks or hinges, car enclosures, cab, cab fans, cab finish, cab flooring or coverings, cab wall panels, hung ceilings, cab lighting, light tubes or bulbs, emergency lighting and all batteries including those for emergency lowering devices, mirrors, handrails, gate and/or door panels, door/gate pull straps, sills, entrances and finishes, smoke sensors, heat sensors, telephones, intercoms or communication devices or items not specifically mentioned in this contract. This contract does not cover any work or the installation of new attachments recommended or directed by insurance companies, or any work required due to future revisions to the code and/or regulations by the authorities having jurisdiction.

**20. TESTING/INSPECTIONS**

If those elevator units listed are provided with firefighters service and are required by code to be tested monthly or however directed by the authorities having jurisdiction, Town assumes responsibility for performing and keeping a record of such tests. The following testing/inspections as per code or directed by authorities having jurisdiction (Only if marked by an X) are included in this contract:

X Annual Valve Pressure Test X  
Semi-Annual Visual Inspections

**21. TOWN'S RESPONSIBILITY**

The Town agrees to maintain the hatchway, pit and machine room in clean condition and to keep the elevator equipment from being exposed to the elements or to physical damage. The Town agrees to shut down the equipment immediately upon the manifestation or appearance of any irregularity in operation of the elevator equipment, to notify Barist at once, and keep the equipment shut down until the completion of repairs. The Town will keep the equipment under observation by personnel competent to detect any such manifestation or appearance of irregularities in operation between periods of Barist's inspections. The Town will give Barist written notice within twenty-four hours after occurrence of any accident in or about the elevators.

**22. SHARED RESPONSIBILITY**

The Town agrees to provide Barist unrestricted ready and safe access to all areas of the building in which any part of the devices are located and to keep all machine rooms and pit areas free from water, stored materials and debris. The Town agrees to provide a safe work place for Barist's personnel, and to remove and remediate any waste or hazardous materials in accordance with applicable laws and regulations.

If any device is malfunctioning or is in dangerous condition, Town agrees to immediately notify Barist using the Barist 24-hour service line. Until the problem is corrected, Town agrees to remove the device from service and take all necessary precautions to prevent access or use.

**The Town agrees to properly post, maintain and preserve any and all instructions or warnings to passengers in connection with the use of any devices.**

**This Agreement hereby executed on the date last written below.**

\_\_\_\_\_  
**Steven Dalvano, General Manager  
Barist Elevator Company, Inc.,  
113 F Brook Avenue  
Deer Park, New York 11729**

**Date:** \_\_\_\_\_

\_\_\_\_\_  
**Sean M. Walter, Town Supervisor  
Town of Riverhead  
200 Howell Avenue  
Riverhead, New York 11901**

**Date:** \_\_\_\_\_

**TOWN OF RIVERHEAD**

**Resolution # 246**

**AUTHORIZATION TO PUBLISH ADVERTISEMENT OF A REQUEST FOR PROPOSALS FOR AN UPDATED MARKET STUDY FOR REUSE AND REVITALIZATION OF THE FORMER NAVAL WEAPONS INDUSTRIAL RESERVE PLANT (“NWIRP/EPCAL”)**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town of Riverhead is seeking proposals for Market Study for Reuse and Revitalization of the former Naval Weapons Industrial Reserve Plant (“NWIRP” and commonly known as “EPCAL”); and

**WHEREAS**, the Town of Riverhead is seeking proposals from qualified real estate market consultants interested in performing all necessary work required to prepare, complete and present an updated comprehensive market study for reuse of the former Naval Weapons Industrial Reserve Plant (“NWIRP” and commonly known as “EPCAL”).

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes the issuance of the attached Request for Proposals for Market Study for Reuse and Revitalization of NWIRP/EPCAL; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to publish and post the following public notice in the April 14, 2011 issue of the News-Review; and be it further

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

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

## NOTICE TO BIDDERS

**TAKE NOTICE**, that sealed proposals will be received by the Office of the Town Clerk at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on **May 10, 2011 at 11 o'clock am**, prevailing time, for:

### REQUEST FOR PROPOSALS

The Town of Riverhead is seeking proposals from qualified real estate market consultants interested in performing all necessary work required to prepare, complete and present an updated comprehensive market study for reuse of the former Naval Weapons Industrial Reserve Plant ("NWIRP" or commonly known/referred to as "EPCAL") approximately 2,900 acres located in Calverton, Town of Riverhead, New York.

Specifications and guidelines for submission of proposals will be available on the Town website at <http://riverheadli.com/bid-preaccess.html> on or before April 15, 2011, or at the Office of the Town Clerk and may be picked up between the hours of 8:30 am and 4:30 pm, Monday through Friday, beginning April 15, 2011.

Each proposal must be submitted in a sealed envelope clearly marked "**MARKET STUDY FOR REUSE AND REVITALIZATION OF NWIRP/EPCAL**" and must be received by the Office of the Town Clerk by no later than **11:00 am on May 10, 2011**.

This RFP is not an offer or a binding commitment to contract on the part of the Town. The Town retains the right to postpone or cancel the RFP or to reject all proposals, if the Town determines, in its sole discretion, that the best interests of the Town will be served thereby.

**BY ORDER OF THE TOWN BOARD  
TOWN OF RIVERHEAD  
Diane M. Wilhelm, TOWN CLERK**

**TOWN OF RIVERHEAD**

**Resolution # 247**

**APPROVES CHAPTER 90 APPLICATION OF THE  
AMERICAN CANCER SOCIETY  
(Dog Walk to Fight Cancer – April 10, 2011)**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, on March 11, 2011, the American Cancer Society submitted a Chapter 90 Application for the purpose of conducting an event to include a dog walk to fight cancer to be held at Martha Clara Vineyards, 6025 Sound Avenue, Riverhead, New York, on Sunday, April 10, 2011, between the hours of 9:00 a.m. and 4:00 p.m.; and

**WHEREAS**, the American Cancer Society 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**, the applicant has requested the Chapter 90 Application fee be waived due to its 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 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 American Cancer Society for the purpose of conducting an event to include a dog walk to fight cancer to be held at Martha Clara Vineyards, 6025 Sound Avenue, Riverhead, New York, on Sunday, April 10, 2011,

between the hours of 9:00 a.m. and 4:00 p.m. is hereby approved; 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 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 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 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 American Cancer Society, 75 Davids Drive, Hauppauge, NY, 11788, Attn: Dawn Tropeano; the Riverhead Fire Marshal and Police Chief David Hegermiller; and be it further

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

#### **THE VOTE**

Giglio  Yes  No      Gabrielsen  Yes  No  
Wooten  Yes  No      Dunleavy  Yes  No  
Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 248**

**AUTHORIZES THE SUPERVISOR TO EXECUTE PROFESSIONAL SERVICES AGREEMENT WITH ALBRECHT, VIGGIANO, ZURECK & COMPANY, P.C. (AVZ) FOR AUDIT SERVICES**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Town Board of the Town of Riverhead desires to retain the services of ALBRECHT, VIGGIANO, ZURECK & COMPANY, P.C. (AVZ) to prepare and complete an audit of the Town's 2010 and 2011 financial statements; and

**WHEREAS**, AVZ possess the requisite experience and expertise to perform the services required to audit the Town's financial statements for the years ended December 31, 2010 and December 31, 2011; and

**WHEREAS**, pursuant to the proposed Professional Services Agreement between the Town and AVZ, AVZ will audit the financial statements of the Towns activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information, which collectively comprise the basic financial statements of the Town of Riverhead; and

**WHEREAS**, AVZ has agreed that the terms and provisions in the Professional Services Agreement; and

**NOW THEREFORE BE IT RESOLVED**, that the Town Board authorizes the Supervisor to execute a Professional Services Agreement with AVZ, in substantially the form annexed hereto, and be it further;

**RESOLVED**, that the fee for the work to be provided for in the Agreement shall not exceed \$175,000.00 per year related to the audit services necessary to complete the 2010 & 2011 Annual Audit and be it further;

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

**THE VOTE**

Giglio  Yes  No      Gabrielsen  Yes  No  
Wooten  Yes  No      Dunleavy  Yes  No  
Walter  Yes  No  
The Resolution Was  Thereupon Duly Declared Adopted

## CONSULTANT/PROFESSIONAL SERVICES AGREEMENT

This Agreement made the \_\_\_\_\_ of March, 2011 between the TOWN OF RIVERHEAD, a municipal corporation organized and existing under the laws of New York, with its office located at 200 Howell Avenue, Riverhead, New York 11901 (hereinafter referred to as the "Town") and Albrecht, Viggiano, Zureck & Company, P.C. existing under the laws of the State of New York with a principal place of business at 25 Suffolk Court, Hauppauge, NY 11788 (hereinafter referred to as "Consultant").

In consideration of the mutual promises herein contained, Town of Riverhead and Consultant agree as follows:

### 1. SCOPE OF SERVICES

During the term of this Agreement, Consultant shall furnish the services set forth below as an independent contractor and not as an employee of Town. Consultant shall audit the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information, which collectively comprise the basic financial statements of the Town of Riverhead as of and for the years ended December 31, 2010 and December 31, 2011. In addition as required by generally accepted accounting standards, Consultant shall apply certain limited procedures to the Town of Riverhead's RSI in accordance with auditing standards consisting of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge Consultant obtained during the audit of the basic financial statements. While Consultant shall not express an opinion or provide any assurance on the information nor will the RSI be audited, the following procedures will be utilized:

1. Management's Discussion and Analysis
2. Budgetary comparison schedules
3. GASB required Other Postemployment Benefits (OPEB) schedules

Supplementary information, other than RSI, including combining and individual fund financial statements, shall be applied to the audit and such other applicable additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves and provide an opinion with respect to same. (See below)

1. Schedule of Expenditures of Federal Awards
2. Combining and individual non-major fund financial statements
3. Schedule of State Transportation Assistance Expended

Note, there shall be no opinion, assurance or audit of the introductory section of the basic financial statements.

Finally, the objectives of Consultant's audit and Town's responsibilities, except as the Town owns all rights to the documentation (audit) prepared by Consultant the Town shall not be required to obtain written consent to produce or use any document/report/audit in bond offering official statements and other documents, set forth in Consultant's offer of services dated March 6, 2011 is intended to made part of this Professional Services Agreement as if fully set forth herein.

The Consultant shall receive assignment/information relating to the Financial Statements and audit from the Financial Administrator and/or the Deputy Financial Administrator. Note, the Town and Consultant may use e-mail and other electronic methods to transmit and receive assignment, information related to the services identified above. Town shall make all financial records and related information available to the Consultant and assure the accuracy and completeness of the information; designate a qualified management-level individual with responsibility to review all proposed journal entries and knowledge of the nature of those entries and relevance to Financial Statements to assist and provide Consultant with documents or information set forth herein; and finally, the Financial Administrator shall be responsible for the Town's compliance all laws and regulations applicable to its activities and to the extent required direct Consultant in the preparation of the reports, documents, required to comply with such laws for the completion of the audit of the Town's Financial Statements.

## 2. TERM OF AGREEMENT

It is anticipated that Consultant shall commence work on the audit of year ending December 31, 2010 on May 1, 2011 and be completed on or before November 30, 2011 and work on the audit for year ending December 31, 2011 shall commence immediately upon notification/assignment from the Financial Administrator and shall be completed within four months.

## 3. PAYMENT

For these services Town of Riverhead will pay Consultant a fee not to exceed \$175,000.00 (ONE HUNDRED SEVENTY FIVE THOUSAND DOLLARS and 00/100) for completion of audit for year ending December 31, 2010 and fee not to exceed \$175,000.00 (ONE HUNDRED SEVENTY FIVE THOUSAND DOLLARS and 00/100) for completion of audit for year ending December 31, 2011. The Town shall require the submission of monthly time records and identification of the services provided, together with such other standard and necessary forms required for payment by the Town. The Town shall not have any liability for any other expenses or costs incurred by Consultant, including third party services retained by Consultant to assist in preparation or completion of the scope of services set forth above. Based upon Consultant's expertise and experience with respect to audit of the Town's financial statements for 2007, 2008, and 2009, identification of services set forth in the "Scope of Services", and services provided by Consultant necessary for completion of previous audits, it is not anticipated that there shall exist any additional services beyond the scope outlined

herein such that Consultant shall not seek payment in excess of the fees described above.

Not included in this agreement are the following:

- A) A separate audit of the Community Preservation Fund (CPF) as required by law to be performed by a firm independent of our independent auditors.
- B) A separate audit of our Justice Court.
- C) A requirement of Public Authorities Reform Act of 2009 for audited financials of Community Development Agency by March 31<sup>st</sup> of the subsequent year.

#### 4. RIGHTS TO DOCUMENTS OR DATA

All information and data, regardless of form, generated in the performance of, or delivered under this Agreement, as well as any information provided to Consultant by Town, shall be and remain the sole property of Town. Consultant shall keep all such information and data in confidence and not disclose or use it for any purpose other than in performing this Agreement, except with Town's prior written approval. In the event that the legal right in any data and information generated in the performance of this Agreement does not vest in Town by law, Consultant hereby agrees and assigns to Town such legal rights in all such data and information. Final payment shall not be due hereunder until after receipt by Town of such complete document and data file, or a certification that there is no such information created by the services performed under this Agreement, and receipt of all information and data which is the property of Town. These obligations shall survive the termination of this Agreement.

#### 5. PUBLICITY

Consultant shall not, without the prior written consent of Town, in any manner advertise or publish the fact that Town has entered into this Agreement with Consultant. Consultant shall not, without the prior written consent of the Town, provide, release or make available for inspection any documents, data, written material of any kind without the prior written consent of at least three members of the Town board or by resolution of the Town Board, except to the extent that Consultant determines it necessary to retain the services of a third party to assist in the preparation of the audit Consultant may release the documents, data, and such other written material provided said third party executes a confidentiality agreement in favor of the Town.

#### 6. ASSIGNMENT AND SUBCONTRACTING

Performance of any part of this Agreement may not be subcontracted nor assigned without, in each case, the prior written consent of at least three members of the Town Board or by resolution of the Town Board.

#### 7. TERMINATION

This Agreement may be terminated at any time by either party upon 30 days written notice to the other party. In the event of such termination, Town shall have no further obligation to Consultant except to make any payments which may have become due under this Agreement.

## 8. RECORDS

Consultant shall keep accurate records of the time spent in the performance of services hereunder. The Town shall, until the expiration of seven years after final payment under this Agreement, have access to and the right to examine any directly pertinent books, documents, papers and records of Consultant involving transactions related to this Agreement.

## 9. CHANGES

The Town, by resolution of the Town Board or written request by at least three members of the Town Board, within the general scope of this Agreement, may, at any time by written notice to Consultant, issue additional instructions, require additional services or direct the omission of services covered by this Agreement. In such event, there will be made an equitable adjustment in price and time of performance, but any claim for such an adjustment must be made within 15 days of the receipt of such written notice. In the event that the Consultant determines that a change order is required, Consultant shall obtain written approval of the Town, by resolution or written consent of at least three members of the Town Board, and if the change shall require the payment of additional compensation, Consultant must obtain the written approval of three members of the Town Board or resolution of the Town Board for the additional compensation prior to commencement of work regarding the change order. It is agreed and understood that no oral agreement, conversation, or understanding between the Consultant and the Town, its departments, officers, agents and employees shall effect or modify any of the terms or obligations of this Agreement or schedules annexed hereto and made a part hereof.

## 10. NOTICES

Any notice shall be considered as having been given: (i) to Town of Riverhead if mailed by certified mail, postage prepaid to Town of Riverhead, Attention: Bill Rothaar, 200 Howell Avenue, Riverhead, New York 11901; or (ii) to Consultant if mailed by certified mail, postage prepaid to Albrecht, Viggiano, Zureck & Company, P.C. existing under the laws of the State of New York with a principal place of business at 25 Suffolk Court, Hauppauge, NY 11788 .

## 11. COMPLIANCE WITH LAWS

Consultant shall comply with all applicable federal, state and local laws and ordinances and regulations in the performance of its services under this Agreement. Consultant will notify Town immediately if Consultant's work for Town becomes the subject of a government audit or

Investigation. Consultant will promptly notify Town if Consultant is indicted, suspended or debarred. Consultant represents that Consultant has not been convicted of fraud of any other felony arising out of a contract with any local, state or federal agency. In carrying out the work required hereunder, Consultant agrees not to make any communication to or appearance before any person in the executive or legislative branches of the local, state or federal government for the purpose of influencing or attempting to influence any such persons in connection with the award, extension, continuation, renewal, amendment or modification of any contract or agreement.

Consultant may perform professional or technical services that are rendered directly in the preparation, submission or negotiation activities preceding award of a Town agreement/contract or to meet requirements imposed by law as a condition for receiving the award but only to the extent specifically detailed in the statement of work. Professional and technical services are limited to advice and analysis directly applying Consultant's professional and technical discipline.

## 12. INSURANCE, INDEMNITY AND LIABILITY

Consultant shall carry Comprehensive General Liability Insurance and, if applicable, worker's compensation insurance. Consultant hereby indemnifies and holds the Town, its departments, officers, agents and employees, harmless against any and all claims, actions or demands against Town, its departments, officers, agents and employees and against any and all damages, liabilities or expenses, including counsel fees, arising out of the acts or omissions of Consultant under this Agreement, however, it is agreed and understood that the Town releases and holds harmless Consultant and its personnel from any claims, liabilities costs, and expenses from misrepresentations or incorrect information supplied by the Town related to the services identified herein.

## 13. CONFLICT OF INTEREST

Consultant hereby represents and covenants that neither it nor any of its employees or representatives has or shall have, directly or indirectly, any agreement or arrangement with any official, employee or representative of the Town of Riverhead which any such official, employee, representative shall receive either directly or indirectly anything of value whether monetary or otherwise as the result of or in connection with any actual or contemplated application before any department of the Town, contract with the Town for sale of any product or service. Consultant further represents and covenants that neither it nor any of its employees or representatives has offered or shall offer any gratuity to the Town, its officers, employees, agents or representatives with a view toward obtaining this Agreement or securing favorable treatment with respect thereto. Consultant further represents that it will not engage in any activity which presents a conflict of interest in light of its relationship with Town.

## 14. DISCLOSURE

The Town shall have the right, in its discretion, to disclose the terms and conditions of this Agreement (as it may be amended from time to time), including but not limited to amounts paid pursuant hereto, to agencies of the local, state and federal government.

## 15. DISPUTES

If Consultant fails to perform any of its obligations hereunder in accordance with the terms hereof, then after reasonable notice to Consultant not to exceed thirty (30) days, and an opportunity for Consultant to cure such failure (except in case of emergency), the Town may (but shall not be obligated to) cure such failure at the expense of the Consultant, and the amount incurred by the Town on demand. Notwithstanding the above, any dispute arising under this Agreement which is not settled by Agreement of the parties may be settled by appropriate legal proceedings. The Town and Consultant agree that prior to resorting to litigation, the matter be submitted to mediation upon the

written request of either party and the results of such mediation shall only be binding upon agreement of each party to be bound thereby. The costs of mediation proceedings shall be shared equally by both parties. Pending any decision, appeal or judgment in such proceedings or the settlement of any dispute arising under this Agreement, Consultant shall proceed diligently with the performance of this Agreement in accordance with the decision of Town.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

TOWN OF RIVERHEAD  
P.C.

Albrecht, Viggiano, Zureck & Company,

\_\_\_\_\_  
By:

\_\_\_\_\_  
By:

**TOWN OF RIVERHEAD**

**Resolution # 249**

**AUTHORIZES TOWN SUPERVISOR TO EXECUTE A CHANGE ORDER NO. 1 FOR GRANGEBEL PARK IMPROVEMENT PROJECT 2010, #0759.14**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, on March 16, 2010, the Riverhead Town Board adopted Resolution No. 200 entitled, "Awards Bid for Grangebél Park Improvement Project 2010" and

**WHEREAS**, the bid was awarded to Terry Contracting and Materials, Inc. in the amount of One Million Three Hundred Seventy Two Thousand Two Hundred Fifty Five and 00/100 (1,372,255.00); and

**WHEREAS**, the Town Engineer has recommended that there be additions to the contract for irrigation system and well, lighting electrical power as well as deletions in landscaping, decorative post lighting and stone retaining wall for an overall net decrease of Three Thousand One Hundred Forty Seven and 60/100 (-\$3,147.60); and

**WHEREAS**, the Town Engineer has reviewed and discussed the attached change order with the Town Board.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Supervisor be and is hereby authorized to execute a change order in the decrease amount of -\$3,147.60; and

**BE IT FURTHER RESOLVED**, that the Engineering Department be and is hereby authorized to forward a change order decrease purchase request in the above amount to the Purchasing Department; and

**BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Bob Terry, Terry Contracting and Materials, Inc., 840 West Main Street, Riverhead, NY 11901, Chris Kempner, Chris Fetten, P.E., Purchasing Department, and the Office of Accounting.

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

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

GRANGEBEL PARK IMPROVEMENTS CONTRACT PIN 0759.14  
TOWN OR RIVERHEAD, SUFFOLK COUNTY, NEW YORK  
CHANGE ORDER NO. 1

Project: Grangebél Park Improvements Contract Pin 0759.14  
 Change Order No.: 1  
 Date: March 1, 2011  
 Contractor: Terry Contracting & Materials, Inc.  
 840 West Main Street  
 Riverhead, New York 11901  
 Contract Date: April 27, 2010

The Contract is changed as follows:

**NOT VALID UNTIL SIGNED BY THE OWNER, ENGINEER AND CONTRACTOR**

The Original Contract Sum was.....	\$1,372,255.00
Net Change by Previously Authorized Change Orders.....	\$0.00
The Contract Sum Prior to This Change Order was.....	\$1,372,255.00
The Contract Sum will be decreased by this Change Order	
In the amount of .....	<b>\$3,147.60</b>
to represent	
a decrease in the amount of Item No. 25 Planting .....	-\$24,602.50
an increase in the amount of Item No. 27A Electrical Service and Power Dist. ....	+\$6,732.00
a decrease in the amount of Item 27-1 Light Post w/Single Arm, Luminaire and Foundation.....	-\$10,600.00
an increase in the amount of Item No. 27-2 Light Post w/Double Arm, Luminaire and Foundation.....	+\$5,600.00
a decrease in the amount of Item No. 37- Stone Retaining Wall.....	-\$13,500.00
addition of Landscaping Irrigation System (LS).....	+\$27,000.00
addition of Irrigation Well (LS).....	+\$6,222.90
The New Contract Sum Including this Change Order will be.....	\$1,369,107.40

<b>Contractor</b>	<b>Owner</b>
Terry Contracting & Materials, Inc.	Town of Riverhead
840 West Main Street Riverhead, New York 11901	200 Howell Avenue Riverhead, New York 11901
By: _____ Authorized Representative Signature	By: _____
Print Name: _____	Print Name: _____
Date: _____	Date: _____

04.05.2011  
110250

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 250**

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH AN  
EMPLOYEE**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**NOW, THEREFORE, it is hereby**

**RESOLVED**, that the Supervisor is hereby authorized to execute the agreement,  
and be it further

**RESOLVED** that the Town Clerk is hereby directed to forward a copy of this  
resolution to the Meg Ferris, Personnel Director, the Office of the Town Attorney and the  
Office of Accounting.

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 251**

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER THE RENAMING OF THE SOUTHERN PORTION OF HORTON AVENUE, A TOWN OF RIVERHEAD ROAD, TO "CAFFREY COURT"**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, a roundabout was constructed on Middle Road to improve safety and institute traffic calming measures in this area; and

**WHEREAS**, as a result of the construction of the roundabout on Middle Road, Horton Avenue was altered, whereby portions of Horton Avenue that were immediately north and south of the new roundabout were terminated in direct proximity to the roundabout (map attached); and

**WHEREAS**, to ensure the general health, safety and welfare of the residents located on said southern portion of Horton Avenue the Town Board of the Town of Riverhead is desirous of renaming the southerly portion of Horton Avenue to "Caffrey Court".

**NOW THEREFORE BE IT RESOLVED**, that the Town Clerk is hereby authorized to publish and post the attached public notice to consider the renaming the southern portion Horton Avenue, a Town of Riverhead road, to "Caffrey Court", once in the April 14, 2011 edition of the News-Review Newspaper, hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed public hearing to be posted on the sign board of the Town in the Office of the Town Clerk; and be it further

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held on the 3<sup>rd</sup> day of May, 2011 at 2:05 o'clock p.m., at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider the renaming of the southerly portion of Horton Avenue, a Riverhead Town road, to "Caffrey Court" (map attached).

Dated: Riverhead, New York  
April 5, 2011

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

**DIANE M. WILHELM, Town Clerk**

**TOWN OF RIVERHEAD**

**Resolution # 252**

**APPROVES CHAPTER 90 APPLICATION OF CHURCH OF THE HARVEST  
(SUNRISE SERVICE/EASTER EGG HUNT)**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, on March 1, 2011, Church of the Harvest submitted a Chapter 90 Application for the purpose of conducting an event to include a sunrise service followed by an Easter Egg Hunt to take place at the East End Arts Council located at 133 East Main Street, Riverhead, New York on Saturday, April 24, 2011 between the hours of 7:00 a.m. and 10:00 a.m.; and

**WHEREAS**, Church of the Harvest 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**, the applicant has paid the Chapter 90 Application fee; and

**WHEREAS**, a certificate of insurance naming the Town of Riverhead as an additional insured 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 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 Church of the Harvest to conduct an event to include a sunrise service followed by an Easter Egg Hunt to take place at the East End Arts Council located at 133 East Main Street, Riverhead, New York on Saturday, April 24, 2011 between the hours of 7:00 a.m. and 10:00 a.m., is hereby

approved; 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 any necessary tent permits must be obtained and any tent installations and all electric shall comply with the applicable provisions of the Building and Fire Code of New York State and the National Electrical Code and National Fire Protection Agency 102 (Tents & Membrane Structures); 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-event" inspection appointment; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to Church of the Harvest, P.O. Box 1086, Riverhead, New York, 11901 and the East End Arts Council, 133 E. Main Street, Riverhead, NY, 11901; and be it further

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a copy of same may be obtained from the Office of the Town Clerk.

#### THE VOTE

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

04.05.2011  
110253

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 253**

**AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT TO CHAPTER 101 "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE (§101-10. Parking prohibited.)**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**NOW THEREFORE BE IT RESOLVED**, that the Town Clerk is hereby authorized to publish and post the attached public notice to consider a proposed local law to amend Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code, once in the April 14, 2011 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**, all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 20<sup>th</sup> day of April, 2011 at 7:10 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

Chapter 101  
Vehicles and Traffic  
ARTICLE V  
**Parking, Standing and Stopping**

**§ 101-10. Parking prohibited.**

The parking of vehicles is hereby prohibited in the locations as follows:

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
<u>Remsen Road</u>	<u>North</u>	<u>From a point at its intersection with North Country Road in an easterly direction for a distance of 250 feet</u>

- Underscore represents addition(s)

Dated: Riverhead, New York  
April 5, 2011

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

**DIANE M. WILHELM, Town Clerk**

**TOWN OF RIVERHEAD**

**Resolution # 254**

**SUPPORTS THE INCREASE OF COUNTY BUS FARE AND THE  
IMPLEMENTATION OF LIMITED SUNDAY BUS SERVICE**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, Suffolk County provides bus service Monday through Saturday; and

**WHEREAS**, Suffolk County has not raised bus fares in many years and the County's current rates are significantly below the average fares in the region; and

**WHEREAS**, testimony at public hearings held over the past year confirm that the ridership of Suffolk County buses want, and are willing to pay a slightly increased full fare rate for Sunday bus service; and

**WHEREAS**, based on analysis of ridership patterns and connections to other forms of public transit, service should be offered on Sundays on nine routes, at a minimum, to provide limited, but critical, service throughout the County, specifically routes S1, S33, S40, S41, S54, S58, S66, S92 and 3D; and

**WHEREAS**, during the summer season, Sunday service should also be offered on a tenth route, route 10C, to further encourage tourism in the East Hampton- Montauk region; and

**WHEREAS**, Suffolk County should increase the full fare rate to \$2.00 and use all funds generated from such increase for the implementation of this limited Sunday bus service.

**NOW THEREFORE BE IT RESOLVED**, that the full fare rate for bus service shall be increased from \$1.50 to \$2.00 on January 1, 2012; and be it further

**RESOLVED**, that all revenues generated from the increased bus fare shall be

utilized by the Transportation Division of the Department of Public Works to implement Sunday bus service, including holiday and SCAT service, to the fullest extent possible on routes S1, S33, S40, S41, S54, S58, S66, S92, 3D and 10C and may include seasonal variations based on ridership patterns; and be it further

**RESOLVED**, that Sunday bus service on routes S1, S33, S40, S41, S54, S58, S66, S92, 3D and 10C shall be implemented no later than March 1, 2012; and be it further

**RESOLVED**, that this legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5 (c)(20), (21) and (27) of Title 6 of the New York Code of Rules and Regulations (6NYCRR) and within the meaning of Section 8-0109(2) of the New York Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to Jay H. Schneiderman, Suffolk County Legislator, Second District, 75 Washington Street, P.O. Box 1827, Sag Harbor, New York, 11963; and be it further

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

#### **THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 255**

**SUPPORTS THE INCREASE OF COUNTY BUS FARE ON TWO ROUTES FOR THE IMPLEMENTATION OF LIMITED SUNDAY BUS SERVICE**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, Suffolk County provides bus service Monday through Saturday; and

**WHEREAS**, Suffolk County has not raised bus fares in many years and the County's current rates are significantly below the average fares in the region; and

**WHEREAS**, residents on the East End of Suffolk County have testified at public hearings that they want Sunday bus service and are willing to pay a slightly higher full fare rate to fund it; and

**WHEREAS**, bus service studies use Saturday ridership figures to determine which routes will have the greatest demand for Sunday service; and

**WHEREAS**, one route on the East End, S92, has the highest Saturday ridership in the County; and

**WHEREAS**, a second route, 10C, connects locations east of East Hampton to the S92 route; and

**WHEREAS**, the full fare rate on routes S92 and 10C should be increased to \$2.00 and the funds generated from such increase should be used to implement Sunday bus service to the fullest extent possible on these two routes.

**NOW THEREFORE BE IT RESOLVED**, that the full fare rate for bus service on Suffolk County Bus routes S92 and 10C shall be increased from \$1.50 to \$2.00, with all other fares in Suffolk County to remain unchanged, effective June 17, 2011; and be it further

**RESOLVED**, that all revenues generated from the increased bus fare shall be utilized by the Transportation Division of the Department of Public Works to implement

Sunday bus service, including holiday and SCAT service, to the fullest extent possible on routes S92 and 10C and may include seasonal variations based on ridership patterns; and be it further

**RESOLVED**, that Sunday bus service on routes S92 and 10C shall be implemented no later than July 3, 2011; and be it further

**RESOLVED**, that this legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5 (c)(20), (21) and (27) of Title 6 of the New York Code of Rules and Regulations (6NYCRR) and within the meaning of Section 8-0109(2) of the New York Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to Jay H. Schneiderman, Suffolk County Legislator, Second District, 75 Washington Street, P.O. Box 1827, Sag Harbor, New York, 11963; and be it further

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

### THE VOTE

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 256**

**ESTABLISHES DATE OF ANNUAL RIVERHEAD LITTER AWARENESS AND  
CLEAN-UP DAY**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, the Riverhead Town Board and the Riverhead Town Anti Litter Committee is interested in continually improving the appearance of the Town of Riverhead; and

**WHEREAS**, each year a date is designated as "Litter Awareness and Clean-Up Day".

**NOW THEREFORE BE IT RESOLVED**, that the Town Board designates April 30, 2011 "Riverhead Litter Awareness and Clean-Up Day" throughout the Town of Riverhead; and be it further

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

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 257**

**AUTHORIZES ATTENDANCE AT THE 2011 NEW YORK STATE TOWN CLERKS ASSOCIATIONS ANNUAL STATE CONFERENCE**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the New York State Town Clerk's Association is conducting its annual conference from May 1<sup>st</sup> thru May 4<sup>th</sup> in Buffalo, NY; and

**WHEREAS**, the Town Clerk has requested authorization to attend said conference; and

**WHEREAS**, the cost to attend said conference shall not exceed \$700.00 (expenses to include fees for registration, meals and hotel accommodations);

**NOW THEREFORE BE IT RESOLVED**, that the Town Clerk is authorized to attend the New York State Town Clerk's annual conference in Buffalo, NY; and

**BE IT FURTHER RESOLVED**, that expenses for the conference will be reimbursed upon proper submission of receipts

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

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

04.05.2011  
110258

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 258**

**AWARDS BID FOR TROUBLESHOOTING,  
MAINTENANCE & REPAIR OF FOXBORO EQUIPMENT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town Clerk was authorized to publish and post a notice to bidders for troubleshooting, maintenance and repair of Foxboro equipment for the Riverhead Water District; and

**WHEREAS**, bids were received, opened and read aloud on the 8<sup>h</sup> day of March, 2011, at 11:10 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York 11901, the date, time and place given in the notice to bidders; and

**WHEREAS**, the Town Board has reviewed all bids received.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the bid for troubleshooting, maintenance and repair of Foxboro equipment for the Riverhead Water District be and is hereby awarded to NSI, Neal Systems, Inc, per the attached bid; and be it further

**RESOLVED**, that a certified copy of this document be forwarded to NSI, Neal Systems, Inc., 122 Terry Drive, Newtown, PA, 18940; and be it further

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

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

APPENDIX B

**BID PROPOSAL  
RIVERHEAD WATER DISTRICT  
TROUBLESHOOTING, MAINTENANCE AND  
REPAIR OF FOXBORO EQUIPMENT**

**Item #1 – Programming (Hourly rate and # of minimum hours)**

Programming or reprogramming and verification of Foxboro Equipment, whether on the bench or in the field; load And unload programmable data into said equipment (i.e., Transmitters, configure digital chart recorders and alarm Cards [with accompanying word documentation] or program And adjust set points, as applicable

\$ 84.00 per hr

Min. hrs 1

**Item #2 – Troubleshooting (Hourly rate and # of minimum hours)**

Field diagnostics involving but not limited to proper operation of the Foxboro equipment and its related components (i.e., cables, racks, etc.) and load or unload programs to check their function; supply wiring and piping diagrams, as necessary, for repairs or replacement of said equipment during the diagnostic evaluation

\$ 84.00 per hr

Min. hrs 1

**Item #3 – Maintenance (Hourly rate and # of minimum hours)**

Field calibration, span/zero of board(s) or slot card(s) and verify their functions; load or unload programs to check their function span/zero of chart recorders for proper operating and recording functions; calibrate span/zero all previously express transmitter with required settings for proper operation and function and their associated venturies

\$ 84.00 per hr

Min. hrs 1

**Item #4 - Parts and Components**

(Lump Sum [L.S.] = \$ amount + percentage; ex., \$100 x 20% = \$120.00 L.S.)

- a) Up to \$100 certified cost plus \_\_\_\_\_% = \$ 111.00 L.S.
- b) Up to \$500 certified cost plus \_\_\_\_\_% = \$ 555.00 L.S.

**Item #4 - Parts and Components (con't)**

- c) Up to \$1000 certified cost plus \_\_\_\_\_% = \$ 1,110.00 L.S.
- d) Up to \$5000 certified cost plus \_\_\_\_\_% = \$ 5,550.00 L.S.
- e) Above \$5000 certified cost plus \_\_\_\_\_% = \$ 5,550.00 L.S.

**TOWN OF RIVERHEAD**

**Resolution # 259**

**AWARDS BID FOR DRY HYDRATED LIME**  
**(CALCIUM HYDROXIDE)**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, the Town Clerk was authorized to publish and post a notice to bidders for dry hydrated lime; and

**WHEREAS**, bids were received, opened and read aloud on the 24<sup>th</sup> day of March 2011, at 11:10 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York 11901, the date, time and place given in the notice to bidders.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the bid for dry hydrated lime (calcium hydroxide) be and is hereby awarded to Long Island Cauliflower Association per the attached; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to the Long Island Cauliflower Association, 139 Marcy 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 electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**BID FORM - SPECIFICATIONS FOR:  
DRY HYDRATED LIME (CALCIUM HYDROXIDE)**

**PLEASE READ CAREFULLY**

**DRY HYDRATED LIME** (calcium hydroxide)-delivered and unloaded at sites (Bid may be quoted for Option A or Option B, or both Option A and Option B):

**OPTION A:**

- |    |   |                              |
|----|---|------------------------------|
| 1. | 0 - 200 50-lb. bags of product                        |                              |
|    | (a) One (1) drop                                      | \$ <u>9.45</u> per 50-lb bag |
|    | (b) Two (2) or more drops (maximum of five [5] drops) | \$ <u>9.45</u> per 50-lb bag |
| 2. | 201-400 50-lb. bags of product                        |                              |
|    | (a) One (1) drop                                      | \$ <u>9.45</u> per 50-lb bag |
|    | (b) Two or more drops (maximum of five [5] drops)     | \$ <u>9.55</u> per 50-lb bag |

**OPTION B:**

One drop on-site, on the ground, min. 10 pallets \$ 9.05 price per pallet \*

\* Provide a forklift or skidsteer to unload

04.05.2011  
110260

ADOPTED

**TOWN OF RIVERHEAD**

**Resolution # 260**

**AWARDS BID FOR CORROSION CONTROL CHEMICAL**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Town Clerk was authorized to publish and post a notice to bidders for corrosion control chemical; and

**WHEREAS**, bids were received, opened and read aloud on the 24<sup>th</sup> day of March 2011, at 11:05 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York 11901, the date, time and place given in the notice to bidders.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the bid for corrosion control chemical be and is hereby awarded to Carus Corporation, per the attached; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to the Carus Corporation, 315 5<sup>th</sup> Street, Peru, IL, 61354; and be it further

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

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**BID FORM FOR CHEMICALS  
CORROSION CONTROL CHEMICAL (PO4)**

**BID #10-19-RWD**

**PLEASE READ CAREFULLY**

- |    |   |         |                |
|----|---|---------|----------------|
| 1. | 0 - 1000 gals. of product                   |         |                |
|    | (a) One (1) drop                            | \$ 5.81 | Price per gal. |
|    | (b) Two (2) or more drops                   |         |                |
|    | (maximum of four [4] drops)                 | \$ 5.81 | Price per gal. |
| 2. | 1001 - 2000 gals. of product                |         |                |
|    | (a) One (1) drop                            | \$ 5.81 | Price per gal. |
|    | (b) Two (2) or more drops                   |         |                |
|    | (maximum of four [4] drops)                 | \$ 5.81 | Price per gal. |
| 3. | 0 - 1000 gals. of product point to point    |         |                |
|    | (a) One (1) drop                            | \$ 5.81 | Price per gal. |
|    | (b) Two (2) or more drops                   |         |                |
|    | (maximum of four [4] drops)                 | \$ 5.81 | Price per gal. |
| 4. | 1001 - 2000 gals. of product point to point |         |                |
|    | (a) One (1) drop                            | \$ 5.81 | Price per gal. |
|    | (b) Two (2) or more drops                   |         |                |
|    | (maximum of four [4] drops)                 | \$ 5.81 | Price per gal. |

**TOWN OF RIVERHEAD**

**Resolution # 261**

**AUTHORIZES SUPERVISOR TO EXECUTE AGREEMENT WITH SUFFOLK COUNTY GIRLS LACROSSE, INC FOR REFEREE/UMPIRE SERVICES FOR TOWN OF RIVERHEAD POLICE ATHLETIC LEAGUE GIRLS LACROSSE (affiliated and part of Suffolk County PAL Girls Lacrosse)**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the Suffolk County Police Athletic League, an organization devoted to the prevention of juvenile crime, was incorporated in 1973. While the Suffolk County Police Athletic League seeks to reach out to low income areas that are without organized education, sports and recreation programs, the Suffolk County Police Athletic League programs are available to all children throughout Suffolk County. As such, the Suffolk County Police Athletic League operates countywide programs and recreational opportunities in schools, sports complexes, town and private facilities; and

**WHEREAS**, similarly and affiliated with the Suffolk Police Athletic League, the Town of Riverhead Police Athletic League is a non-profit organization that provides organized sports programs, activities, and education for children ages 5-13 designed with the intent of giving children healthy social and behavioral skills and the goal to reduce their susceptibility to gang involvement, alcohol and drug use and delinquency; and

**WHEREAS**, the Suffolk County Police Athletic League Girls Lacrosse is one of the many Suffolk County/Town of Riverhead Police Athletic League organized sports programs available to the youth of Riverhead; and

**WHEREAS**, the Suffolk County Girls Lacrosse, Inc., founded in 2002, is dedicated to encourage and provide instruction for the sport of girls lacrosse in Suffolk County; and

**WHEREAS**, the Suffolk County Girls Lacrosse, Inc. provides various services related to and for the Suffolk County Police Athletic Girls Lacrosse League (Town of Riverhead Police Athletic League Girls Lacrosse is part of and affiliated with Suffolk County Police Athletic League Girls Lacrosse), including scheduling of games, rules of play for each division, and professional officials to referee games; and,

**WHEREAS**, the Suffolk County Girls Lacrosse, Inc. has offered to arrange and provide professional officials to referee games for the lacrosse program(s) offered to girls in Riverhead that are part of and affiliated with the Suffolk County/Town of Riverhead Police Athletic League; and

**NOW THEREFORE BE IT RESOLVED**, that the Town Board authorizes the Supervisor to enter into an agreement with Suffolk County Girls Lacrosse, Inc. for referee services for lacrosse program(s) offered to girls in Riverhead that are part of and affiliated with the Suffolk County/Town of Riverhead Police Athletic League in an amount not to exceed \$5,000.00 for the Spring 2011 season; and

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

**THE VOTE**

Giglio Yes No      Gabrielsen Yes No  
Wooten Yes No      Dunleavy Yes No  
Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution #262**

**PAYS BILLS**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

ABSTRACT #11-09 March 17, 2011 (TBM 04/5/11)				
FUND NAME				
GENERAL FUND				
POLICE ATHLETIC LEAGUE				
CHILD CARE CENTER BUILDING FUN			03/17/11 CHECKRUN	GRAND TOTALS
ECONOMIC DEVELOPMENT ZONE FUND				
HIGHWAY FUND	1		90,733.10	90,733.10
WATER DISTRICT	4		20.00	20.00
RIVERHEAD SEWER DISTRICT	9		50.34	50.34
REFUSE & GARBAGE COLLECTION DI	30		51.38	51.38
STREET LIGHTING DISTRICT	111		7,088.58	7,088.58
AMBULANCE DISTRICT	112		15,420.29	15,420.29
EAST CREEK DOCKING FACILITY FU	114		28,111.94	28,111.94
CALVERTON SEWER DISTRICT	115		353.38	353.38
RIVERHEAD SCAVANGER WASTE DIST	116		41,024.91	41,024.91
CDBG CONSORTIUM ACOUNT	120		1,363.38	1,363.38
TOWN HALL CAPITAL PROJECTS	122		119.54	119.54
WATER DISTRICT CAPITAL PROJECT	124		4,052.95	4,052.95
RIVERHEAD SEWER CAPITAL PROJEC	128		15,610.16	15,610.16
TRUST & AGENCY	181		104.14	104.14
CALVERTON PARK - C.D.A.	406		10,946.00	10,946.00
	412		35,102.50	35,102.50
TOTAL ALL FUNDS	414		117,565.07	117,565.07
	735		186,259.61	186,259.61
	914		25.00	25.00
			554,002.27	554,002.27

**THE VOTE**

Giglio  Yes  No      Gabrielsen  Yes  No  
 Wooten  Yes  No      Dunleavy  Yes  No  
 Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution #262**

**PAYS BILLS**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

ABSTRACT #11-11 March 31, 2011 (TBM 04/5/11)				
FUND NAME				
GENERAL FUND				
POLICE ATHLETIC LEAGUE			03/31/11 CHECKRUN	GRAND TOTALS
RECREATION PROGRAM FUND				
CHILD CARE CENTER BUILDING FUN	1		137,285.25	137,285.25
HIGHWAY FUND	4		300.00	300.00
WATER DISTRICT	6		3,402.30	3,402.30
RIVERHEAD SEWER DISTRICT	9		10.55	10.55
REFUSE & GARBAGE COLLECTION DI	111		51,581.46	51,581.46
STREET LIGHTING DISTRICT	112		44,669.48	44,669.48
BUSINESS IMPROVEMENT DISTRICT	114		35,078.71	35,078.71
AMBULANCE DISTRICT	115		3,477.58	3,477.58
EAST CREEK DOCKING FACILITY FU	116		1,860.74	1,860.74
CALVERTON SEWER DISTRICT	118		49.95	49.95
RIVERHEAD SCAVANGER WASTE DIST	120		2,157.07	2,157.07
RISK RETENTION FUND	122		438.30	438.30
WATER DISTRICT CAPITAL PROJECT	124		384.50	384.50
RIVERHEAD SEWER CAPITAL PROJEC	128		1,715.17	1,715.17
TRUST & AGENCY	175		23,557.96	23,557.96
CALVERTON PARK - C.D.A.	412		12,668.23	12,668.23
	414		21,399.37	21,399.37
<b>TOTAL ALL FUNDS</b>	<b>735</b>		<b>160,331.55</b>	<b>160,331.55</b>
	<b>914</b>		<b>548.29</b>	<b>548.29</b>
			<b>500,916.46</b>	<b>500,916.46</b>

**THE VOTE**

Giglio  Yes  No      Gabrielsen  Yes  No  
Wooten  Yes  No      Dunleavy  Yes  No  
Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution #262**

**PAYS BILLS**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

ABSTRACT #11-10 March 24, 2011 (TBM 04/5/11)				
FUND NAME				
GENERAL FUND				
RECREATION PROGRAM FUND			03/24/11 CHECKRUN	GRAND TOTALS
ECONOMIC DEVELOPMENT ZONE FUND				
RECREATION YOUTH COMMITTEE FUN	1		1,221,924.06	1,221,924.06
HIGHWAY FUND	6		6,631.25	6,631.25
RIVERHEAD SEWER DISTRICT	30		-496.20	-496.20
REFUSE & GARBAGE COLLECTION DI	31		500.00	500.00
STREET LIGHTING DISTRICT	111		151,718.53	151,718.53
PUBLIC PARKING DISTRICT	114		49,369.53	49,369.53
AMBULANCE DISTRICT	115		364,120.87	364,120.87
EAST CREEK DOCKING FACILITY FU	116		10,501.47	10,501.47
CALVERTON SEWER DISTRICT	117		509.42	509.42
RIVERHEAD SCAVANGER WASTE DIST	120		677.43	677.43
WORKERS' COMPENSATION FUND	122		1,836.49	1,836.49
RISK RETENTION FUND	124		1,358.39	1,358.39
CDBG CONSORTIUM ACOUNT	128		28,591.45	28,591.45
WATER DISTRICT CAPITAL PROJECT	173		63,338.60	63,338.60
TRUST & AGENCY	175		4,548.67	4,548.67
	181		5,703.45	5,703.45
TOTAL ALL FUNDS	412		36,402.15	36,402.15
	735		1,288,781.20	1,288,781.20
			3,236,016.76	3,236,016.76

**THE VOTE**

Giglio  Yes  No      Gabrielsen  Yes  No  
Wooten  Yes  No      Dunleavy  Yes  No  
Walter  Yes  No  
The Resolution Was  Thereupon Duly Declared Adopted