

Resolution List November 17, 2009

- Res. #1038 AUTHORIZATION TO DISCARD FIXED ASSETS**
- Res. #1039 AUTHORIZES EXTENSION OF TIME TO REMIT REAL PROPERTY TAXES FOR SENIOR CITIZENS RECEIVING ENHANCED STAR PURSUANT TO SECTION 425 OF RPTL**
- Res. #1040 AUTHORIZES SUPERVISOR TO RELEASE PETTY CASH MONIES TO RECEIVER OF TAXES**
- Res. #1041 APPOINTS MEMBER TO THE TOWN OF RIVERHEAD INDUSTRIAL DEVELOPMENT AGENCY (RON HARIRI)**
- Res. #1042 AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE FOR A LOCAL LAW TO CONSIDER AMENDMENTS TO CHAPTER 108 OF THE CODE OF THE TOWN OF RIVERHEAD ENTITLED "ZONING" (108-56(F)(7) Political Signs)**
- Res. #1043 ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED "ZONING" OF THE RIVERHEAD TOWN CODE (§108-56(E)(7) Temporary Special Event Signs)**
- Res. #1044 ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED "ZONING" OF THE RIVERHEAD TOWN CODE (§108-3 Definitions-Building Trade Shop)**
- Res. #1045 ADOPTS A LOCAL LAW AMENDING CHAPTER 62 ENTITLED "EXCAVATIONS" OF THE RIVERHEAD TOWN CODE**
- Res. #1046 ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED "ZONING" OF THE RIVERHEAD TOWN CODE (§108-298A Permitted Uses)**
- Res. #1047 AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 52 ENTITLED "BUILDING CONSTRUCTION" OF THE RIVERHEAD TOWN CODE (§52-14. Certificate of occupancy required)**
- Res. #1048 AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED "ZONING" OF THE RIVERHEAD TOWN CODE (Article XVII Administration, §108-74 Certificate of Occupancy)**
- Res. #1049 AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS AND MORTGAGEE OF THE PROPERTY LOCATED AT 608 ELTON STREET, RIVERHEAD, NEW YORK**
- Res. #1050 RATIFIES THE APPOINTMENT OF A RECREATION LEADER (DANIEL VALLANCE)**

- Res. #1051** AUTHORIZES TOWN CLERK TO PUBLISH AND POST THE ATTACHED NOTICE TO BIDDERS FOR GRANGEBEL PARK IMPROVEMENT PROJECT
- Res. #1052** APPROVES SITE PLAN OF METRO TERMINALS OF LONG ISLAND, LLC
- Res. #1053** AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS – CALVERTON SEWER DISTRICT – SANITARY PUMP STATION UPGRADES – GENERAL, MECHANICAL AND ELECTRICAL – CONTRACT NO. CASD 0504-G
- Res. #1054** AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS – HOWELL AVENUE PUMP STATION RECONSTRUCTION AND FORCE MAIN REPLACEMENT - GENL. & MECHANICAL CONSTRUCTION – CONTRACT NO. RDSO 0805-G ELECTRICAL CONSTRUCTION – CONTRACT NO. RDSO 0805-E
- Res. #1055** APPROVES SITE PLAN OF EBS BUILDING SYSTEMS, LLC
- Res. #1056** AMENDS RESOLUTION #989-09 WHICH AUTHORIZED THE SUPERVISOR TO ISSUE A LETTER TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES ALLOWING THE USE OF A PINE BARRENS CREDIT ON COMMERCIAL PROPERTY LOCATED IN RIVERHEAD
- Res. #1057** GENERAL FUND BUDGET ADJUSTMENT
- Res. #1058** EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT BUDGET ADOPTION
- Res. #1059** AMENDS RESOLUTION 529-09 AUTHORIZES THE SUPERVISOR TO EXECUTE CONSULTANT AGREEMENT WITH CONVERGENT TECHNOLOGY GROUP
- Res. #1060** GENERAL FUND Building Department BUDGET ADJUSTMENT
- Res. #1061** REAPPOINTS TEMPORARY STUDENT INTERNS (WILLIAM TORRE AND JUSTIN BLASS)
- Res. #1062** APPOINTS A CALL-IN DETENTION ATTENDANT (PHILIP HATTORFF)
- Res. #1063** TERMINATES THE EMPLOYMENT OF A CONTINGENT EMPLOYEE (LOUISE HALL)
- Res. #1064** APPOINTS A CALL-IN RECREATION AIDE TO THE RIVERHEAD TOWN RECREATION DEPARTMENT (JIMMY BRIDGEWATER)
- Res. #1065** ACCEPTS THE RETIREMENT OF A HIGHWAY MAINTENANCE CREW LEADER (MYRON YOUNG)
- Res. #1066** ACCEPTS THE RESIGNATION OF AN AUTOMOTIVE MECHANIC V (JAMES BUGDIN)

- Res. #1067 AWARDS BID ON PRECAST CONCRETE DRAINAGE RINGS AND ASSOCIATED ITEMS**
- Res. #1068 HIGHWAY FUND BUDGET ADJUSTMENT**
- Res. #1069 PAYS BILLS**
- Res. #1070 AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST A NOTICE TO BIDDERS FOR A FORWARD LOOKING INFRARED RADAR (FLIR)**

TOWN OF RIVERHEAD**Resolution # 1038****AUTHORIZATION TO DISCARD FIXED ASSETS**

Councilwoman Blass offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the indicated broken equipment has been salvaged for parts and is no longer usable; and

WHEREAS, after careful consideration the following departments have made recommendations to the Accounting Department that this equipment has no residual value and should be discarded. The Accounting Department hereby requests that the Town Board excess this property so that it may be removed from the records, and

WHEREAS, unless the Sanitation Supervisor determines the item can be disposed of through the STOP Program,

NOW THEREFORE BE IT RESOLVED, that the Accounting Department is hereby authorized to discard the following items:

<u>Department</u>	<u>Tag #</u>	<u>Description</u>
Building	23827	Wall divider
Building	23838	Small Desk
Building	26400	Small file case
Building	23816	Desk
Building	23832	Desk
Building	23568	Overhead File
Building	22348	Overhead Light
Building	25095	Overhead File
Building	23817	Desk
Building	23562	Overhead File
Building	23565	Overhead File
Town Attorney	23810	Corner Desk
Town Attorney	23844	Desk
Building	23561	Overhead File
Building	23560	Overhead File
Building	23819	Desk
Planning	1274	File Case
Building	23569	Overhead File
Accounting	26470	Wooden File Cabinet
Town Attorney	28331	Desk

Building 23837 Corner Desk
Town Attorney 23835 Corner Desk
Building 23829 Wall Divider

THE VOTE

Wooten Yes No Dunleavy Yes No
Blass Yes No Gabrielsen Yes No
Cardinale Yes No
The Resolution Was Was Not
Thereupon Duly Declared Adopted

11/17/09

Adopted

TOWN OF RIVERHEAD

Resolution # 1039

AUTHORIZES EXTENSION OF TIME TO REMIT REAL PROPERTY TAXES FOR SENIOR CITIZENS RECEIVING ENHANCED STAR PURSUANT TO SECTION 425 OF RPTL

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Section 925-b of the Real Property Tax Laws of the State of New York allows an extension of time to pay real property taxes for all residents receiving the Enhanced STAR exemption pursuant to Section 425; and

WHEREAS, there is a lapse of time between receipt of Social Security checks and the deadline for payment of taxes on May 31; and

WHEREAS, the law allows for an extension of time of up to five business days without penalty or interest; and

WHEREAS, Receiver of Taxes Maryann Wowak Heilbrunn recognizes the need to assist our seniors in the payment of their real property taxes without penalization due to the time lapse between Social Security checks and the May 31 deadline;

THEREFORE, the payment of real property taxes for Enhanced STAR recipients receiving an exemption pursuant to 425 of the New York State Real Property Tax Law is hereby extended to June 5, 2010, and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead authorizes the Town Clerk to forward a copy of this resolution to Maryann Wowak Heilbrunn, Receiver of Taxes, and

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

THE VOTE

Wooten <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Dunleavy <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Blass <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Gabrielsen <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Cardinale <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
The Resolution Was <input checked="" type="checkbox"/> Was Not <input type="checkbox"/>	
Thereupon Duly Declared Adopted	

11/17/09

Adopted

TOWN OF RIVERHEAD

Resolution # 1040

**AUTHORIZES SUPERVISOR TO RELEASE PETTY CASH MONIES TO
RECEIVER OF TAXES**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

RESOLVED, that the Supervisor be and is hereby authorized to release \$200.00 to the Receiver of Taxes from the Petty Cash Fund Account established for Petty Cash Fund purposes for the Office of Receiver of Taxes, pursuant to Section 64-1 of Town Law, and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead authorizes the Town Clerk to forward a copy of this resolution to Maryann Wowak Heilbrunn, Receiver of Taxes, and

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

THE VOTE

Wooten Yes No Dunleavy Yes No
Blass Yes No Gabrielsen Yes No
Cardinale Yes No
The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 1041

APPOINTS MEMBER TO THE TOWN OF RIVERHEAD INDUSTRIAL DEVELOPMENT AGENCY

Councilman Gabrielsen Offered the following resolution,

which was seconded by Councilwoman Blass

WHEREAS, established in 1980 by an act of the State of New York, and requested by the Riverhead Town Board, the Riverhead Industrial Development Agency (RIDA) is a public benefit corporation; and

WHEREAS, the Town Board has agreed on the individual it wishes to appoint to the Riverhead Industrial Development Agency; and

WHEREAS, there exists one vacant position on the Riverhead Industrial Development Agency;

NOW THEREFORE BE IT RESOLVED, the Town Board hereby appoints Ron Hariri to fill the vacant position on the Town of Riverhead Industrial Development Agency effective November 18, 2009, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Ron Hariri, the members of the Industrial Development Agency, the office of the Town Attorney, and the Office of Accounting, and that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No

Gabrielsen Yes No

Cardinale Yes No

The Resolution Was Was Not

Thereupon Duly Declared Tabled

TOWN OF RIVERHEAD

Resolution # 1042

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE FOR A LOCAL LAW TO CONSIDER AMENDMENTS TO CHAPTER 108 OF THE CODE OF THE TOWN OF RIVERHEAD ENTITLED "ZONING" (108-56(F)(7) Political Signs)

Councilwoman Blass offered the following resolution,

which was seconded by Councilman Dunleavy

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached public notice once in the November 25, 2009 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law amending Chapter 108 of the Riverhead Town Code entitled "Zoning", Article XIII of the Riverhead Town Code entitled "Supplementary Use Regulations", §108-56 of the Riverhead Town Code entitled "Signs", to be posted on the sign board of the Town, and be it further

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

THE VOTE

Wooten Yes No Dunleavy Yes No
Blass Yes No Gabrielsen Yes No
Cardinale Yes No
The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 15th day of December, 2009 at 7:05 o'clock p.m. to consider a local law amending Chapter 108 of the Riverhead Town Code entitled "Zoning", Article XIII of the Riverhead Town Code entitled "Supplementary Use Regulations" §108-56 of the Riverhead Town Code entitled "Signs", as follows:

CHAPTER 108
ZONING
ARTICLE XIII
Supplementary Use Regulations

§108-56. Signs.

F. Signs not requiring permits. The following types of signs are exempted from permit requirements but must conform with all other requirements of this chapter:

(7) Political signs and posters subject to the following criteria:

- (a) Such sign(s) shall not exceed ~~be limited to a maximum area of~~ 32 square feet in area.
- (b) The candidate must obtain ~~Written~~ permission of the owner of any land used for political signs which must be obtained prior to the erection of the sign.
- (c) ~~No political sign may be erected or maintained on or in a public right-of-way or upon utility poles.~~ Such sign(s) may not be erected or maintained on or in a public right-of-way or upon utility poles.
- (d) All such signs shall be removed within two weeks subsequent to the date of public election or within 60 days of the issuance of the permit for said signs.
- (e) ~~Prior to displaying any political sign, a bond in the sum of \$200 per candidate must be posted with the Town Clerk. Said bond shall guarantee compliance with the provisions of this subsection.~~
Candidates seeking to display any political sign(a) shall post a bond, check or such other equivalent security with the Building Department Administrator in the amount of \$200.00 per candidate. A sign(s) displaying the name of more than one candidate shall require an additional \$200.00 fee. This security shall guarantee compliance with the provisions of this Section regarding removal of signs set forth in Subdivision (d) above.

(f) The existence of political signs in violation of 108-56(F)(d) shall act to forfeit the aforementioned bond and to allow the Town to remove said signs.

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

Dated: Riverhead, New York
November 17, 2009

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 1043

ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED "ZONING" OF THE RIVERHEAD TOWN CODE (§108-56(E)(7) Temporary Special Event Signs)

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

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 108 entitled "Zoning", Article XIII entitled "Supplemental Use Regulations", §108-56 entitled "Signs", of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 15th day of September, 2009 at 7:30 o'clock p.m. at the Wading River Congregational Church, North Wading River Road, Wading River, 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 108 entitled "Zoning", Article XIII entitled "Supplemental Use Regulations", §108-56 entitled "Signs" 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 E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Wooten Yes No Dunleavy Yes No
Blass Yes No Gabrielsen Yes No
Cardinale Yes No
The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled "Zoning", Article XIII entitled "Supplemental Use Regulations", §108-56 entitled "Signs", of the Riverhead Town Code at its regular meeting held on November 17, 2009. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

CHAPTER 108
ZONING
ARTICLE XIII
Supplemental Use Regulations

§108-56. Signs.

E. Additional sign types requiring a permit.

(7) Temporary special event signs. One temporary special event sign may be permitted at the location of the special event and no more than two additional temporary special event signs may be permitted at locations other than the event site and shall be posted no more than ~~seven~~ fourteen days prior to the event, provided that such sign:

(a) Conditions.

- [1] Shall not be erected prior to the approval of the special event permit by the Town Board pursuant to Chapter 90.
- [2] Shall be constructed of light material such as cloth, canvas, fabric, plywood or designed such that the sign is not required to be affixed to real property and readily removable.
- [23] Shall not exceed 50 square feet in area.
- [34] Shall not be posted more than 15 feet above the average level of the ground surrounding the sign.
- [45] Shall not be placed within a public right-of-way or create a potential danger to vehicular traffic.
- [6] May be double-sided.
- [7] Shall have received a sign permit application.
- [8] Shall be removed within five days after the event.

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

Dated: Riverhead, New York
November 17, 2009

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

DIANE M. WILHELM, Town Clerk

11/17/2009

Tabled

TOWN OF RIVERHEAD

Resolution # 1044

ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED "ZONING" OF THE RIVERHEAD TOWN CODE (§108-3 Definitions-Building Trade Shop)

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

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 108 entitled "Zoning" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 4th day of November, 2009 at 2:25 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 108 entitled "Zoning", 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 E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

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

The Resolution Was Was Not

Thereupon Duly Declared Tabled

*12/01.09 Councilman Jim Wooten offered to UNTABLE the resolution, Councilman George Gabrielsen seconded the resolution, THE VOTE: Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Blass, yes; Cardinale, yes. The resolution was UNTABLED

Councilman Wooten offered the resolution for ADOPTION, Councilman Gabrielsen seconded the resolution, THE VOTE: Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Blass, yes; Cardinale, yes. The resolution was 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 108 entitled "Zoning" of the Riverhead Town Code at its regular meeting held on November 17, 2009. Be it enacted by the Town Board of the Town of Riverhead as follows:

**CHAPTER 108
ZONING**

§ 108-3. Definitions; word usage.

B. For the purpose of this chapter, certain terms and words are herewith defined as follows:

~~BUILDING TRADE SHOP~~ — ~~A building housing construction operations, including carpentry, electrical, plumbing, HVAC, roofing, painting, landscaping and similar trades. Any accessory outdoor storage must be completely screened.~~

BUILDING TRADE SHOP — A building or part thereof, which may include office space, storage and preparation space for use by the practitioner of a building trade such as a builder, carpenter, cabinetmaker, electrician, mason, painter, paperhanger, plumber, roofer or sign painter and such other trades primarily concerned with the construction and finishing of buildings.

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

Dated: Riverhead, New York
November 17, 2009

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

DIANE M. WILHELM, Town Clerk

11/17/2009

Adopted

TOWN OF RIVERHEAD

Resolution # 1045

**ADOPTS A LOCAL LAW AMENDING CHAPTER 62 ENTITLED
"EXCAVATIONS" OF THE RIVERHEAD TOWN CODE**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Blass

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 62 entitled "Excavations" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 4th day of November, 2009 at 2:20 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 62 entitled "Excavations", 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 E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Wooten	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Dunleavy	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Gabrielsen	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

The Resolution Was Was Not
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 62 entitled "Excavations" of the Riverhead Town Code at its regular meeting held on November 17, 2009. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**CHAPTER 62
EXCAVATIONS**

§ 62-5 4. Application for permit.

~~A. Before any excavation, exportation or importation is commenced for any purpose other than those exempted in § 62-4 of this chapter, the owner, lessee or agent of the premises shall obtain a written permit therefor from the Town Board of the Town of Riverhead. For that purpose, such owner, lessee or agent shall file with the Building Inspector of the Town of Riverhead a verified application, in duplicate, for such permit, containing a detailed statement of the proposed work, together with a plan prepared by a duly licensed engineer or land surveyor of the State of New York, setting forth in detail or including the following information:~~

The owner, lessee or agent of the premises shall obtain a Chapter 62 Permit or Certificate of Exemption prior to the excavation, exportation or importation of material as defined in Chapter 62. The owner, lessee or agent of the premises shall obtain a Chapter 62 Permit or Certificate of Exemption pursuant to §62-5 of this Chapter from the Town Board of the Town of Riverhead. Note: a Permit or Certificate of Exemption shall not entitle applicant to clear or grade without obtaining approvals required under §108-129(B) and (D) and/or Chapter 63. For that purpose, such owner, lessee or agent shall file with the Building Department of the Town of Riverhead a verified application, in duplicate, for such permit or request for exemption containing a detailed statement of the proposed work, together with a plan prepared by a duly licensed engineer or land surveyor of the State of New York or a plot plan reviewed and approved by Natural Resources Conservation Service or Suffolk County Soil and Water Conservation for agricultural production as defined in §108-3 or such other activities that may qualify for Certificate of Exemption, setting forth in detail or including the following information:

§ 62-4 5. Exempt premises.

~~The following uses and operations by an owner or lessee of premises or by his agent are hereby exempt from the application of this chapter:~~

- ~~A. Importation, excavation or exportation of material as defined in this chapter when such importation, excavation or exportation is made for the purpose of farming.~~
- ~~B. Excavation by dredging operations within existing navigable waters.~~
- ~~C. Importation, excavation or exportation of material as defined in this chapter when such importation, excavation or exportation is necessary for the construction of a single family residence.~~
- ~~D. Excavation or exportation of material as defined in this chapter for soil borings~~

A. The following uses and operations by an owner or lessee of premises or by his agent qualify for an exemption from the provisions of this chapter such that applicant may obtain a Certificate of Exemption from the Town Board:

(1) An applicant may qualify for a Certificate of Exemption for excavation by dredging operations within existing navigable waters upon demonstration of approval by appropriate town, county, state or federal agencies or departments.

(2) An owner or lessee engaged in agricultural production, as defined in Article 25AA of the Agriculture and Markets Law and §108-3 of the Town Code, on lands which qualify for an agricultural assessment, pursuant to Article 25AA of the Agriculture and Markets Law, seeking to remove soil or import material related to or incidental to the harvesting of crops or such other agricultural production shall be exempt from Chapter 62. An applicant may qualify for a Certificate of Exemption for importation or excavation of material as defined in this chapter provided that such importation or excavation is necessary for the purpose of establishing an agricultural operation as defined in 108-3. As provisions set forth in Chapter 108 and Chapter 44 of the Town Code make clear that preservation of prime agricultural soils is an important goal of the Town of Riverhead and removal of soils may threaten the long term agricultural viability of the land, the exportation of material will not be eligible for a Certificate of Exemption.

B. The following uses and operations by an owner or lessee of premises or by his agent qualify for an exemption from the provisions of this chapter such that applicant may obtain a Certificate of Exemption from the Building Administrator:

(1) An applicant may qualify for a Certificate of Exemption for importation, excavation or exportation of material as defined in this chapter when such importation, excavation or exportation is necessary for the construction of a single family residence and accessory uses related to single family residence subject to applicant obtaining permit approval pursuant to Chapter 52 from the Building Department for such residence or accessory uses, upon submission of a copy of the building permit and survey indicating the amount of material imported, excavated or exported required for said construction.

(2) An applicant may qualify for a Certificate of Exemption for the excavation or exportation of material as defined in this chapter for soil borings provided that the material excavated or exported is limited to the amount required to obtain the boring sample.

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

Dated: Riverhead, New York
November 17, 2009

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution #1046

**ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED
"ZONING" OF THE RIVERHEAD TOWN CODE
(§108-298A Permitted Uses)**

Councilwoman Blass offered the following resolution,

which was seconded by Councilman Dunleavy

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 108 entitled "Zoning" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 4th day of November, 2009 at 2:30 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 108 entitled "Zoning", 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 E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled "Zoning" of the Riverhead Town Code at its regular meeting held on November 17, 2009. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**CHAPTER 108
ZONING
ARTICLE LVI
Downtown Center 1: Main Street (DC-1) Zoning Use District**

§ 108-298. Uses

A. Permitted uses:

(12) ~~Residential units on upper floors with a minimum unit size of 650 square feet.~~

Residential units on upper floors subject to the following conditions:

(a) Studio apartments or efficiency units consisting of not more than one habitable room together with kitchen or kitchenette and sanitary facilities shall have a minimum of 300 square feet and maximum of 450 square feet.

(b) Except as set forth in 12 (a) above, the dwelling unit may contain one kitchen, one dining room, one living room, one or two bathrooms and up to two bedrooms. Rooms designated as dens, libraries, studios, family rooms, bonus rooms, computer rooms, or any similarly named room, shall be deemed to be additional bedrooms, unless the room is designed such that the dimensions are less than 70 square feet or as part of an open floor plan design.

(c) The application for site plan approval must include all floor plans which demonstrate compliance with provision (12) (a) and (b) above.

*Note: Subsequent to the date of enactment of this article, upon the issuance of certificates of occupancy for 500 residential units, such residential units as set forth in §108-298(A)~~(13)~~ (12)

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

Dated: Riverhead, New York
November 17, 2009

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

DIANE M. WILHELM, Town Clerk

11/17/2009

Adopted

TOWN OF RIVERHEAD

Resolution #1047

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 52 ENTITLED "BUILDING CONSTRUCTION" OF THE RIVERHEAD TOWN CODE
(§52-14. Certificate of occupancy required)

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached public notice once in the November 19, 2009 issue of the News-Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law amending Chapter 52 entitled "Building Construction" of the Riverhead Town Code to be posted on the sign board of the Town; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 1st day of December, 2009 at 2:15 o'clock p.m. to consider a local law amending Chapter 52 entitled "Building Construction" of the Riverhead Town Code as follows:

**CHAPTER 52
BUILDING CONSTRUCTION
ARTICLE I, Administration and Enforcement**

§52-14. Certificate of occupancy required.

A. No building hereafter erected shall be used or occupied in whole or in part until a certificate of occupancy or temporary certificate of occupancy as set forth in §108-74 D shall have been issued by the Building Inspector in addition to any which may be required under Zoning Ordinance No. 26 of the Town of Riverhead.

B. No building hereafter enlarged, extended or altered or upon which work has been performed which required the issuance of a building permit shall continue to be occupied or used for more than 30 days after the completion of the alteration or work unless a certificate of occupancy or temporary certificate of occupancy as set forth in §108-74 D shall have been issued by the Building Inspector in addition to any which may be required under the Zoning Ordinance No. 26 of the Town of Riverhead.

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

Dated: Riverhead, New York
November 17, 2009

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, Town Clerk

11/17/2009

Adopted

TOWN OF RIVERHEAD

Resolution #1048

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE
TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED
“ZONING” OF THE RIVERHEAD TOWN CODE
(Article XVII Administration, §108-74 Certificate of Occupancy**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached public notice once in the November 19, 2009 issue of the News-Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law amending Chapter 108 entitled “Zoning” of the Riverhead Town Code to be posted on the sign board of the Town; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 1st day of December, 2009 at 2:20 o'clock p.m. to consider a local law amending Chapter 108 entitled "Zoning" of the Riverhead Town Code as follows:

**CHAPTER 108
ZONING
ARTICLE XVII, Administration**

§ 108-74. Certificate of occupancy.

D. Certificate of occupancy. In case of undue hardship, the Building and Zoning Department official may issue a temporary certificate of occupancy valid for a period ~~not to exceed~~ of six months for any building, structure or use, ~~provided that he shall find that:~~ The Building and Zoning Department official may extend the temporary certificate of occupancy for no more than two successive six month periods. The Town Board may issue an extension of the temporary certificate of occupancy beyond eighteen months if the applicant is able to satisfy the criteria set forth below and proof that the unavoidable delay set forth in provision (2) below is related to or caused by local or regional public improvements.

- (1) Such building or structure is in itself in conformance with the New York State Uniform Fire Prevention and Building Code and all other applicable ordinances or regulations.
- (2) All site development requirements are essentially completed but that, due to unavoidable delays, they cannot be entirely completed as required in a reasonable time.
- (3) On investigation, the Building and Zoning Department official shall approve of such temporary certificate of occupancy.
- (4) A cash deposit in escrow in an amount established by the Building and Zoning Department official shall be provided to insure satisfactory completion of all required improvements within a period of six months or such other extension of time granted by the Building and Zoning Department official. Failure to comply with this time limitation shall render such escrow in default, and the Town may utilize the deposited money in the Town of Riverhead Town account set up for this purpose. The actual work completing the improvements may be performed by one of the Town's departments or a private contractor selected by public bid.

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

Dated: Riverhead, New York
November 17, 2009

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Resolution # 1049

**AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS,
OCCUPANTS AND MORTGAGEE OF THE PROPERTY LOCATED AT
608 ELTON STREET, RIVERHEAD, NEW YORK**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Blass

WHEREAS, the Town Board has determined that the property located at 608 Elton Street, Riverhead, New York, is being used and occupied in violation of various sections of the Code of the Town of Riverhead;

NOW, THEREFORE, BE IT RESOLVED, that the within Resolution authorizes legal action against the owners, tenants, occupants and mortgagee of the property located at 608 Elton Street, Riverhead, New York; and be it further

RESOLVED that Dawn C. Thomas, Town Attorney for the Town of Riverhead is authorized to institute legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the property located at 608 Elton Street, Riverhead, New York, in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property; and be it further

RESOLVED, that it is left to the discretion of Dawn C. Thomas, Town Attorney for the Town of Riverhead as whether said cause of action should seek monetary and/or punitive damages against the owners, tenants, occupants and/or mortgagee of said property for their illegal use, occupancy and maintenance of said property; and be it further

RESOLVED that it is left to the discretion of Dawn C. Thomas, Town Attorney for the Town of Riverhead, to settle any legal action that is instituted against the owners, tenants, occupants and mortgagee of the above property on behalf of 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 E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 1050

RATIFIES THE APPOINTMENT OF A RECREATION LEADER

Councilwoman Blass offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, a Recreation Leader is needed by the Riverhead Town Recreation Department for various Recreation programs and activities,

NOW THEREFORE BE IT RESOLVED, that effective November 2nd, 2009, this Town Board hereby appoints Daniel Vallance to the position of Recreation Leader, Level III at the hourly rate of \$13.60; and be it further

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

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No

Gabrielsen Yes No

Cardinale Yes No

The Resolution Was Was Not

Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 1051**AUTHORIZES TOWN CLERK TO PUBLISH AND POST THE ATTACHED NOTICE TO BIDDERS FOR GRANGEBEL PARK IMPROVEMENT PROJECT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the November 25, 2009 issue of the official Town newspaper for the Grangebél Park Improvement Project, Riverhead, New York; and

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

THE VOTE

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

The Resolution Was Was Not
 Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed proposals for the Grangebél Park Improvement Project will be received by the Town of Riverhead at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until 11:00 am on December 18, 2009 at which time they will be publicly opened and read aloud.

The bidder is advised that this project is a federally funded project. The contract documents contain questionnaires, forms, and other procedures that must be followed during the bidding and construction phases of the project. The bidder's attention is directed to appendices 12 and 13 for additional contract requirements due to the use of federal aid on this project. The bidder is also advised that there is a Disadvantaged Business Enterprise Utilization Goal of 8% that has been established for this project. The bidder's attention is directed to Appendix 12 regarding contract requirements for meeting this goal.

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

There will be a mandatory pre-bid conference at Grangebél Park scheduled for December 14, 2009 at 9:00 am. Bidders not attending the pre-bid conference will not be considered.

Proposals will be considered only from bidders who, for themselves or for intended and stated subcontractors, can show recent experience in the performance of similar work of equal difficulty and magnitude.

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

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

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

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

Dated: November 17, 2009

TOWN OF RIVERHEAD

Resolution # 1052APPROVES SITE PLAN OF METRO TERMINALS OF LONG ISLAND, LLC

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, a site plan was submitted by Metro Terminals of Long Island, LLC, for a facility to be used for fuel storage, fuel loading/unloading, truck repairs, and related offices including use of two existing 500,000 gallon tanks to hold diesel fuel and #2 fuel oil and construction as phase I of a 4,800 sq. ft. fuel loading canopy, an overhead pipe rack, four 18,000 gallon tanks of 10 ft. diameter and 32 ft. high to hold vegetable oil/biodiesel B100, a 10 ft. by 108 ft. containment dike of 2.7 ft. high, a 4,000 gallon fireguard tank of 6 ft. diameter and 24 ft. 6 in. long to hold diesel fuel, and a 2.7 ft. high containment dike for the 4,000 gallon tank of 11 ft. 4 in. by 32 ft., and related improvements including parking, landscaping, drainage, fencing, etc. and construction as phase II of two 500,000 gallon tanks of 46 ft. 6 in. diameter and 40 ft. high to hold vegetable oil/biodiesel B100, two dikes of 80 ft. diameter and 16 ft. high, four 18,000 gallon tanks of 10 ft. diameter and 32 ft. high to hold vegetable oil/biodiesel B100, an extension of the overhead pipe rack, and additional fencing upon real property located on the west side of Scott Ave. in Calverton, New York, known and designated as Suffolk County Tax Map Number 0600-135.2-1-2 and 0600-135.2-1-8.2; and

WHEREAS, the Planning Department has reviewed the three-page site plan prepared by Michael Mapes, P. E., last revised October 26, 2009, and plans for the fueling canopy prepared by G. Chad Smith, P. E., dated December 2, 2008 and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved with conditions;

WHEREAS, the Town Board has carefully considered the merits of the site plan application, the SEQRA record to date, the report of the Planning Department, as well as all other relevant Planning, Zoning and Environmental information; and

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received by the Office of the Financial Administrator of the Town of Riverhead as per receipt nos. I 35402 and J 13804; and

WHEREAS, the Town Board has reviewed the site plan aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the site plan application of Metro Terminals of Long Island, LLC the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be an Unlisted Action pursuant to 6NYCRR

Part 617 without significant impact and that an Environmental Impact Statement need not be prepared.

WHEREAS, the Suffolk County Planning Commission reviewed the project on February 4, 2009 and after due study and deliberation has resolved to approve it subject to the following conditions:

1. In accordance with Commission policy on development of sites within a Suffolk County Pine Barrens zone a minimum of 35% of the naturally occurring vegetation shall remain undisturbed.

The location of the terminal facility in relation to the adjacent PRP raises safety concerns for any future uses of the adjacent PRP land. It is noted that there is a buffer of 150 ft. deep in an open space area at the western property line. The remaining wooded area of the parcel is not encumbered against clearing and could be lost in the future as a further buffer. This should be set aside in such a way as to increase the buffer potential to adjacent recreationally zoned land to the west.

2. The Suffolk County Department of Health services shall be contacted for compliance with Articles 7 and 12 of the Suffolk County Sanitary Code before any final Town of Riverhead Approval.

As the subject property is located in a "deep recharge" hydrologic zone and there are fresh water wetlands on adjacent properties to the southwest, particular attention to the safe storage and dispensing or hazardous material should be made.

Comment: As development of the PRP land to the west of this subject parcel is considered, compatibility issues with the fuel terminal location should be taken into account by the town.

WHEREAS, the Riverhead Town Board has considered the determination of the Suffolk County Planning Commission and has decided to override item no. 1 in the determination of the Suffolk County Planning Commission by a majority plus one of the Town Board members, based on the following findings: The Town of Riverhead allocated "area to remain natural" to each lot in the Calverton Camelot II subdivision totaling 35% for the entire subdivision. The "area to remain natural" allocated to lot 28 is 138,000 sq. ft. The proposed area to remain natural and undisturbed is 186,436.8 sq. ft. The majority of the 35% includes vegetated area (mostly woodlands); but non-vegetated paths are also included. However, the area to remain natural and undisturbed exceeds that required by 48,436.8 sq. ft. and any unvegetated areas within the area to remain natural and undisturbed will fill in with vegetation over time, since the area will be fenced in and therefore protected from motorized vehicles;

WHEREAS, the Town Board has considered the determination of the Suffolk County Planning Commission and is in agreement with item no. 2 and therefore required that a Permit to Construct a Toxic and/or Hazardous Material Storage Facility be obtained prior to site plan approval and, in addition, has included the following as conditions of the site plan approval:

- I. That no Certificates of Occupancy (temporary or permanent) shall issue for phase I until the Suffolk County Department of Health Services Office

of Pollution Control issues an Interim Permit to Operate and a copy of the valid permit is submitted to the Planning Department of the Town of Riverhead;

2. That no Certificates of Occupancy (temporary or permanent) shall issue for phase II until confirmation from the Suffolk County Department of Health Services Office of Pollution Control that the phase II improvements comply with Articles 7 and 12 of the Suffolk County Sanitary Code;

BE IT FURTHER

RESOLVED, that the Metro Terminals of Long Island, LLC, site plan last revised October 26, 2009, for a facility to be used for fuel storage, fuel loading/unloading, truck repairs, and related offices including use of two existing 500,000 gallon tanks to hold diesel fuel and #2 fuel oil and construction as phase I of a 4,800 sq. ft. fuel loading canopy, an overhead pipe rack, four 18,000 gallon tanks of 10 ft. diameter and 32 ft. high to hold vegetable oil/biodiesel B100, a 10 ft. by 108 ft. containment dike of 2.7 ft. high, a 4,000 gallon fireguard tank of 6 ft. diameter and 24 ft. 6 in. long to hold diesel fuel, and a 2.7 ft. high containment dike for the 4,000 gallon tank of 11 ft. 4 in. by 32 ft., and related improvements including parking, landscaping, drainage, fencing, etc. and construction as phase II of two 500,000 gallon tanks of 46 ft. 6 in. diameter and 40 ft. high to hold vegetable oil/biodiesel B100, two dikes of 80 ft. diameter and 16 ft. high, four 18,000 gallon tanks of 10 ft. diameter and 32 ft. high to hold vegetable oil/biodiesel B100, an extension of the overhead pipe rack, and additional fencing, and the plans for the fueling canopy prepared by G. Chad Smith, P. E., dated December 2, 2008 are hereby approved by the Town Board with the following conditions:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted for the sign permit procedure prior to being installed at the property (the site plan approval does not indicate approval of signage); that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as any restrictions imposed as a condition of the site plan approval granted herein;
4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;

6. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
7. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
8. That all new utilities shall be constructed underground;
9. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
10. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;
11. The applicant must satisfy all requirements of the New York State Building Code;
12. That pursuant to Section 108-133(l) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing or building permit, shall post a letter of credit in an amount equaling one hundred percent (100%) of the site improvement costs as estimated by the Planning Board. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said letter of credit, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The land clearing or building permit shall not be issued until the Town Clerk certifies that the letter of credit has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the clearing or building permit or any renewal thereof;
13. That the applicant shall be required to file and obtain all the necessary site inspections as prescribed in section 108-131E of the **Code of the Town of Riverhead**;
14. That no Building Permits shall issue until the Town Supervisor signs a mylar site plan (including pages 1 and 5 of the fueling canopy plans) which must be submitted and signature shall be conditional upon the following:
 - i. That the mylar site plan includes a Town Board certification box, on each page of the plans, in the format approved by the Planning Department;
 - ii. That all three pages of the mylar site plan are revised to add the missing metes and bounds subtotal (S 11 degrees 17' 00" W 120.28) shown on the survey at the front property line;
 - iii. That three paper site plans matching the mylar are submitted to the Planning Department;
 - iv. That a tank maintenance easement is approved by resolution of the Town Board and a tank maintenance easement declaration to the satisfaction of the Town Attorney, matching the tank easement shown on the page 2 of the site plan, is recorded for this property with the Suffolk County Clerk;

- v. That the following conditions of the conveyance approved by Planning Board resolution #81 dated September 4, 2008, titled Lot Line Modification of Map of Calverton Camelot III, and readopted by Planning Board resolution #84 dated August 6, 2009 shall be met:
 - a. The filing of new deeds acceptable to the Counsel to the Town of Riverhead Planning Board for the reconfigured parcels;
 - b. Proof of service by the Riverhead Water District and Calverton Sewer District, as applicable, and proof of payment of all connection fees and charges;
- vi. That written proof, signed by a fully authorized representative of the New York State Historic Preservation Office (NYSHPO) is submitted, as required in the archeological covenants filed for parcel C-1 (which includes tax map parcel 0600-135.2-1-8.2) of the former Naval Weapons Industrial Reserve Plant, that indicates there is no objection to the disturbance of the ground that has already taken place as part of the project (i.e. trench for water service) and the disturbance of ground that is proposed;
- vii. That certification of clean title to the satisfaction of the Town Attorney is submitted;
- viii. That the applicant shall submit a digital copy of the site plan in a common computer-aided design (CAD) file format, among them DGN, DXF, and DWG, and the digital CAD drawing shall be projected in the NAD 1983 State Plane New York Long island FIPS 3104 (feet) coordinate system.
15. That no fencing will be installed within Town Wetland #1005 or within the 150 ft. Town Wetland jurisdictional area until Metro Terminals of Long Island LLC has applied for and obtained a Town Freshwater Wetlands Permit pursuant to Chapter 107 of the Code of the Town of Riverhead.
16. That Metro Terminals of Long Island, LLC will be responsible for relocating the Town of Riverhead Water District Fence to their western property boundary and for installing fencing to reattach to the remaining Town of Riverhead Water District fencing, as shown on the site plan;
17. That no Certificates of Occupancy (temporary or permanent) shall issue for phase I until the Suffolk County Department of Health Services Office of Pollution Control issues an Interim Permit to Operate and a copy of the valid permit is submitted to the Planning Department of the Town of Riverhead;
18. That no Certificates of Occupancy (temporary or permanent) for phase II shall issue until confirmation from the Suffolk County Department of Health Services Office of Pollution Control that the phase II improvements comply with Articles 7 and 12 of the Suffolk County Sanitary Code;
19. That no Certificates of Occupancy (temporary or permanent) shall issue until the New York State Department of Environmental Conservation issues an operating license for a Major Oil Storage Facility and a copy of the valid license is submitted to the Planning Department of the Town of Riverhead;

20. That in furtherance of section 108-131 E (1) (c), no Certificate of Occupancy shall issue until the applicant submits a signed and sealed "As-Built" survey in accordance to section 108-129 E;

NOW THEREFORE BE IT

RESOLVED, that the Town Clerk be is hereby authorized to forward a certified copy of this resolution to Paul Pullo, Metro Terminals of Long Island, LLC, 500 Kingland Ave., Brooklyn, NY 11222; Edward Miller, Operations Manager, Metro Terminals of Long Island, LLC; 801 Scott Ave., Calverton, NY 11933; Jodi Bennett-Giglio, Bennett Enterprises, LLC, P. O. Box 386, Wading River, NY 11792; Micheal Mapes, P. E., 163 Peninsula Path, Riverhead, NY 11901; and be it

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

Julie O'Neill

From: Karin Gluth [gluth@riverheadli.com]
Sent: Wednesday, November 18, 2009 9:17 AM
To: oneill@riverheadli.com
Subject: Metro resolution w/corrections
Attachments: Metro Draft Resolution.doc

11/17/09

Adopted

TOWN OF RIVERHEAD

Resolution # 1053

**AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS – CALVERTON
SEWER DISTRICT – SANITARY PUMP STATION UPGRADES – GENERAL,
MECHANICAL AND ELECTRICAL – CONTRACT NO. CASD 0504-G**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Blass

WHEREAS, plans and specifications have been prepared by H2M, consulting engineers to the Calverton Sewer District, regarding Sanitary Pump Station Updates – General, Mechanical and Electrical – Contract No. CASD 0504-G.

NOW THEREFORE BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the November 25, 2009 edition of The News Review, with regard to receiving bids for Calverton Sewer District – Sanitary Pump Station Upgrades – General, Mechanical and Electrical – Contract No. CASD 0504-G, and be it further

RESOLVED, that the Town Clerk shall publicly open and read aloud the submitted bids on the date as advertised in the Notice to Bidders, and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

The Town Board of Riverhead will receive bids for the following contract:

CALVERTON SEWER DISTRICT
SANITARY PUMP STATION UPGRADES

GENERAL, MECHANICAL AND ELECTRICAL – CONTRACT NO. CASD 0504-G

for the Calverton Sewer District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, at 11:00 AM prevailing time, on **Thursday, January 7, 2010**, at which time and place the bids will be publicly opened and read.

Plans and specifications may be examined and obtained on or after **Wednesday, November 25, 2009** at the Office of the Town Clerk between the hours of 8:30 A.M. and 4:30 P.M. weekdays, except holidays or by visiting the Town of Riverhead website: www.riverheadli.com and click on "Bid Requests".

Each proposal must be accompanied by a bid bond in the amount of five percent (5%) of the total bid, or a certified check made payable to the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

The right is reserved to reject any or all bids, to waive any informalities, and to accept the lowest responsible bid.

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD
SUFFOLK COUNTY, NEW YORK

ACTING AS THE GOVERNING BODY
OF THE RIVERHEAD SEWER DISTRICT

DIANE WILHELM, TOWN CLERK

11/17/09

Adopted

TOWN OF RIVERHEAD

Resolution # 1054

**AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS –
HOWELL AVENUE PUMP STATION RECONSTRUCTION AND FORCE MAIN
REPLACEMENT**

**GENL. & MECHANICAL CONSTRUCTION – CONTRACT NO. RDSO 0805-G
ELECTRICAL CONSTRUCTION – CONTRACT NO. RDSO 0805-E**

Councilwoman Blass offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, plans and specifications have been prepared by H2M, consulting engineers to the Riverhead Sewer District, regarding Howell Avenue Pump Station Reconstruction and Force Main Replacement – General and Mechanical Construction – Contract No. RDSO 0805-G and Electrical Construction – Contract No. RDSO 0805-E.

NOW THEREFORE BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the November 25, 2009 edition of The News Review, with regard to receiving bids for Howell Avenue Pump Station Reconstruction and Force Main Replacement – General and Mechanical Construction – Contract No. RDSO 0805-G and Electrical Construction – Contract No. RDSO 0805-E, and be it further

RESOLVED, that the Town Clerk shall publicly open and read aloud the submitted bids on the date as advertised in the Notice to Bidders, and be it further

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

THE VOTE

Wooten Yes No Dunleavy Yes No
Blass Yes No Gabrielsen Yes No
Cardinale Yes No
The Resolution Was Was Not
Thereupon Duly Declared Adopted

H2M
NOTICE TO BIDDERS

The Town Board of Riverhead will receive bids for the following contracts:

**HOWELL AVENUE PUMP STATION RECONSTRUCTION
AND FORCE MAIN REPLACEMENT**

GENERAL & MECHANICAL CONSTRUCTION – CONTRACT NO. RDSD 0805-G
ELECTRICAL CONSTRUCTION – CONTRACT NO. RDSD 0805-E

for the Riverhead Sewer District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, at 11:00 AM prevailing time, on **Thursday, January 7, 2010**, at which time and place the bids will be publicly opened and read.

Plans and specifications may be examined and obtained on or after **Wednesday, November 25, 2009** at the Office of the Town Clerk between the hours of 8:30 A.M. and 4:30 P.M. weekdays, except holidays or by visiting the Town of Riverhead website: www.riverheadli.com and click on "Bid Requests".

Each proposal must be accompanied by a bid bond in the amount of five percent (5%) of the total bid, or a certified check made payable to the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

The right is reserved to reject any or all bids, to waive any informalities, and to accept the lowest responsible bid.

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD
SUFFOLK COUNTY, NEW YORK

ACTING AS THE GOVERNING BODY
OF THE RIVERHEAD SEWER DISTRICT

DIANE WILHELM, TOWN CLERK

TOWN OF RIVERHEAD**Resolution # 1055****APPROVES SITE PLAN OF EBS BUILDING SYSTEMS, LLC**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, a site plan was submitted by EBS Building Systems, LLC, to construct as phase I a one-story building of 35,000 sq. ft. for storage use and a building with a 27,300 sq. ft. first floor and a 490 sq. ft. second floor (with 24,890 sq. ft. to be used for manufacturing use and 2,900 sq. ft. for office use) and as phase II a 5,000 sq. ft. building for manufacturing use and related improvements, including paved parking areas, walkways, landscaping, etc. upon real property located on the west side of Scott Ave. in Calverton, New York, known and designated as Suffolk County Tax Map Number 0600-135.10-1-1; and

WHEREAS, the Planning Department has reviewed the 12-page site plan prepared by Jeffrey T. Butler, P. E., last revised October 22, 2009, a lighting proposal prepared by LSI Industries dated October 5, 2009, and 5 pages of building layout plans including elevations prepared by Jeffrey T. Butler, P. E., last revised November 2, 2009, and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved with conditions; and

WHEREAS, the Architectural Review Board recommended approval of the project based on review of elevations plans prepared by Jeffrey T. Butler, P. E., P. C., P. O. Box 634, Shoreham, NY 11786, job no. 090030 dated October 28, 2009 and site plans prepared by Jeffrey T. Butler, P. E., P. C., P. O. Box 634, Shoreham, NY 11786 last revised October 22, 2009; and

WHEREAS, the building elevation plans last revised November 2, 2009 are identical to those dated October 28, 2009 approved by the Architectural Review Board except to add a notation to clarify that the uniform low rib exposed concrete wall panel by Fabcon (tan), shown on two sides, will be typical of all sides; and

WHEREAS, the Town Board has carefully considered the merits of the site plan application, the SEQRA record to date, the report of the Planning Department, as well as all other relevant Planning, Zoning and Environmental information; and

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received as per receipt nos. H 29007 and I 36505 of the Office of the Financial Administrator of the Town of Riverhead and as check no. 1022 dated November 12, 2009 from EBS Building Systems, LLC; and

WHEREAS, the Town Board has reviewed the site plan aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the site plan application of EBS Building Systems, LLC, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be an Unlisted Action pursuant to 6NYCRR Part 617 without significant impact and that an Environmental Impact Statement need not be prepared, and

BE IT FURTHER

RESOLVED, that the 12-page site plan prepared by Jeffrey T. Butler, P. E., last revised October 22, 2009, the lighting proposal prepared by LSI Industries dated October 5, 2009, and 5 pages of building layout plans including elevations prepared by Jeffrey T. Butler, P. E., last revised November 2, 2009 submitted by EBS Building Systems, LLC for the construction of as phase I a one-story building of 35,000 sq. ft. for storage use and a building with a 27,300 sq. ft. first floor and a 490 sq. ft. second floor (with 24,890 sq. ft. to be used for manufacturing use and 2,900 sq. ft. for office use) and as phase II a 5,000 sq. ft. building for manufacturing, and related improvements, including paved parking areas, walkways, landscaping, etc. are hereby approved by the Town Board with the following conditions:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted for the sign permit procedure prior to being installed at the property (the site plan approval does not indicate approval of signage); that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as any restrictions imposed as a condition of the site plan approval granted herein;
4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
7. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any

planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;

8. That all new utilities shall be constructed underground;
9. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
10. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;
11. The applicant must satisfy all requirements of the New York State Building Code;
12. That pursuant to Section 108-133(l) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing or building permit, shall post a letter of credit in an amount equaling one hundred percent (100%) of the site improvement costs as estimated by the Planning Board. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said letter of credit, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The land clearing or building permit shall not be issued until the Town Clerk certifies that the letter of credit has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the clearing or building permit or any renewal thereof;
13. That the applicant shall be required to file and obtain all the necessary site inspections as prescribed in section 108-131E of the **Code of the Town of Riverhead**;
14. That no Foundation or Building Permits shall issue until the Town Supervisor signs a mylar site plan (including the building layout plans with elevations) which must be submitted and signature shall be conditional upon the following:
 - i. That the mylar site plan includes a Town Board certification box, on each page of the plans, in the format approved by the Planning Department;
 - ii. That the mylar shall not exceed the standard D size drawing (24" x 36");
 - iii. That the mylar will be revised so that the water main labeled as inactive on page S-6 will also be labeled as inactive on pages S-1 and S-4;
 - iv. That three paper site plans matching the mylar are submitted to the Planning Department;
 - v. That proof is submitted to the Planning Department that all required Water and Sewer District fees and charges are paid;
 - vi. That certification of clean title to the satisfaction of the Town Attorney is submitted;
 - vii. That the applicant shall submit a digital copy of the site plan in a common computer-aided design (CAD) file format, among them DGN, DXF, and DWG,

and the digital CAD drawing shall be projected in the NAD 1983 State Plane New York Long island FIPS 3104 (feet) coordinate system.

15. That before any Foundation or Building Permits are issued temporary fencing shall be installed at the eastern border of the 58,935 sq. ft. area to remain natural and such fencing will remain in place until the phase I building and pavement improvements are completed;
16. That no clearing will be done within the phase II boundaries until a Foundation or Building Permit for the phase II building (Building C) is issued; and
17. In furtherance of section 108-131 E (1) (c), no Certificate of Occupancy shall issue until the applicant submits a signed and sealed "As-Built" survey in accordance to section 108-129 E;

NOW THEREFORE BE IT

RESOLVED, that the Town Clerk be is hereby authorized to forward a certified copy of this resolution to Mr. William Schmidt, EBS Building Systems, LLC, 1452 Dillon Rd., Ambler, PA 19002 and Jeffrey T. Butler, P. E., 206 Lincoln St., Riverhead, NY 11901; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

11/17/2009

Adopted

TOWN OF RIVERHEAD

Resolution # 1056

**AMENDS RESOLUTION #989-09 WHICH AUTHORIZED THE SUPERVISOR TO
ISSUE A LETTER TO THE SUFFOLK COUNTY DEPARTMENT OF HEALTH
SERVICES ALLOWING THE USE OF A PINE BARRENS CREDIT
ON COMMERCIAL PROPERTY LOCATED IN RIVERHEAD**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

WHEREAS, Pine Barrens credits issued by the Central Pine Barrens Joint Planning and Policy Commission from properties within the Towns of Brookhaven, Riverhead and Southampton may be used interchangeably within the Towns provided that both Towns authorized said uses, and

WHEREAS, Nathan Serota, the managing member of Wading River Commons, LLC (SCTM # 0600-075.00-03.00-003.006) wishes to increase the available sanitary density for said premises using a Pine Barrens credit originating from property located in the Town of Brookhaven, and

WHEREAS, the Town Board was mistakenly advised that the subject receiving parcel SCTM #0600-075.00-03.00-003.007 when the tax lot should have been number SCTM #0600-075.00-03.00-3.006,

WHEREAS, the Town of Brookhaven has authorized said transfer, and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby corrects resolution #989-09, and be it further

RESOLVED that the Supervisor is authorized to issue a letter to the Suffolk County Department of Health Services approving the use of said Brookhaven Pine Barrens credit on premises located in Wading River and known as SCTM 0600-075.000-03.00-003.006, and be it further

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 1057

GENERAL FUND BUDGET ADJUSTMENT

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Blass

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>
001.010100.511500	Personal Services	6,000	
001.010100.542607	Town Board Ordinance Codification		6.000

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

THE VOTE

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

The Resolution Was Was Not
 Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 1058

2009 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT BUDGET ADOPTION

Councilwoman Blass 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>
406.031200.493000.44008	Federal Aid - JAG	71,934	
406.031200.524201.44008	Computers		49.300
406.031200.524214.44008	Radios & Scanners		16.100
406.031200.524900.44008	Miscellaneous Equipment		6,534

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 1059

AMENDS RESOLUTION 529-09

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, pursuant to resolution 529-09, the Town Board authorized the Supervisor to execute a professional services agreement with Convergent Technology Group for computer services, and

WHEREAS, the maximum payment allowable pursuant to the prior agreement was Ten Thousand (\$10,000.00) dollars, and

WHEREAS, additional work totaling Nine Hundred (\$900.00) is required, and

WHEREAS, the Town Board wishes to authorize the additional work,

NOW THEREFORE BE IT RESOLVED, that the Supervisor is authorized to execute an addendum to the Convergent Technology Group professional services agreement allowing an additional total of Nine Hundred (\$900.00) dollars making the total payment allowable to Convergent Technology (\$10,900.00) dollars, and be it further

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

THE VOTE

Wooten <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Dunleavy <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Blass <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Gabrielsen <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Cardinale <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The Resolution Was Was Not
Thereupon Duly Declared Adopted

ADDENDUM TO PROFESSIONAL SERVICES AGREEMENT
between
Convergent Technology Group
and
Town of Riverhead

WHEREAS, pursuant to resolution 529-09, the Town Board authorized the Supervisor to execute a professional services agreement with Convergent Technology Group for computer services, and

WHEREAS, the aforementioned agreement was executed by the parties,

WHEREAS, the maximum payment allowable pursuant to the prior agreement was Ten Thousand (\$10,000.00) dollars, and

WHEREAS, additional work totaling Nine Hundred (\$900.00) is required, and

WHEREAS, the Town Board wishes to authorize the additional work,

NOW THEREFORE BE IT AGREED AS FOLLOWS:

1. Convergent Technology is authorized to complete the work pursuant to the professional services agreement executed by the parties June 1, 2009 pursuant to Town Board resolution 529-09.
2. The maximum amount payable to Convergent Technology Group pursuant to the professional services agreement shall be increased by \$900.00 to \$10,900.00.
3. Each and every provision of the original professional services agreement shall remain in full force and effect.

Town of Riverhead

Convergent Technology Group

Philip J. Cardinale, Supervisor

TOWN OF RIVERHEAD

Resolution # 1060

GENERAL FUND Building Department 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>
001.016200.542500	Supplies and Service	4,000	
001.016250.541305	Parking Lots – Repair & Maintenance	2,600	
001.036200.523000	Improvements other than Buildings		6,600

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 1061

REAPPOINTS TEMPORARY STUDENT INTERNS

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the need for temporary Student Interns exists in the Accounting Department, and

WHEREAS, the recommendation of the Financial Administrator and the Personnel Officer has been received,

NOW THEREFORE BE IT RESOLVED, that effective December 21, 2009 through January 22, 2010 William Torre and Justin Blass are hereby reappointed to the position of temporary Student Intern II at no change in hourly rate, and be it further

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

THE VOTE

Wooten Yes No Dunleavy Yes No

Blass Yes No Gabrielsen Yes No

Cardinale Yes No

The Resolution Was Was Not

Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 1062

APPOINTS A CALL-IN DETENTION ATTENDENT

Councilwoman Blass offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, a vacancy exists for the position of a call-in Detention Attendant in the Riverhead Town Police Department; and

WHEREAS, pending the results of a successful background check, a recommendation of a suitable candidate has been made by the Chief of Police and the Personnel Officer,

NOW, THEREFORE , BE IT RESOLVED, that effective November 18, 2009, this Town Board hereby appoints Philip Hattorff to the position of call-in Detention Attendant at the hourly rate of \$11.20; and be it further

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

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No

Gabrielsen Yes No

Cardinale Yes No

The Resolution Was Was Not

Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 1063

TERMINATES THE EMPLOYMENT OF A CONTINGENT EMPLOYEE

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, Louise Hall has been serving as a six month contingent replacement for an employee who has been granted a leave of absence,

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby terminates the contingent appointment of Louise Hall effective with the close of business November 25, 2009, and be it further

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

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No

Gabrielsen Yes No

Cardinale Yes No

The Resolution Was Was Not

Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 1064

APPOINTS A CALL-IN RECREATION AIDE TO THE RIVERHEAD TOWN RECREATION DEPARTMENT

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

RESOLVED, that this Town Board hereby appoints Jimmy Bridgewater to serve as a call-in Recreation Aide effective November 20, 2009, to serve as needed on an at will basis, and to be paid the rate of \$8.75 per hour, and to serve at the pleasure of the Town Board,

NOW, THEREFORE, BE IT RESOLVED, that this position is subject to the following condition(s):

All applications and appropriate forms are to be completed (in the Office of Personnel) **PRIOR** to start date, and be it further

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

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No

Gabrielsen Yes No

Cardinale Yes No

The Resolution Was Was Not

Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 1065

ACCEPTS THE RETIREMENT OF A HIGHWAY MAINTENANCE CREW LEADER

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Blass

WHEREAS, the Town has received a letter from the New York State and Local Retirement System approving the retirement application of Myron Young effective November 12, 2009,

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the retirement of Myron Young, and be it further

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

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No

Gabrielsen Yes No

Cardinale Yes No

The Resolution Was Was Not

Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 1066

ACCEPTS THE RESIGNATION OF AN AUTOMOTIVE MECHANIC V

Councilwoman Blass offered the following resolution,

which was seconded by Councilman Dunleavy

WHEREAS, the Town has received a letter from James Bugdin, an Automotive Mechanic V in the Riverhead Town Municipal Garage, indicating his intent to resign effective November 18, 2009,

NOW THEREFORE BE IT RESOLVED, that this Town Board hereby accepts the resignation of James Bugdin, and be it further

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

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No

Gabrielsen Yes No

Cardinale Yes No

The Resolution Was Was Not

Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 1067

AWARDS BID ON PRECAST CONCRETE DRAINAGE RINGS AND ASSOCIATED ITEMS

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the Town Clerk was authorized to advertise for sealed bids on Precast Concrete Drainage Rings and Associated Items for the use of the Riverhead Highway Department, and

WHEREAS, all bids were received and read aloud on the 9th of November at 11:00 A.M. at the Town Hall, 200 Howell Avenue, Riverhead, New York the date, time and place given in the Notice to Bidders, and

WHEREAS, two bids were received,

NOW THEREFORE BE IT

RESOLVED, that the bid for Precast Concrete Drainage Rings and Associated Items be and is hereby awarded to Suffolk Cement Precast, Inc., PO Box 261, 1831 Middle Road, Calverton, New York 11933, and

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

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 1068

HIGHWAY FUND 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>
111.051100.545200	Equipment Rental	30,000	
111.051400.543502	Engineering	5,000	
111.051300.541400	Equipment Repair		35,000

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

THE VOTE

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

The Resolution Was Was Not
 Thereupon Duly Declared Adopted

Adopted

RESOLUTION # 1069 ABSTRACT #09-45 November 12, 2009 (TBM 11/17/09)				
Councilman Gabrielsen offered the following Resolution which was seconded by Councilwoman Blass.				
FUND NAME			11/17/09 CHECKRUN	GRAND TOTALS
GENERAL FUND	1		52,116.60	52,116.60
RECREATION PROGRAM FUND	6		3,945.55	3,945.55
CHILD CARE CENTER BUILDING FUN	9		561.80	561.80
ECONOMIC DEVELOPMENT ZONE FUND	30		7.77	7.77
HIGHWAY FUND	111		48,316.58	48,316.58
WATER DISTRICT	112		175,711.30	175,711.30
RIVERHEAD SEWER DISTRICT	114		97,360.46	97,360.46
REFUSE & GARBAGE COLLECTION DI	115		318.94	318.94
STREET LIGHTING DISTRICT	116		158,241.99	158,241.99
BUSINESS IMPROVEMENT DISTRICT	118		0.22	0.22
AMBULANCE DISTRICT	120		12,834.30	12,834.30
EAST CREEK DOCKING FACILITY FU	122		347.65	347.65
CALVERTON SEWER DISTRICT	124		30.16	30.16
RIVERHEAD SCAVANGER WASTE DIST	128		63,233.96	63,233.96
WORKERS' COMPENSATION FUND	173		7,852.44	7,852.44
RISK RETENTION FUND	175		1,961.78	1,961.78
PUBLIC PARKING DEBT SERVICE	381		17,301.04	17,301.04
GENERAL FUND DEBT SERVICE	384		1,804,239.06	1,804,239.06
TOWN HALL CAPITAL PROJECTS	406		2,257.61	2,257.61
TRUST & AGENCY	735		500.00	500.00
TOTAL ALL FUNDS			2,447,139.21	2,447,139.21

Gabrielsen
 THE VOTE
 Buckley yes no Wooten yes no
 Dunleavy yes no Blass yes no
 Cardinale yes no
 THE RESOLUTION WAS WAS NOT
 THEREFORE DULY ADOPTED

Adopted

RESOLUTION # 1069 ABSTRACT #09-44 November 05, 2009 (TBM 11/17/09)				
Councilman Gabrielsen offered the following Resolution which was seconded by Councilwoman Blass.				
FUND NAME			11/05/09 CHECKRUN	GRAND TOTALS
GENERAL FUND	1		818,096.60	818,096.60
RECREATION PROGRAM FUND	6		14,051.21	14,051.21
ECONOMIC DEVELOPMENT ZONE FUND	30		3,203.13	3,203.13
MULTI YEAR OPERATING GRANT FUN	99		867.00	867.00
HIGHWAY FUND	111		173,488.61	173,488.61
WATER DISTRICT	112		44,261.81	44,261.81
RIVERHEAD SEWER DISTRICT	114		65,372.08	65,372.08
REFUSE & GARBAGE COLLECTION DI	115		31,966.64	31,966.64
STREET LIGHTING DISTRICT	116		5,927.34	5,927.34
PUBLIC PARKING DISTRICT	117		30,756.21	30,756.21
AMBULANCE DISTRICT	120		49.40	49.40
EAST CREEK DOCKING FACILITY FU	122		500.00	500.00
CALVERTON SEWER DISTRICT	124		1,642.72	1,642.72
RIVERHEAD SCAVANGER WASTE DIST	128		28,015.47	28,015.47
WORKERS' COMPENSATION FUND	173		13,989.91	13,989.91
CDBG CONSORTIUM ACOUNT	181		631.15	631.15
TOWN HALL CAPITAL PROJECTS	406		16,862.04	16,862.04
LOCAL ST & HIGHWAY CAP PROJECT	451		110,502.98	110,502.98
MUNICIPAL GARAGE FUND	626		2,600.00	2,600.00
TRUST & AGENCY	735		925,609.94	925,609.94
COMMUNITY PRESERVATION FUND	737		1,715.97	1,715.97
CALVERTON PARK - C.D.A.	914		530.00	530.00
TOTAL ALL FUNDS			2,290,640.21	2,290,640.21

Gabrielsen THE VOTE
 Buckley yes ___ no Wooten yes ___ no
 Dunleavy yes ___ no Blass yes ___ no
 Cardinale yes ___ no
 THE RESOLUTION WAS ___ WAS NOT
 THEREFORE DULY ADOPTED

TOWN OF RIVERHEAD

Resolution # 1070

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST A NOTICE TO BIDDERS FOR A FORWARD LOOKING INFRARED RADAR (FLIR)

Councilwoman Blass offered the following resolution,

which was seconded by Councilman Dunleavy

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the November 25, 2009 issue of the official Town newspaper for the purchase of a Forward Looking Infrared Radar (FLIR) for use by the Riverhead Police Department; and

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

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No

Gabrielsen Yes No

Cardinale Yes No

The resolution was was not
thereupon duly declared adopted.

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed proposals for the purchase of a Forward Looking Infrared Radar (FLIR) for use by the Riverhead Police Department during life-saving operations will be received by the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, 11901, until 11:00 a.m. on December 7, 2009 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and/or obtained on or about November 25, 2009 at the Office of the Town Clerk between the hours of 8:30 a.m. and 4:30 p.m. weekdays, except holidays, or by visiting the Town of Riverhead website www.riverheadli.com and click on Bid Requests.

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

Each proposal must be submitted on the form provided and must be in a sealed envelope clearly marked "FLIR".

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

Dated: November 17, 2009