

**PUBLIC COMMENT ON ANY REGULAR TOWN BOARD
RESOLUTION LISTED BELOW:**

- Res. #941 Bond Resolution Subject to Permissive Referendum, Authorizing the Acquisition of Land and Building Thereon and Reconstruction Thereof, in and for the Town of Riverhead, Suffolk County, New York, at a Maximum Estimated Cost of \$2,620,000, and Authorizing the Issuance of \$2,620,000 Bonds of Said Town to Pay the Cost Thereof
- Res. #942 Ratifies the Appointment of a Recreation Specialist (Baseball Instructor) to the Riverhead Recreation Department (Jason Komorowski)
- Res. #943 Appoints a Site Plan Reviewer to the Planning Department (Theresa Goergen Masin)
- Res. #944 Ratifies the Appointment of a Recreation Aide in the Recreation Department (Michelle Dean)
- Res. #945 Appoints Member to the Recreation Advisory Committee (Victor Prusinowski)
- Res. #946 Establishes a Date and Time for the 9th Annual “Town of Riverhead Bonfire and Holiday Celebration”
- Res. #947 Establishes Times and Dates of Regular Meetings of the Town Board for 2009
- Res. #948 Authorization to Discard Fixed Assets
- Res. #949 Authorizes the Supervisor to Execute a Grant Agreement with FishAmerica Foundation
- Res. #950 Ratifies Publication of Notice to Amend CDBG Program
- Res. #951 Authorizes NYS DOT Safe Routes to Schools Grant Award and Establishes Bank Account
- Res. #952 Authorizes Submission of Main Street Grant Application to the New York State Division of Housing and Community Renewal

- Res. #953 Authorizes AKRF, Inc. to Proceed with Bulk Study of DC-1 Zoning District
- Res. #954 Authorizes Preservation Design Partnership to Proceed with Development of Historic Guidelines
- Res. #955 Awards Bid for Purchase of Cabinetry for East End Arts Council Carriage House
- Res. #956 Authorizing the Naming of a Private Road in Wading River to “Julia’s Way”
- Res. #957 Authorization to Publish Advertisement for Oil, Lubricants and Fluids
- Res. #958 Extends Bid Contract for Milk
- Res. #959 Extends Bid Contract for Police Uniforms
- Res. #960 Extends Bid Contract for Corrosion Control Chemical for the Town of Riverhead
- Res. #961 Authorizes Release of Developer Money Country Trails
- Res. #962 Authorizes Release of Developer Money Gateway East
- Res. #963 Authorizes Release of Developer Money Hounds Gate Development
- Res. #964 Authorizes Release of Developer Money Kelbridge Meadows (Hartill Contracting)
- Res. #965 Accepts 100% Security of New Cingular Wireless PCS, LLC (Performance Bond)
- Res. #966 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled “Zoning”, Article XXXI Entitled “Open Space Conservation District”, of the Riverhead Town Code
- Res. #967 Authorizes the Supervisor to Execute an Agreement with Barist Elevator Company, Inc. to Provide Elevator Maintenance Service at the Riverhead Town George Young Community Center

- Res. #968 Authorizes the Supervisor to Execute an Order of Consent (DEC Violation – Highway Department)
- Res. #969 Authorizes the Publication of a Public Notice for a Combined Public Hearing (Designation of the Peconic River in the Hamlet of Riverhead as “Community River”)
- Res. #970 Adopts a Local Law Repealing §108-51.1 of the Code of the Town of Riverhead Entitled “Handicapped Access Ramps”
- Res. #971 Adopts a Local Law Enacting Chapter 53 of the Code of the Town of Riverhead Entitled “Improvements for People with Disabilities and Seniors”
- Res. #972 Authorizes the Retention of the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP as Special Counsel
- Res. #973 Authorizes the Supervisor to Execute an Agreement Between Town of Riverhead and the Methodist Church of Riverhead Subject to Permissive Referendum
- Res. #974 Approves Plan of Edwin Fishel Tuccio Agricultural Worker Housing Permit to be Issued Pursuant to Section 108-64.4 of the Riverhead Zoning Ordinance
- Res. #975 Adopts a Local Law Amending Chapter 108 Entitled, “Zoning” of the Riverhead Town Code (Industrial A (IA) Zoning Use District - §108-274. Uses)
- Res. #976 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 (§108-95 Subdivision Regulations – General Provisions)
- Res. #977 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 (§108-129 – Site Plan Review)
- Res. #978 Authorizes Town Clerk to Publish and Post a Public Notice to Consider a Local Law to Amend Chapter 110 Entitled “Stormwater Management and Erosion and Sediment Control” of the Riverhead Town Code (§110-2 Definitions)

- Res. #979 Authorizes Town Clerk to Publish and Post a Public Notice to Consider a Local law to Amend Chapter 110 Entitled “Stormwater Management and Erosion and Sediment Control” of the Riverhead Town Code (§110-11 Enforcement and Penalties)
- Res. #980 Authorizes Town Clerk to Publish and Post a Public Notice to Consider a Local Law to Amend Chapter 110 Entitled “Stormwater Management and Erosion and Sediment Control” of the Riverhead Town Code (§110-12 Fees for Services)
- Res. #981 Authorizes Town Clerk to Publish and Post a Public Notice to Consider a Local Law to Amend Chapter 109 Entitled “Storm Sewers” of the Riverhead Town Code (§109-16 Enforcement; Penalties for Offenses)
- Res. #982 Authorizes Amendment to Preliminary Budget for 2009 Funding in Ambulance District
- Res. #983 Authorizes Amendment to the 2009 Preliminary Budget in the General Fund
- Res. #984 Authorizes Amendment to Preliminary Budget for 2009 Funding in the Highway District Equipment Rental
- Res. #985 Authorizes Amendment to Preliminary Budget for 2009 Funding in the Highway District Personal Services
- Res. #986 Authorizes Amendment to Preliminary Budget for 2009 Funding in the Sewer and Scavenger Waste Districts
- Res. #987 Amends Resolution #861 of 2008 (Approves Chapter 90 Application of Peconic Bay Medical Center – Polar Bear Plunge)
- Res. #988 Authorizes the Supervisor/Town Attorney to execute Documents in Connection with Town of Riverhead Workforce Housing Sales
- Res. #989 Authorizes Amendment to Preliminary Budget for 2009 Funding in the Highway District Asphalt
- Res. #990 Approves the Chapter 90 Application of Riverhead Elks Lodge #2044

- Res. #991 Extends Bid Contract for Yard Waste Grinding
- Res. #992 Authorizes Legal Action Against the Owners, Tenants,
Occupants and Mortgagee of the Property Located at 449
Edwards Avenue, Calverton, New York
- Res. #993 Pays Bills

Adopted

160474936.01

43219-2-32

**BOND RESOLUTION
(SUBJECT TO PERMISSIVE REFERENDUM)**

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, on the 5th day of November, 2008, at _____:00 o'clock P.M., Prevailing Time.

The meeting was called to order by _____, and upon roll being called, the following were:

PRESENT:

ABSENT:

The following resolution was offered by COUNCILWOMAN BLASS, who moved its adoption, seconded by COUNCILMAN DUNLEAVY, to-wit:

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

BOND RESOLUTION DATED NOVEMBER 5TH, 2008.

A RESOLUTION, SUBJECT TO PERMISSIVE REFERENDUM, AUTHORIZING THE ACQUISITION OF LAND AND BUILDING THEREON AND RECONSTRUCTION THEREOF, IN AND FOR THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$2,620,000, AND AUTHORIZING THE ISSUANCE OF \$2,620,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act as an Unlisted Action, which has been determined to have no significant effect on the environment, have been performed; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. The acquisition of a parcel of land and the building thereon, known as the Riverhead Building Supply site, at 1295 Pulaski Street for use for various Town department uses, in and for the Town of Riverhead, Suffolk County, New York, including incidental improvements, reconstruction for Town uses, furnishings, equipment, machinery, apparatus and incidental expenses in connection therewith, is hereby authorized, at a maximum estimated cost of \$2,620,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$2,620,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty-five years, pursuant to subdivision 93 based upon subdivisions 11(a)(1), 12(a)(1) and 21(a) each of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized **will exceed five years.**

Section 4. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of

such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the class of objects or purposes described herein.

Section 9. Upon this resolution taking effect, the same shall be published in full or summary form in the *News Review*, which is hereby designated as the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * * * *

CERTIFICATION FORM

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

I, the undersigned Clerk of the Town of Riverhead, in the County of Suffolk, New York (the "Issuer"), DO HEREBY CERTIFY:

- 1) That a meeting of the Issuer was duly called, held and conducted on the ____ day of _____, 2008.
- 2) That such meeting was a special regular (circle one) meeting.
- 3) That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
- 4) That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
- 5) That all members of the Board of the Issuer had due notice of said meeting.
- 6) That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
- 7) That notice of said meeting (the meeting at which the proceeding was adopted) was given PRIOR THERETO in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication)

POSTING (here insert place(s) and date(s) of posting)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this ____ day of _____, 2008.

Town Clerk

(CORPORATE SEAL)

NOTICE OF ADOPTION OF RESOLUTION

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, at a meeting held on the 5th day of November 2008, duly adopted the resolution published herewith **subject to a permissive referendum.**

Dated: Riverhead, New York,
_____, 2008.

Town Clerk

Resolution # _____

BOND RESOLUTION DATED NOVEMBER 5TH, 2008.

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WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act as an Unlisted Action, which has been determined to have no significant effect on the environment, have been performed; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. The acquisition of a parcel of land and the building thereon, known as the Riverhead Building Supply site, at 1295 Pulaski Street for use for various Town department uses, in and for the Town of Riverhead, Suffolk County, New York, including incidental improvements, reconstruction for Town uses, furnishings, equipment, machinery, apparatus and incidental expenses in connection therewith, is hereby authorized, at a maximum estimated cost of \$2,620,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$2,620,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty-five years, pursuant to subdivision 93 based upon subdivisions 11(a)(1), 12(a)(1) and 21(a) each of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized **will exceed five years.**

Section 4. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor

of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies

are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the class of objects or purposes described herein.

Section 9. Upon this resolution taking effect, the same shall be published in full or summary form in the *News Review*, which is hereby designated as the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

11/5/2008

Adopted

TOWN OF RIVERHEAD

Resolution # 942

RATIFIES THE APPOINTMENT OF A RECREATION SPECIALIST
(BASEBALL INSTRUCTOR)
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN DUNLEAVY

offered the following resolution,

which was seconded by COUNCILMAN BUCKLEY

RESOLVED, that Jason Komorowski is appointed to serve as a Recreation Specialist (Baseball Instructor), effective October 16, 2008, to serve as needed on an at will basis and to be paid at the rate of \$20.00 per hour (Level I), and to serve at the pleasure of the Town Board; and

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

All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start date.

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department, Jason Komorowski and the Personnel Department. .

1

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

¹ Recreation: Ray Coyne

November 5, 2008

Adopted

TOWN OF RIVERHEAD

Resolution # 943

APPOINTS A SITE PLAN REVIEWER TO THE PLANNING DEPARTMENT

~~COUNCILMAN BUCKLEY~~ offered the following resolution,

which was seconded by COUNCILMAN WOOTEN.

WHEREAS, a vacancy exists in the Planning Department for a Site Plan Reviewer; and

WHEREAS, the Suffolk County Department of Civil Service has certified that no list exists for the title of Site Plan Reviewer and has given approval for a provisional appointment to this vacancy; and

WHEREAS, as per the CSEA contract, this vacancy was duly posted for, Job Posting #14, advertised for, and all eligible applicants were interviewed; and

WHEREAS, pursuant to a completed background investigation, the Personnel Committee has made a recommendation of a qualified candidate.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby provisionally appoints C. Theresa Goergen Masin to the position of Site Plan Reviewer effective November 10, 2008, as found on Group 7 Step P of the Administrative Salary Schedule.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to C. Theresa Goergen Masin, the Planning Department, the Accounting Office and the Personnel Officer.

The Vote

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

THE RESOLUTION WAS WAS NOT

THEREFORE DULY ADOPTED

November 5, 2008

Adopted

TOWN OF RIVERHEAD

Resolution # 944

RATIFIES THE APPOINTMENT OF A RECREATION AIDE IN THE RECREATION DEPARTMENT

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

WHEREAS, the need for a call-in Recreation Aide exists in the Recreation Department to work at the George Young Community Center, and

WHEREAS, interviews were conducted, and pursuant to a completed background investigation, it is the recommendation of the Department Head and the Executive Director of Youth Bureau that Michelle Dean be appointed to this position.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby ratifies the appointment of Michelle Dean to the position of call-in Recreation Aide effective October 24, 2008 at the hourly rate of \$10.00.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Michelle Dean, the Recreation Department, the Accounting Office and the Personnel Officer.

The Vote

Wooten Yes/No Buckley Yes/No
Dunleavy Yes/No Blass Yes/No
Cardinale Yes/No

THE RESOLUTION WAS WAS NOT

THEREFORE DULY ADOPTED

November 5, 2008

TOWN OF RIVERHEAD

Adopted

Resolution # 945

Appoints Member to the Recreation Advisory Committee

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

WHEREAS, pursuant to Advisory Committee guidelines adopted by the Riverhead Town Board, a vacancy exists on the Recreation Advisory Committee; and

WHEREAS, it is desirable for each Advisory Committee to have adequate representation; and

WHEREAS, Victor Prusinowski is a Riverhead resident who has expressed interest in serving as a volunteer on the Recreation Advisory Committee;

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby appoints Victor Prusinowski to the Recreation Advisory Committee for a two-year term.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the members of the recreation Advisory Committee.

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

TOWN OF RIVERHEAD

RESOLUTION# 946

ESTABLISHES A DATE AND TIME FOR THE 9TH ANNUAL "TOWN OF RIVERHEAD BONFIRE AND HOLIDAY CELEBRATION"

Councilman Wooten offered the following resolution, which was seconded by,

~~COUNCILWOMAN~~ BLASS

WHEREAS, the Riverhead Town Board believes in promoting community events in the downtown area; and

WHEREAS, the Riverhead Town Bonfire and Holiday Celebration is free of charge and open to all; and

WHEREAS, the Riverhead Town Bonfire and Holiday Celebration has historically been on the second Saturday of December; and

NOW THEREFORE, BE IT

RESOLVED, that the 9th annual Riverhead Town Bonfire and Holiday Celebration will be held on December 13, 2008 with a rain date of December 14,2008, from approximately 4:00pm until approximately 10:00pm; and

BE IT RESOLVED, that the following people or agencies will receive a copy of this Resolution: Riverhead Town Fire Marshall, Fire Chief, Police Chief, Town Attorney, BID, Engineering Department, and the Highway Department.

THE VOTE

DUNLEAVY YES NO WOOTEN YES NO

BLASS YES NO BUCKLEY YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

Adopted

November 5, 2008

Town of Riverhead

Resolution # 947

ESTABLISHES TIMES AND DATES OF REGULAR MEETINGS OF THE TOWN BOARD FOR 2009

COUNCILMAN DUNLEAVY offered the following resolution, which was seconded by COUNCILMAN BUCKLEY.

WHEREAS, that during the year 2009, all regular meetings of the Town Board will be held twice monthly in Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York; the first to be held on the first Tuesday of the month at 2:00 p.m. and the second to be held on the third Tuesday of the month at 7:00 p.m. Exceptions include meetings that will be held in Town Hall at 7:00 p.m. on Wednesday, January 21, 2009, at 7:00 pm on Wednesday, February 18, 2009, and at 2:00 pm on Wednesday, November 4, 2009. The meeting at 7:00 p.m. on Wednesday, January 21, 2009 will replace the meeting scheduled for the third Tuesday in January; the meeting at 7:00 pm on Wednesday, February 18, 2009 will replace the meeting scheduled for the third Tuesday in February; and the meeting at 2:00 p.m. on Wednesday, November 4, 2009 will replace the meeting scheduled for the first Tuesday in November. The meeting at 2:00 pm on Tuesday, December 29, 2009 is an annual end of the year meeting; the March 17, 2009 meeting will be held at Riley Avenue Elementary School in Calverton at 7:00 pm; the May 19, 2009 meeting will be held at the Senior Citizen Human Resource Center in Aquebogue at 7:00 pm; the August 18, 2009 meeting will be held at the George Young Community Center in Jamesport at 7:00 pm; and the September 15, 2009 meeting will be held at the Wading River Congregational Church at 7:00 pm.

NOW, THEREFORE BE IT RESOLVED, that the Town Clerk be and is hereby directed to publish the attached notice in the November 13, 2008 issue of The News-Review and to post same on the signboard(s) in Town Hall.

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
PUBLIC NOTICE

TOWN BOARD MEETING TIMES AND DATES

PLEASE TAKE NOTICE, pursuant to a resolution of the Town Board of the Town of Riverhead duly adopted on November 5, 2008 that during the year 2009, all regular meetings of the Town Board will be held twice monthly in Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York; the first to be held on the first Tuesday of the month at 2:00 p.m. and the second to be held on the third Tuesday of the month at 7:00 p.m. Exceptions include meetings that will be held in Town Hall at 7:00 p.m. on Wednesday, January 21, 2009, at 7:00 pm on Wednesday, February 18, 2009, and at 2:00 pm on Wednesday, November 4, 2009. The meeting at 7:00 p.m. on Wednesday, January 21, 2009 will replace the meeting scheduled for the third Tuesday in January; the meeting at 7:00 pm on Wednesday, February 18, 2009 will replace the meeting scheduled for the third Tuesday in February; and the meeting at 2:00 p.m. on Wednesday, November 4, 2009 will replace the meeting scheduled for the first Tuesday in November. The meeting at 2:00 pm on Tuesday, December 29, 2009 is an annual end of the year meeting; the March 17, 2009 meeting will be held at Riley Avenue Elementary School in Calverton at 7:00 pm; the May 19, 2009 meeting will be held at the Senior Citizen Human Resource Center in Aquebogue at 7:00 pm; the August 18, 2009 meeting will be held at the George Young Community Center in Jamesport at 7:00 pm; and the September 15, 2009 meeting will be held at the Wading River Congregational Church at 7:00 pm.

MEETING DATE	MEETING PLACE	MEETING TIME
January 6	Town Hall	2:00 p.m.
January 21 (Wednesday)	Town Hall	7:00 p.m.
February 3	Town Hall	2:00 p.m.
February 18 (Wednesday)	Town Hall	7:00 p.m.
March 3	Town Hall	2:00 p.m.
March 17	Riley Avenue Elementary School	7:00 p.m.
April 7	Town Hall	2:00 p.m.
April 21	Town Hall	7:00 p.m.
May 5	Town Hall	2:00 p.m.
May 19	Senior Citizen Human Resource Center	7:00 p.m.
June 2	Town Hall	2:00 p.m.
June 16	Town Hall	7:00 p.m.
July 7	Town Hall	2:00 p.m.
July 21	Town Hall	7:00 p.m.
August 4	Town Hall	2:00 p.m.
August 18	George Young Community Center	7:00 p.m.
September 1	Town Hall	2:00 p.m.

September 15	Wading River Congregational Church	7:00 p.m.
October 6	Town Hall	2:00 p.m.
October 20	Town Hall	7:00 p.m.
November 4 (Wednesday)	Town Hall	2:00 p.m.
November 17	Town Hall	7:00 p.m.
December 1	Town Hall	2:00 p.m.
December 15	Town Hall	7:00 p.m.
December 29	Town Hall	2:00 p.m.

Dated: Riverhead, New York
November 5, 2008

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

Y:Welsh/Documents

TOWN OF RIVERHEAD

AUTHORIZATION TO DISCARD FIXED ASSETS

RESOLUTION # 948

COUNCILMAN BUCKLEY

_____ offered the following resolution, which was seconded

by COUNCILMAN WOOTEN.

WHEREAS, broken equipment that 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.

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>
Information Tech	24810	CPU
Information Tech	23404	CPU
Information Tech	21138	Monitor
Information Tech	21458	UPS
Information Tech	22857	HUB
Information Tech	23662	HUB
Information Tech	21460	Monitor
Information Tech	23193	Mini Hub
Information Tech	21971	Parallel Switch
Information Tech	23241	Keyboard
Information Tech	21459	Keyboard
Information Tech	25919	Keyboard
Information Tech	25310	Mouse
Information Tech	27871	Mouse
Information Tech	26072	Adapter
Information Tech	23477	Adapter
Information Tech	25064	Adapter
Information Tech	23468	Adapter
Information Tech	23604	Adapter
Police	23507	Fax
Information Tech	25079	Docking Station
Information Tech	25076	Laptop
Information Tech	25065	Docking Station
Information Tech	23763	UPS

Information Tech	25148	HUB
Information Tech	23320	HUB
Information Tech	23200	HUB
Information Tech	23189	HUB
Information Tech	25328	Mouse
Accounting	6503	Desk
Historian	20905	Telephone
Highway	7113	Chainsaw
Highway	2675	Generator
Highway	1769	Charger
Highway	27963	Charger
Highway	1772	Drill Press
Highway	21301	Weed Eater
Highway	26114	Fax
Highway	20625	Curb Extruder
Highway	20970	Weed Eater
Highway	1120	File Cabinet
Highway	23260	Radio
Highway	22779	Chainsaw
Highway	20854	Chainsaw
Highway	22777	Chainsaw
Highway	7113	Chainsaw
Highway	7107	Spreader
Highway	20640	Torch Cart
Highway	7124	Table Saw
Highway	23782	Impact Gun
Highway	23135	Power Pruner
Highway	5033	Tall Shelf
Highway	23500	Shredder
Highway	7110	Chain Saw
Water	23740	UPS
Information Tech	24648	Keyboard
Police	24850	Centered Trunk Radios
Police	24851	Centered Trunk Radios
Police	21010	Credenza
Police	3853	Wooden Bookcase
Sewer	22923	Digital Camera
Information Tech	24817	Mouse
Information Tech	25836	Mouse
Information Tech	24704	CPU
Information Tech	25385	Key Board
Information Tech	24344	Modem

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

November 5, 2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 949

AUTHORIZES THE SUPERVISOR TO EXECUTE A GRANT AGREEMENT WITH FISHAMERICA FOUNDATION

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

WHEREAS, grant funding is available from FishAmerica Foundation ("FAF") and the NOAA Restoration Center to provide funds for the Town of Riverhead Peconic River Fishways Project; and

WHEREAS, the Town of Riverhead Community Development Department ("CDD") has applied for and received a FAF award of \$40,000 grant funds for the Peconic River Fishways Project to fund the construction of the rock ramp located at the south spillway in Grangebel Park (see attached contract); and

WHEREAS, the FAF award requires \$40,000 in matching grant funds to be provided through Suffolk County Clean Water Act Bond Program previously awarded to the Town of Riverhead.

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby authorizes the Town Supervisor to execute the grant contracts with the County.

BE IT FURTHER RESOLVED, that Riverhead Town Board authorizes the Accounting Department to set a budget for the new grant project and payment to construction contractor; and

BE IT FURTHER RESOLVED, that the Town Clerk shall provide notification of this resolution to Community Development Department, the Town Attorney, and the Accounting Department.

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

FISHAMERICA FOUNDATION GRANT RECIPIENT AGREEMENT

Please read the Grant Recipient Agreement and the Conditions of the Grant carefully before initialing and signing. The grant recipient must initial and sign this agreement and return it to FishAmerica Foundation no later than **October 31, 2008**.

Acceptance of the grant agreement from the FishAmerica Foundation requires the grant recipient to abide by the following requirements:

APPROVED BUDGET

In return for project support approved by the FishAmerica Foundation (herein after referred to as "FAF") in the amount of \$40,000.00, Town of Riverhead, (herein after referred to as the "grant recipient") agrees to apply the grant monies to support the Peconic River Fishways Project: Habitat Expansion for Diadromous Fish. Specifically, the funds are approved for the following:

Budget Item	Detail	FAF Funds
Contracted Services	Labor & Equipment for rock ramp construction	\$20,000.00
	Construction Management	\$2,000.00
Supplies/Materials	Materials for rock ramp construction	\$18,000.00
	Total	\$40,000.00

APPROVED PROJECT TIMELINE

Project Activity	Dates (start – completion)
Engineering Design	Completed
Submit Joint Application for Permit	Completed
Project Bidding	October 16th, 2008 – October 31, 2008
In-river construction	Mid-November 2009
Post-project monitoring	One-year beginning 2009

The Original grant proposal submitted on February 1, 2006 and the revised timeline, submitted on September 25, 2008, are now part of this contract. Any and all changes made to the approved budget, timeline or other proposed project activities must receive prior approval from FAF.

FUNDING DETAILS AND DISPERSMENT

The FishAmerica Foundation and the NOAA Restoration Center are providing the funding under this agreement and should be recognized in any publicity regarding this project. The funds supplied under this agreement cannot be used to match federal funding programs in which the grant recipient may be participating. The grant recipient must comply with all federal, state, and local permits and regulations and may not earn more than a total of \$250 in interest on any and all grants funded with federal money.

_____ Please initial here indicating you have read and understood the above page.

The grants funds will be placed in an account specifically for the Peconic River Fishways Project: Habitat Expansion for Diadromous Fish (FAF-5087). Once the project is complete, you may request reimbursement for up to \$40,000.00 to cover costs for the project as outlined in this Grant Recipient Agreement. Your final request for reimbursement must be accompanied by the final report and all additional materials.

Please note, no funds will be released until the FAF has received the signed agreement and copies of all federal, state, and local permits and the project is NEPA compliant. Also, if the project takes place on private property, FAF must also receive a copy of a Landowner Agreement/Habitat Restoration Agreement prior to releasing any funds.

You are obligated to provide at least \$40,000.00 in non-federal match, as indicated in your Pre-Project Match Letter dated June 12, 2006 and confirmed via email on October 8, 2008, for the funds supplied under this agreement. Your Pre-Project Match Letter is now part of this contract. You must keep careful financial records of your match and submit a post-project match letter with supporting documentation to FAF with the final project report.

Reimbursement of approved project expenses as noted in this Grant Recipient Agreement can take up to 45 days to process and mail.

CONTRACT PERIOD

Please note, project expenses prior to the start date of this agreement are not eligible for reimbursement.

Contract Start Date: October 1, 2008

Contract End Date: December 31, 2009

REPORTING SCHEDULE

The interim report for this project is due by April 1, 2009.

The final report for this project is due by January 31, 2010.

If the project is completed prior to December 31, 2009, the final report is due within 45 days of the actual project completion date.

GUIDELINES FOR SUBMISSION OF REPORTS

The grant recipient will complete the enclosed reporting form for the interim and final reports.

PUBLICITY

The grant recipient may publicly announce receipt of this grant. All materials intended for public dissemination relating to this grant should give credit to the FAF, the American Sportfishing Association, the NOAA Restoration Center and all listed contributing partners as appropriate. Copies of all press releases and news articles will be made available to FAF. Whenever possible, a sign referencing FAF and the NOAA Restoration Center support will be installed on or near the project site.

_____ Please initial here indicating you have read and understood the above page.

EVALUATION OF THE GRANT

At its own expense, FAF may monitor and conduct an evaluation of operations under this grant. Evaluation may include visits to the grant recipient by representatives of FAF in order to observe and discuss the funded program and to review the fiscal accounting records of the project.

CONDITIONS OF THE GRANT

The laws of the United States place certain restrictions on the manner in which funds awarded to organizations by charitable trusts and foundations may be expended. For instance, funds may not be used for any political activities or any purposes prohibited by the Internal Revenue Code. The grant monies approved for your project may only be used for the purpose(s) stated in the Grant Recipient Agreement. Funds may not be expended for any other purpose without the prior written approval of FAF. Funds may not be used in "for profit" commercial ventures.

LIABILITY

In making this grant, FAF and their partners assume no liability for injuries or loss to the person(s) or property resulting from grant recipient's negligence under this grant. The grantee will hold FAF harmless and indemnify from any claims or litigation arising from the grantees performance of the project.

PATENTS AND COPYRIGHT

The grant recipient has the right to obtain patents and copyrights on any work produced under this grant. The grant recipient agrees to provide FAF a non-exclusive, royalty-free license to utilize and publish for non-commercial purposes any and all works produced under this grant.

RELATIONSHIP OF THE PARTIES

The grant recipient acknowledges that it is not an agent, employee, or joint venture of FAF in this undertaking. The grant recipient is responsible for obtaining any required federal, state or local licenses, permits or other approvals required for the project and for management, oversight and completion of the project. The sole undertaking of FAF is to provide grant funds based on the representations of the grant recipient and pursuant to the conditions and as described herein.

TERMINATION

This agreement may be terminated by either party upon thirty (30) days written notice to the other party. If terminated by FAF, the grant recipient shall be compensated for all allowable expenses and non-cancelable commitments. If terminated by the grant recipient, all unobligated funds shall be returned to the general fund of FAF. Closeout of this grant, fiscal reporting and the return of any unobligated funds will be accomplished within thirty (30) days of notification.

Should there be any material change in the purpose, character or method of operation of the project, the grant recipient must give written notice to FAF and may be required to relinquish all portions of the grant. Moreover, FAF may cancel all unpaid installments of the grant. Should the grant recipient fail to comply with any of the conditions of the agreement, FAF may, at its sole option, immediately terminate the grant on written notice as provided above. This grant may also be terminated by mutual agreement, in which case any sums not expended, shall be returned to the FAF general fund upon notification of termination.

_____ Please initial here indicating you have read and understood the above page.

November 5, 2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 950

Ratifies Publication of Notice to Amend CDBG Program

COUNCILWOMAN BLASS

offered the following resolution,

COUNCILMAN DUNLEAVY

which was seconded by _____.

WHEREAS, the Town of Riverhead desires to amend its FY2000 & FY 2005 Community Development Block Grant ("CDBG") Program; and

WHEREAS, such an amendment requires notification of the public prior to submission of the amendment for transfer of funds and budget modification to provide for public comment.

THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby authorized to publish the attached notice in the News Review on Thursday, October 30, 2008, and

BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Joseph Sanseverino, Director; Suffolk County Community Development and notification of this resolution to the Community Development Department and the Accounting Department.

THE VOTE

Blass Yes No

Wooten Yes No

Dunleavy Yes No

Buckley Yes No

Cardinale Yes No

**THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED.**

PUBLIC NOTICE
AMENDMENT TO TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

The Town of Riverhead is proposing the following changes to its Community Development Block Grant Program:

<u>Year 2005</u>	<u>Current</u>	<u>Proposed Change</u>	<u>Amended Budget</u>
Downtown Pedestrian Safety Improvement	\$4,376.04	-\$1418.00)	\$2,958.04

<u>Year 2000</u>	<u>Current</u>	<u>Proposed Change</u>	<u>Amended Budget</u>
Milbrook Gables Clearance	\$33,676.00	+\$1418.00	\$35,094.00

Interested citizens may submit comments on or before Friday, November 29th, 2008 to:

Town of Riverhead
Community Development Office
200 Howell Avenue
Riverhead, NY 11901

The Town Board will consider a Resolution authorizing the proposed change at the December 2, 2008 Board Meeting to be held at 2:00 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, NY 11901.

Dated: October 30, 2008

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

BARBARA GRATTAN, TOWN CLERK

Adopted

November 5, 2008

Town of Riverhead
Resolution # 951

**Authorizes NYS DOT Safe Routes to Schools Grant Award
and Establishes Bank Account**

COUNCILMAN DUNLEAVY

offered the following resolution, which

COUNCILMAN BUCKLEY

was seconded by _____.

WHEREAS, the Town of Riverhead Community Development Department applied to the New York State Department of Transportation (**NYS DOT**) for Safe Routes to School Program funds to support traffic calming and sidewalk improvements around the Riverhead Central School District Main Campus; and

WHEREAS, the NYS Housing Trust Fund awarded \$475,019 to the Town of Riverhead for such traffic calming and sidewalk improvement project around the Riverhead Central School District Main Campus; and

WHEREAS, the program provides for reimbursement for eligible expenditures.

THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Accounting Department to create a budget for the Safe Routes to Schools Program; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to execute agreements in furtherance of acceptance of the award; and

BE IT FURTHER RESOLVED, that the Town Clerk shall provide a copy of this resolution to the Accounting Department, and the Community Development Department.

CDD - KEMPNER

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

November 5, 2008

TOWN OF RIVERHEAD
RESOLUTION # 952

Adopted

**AUTHORIZES SUBMISSION OF MAIN STREET GRANT APPLICATION TO THE
NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL**

COUNCILMAN BUCKLEY

_____ offered the following resolution, which was
seconded by COUNCILMAN WOOTEN.

WHEREAS, the New York State Housing Trust Fund Corporation has issued a request for proposals and funding application for funding available under the New York Main Street 2008 Fall Funding Round to help build and preserve affordable housing and revitalize communities across the state; and

WHEREAS, unlike previous rounds, eligible applicants for the special 2008 funding round include municipalities and funding awards are available up to \$500,000 and may include administrative overhead, streetscape improvements and capital improvements to private structures; and

WHEREAS, the Community Development Department administered the prior Main Street application on behalf of the Business Improvement District resulting in \$200,000 in state funds and approximately \$500,000 in private funds being used to improve the central district;

WHEREAS, the Community Development Department is working with local stakeholders to develop projects for the Main Street Grant funding that include a Downtown Anchor Grant on East Main Street that will rehabilitate a vacant and deteriorated structure to provide artist preference workforce housing; and

WHEREAS, the Riverhead East Main Street Urban Renewal Area is a priority of the Town of Riverhead Board and has been the focus of numerous plans and studies, capital improvement projects and substantial investment by the Town of Riverhead.

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board authorizes the application in the amount of \$500,000 to the New York Main Street Grant Program for \$37,500 towards administrative overhead, \$25,000 towards streetscaping and \$437,500 towards capital improvements to anchor buildings on East Main Street.

AND BE IT FURTHER RESOLVED, that the Town Clerk shall provide a notification of this resolution to the Community Development Department and Accounting Department.

THE VOTE

Wooten Yes No
Dunleavy Yes No

Buckley Yes No
Blass Yes No

Cardinale Yes No

**THE RESOLUTION WAS _____ WAS NOT
THEREFORE DULY ADOPTED.**

November 5, 2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 953

**AUTHORIZES AKRF, INC. TO PROCEED
WITH BULK STUDY OF DC-1 ZONING DISTRICT**

COUNCILMAN WOOTEN

_____ offered the following resolution, which was

seconded by **COUNCILWOMAN BLASS**
_____.

WHEREAS, the Town of Riverhead Community Development Department (“CDD”) has applied for and received an award of New York Department of State grant funds under the Quality Communities Grant Program in the amount of \$70,000 for the Riverhead Downtown Redevelopment Consensus Initiative for the development of a bulk study and the development of historic district guidelines to improve the implementation of the Downtown Center-1 zoning use district and the downtown historic district in the Riverhead central business district; and

WHEREAS, following the adoption of the Comprehensive Plan in 2003 the Town Board adopted the new zoning district, Downtown Center-1, to induce redevelopment and encourage Smart Growth, and such rezoning is to be refined by a “bulk study” to review height, density, and parking; and

WHEREAS, the Riverhead Town Board wishes to proceed with the bulk study of the Downtown Center-1 zoning district and therefore authorized solicitation of a request for proposals (“RFP”) from creative and qualified consultants to conduct such bulk study; and

WHEREAS, AKRF, Inc., an architectural and urban design firm with planning expertise and familiarity with the Downtown Riverhead area has submitted a proposal to perform the bulk study; and

NOW, THEREFORE, BE IT RESOLVED, that Riverhead Town Board authorizes AKRF, Inc. to proceed with the bulk study for the lump sum amount of \$40,000; and

BE IT RESOLVED, that Riverhead Town Board authorizes the Accounting Department to set a budget for the new grant project and payment to AKRF, Inc.; and

BE IT FURTHER RESOLVED, that the Riverhead Town Board hereby authorizes the Community Development Department to secure a Town of Riverhead Purchase Order in the amount listed above; and

BE IT FURTHER RESOLVED, that the Town Board does hereby authorize the Town Supervisor to enter into and execute the attached Town of Riverhead Consultant/Professional Services Agreement with AKRF, Inc.; and

BE IT FURTHER RESOLVED, that the Town Clerk shall provide notification of this resolution to AKRF, Inc., the Community Development Department, the Accounting Department, and the Purchasing Department.

THE VOTE

Blass Yes No

Wooten Yes No

Dunleavy Yes No

Buckley Yes No

Cardinale Yes No

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED.



Environmental and Planning Consultants

3900 Veterans Memorial Highway
Suite 300
Bohemia, NY 11716
tel: 631 285-6980
fax: 631 285-6919
www.akrf.com

October 17, 2008

Ms. Christine Kempner, Director
Community Development Agency
Town of Riverhead
200 Howell Avenue
Riverhead, NY 11901

Re: Request for Proposal – Town of Riverhead – Bulk Study of the DC-1 Zoning District

Dear Mrs. Kempner:

On behalf of AKRF, Inc, I am pleased to submit this addendum in fulfillment of your request, which includes a revised scope of work and fee, as well as additional qualifications to supplement to our February 2008 proposal for the *Town of Riverhead Bulk Study of the DC-1 Zoning District* project.

I am confident that AKRF can provide the Town with all of the consulting services it requires in preparing the Bulk Study, which will be instrumental for the Town in guiding future growth in the Downtown Center 1: Main Street (DC-1) Zoning Use District, located in the downtown area of Riverhead. The revised Scope of Work is enclosed for your review.

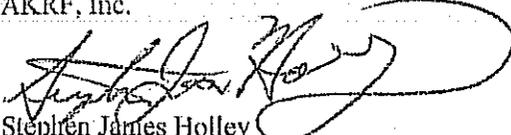
In addition to the modifications in the new Scope of Work, AKRF has also modified the total fee needed to complete this project. We will prepare the tasks as described in our revised Scope of Work for a total fee of \$40,000, which is lower than the fee stated in the February 2008 proposal.

We are aware that this study is funded by a grant and will need to be near completion by December 31, 2008.

Please note that Javeriya Dunn and I will serve as your primary points of contact for all matters pertaining to our proposed services under this contract. For your information, I have enclosed two additional resumes including mine and Kenneth Mack's, our Geographic Information Systems and Graphics Specialist for this project.

As a Vice President of AKRF's Long Island office, I certify that I am an authorized agent of the firm and am duly authorized to make binding, contractual commitments with the Town of Riverhead. If you have questions while reviewing this revised proposal, please feel free to e-mail me at sholley@akrf.com, or call me at (631) 285-6980. We look forward to meeting with you to discuss our work and our proposal in greater detail, and we hope to work with you on this important project.

Sincerely,
AKRF, Inc.



Stephen James Holley
Vice President

Encl.

PROJECT APPROACH AND SCOPE OF WORK

AKRF Responsibilities

AKRF has the capability and expertise to provide the technical assistance and consulting services required for the *Town of Riverhead Bulk Study of the DC-1 Zoning District* (Bulk Study). Our firm includes planners, engineers, and graphic designers with extensive experience in all of the necessary disciplines, from planning, land use and zoning, environmental assessment to urban design, traffic and parking, and site/civil engineering services.

AKRF would be responsible for the overall project management and will direct the preparation of the Bulk Study. AKRF would collaborate with the Town of Riverhead representatives from the Planning Board, Zoning Board, Architectural Review Board, Landmarks Preservation Commission, Community Development Agency, Town Board members, and others and work with the Project Advisory Committee (PAC). In addition AKRF would facilitate one scoping and two project working meetings with the PAC to further refine the project analysis and ensure the successful implementation of the project.

We intend to combine the various components and additional program requirements wherever feasible. We also plan to utilize the information we have already gathered through our other work in the DC-1 Zoning District.

Details on AKRF's full range of capabilities are included in our February 2008 proposal's "Firm Overview and Relevant Experience" section. In addition to the resumes of key staff included in the original proposal, we have included two additional resumes as part of this Scope of Work. We believe that our multidisciplinary expertise, coupled with our familiarity with the project area, will be invaluable to the Town of Riverhead as it takes this important step in directing the future growth of its downtown.

AKRF's approach is grounded on the understanding that the components identified in the Request for Proposals (RFP) are interwoven, and that advancing them together is more efficient, straightforward, and cost-effective. As illustrated in the proposal, AKRF brings the full range of planning and environmental expertise to the Town. These consulting and technical skills will be deployed throughout the initiative to ensure that the right mix of expertise and people is focused on the immediate tasks at hand, while project management keeps the process integrated and meets project goals.

The approach, discussed in detail below, responds to our understanding of the Town's needs as defined in the RFP. The approach understands and respects the degree to which other plans for the Downtown Center 1: Main Street DC-1 Zoning Use District (DC-1) have already been vetted. AKRF brings a full understanding of the technical knowledge required to develop a plan and fully comply with the requirements of the RFP.

Our approach of progressing the various elements together, combined with our knowledge regarding the updated Urban Renewal Plan and GEIS and recommendations as they pertain to zoning, density, heights, parking and development, ensures that there are "feedback loops" built into the planning process. This integrated approach ensures that each process informs the other, and that each builds upon, strengthens, and reinforces the other.

Riverhead Bulk Study

Below are the key tasks AKRF will perform to complete the Bulk Study, in accordance with the RFP:

1. The Town of Riverhead, with the assistance of AKRF, will form a PAC as the initial task to provide guidance and support throughout the project. The PAC will meet with the key Town staff, and AKRF to develop a final scope ("scoping meeting").
2. Using aerial maps, Geographic Information Systems, field reconnaissance, previously gathered data, lot information available from the Town Assessor and Town Tax Receiver, and other agencies we will perform a detailed analysis of land use, building heights, lot coverage, floor area, and parking for

all lots within the DC-1 district (study area). It should be noted that in 2006, building and land use data by parcel was gathered for the East Main Street Urban Renewal Area (which is fully contained within the boundaries of the DC-1 district). All of this previously collected data will be field checked for consistency with existing conditions.

3. AKRF will perform a comprehensive written analysis supported by graphical representations, of three scenarios overall. The first scenario would examine a Baseline scenario that would include the study area as it exists today with the addition of the projected development from known pending projects overlaid. Graphical representations or three dimensional digital files using Revit, or another appropriate modeling software, will be prepared for the Baseline scenario. The representations would depict various viewsheds and segments of the study area as they would appear with the additional development in place. The treatment of the two additional scenarios is discussed below in Task 8.
4. In addition to a graphic presentation of the Baseline scenario, AKRF will develop a matrix identifying each of the parcels within the DC-1 Zoning District, which will describe existing development characteristics, including relevant dimensional information. This task will build upon the data and collection analysis described in Task 2.
5. With the support of the data collected in Task 2, as well as additional data collection and analysis, AKRF will identify land coverage by type, including pervious and impervious, landscaped, natural, river frontage, streets, parking, viewsheds, setbacks, heights, pedestrian and bicycle pathways, easements, utilities, terrain, and lot tax map numbers.
6. AKRF will review the Town of Riverhead's relevant zoning regulations, the *2003 Comprehensive Master Plan*, the recently completed *East Main Street Urban Renewal Plan Update 2008* and other policy documents. We will determine limitations and opportunities for development, and provide preliminary recommendations for zoning changes, as warranted. AKRF recognizes that there is an RFP outstanding for a consultant to develop historic guidelines for this area; we would coordinate this effort with the consultant retained to develop the historic guidelines for the Town's Historic District, which is expected to be performed concurrently with the Bulk Study. We would utilize relevant information and ensure compatibility between the two studies and their recommended actions.
7. After completing Tasks 1 through 6, AKRF, in conjunction with representatives of the Town of Riverhead, will conduct the first working meeting. During this meeting AKRF will discuss the draft analysis with the Planning Board, Zoning Board, Architectural Review Board, and Landmarks Preservation Commission, and Community Development Agency, members of the Town Board, PAC, and other interested parties. During this working meeting, AKRF will assist the Town with tailoring zoning recommendations, if any are deemed necessary, to address the entire study area with a focus on preserving viewsheds, waterfront access, historic resources, and minimizing additional shadows on sensitive uses. Feedback received at this meeting will be considered in order to create no more than two potential future bulk scenarios to be considered in the Study (as described in Task 8).
8. Using the recommendations and feedback provided at the first working meeting, AKRF will develop two scenarios entitled Revised DC-1 Zoning District Option A and Revised DC-1 Zoning District Option B. Graphical representations or three dimensional digital files using Revit, or another appropriate modeling software, will be prepared for the Revised DC-1 Zoning District Option A and Revised DC-1 Zoning District Option B scenarios. The representations would depict various viewsheds and segments of the study area with both options. Graphics will be created to show the changes in viewsheds with the both options developed. AKRF will discuss the potential positive or negative impacts on the community, including adjacent residential neighborhoods, of the implementation of recommendations identified in the study.

9. AKRF will also provide qualitative and/or quantitative descriptions and analyses for inclusion in the Bulk Study, relative to potential effects on physical and sensory type issues including land coverage by type, including pervious and impervious, landscaped, natural, river frontage, streets, parking, viewsheds, shadows, setbacks, heights, pedestrian and bicycle pathways, easements, utilities, and terrain.
10. It is anticipated that 10 copies of a final report will be provided to the Town at the completion of this project.

Contingency Task

11. As directed by the Town, AKRF will undertake the development of an additional bulk scenario for examination in the Study. Costs for this additional out-of-scope work would be determined at the time the request is made.

STEPHEN J. HOLLEY • PROJECT MANAGER

Education

Universidad de Madrid, Madrid, España, and Université de Nice, Nice, France (all credits transferred), 1978

B.A. Chemistry (ACS Certified), Mathematics, and Physics, Willamette University, 1983

M.S., Metallurgical Engineering and Chemical Metallurgy, (pending completion of thesis), Columbia University, 1983-1986

The Traffic Institute, intensive transportation seminars, Northwestern University, 1986

Stephen J. Holley, a Vice President at AKRF, has over 22 years of environmental review experience involving the preparation of Environmental Assessments (EAs) and Environmental Impact Statements (EIS's) in conformance with NEPA, SEQRA, and CEQR, and the broad range of analysis areas considered in these documents. Routinely serving as a Project Manager, Mr. Holley has focused primarily on the analysis areas of traffic and transportation, land use, fair share, air quality, noise, hazardous materials, natural resources, infrastructure, project alternatives, and mitigation. Much of his work has dealt with the development and performance of original transportation and traffic surveys. He has directed dozens of transportation studies, which included detailed data collection and reduction efforts, and the formulation of original detailed surveys encompassing modal split, journey-to-work, origin-destination, temporal distribution, and automobile and truck routing. He has also been involved in the formulation and implementation of transportation planning analyses, and regulatory compliance studies. Many of these have involved associated Uniform Land Use Review Procedure (ULURP) actions, which he has helped guide through that process.

Mr. Holley is trained in the use of state-of-the-art computer applications for traffic and urban transportation, air quality, noise analyses, and the mathematical modeling of natural systems. He has also conducted noise analyses, performing monitoring, modeling, analysis, and mitigation design for many of the firm's major projects. In addition, for many of the various municipal projects that the firm has worked on, he has been involved with the preparation of the required fair share analyses. Mr. Holley, an expert in technical Spanish translation, has coordinated several extensive public outreach programs. His training also includes developing and performing soil and groundwater sampling analyses, and other Environmental Impact Statement (EIS)-related assignments.

Relevant Experience

U.S. Army Corps of Engineers Plan Reformulation—
Fire Island to Montauk Point, Long Island, NY

Mr. Holley is a Project Director for the Fire Island Inlet to Montauk Point Hurricane and Storm Damage Reduction Reformulation Study, which is an evaluation of viable non-structural and structural measures for achieving storm damage reduction on Suffolk County's South Shore. The Reformulation Study encompasses an 83-mile study area and includes impact assessments of storm-reduction options on land use, socioeconomic conditions, coastal natural resources, wetlands, and open space. In addition to the preparation of the EIS, Mr. Holley provided technical management of a variety of tasks.

Downtown Yonkers Waterfront Redevelopment Project, Yonkers, NY

Mr. Holley led the traffic studies for the development of this former industrial area for the City of Yonkers. The multi-phase, multi-scenario project entailed developing extensive mitigation measures, and included transportation management elements for the downtown area that were not project-generated.

RiverVue Development, Tuckahoe, NY

Mr. Holley performed the traffic analysis for this mixed-use residential and commercial development on a former manufacturing parcel that spans the Bronx River in the Village of Tuckahoe's downtown area. The traffic mitigation plan that Mr. Holley developed took not only project-generated impacts into account, but also the general patterns

Stephen J. Holley – continued

of traffic through downtown Tuckahoe. Mr. Holley also served as the Deputy Project Manager for this EIS, the looked at the full range of environmental issues for a mixed-use development, under SEQRA.

West 61st Street Rezoning and Citywide General Large-Scale Text Amendment, New York, NY

Mr. Holley serves as Project Manager for the preparation of an EIS for the proposed rezoning of the western portion of the block between West 60th and 61st Streets, between Amsterdam and West End Avenues in Manhattan. The development would create two 30-story residential towers with approximately 669 residential units, 200 accessory parking spaces, and a landscaped open space of 22,600 square feet. In addition, the applicant is requesting a special permit for a public parking garage, a special permit for a general large-scale development, and a zoning text amendment. For purposes of providing a conservative City Environmental Quality Review (CEQR) analysis, a reasonable worst-case development scenario (RWCDS) was prepared for the proposed action. The RWCDS is based on the maximum allowed dwelling units as per zoning, and also includes the potential development that could occur on other lots in the rezoning area. Because the action also includes a modification to the city's zoning text, a special conceptual analysis of the impacts of that text change has been prepared for the EIS. AKRF is also assisting with the required documentation and site work involved for the applicant to participate in the Brownfield Cleanup Program (BCP) administered by the New York State Department of Environmental Conservation (NYSDEC). As part of the EIS process, AKRF assisted in determining the placement, and developing the language for several (E) Designations, for hazardous materials, noise, and air quality on the project site, and surrounding projected development sites.

Erie Basin Evidence Vehicle Facility EIS, Brooklyn, NY

The firm was retained by the New York City Economic Development Corporation (EDC) to prepare an EIS for the New York City Police Department (NYPD) for this project. Central to the project were site selection issues, consistency with the city's Waterfront Revitalization program, and assistance in obtaining the required city and state permits for the reconstruction and rehabilitation of the bulkheads. The EIS covered a full range of environmental studies, including potential impacts on neighborhood character, land use, economics, visual quality, open space and historic resources, traffic and transportation, air quality, noise, utilities, and one of the most extensive alternative site location analyses for an EIS in New York City—critical to the evaluation of the project's conformance with the city's fair share criteria. The firm also examined the use of a portion of the South Brooklyn Marine Terminal as an emergency interim facility for the Evidence Vehicle Facility (EVF), while construction work was under way at the Erie Basin site. Mr. Holley served as Project Manager and traffic task leader, overseeing the extensive fair share analysis performed for the project, and also performed technical analyses for the South Brooklyn Marine Terminal facility. The analyses took into account the reconstruction of the nearby Gowanus Expressway and the many large events that are held at the facility.

Paerdegat Basin CSO Facility, Brooklyn, NY

The firm prepared an EIS for the New York City Department of Environmental Protection (DEP) for the construction of a 30 million-gallon retention basin for combined sewer overflows (CSOs) next to Paerdegat Basin in Brooklyn. Issues of concern included odors, water quality, natural resources, contaminated materials, and waterfront revitalization policies. Other areas of study include land use and neighborhood character, fair share analysis, historic and archaeological resources, traffic and transportation, air quality, noise, soil and groundwater conditions, and infrastructure and energy. Mr. Holley performed the traffic and fair share analyses for the project.

KENNETH MACK • GIS AND GRAPHICS SPECIALIST

Education

B.A., Economics and Politics, Eugene Lang College, The New School, 1992

Graduate level coursework., Departments of Anthropology and Geography, Hunter College, City University of New York, 1996-1998

With more than ten years of experience in the field of GIS in both the public and private sectors, Mr. Mack is a Technical Director with AKRF and head of the GIS group. In addition to providing GIS data management, spatial analysis, and map production in support of AKRF projects, Mr. Mack also specializes in producing shadow studies for environmental impact assessments. For these studies he uses software to construct 3D models, reproduces solar shadows on sample days of the year, analyzes shadow impacts on open spaces and other sun-sensitive resources, and writes reports. He has produced shadow analyses for many of the firm's large scale development projects.

Mr. Mack manages AKRF's extensive database of geographic information, including topographic data, land use and zoning, economic and census data, natural resources, addresses and property information, buildings, transportation features, aerial and satellite imagery, CAD drawings and historic maps. He performs various tasks and analyses in support of AKRF projects, including data migration and integration, geocoding, watershed flow analysis, georeferencing historic maps and other raster images, overlay analysis, proximity analysis, GIS application programming, and report-quality map production.

Previously, Mr. Mack served as a senior GIS developer at the Kenerson Group in Athol, MA, where his responsibilities included GIS application development and training instruction. Prior to that, he worked at Space Track Inc. in New York City, where he developed and maintained their LotInfo GIS product. From 1998 to 2000 he served as a geographic specialist for the U.S. Census Bureau in support of Census 2000.

One of Mr. Mack's projects has been published as a case study in the book GIS for the Urban Environment by ESRI Press. Mr. Mack has received letters of appreciation from both the New York City Office of Emergency Management and Jack Dangermond, President of ESRI, for his volunteer contributions at the Mapping and Data Center during the World Trade Center Emergency Response. He also received an award for excellence from the Census Bureau's NY Regional Director for a project analyzing and mapping US Congressional Districts and Local Census Offices.

Relevant Experience

Hunter's Point South EIS, Queens, NY

Mr. Mack is conducting the shadow analysis and providing GIS support for this proposal to change the zoning and redevelop manufacturing areas in Long Island City to residential and mixed use development project. The Hunters Point rezoning, predecessor to the Queens West Project, was a rezoning sponsored by the New York State Urban Development Corporation, the New York City Public Development Corporation, and the bi-state agency, Port Authority of New York and New Jersey.

Willetts Point EIS, Queens, NY

Mr. Mack is conducting the shadow analysis and providing mapping support for the firm's EIS for the development of parcels east of Shea Stadium in Willetts Point. Components of the development plan include residential, retail, commercial office, convention space, recreational uses, and area-wide transportation improvements.

Kenneth Mack – continued**Downtown Brooklyn Redevelopment, Brooklyn, NY**

AKRF prepared and EAS and is now preparing EIS for a development plan that calls for rezoning an approximately 60-block area in downtown Brooklyn. As part of this project, Mr. Mack performed a shadow screening analysis for the Albee Square Technical Memorandum.

Columbia University Manhattanville Academic Mixed-Use Development, New York, NY

Mr. Mack conducted the shadow analysis for the Environmental Impact Statement (EIS) for Columbia University's proposed rezoning and expansion project in West Harlem. He also wrote the Shadows chapter of the EIS, and analyzed shadow impacts for the Alternatives chapter. The firm prepared Columbia's plan is subject to the requirements of both a new zoning special district, approved by the CPC, and a General Project Plan, to be approved by the Empire State Development Corporation (ESDC). Because Columbia's redevelopment plan may be modified during the 25-year build-out period, the EIS was prepared with a flexible analytic framework that accounts for a range of development scenarios.

First Avenue Properties, New York, NY

Mr. Mack conducted the shadow study and wrote the Shadows chapter of the Final EIS (FSEIS). He also produced additional shadow analyses in support of alternative development scenarios and technical memorandums, and created supplemental graphics to present at public hearings. East River Realty Company, LLC (ERRC) proposed to redevelop four underutilized parcels along First Avenue in Midtown Manhattan with a commercial and residential mixed-use development. The rezoning and other land use approvals contributed significantly to the vitality of the area and city through the creation of new residential, commercial, retail, community facility, and open space uses in a coherently designed plan that would link the surrounding neighborhood to the East River waterfront. AKRF prepared a Generic Environmental Impact Statement (GEIS) and subsequently a Supplemental EIS (SEIS), which addresses differences between the GEIS illustrative programs and the site plan now contemplated, proposed New York City Planning Commission (CPC) zoning actions not accounted for in the GEIS, and changes in background conditions in the area.

Moynihan/Penn Station Redevelopment Project EIS, New York, NY

Mr. Mack is conducting the shadow analysis and providing mapping support in connection with the firm's environmental review for this mixed-use and adaptive reuse of the historic Farley Post Office. The current project is a continuation of the firm's ongoing work since 1995 preparing comprehensive environmental analyses for the redevelopment of the Farley Post Office Building and creation of the new Daniel Patrick Moynihan Station. Key study areas include traffic and transportation, pedestrians, shadows, historic resources, land use, and construction impacts and alternatives. Shadows studies were conducted to analyze the impacts of the development of a new office tower on two locations within the development area.

National Association of Home Builders GIS Mapping

AKRF was retained to analyze flow parameters and Hydrologic Unit Code (HUC) areas across the conterminous United States. Mr. Mack performed geospatial analysis in order to determine which HUCs contain areas of both very low runoff and very low baseflow. He integrated vector, raster and nonspatial datasets from USGS and the National Atlas. He also produced hard-copy maps as well as an interactive electronic map for online data exploration.

November 5, 2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 954

AUTHORIZES PRESERVATION DESIGN PARTNERSHIP TO PROCEED WITH DEVELOPMENT OF HISTORIC GUIDELINES

COUNCILWOMAN BLASS

_____ offered the following resolution, which was seconded by _____ COUNCILMAN DUNLEAVY

WHEREAS, the Town of Riverhead Community Development Department ("CDD") has applied for and received an award of New York Department of State grant funds under the Quality Communities Grant Program in the amount of \$70,000 for the Riverhead Downtown Redevelopment Consensus Initiative for the development of a bulk study and the development of historic district guidelines to improve the implementation of the Downtown Center-1 zoning use district and the downtown historic district in the Riverhead central business district; and

WHEREAS, the Riverhead Town Board wishes to proceed with the development of historic guidelines to facilitate implementation of the downtown historic district in the Riverhead central business district and therefore authorized solicitation of a request for proposals ("RFP") from creative and qualified consultants to develop such guidelines; and

WHEREAS, Preservation Design Partnership is a MBE/WBE preservation and architectural design partnership that has completed several Design Guidelines for other communities and that submitted a proposal to develop historic district guidelines for downtown Riverhead; and

NOW, THEREFORE, BE IT RESOLVED, that Riverhead Town Board authorizes Preservation Design Partnership to proceed with the development of historic district guidelines for the lump sum amount of \$30,000; and

BE IT RESOLVED, that Riverhead Town Board authorizes the Accounting Department to set a budget for the new grant project and payment to Preservation Design Partnership; and

BE IT FURTHER RESOLVED, that the Riverhead Town Board hereby authorizes the Community Development Department to secure a Town of Riverhead Purchase Order in the amount listed above; and

BE IT FURTHER RESOLVED, that the Town Board does hereby authorize the Town Supervisor to enter into and execute the attached Town of Riverhead Consultant/Professional Services Agreement with Preservation Design Partnership; and

BE IT FURTHER RESOLVED, that the Town Clerk shall provide notification of this resolution to Preservation Design Partnership, the Community Development Department, the Accounting Department, and the Purchasing Department.

THE VOTE

Blass Yes No

Wooten Yes No

Dunleavy Yes No

Buckley Yes No

Cardinale Yes No

**THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED.**

27 October 2008

Ms. Christine Kempner
Community Development Office
Town of Riverhead
200 Howell Avenue
Riverhead, New York 11901

Re: Town of Riverhead *Historic Guidelines*

Dear Ms. Kempner:

The Preservation Design Partnership [PDP] is pleased to submit this revised proposal for the preparation of *Design Guidelines* for the Town of Riverhead's Downtown Historic District. Based upon our meeting and discussions, it is understood that the format of Riverhead's *Design Guidelines* will follow the general form and layout to the *Design Guidelines: A Guide for Maintaining and Rehabilitating Historic Buildings and Landscapes*, prepared by PDP in September 2005 for Hopewell Township, New Jersey. The chapters will be set up in a format that will allow printing either as traditional chapters in a book format or individual brochures addressing specific topics, as well as presented in a PDF file format that can be downloaded from the Town of Riverhead web site.

It is understood through our recent telephone conversations that the Town of Riverhead would us to amend our proposal dated 11 February 2008 to indicate a slightly reduced scope of work to meet the project budget of \$30,000.00. To accomplish that goal, we propose the following scope modifications:

- The final product of this reduced scope will include eighty-eight pages of text (in lieu of 100), formatted to be printed on forty-four double sided pages with single spaced, eleven point text and a minimum of two hundred digital photographs, drawings or illustrations. The specific topics and the number of pages devoted to each topic will be agreed upon with the *Design Guideline* review committee.
- Ms. Hawkins will attend up to five formal meetings (in lieu of 6) in the completion of this project.
- At the completion of the project, PDP will present three printed copies (in lieu of 5) and one CD with a PDF file format of the *Design Guidelines* to the Town of Riverhead.

It is assumed that all assumptions and terms identified in our proposal dated 11 February 2008 remain in effect with the exception of those items identified above.

All work as identified in this proposal is to be completed by Ms. Hawkins. We propose overall compensation in the sum of \$ 30,000 (thirty thousand dollars) to complete the eighty-eight page *Design Guidelines* as outlined in this revised proposal and as follows: Total labor \$28,620 (318 hours @ \$90/hour); Anticipated project expenses (\$1,230); Printing three color copies of final *Design Guidelines* \$150 (\$50/each).

We hope to work with the Town of Riverhead and the Landmarks Preservation Commission on this important project. Thank you in advance for your consideration.

Sincerely yours,



Dominique M. Hawkins, AIA
Principal

/dmh

PRESERVATION DESIGN PARTNERSHIP

PROJECT METHODOLOGY

The Town of Riverhead represents an irreplaceable historic community that has evolved over time from origins and historic designs in a series of layers. This planning effort undertaken will seek to provide a vision for the future of the Town of Riverhead that is in harmony with its past.

For the preparation of the Town of Riverhead's Downtown Historic District *Design Guidelines*, it is anticipated that all work as identified in this proposal is to be completed by Ms. Dominique M. Hawkins, AIA, who has extensive experience in developing *Design Guidelines* for other communities.

Following the contract award, Ms. Hawkins will meet with representatives of the Town of Riverhead including members of the Advisory Committee, Planning Board, Zoning Board, Architectural Review Board and Landmarks Preservation Commission to better understand the resources available for use in the project; and key sites and areas to be highlighted in the final *Design Guidelines*. The information to be provided by the Town could include:

- Maps
- Historic photographs and documentation
- National Register and Historic Zoning Ordinance information
- Pertinent planning studies, master plans, Zoning Ordinances, etc.

With the knowledge gained from the preliminary research and discussions, Ms. Hawkins will tour the Town to review the Historic District, determine their character-defining features, and begin to complete the required photography to illustrate the information in the *Design Guidelines*. [It is anticipated that multiple trips will be required and photography will attempt to limit interference by tree foliage and snow.]

After gaining a better understanding of the unique characteristics of Riverhead and following initial discussions with the Town's representatives, PDP will begin drafting the text for the individual *Design Guideline* topic specific chapters. The chapters will be set up in a format that will allow printing of the information either as traditional chapters in a booklet format or individual brochures addressing specific topics such as those presented in the submitted examples, as well as presented in a PDF file format that can be downloaded from the Town of Riverhead web site. PDP will submit individual draft chapters to the Town's project representative electronically for review and comment. All attempts will be made to provide a consistent stream of information to the Town for their review prior to the submission of the final draft to the local interested parties and applicable reviewing agencies. PDP will then incorporate the suggested revisions into the final draft of the *Design Guidelines*.

PROJECT SCHEDULE

PDP will complete the *Design Guidelines* by within six months of execution of a professional services agreement with the Town of Riverhead. However, it should be understood that:

- Reviews by Town of Riverhead representatives and any applicable review or funding agencies will be completed in a timely manner; and
- Every effort will be made to complete as much of the photography required for the project prior to the bloom of tree foliage which can visually obstruct the buildings, however this will necessitate a contract award as soon as possible.

PRESERVATION DESIGN PARTNERSHIP

PROPOSED FORMAT OF THE DESIGN GUIDELINES:

It is assumed that the format of the *Design Guidelines* will follow the general form and layout to the *Design Guidelines: A Guide for Maintaining and Rehabilitating Historic Buildings and Landscapes*, prepared by PDP in September 2005 for Hopewell Township, New Jersey. As can be seen in the enclosed example, the chapters can be set up in a format that will allow printing of the information either as traditional chapters in a book format or individual brochures addressing specific topics such as those presented in the submitted examples, as well as presented in a PDF file format that can be downloaded from the Town of Riverhead web site.

The final product will include one hundred pages of text, formatted to be printed on fifty double sided pages with single spaced, eleven point text and a minimum of two hundred digital photographs, drawings or illustrations. Historic images and a current Historic District boundary Map, if provided electronically from Riverhead representatives, will also be included. A proposal for additional services will be presented if it is determined that more than one hundred pages of text are desired.

PROPOSED CONTENTS OF THE DESIGN GUIDELINES:

Although the specific content of the *Design Guidelines* has yet to be established, we recommend that the following information be considered. It is assumed that the content will be modified to suit the specific needs of the Town of Riverhead during the preliminary discussions with the Town representatives. It is understood that content presented in the *Design Guidelines* will be specific enough to provide clear guidance to property owners and increase appreciation for maintaining the historic character of the Town.

The principal product of this effort shall be a *Design Guidelines*, which will include the following information:

CONTENTS OF THE DESIGN GUIDELINES:

1. Acknowledgements

The Acknowledgements will address the contributions of the following individuals and organizations:

- Town of Riverhead Officials
- Project Advisory Committee Members
- Financing Agencies
- Preparation, photography and design of the *Design Guidelines*

2. Contents

The Table of Contents will provide sufficient detail to facilitate easy reference to information included in the *Design Guidelines*.

3. Introduction

The Introduction will include an illustrated synopsis of the historical and architectural development of the Town of Riverhead. Illustrations will include present and historic photographs representing important building styles and periods in the Town's development.

The Introduction will also include a description of the benefits of the remaining historic resources in the Town, and the efforts to protect the built environment, including the formation of the Town of Riverhead's Landmarks Preservation Commission.

PRESERVATION DESIGN PARTNERSHIP

4. Role of Landmarks Preservation Commission, New York and National Registers, and National Landmark Status

The role of the Town of Riverhead Historic Preservation Commission will be described and will include:

- A definition of a Historic District as referenced from the Town of Riverhead's *Historic Preservation Ordinance*
- An overview of the Town of Riverhead's Landmarks Preservation Commission
- A description of the type of alterations or changes subject to Town of Riverhead's Landmarks Preservation Commission's review
- A description of the Landmarks Preservation Commission's review process
- A description of how the Town of Riverhead's Landmarks Preservation Commission utilizes the *Secretary of the Interior's Standards for Rehabilitation* when making their recommendations

5. Representative Architectural Styles and Identification of Character-Defining Features

The guide to representative styles building types will include a review of prevalent styles in the Town with accompanying photographs, descriptions and the identification of character-defining features, including a summary inventory. It will also include descriptions of the Town's vernacular architecture and how "high-style" buildings were often simplified by those of less financial means.

6. Map of the District

A map of the Downtown Historic District will be included [if provided by the Town] with the boundaries of the currently regulated historic district identified.

7. General Discussion of Preservation Methods and Techniques

This section will address the general criteria the Landmarks Preservation Commission utilizes for making its recommendations encouraging property owners to minimize intervention and provide sensitive and contemporary uses for their sites while retaining the community's architectural and cultural heritage.

- *Maintenance* – Encourage regular maintenance as a preventative measure rather than allow deterioration to progress to the point of requiring major intervention or replacement
- *Repair and Techniques* – Encourage repair of historic features rather than replacement
- *Alterations and Renovations* – Encourage sensitive alterations to ensure the continued use of a historic resource
- *Adaptive Reuse* – Encourage compatible uses to minimize loss of historic character
- *Additions to Historic Buildings* – Encourage compatible additions that do not minimize or obscure the historic resource
- *New Construction within Historic Districts or Settings* – Encourage compatible construction, mass, proportion, materials and siting, as well as the retention of historic view sheds and streetscapes
- *Strategies for Contributing and Non-Contributing Buildings* – Differentiate between strategies for preserving contributing and non-contributing resources within historic districts
- *Relocating Structures* – Encourage compatible settings and appropriate context at the new site
- *Demolition within the Historic District* – Encourage other options to be pursued in lieu of demolition of a historic resource, and encourage sensitive demolition for non-contributing resources.

8. Examples of Acceptable Preservation Strategies

A description of preservation methods and techniques will be arranged by building part or system. Each section will include information on materials historically and currently found in the Town, identify the challenges associated with the maintenance of historic materials and features, as well as a discussion of recommended and/or preferred alternatives if repair is no longer feasible. The various components to be addressed shall include:

- Roofing and roofing materials including gutters, downspouts, chimneys, antennae, solar collectors, roof accessories
- Porches, decks and steps
- Masonry including stone, brick and stucco
- Exterior woodwork including siding, shingles and trim
- Windows and doors
- Exterior paint colors
- Signs, awnings and storefronts
- Constructed landscape elements including paving, fencing, swimming pools, ancillary structures and vacant lots – (Specific plant and tree recommendations are not included)

9. Resource Guide

References and contact information for local, state, regional and national preservation organizations will be provided to assist property owners in the historic research and appropriate treatment of their historic resources.

10. Architectural Terms

A Glossary of Architectural Terms will be included to provide definitions of commonly found building elements and technical terms used within the *Design Guidelines*.

11. References

A select Bibliography of books and other publications will be provided to further assist property owners in the appropriate treatment of their historic resources.

12. The Secretary of the Interior's Standards and Guidelines for Rehabilitation

A copy of the most recent *Secretary of the Interior's Standards for Rehabilitation* will be included in the printed copy of *Design Guidelines*.



PRESERVATION DESIGN PARTNERSHIP

PROJECT SUBMISSIONS

PDP will provide a project schedule for the completion of the *Design Guidelines* within thirty days of receipt of a formal written notice to proceed. The project schedule will include submission dates for the following:

- **Submission of the Draft Chapters Design Guidelines** will be forwarded electronically to Riverhead for review and comment. It is anticipated that two to three chapters will be submitted each month, depending on the final deadline requirements of the project. Recommendations will be incorporated into the final draft of the *Design Guidelines*.
- **Monthly Progress Reports** will be submitted to Riverhead documenting the work completed; expenses incurred; and projected work for the upcoming month.
- **Submission of Final Design Guidelines** will include five printed and bound copies of the Final *Design Guidelines* following acceptance by Riverhead. In addition to the printed copies, an electronic PDF copy will be provided on a Compact Disk.

PROJECT MEETINGS

It is assumed that PDP will attend no more than six formal meetings with Town and their representatives during the course of this project:

- A preliminary kick-off meeting with representatives of the Town and Project Advisory Committee to clarify the project's scope and goals.
- Up to five monthly meetings with the *Design Guideline* review committee to discuss review criteria and project progress and comments on draft submissions.

If additional meetings are determined to be necessary in the completion of the project, they will be billed at the hourly rate identified in the Fee Proposal and include all applicable expenses.

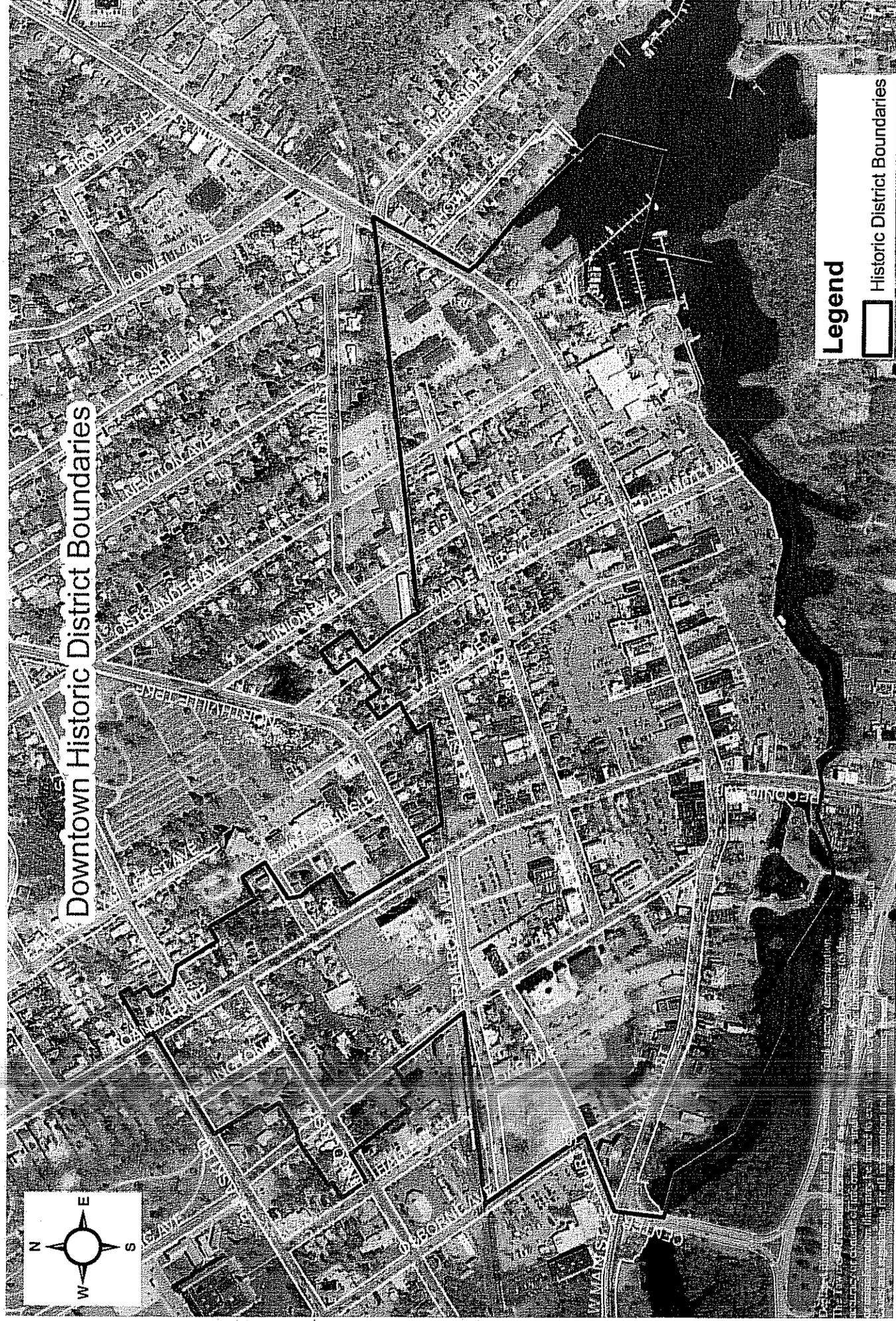
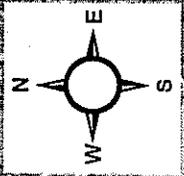
ADJUSTMENT OF SERVICES

If any assumptions were made in the preparation of this proposal that do not meet the intent of the Town of Riverhead, PDP will be happy to provide a proposal for any adjustment services as required.

In addition, PDP will be happy to provide a proposal for additional services to complete additional services including any of the following tasks:

- Meet with the Advisory Committee to make recommendations on how to adopt the *Design Guidelines* as part of the Town of Riverhead's Development Ordinance.
- Assist the Town of Riverhead in obtaining estimates for the printing of the *Design Guidelines*.
- Prepare an updated Landmarks Preservation Commission Application.
- Participate in a community workshop to announce the kick-off of the *Design Guidelines*.

Downtown Historic District Boundaries



Legend

 Historic District Boundaries



TOWN OF RIVERHEAD

Phil Cardinale, Supervisor

200 Howell Ave.

Riverhead, New York 11901



DEPARTMENT: CD

filename: JM 24 Downtown Historic Boundaries.mxd

DATE: 12/12/2007

November 5, 2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 955

AWARDS BID FOR PURCHASE OF CABINETRY
FOR EAST END ARTS COUNCIL CARRIAGE HOUSE

~~COUNCILMAN DUNLEAVY~~

_____ offered the following resolution which was

~~COUNCILMAN BUCKLEY~~

seconded by _____.

WHEREAS, the Town Clerk was authorized to post and publish a Notice to Bidders for the Purchase of Cabinetry for the East End Arts Council Carriage House; and

WHEREAS, one (1) bid was received, opened and read aloud on the 24th day of October, 2008 at 11:00 am in the Office of the Town Clerk, 200 Howell Avenue, Riverhead.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the Purchase of Cabinetry for the East End Arts Council Carriage House, East Main Street, Riverhead be and is hereby awarded to Carter-Melence, Inc. in the amount of Twenty One Eight Hundred & 00/100 (\$21,800.00); and

BE IT FURTHER RESOLVED, that the Town Board be and does hereby authorize the Town Clerk to return any and all bid bonds received in connection with the above; and

BE IT FURTHER RESOLVED, that the Town Board be and does hereby authorize the Town Engineer to secure a Town of Riverhead purchase order from the Purchasing Department in the amount of \$21,800.00; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Carter-Melence, Inc., P. O. Box 907, Sound Beach, NY 11789, Christina Kempner, Community Development Director, Pat Snyder, Director, East End Arts Council, 133 East Main Street, Riverhead, NY 11901 and a copy to Kenneth Testa, P.E., Gary Jacquemin, AIA, 115 Griffing Avenue, Riverhead, NY 11901, Purchasing Department and Office of Accounting.

THE VOTE

Dunleavy Yes No

Buckley Yes No

Blass Yes No

Wooten Yes No

Cardinale Yes No

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED.

11/5/08

Adopted

TOWN OF RIVERHEAD

Resolution # 956

**AUTHORIZES THE NAMING OF A PRIVATE ROAD IN WADING RIVER TO
"JULIA'S WAY"**

COUNCILMAN BUCKLEY

_____ offered the following resolution, was seconded by

COUNCILMAN WOOTEN ;

WHEREAS, the Riverhead Town Board has received the attached petitions from the property owners of a private road located off of Old Field Court, in Wading River, New York, further described as Suffolk County Tax Map #0600-57-1-7.54, which has requested that the private road be named "Julia's Way"; and

WHEREAS, the Highway Superintendent has received the request and accepts the name of the private road to be "Julia's Way.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead hereby adopts the name of the private road located off of Old Field Court in Wading River, New York, further described as Suffolk County Tax Map #0600-57-1-7.54, as "Julia's Way"; and be it further

RESOLVED, that the Riverhead Town Clerk is hereby directed to forward a certified copy of this resolution to Robert F. Kozakiewicz, Esq., 431 Griffing Avenue, P.O. Box 341, Riverhead, New York, 11901, the United States Post Office, Wading River Annex, the Wading River Fire Department and copies to the Police Department, the Highway Department, the Building Department, the Planning Department and the Office of the Town Attorney.

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

NOVEMBER 5, 2008

Adopted

TOWN OF RIVERHEAD

Resolution # 957

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR OIL, LUBRICANTS AND FLUIDS

COUNCILMAN WOOTEN offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for proposals for Oil, Lubricants and Fluids and;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the NOVEMBER 13, 2008 issue of the News Review and;

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

THE VOTE

Buckley Yes No

Wooten Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

NOTICE TO BIDDERS

Sealed bids for the purchase of **OIL, LUBRICANTS AND FLUIDS** for use by the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m. on NOVEMBER 21, 2008.**

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m. or on our website at www.riverheadli.com.

All bids must be submitted on the bid form provided. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BID OIL, LUBRICANTS AND FLUIDS.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

NOVEMBER 5, 2008

TOWN OF RIVERHEAD

Adopted

Resolution # 958

EXTENDS BID CONTRACT FOR MILK

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

WHEREAS, the Purchasing Department has requested the contract with OAK TREE DAIRY , be extended until NOVEMBER 7, 2009 and;

WHEREAS, this will be the SECOND extension;

WHEREAS, the above name vendor has agreed to extend the contract until NOVEMBER 7, 2009 for .185 cents per 1/2 pint which is the same as 2007 pricing and;

WHEREAS, the Town Board has reviewed said request.

NOW THEREFORE BE IT

RESOLVED, that the contract for MILK be and hereby is, extended until NOVEMBER 7, 2009.

RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to OAK TREE DAIRY and the Purchasing Department.

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

NOVEMBER 5, 2008

Adopted

TOWN OF RIVERHEAD

Resolution # 959

EXTENDS BID CONTRACT FOR POLICE UNIFORMS

COUNCILMAN DUNLEAVY

offered the following resolution,

COUNCILMAN BUCKLEY

which was seconded by

WHEREAS, the Purchasing Department has requested the contract with CHARLES GREENBLATT, INC. be extended until AUGUST 2, 2009 and;

WHEREAS, this will be the SECOND extension;

WHEREAS, the above name vendor has agreed to extend the contract at the same prices as previous until AUGUST 2, 2009 and;

WHEREAS, the Town Board has reviewed said request.

NOW THEREFORE BE IT

RESOLVED, that the contract for POLICE UNIFORMS be and hereby is, extended until AUGUST 2, 2009.

RESOLVED, the Town Clerk be and is hereby authorized to forward a copy of this resolution to CHARLES GREENBLATT, INC. , the Police Department and the Purchasing Department.

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

Adopted

TOWN OF RIVERHEAD

EXTENDS BID CONTRACT FOR CORROSION CONTROL CHEMICAL
FOR THE TOWN OF RIVERHEAD

RESOLUTION # 960

COUNCILMAN BUCKLEY offered the following resolution, which was seconded by COUNCILMAN WOOTEN:

WHEREAS, Carus Phosphates, Inc., d/b/a/ CalciQuest, Inc., was awarded the bid for Corrosion Control Chemical by Resolution #491 adopted June 3, 2008, for a six-month period; and

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

WHEREAS, the above-named vendor has agreed to extend the contract until June 3, 2009, at the original bid amount of \$9.348 per gallon for corrosion control chemical; and

WHEREAS, the Town Board has reviewed said request.

NOW, THEREFORE, BE IT

RESOLVED, that the bid contract for Corrosion Control Chemical be and is hereby extended to June 3, 2009; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Carus Phosphates, Inc., d/b/a CalciQuest, Inc., 181 Woodlawn Avenue, Belmont, NC, 28012.

THE VOTE

Wooten Yes No

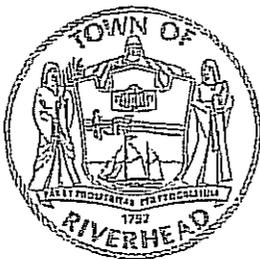
Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

**THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED.**



RWD Riverhead Water District

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

Bid Extension Notice

To: Craig P. Principi, Bid & Sales Manager
Carus Phosphates, Inc.

From: Riverhead Water District

Date: October 7, 2008

Subject: Extension of Bid Services

This letter is to inform you that our current bid contract with you for corrosion control chemical (PO4) will expire on December 3, 2008.

The Town of Riverhead would like to extend this contract for a period of six (6) months until June 3, 2009, at the current bid price of \$9.348 per gallon. This will be the first extension under the contract.

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

Date: 10/13/08

CARUS PHOPHATES, INC.

Cy P. Principi
Authorized Signature

CRAIG P. PRINCIPI
Bid & Sales Manager

**BID SPECIFICATIONS FOR CHEMICALS
CORROSION CONTROL CHEMICAL**

PLEASE READ CAREFULLY

- | | | |
|----|--|-------------------------------------|
| 1. | 0 - 1000 gals. of product | |
| | (a) One (1) drop | \$ <u>9.348</u> Price per gal. |
| | (b) Two (2) or more drops
(maximum of four [4] drops) | (CP) \$ <u>9.348</u> Price per gal. |
| 2. | 1001 - 2000 gals. of product | |
| | (a) One (1) drop | \$ <u>9.348</u> Price per gal. |
| | (b) Two (2) or more drops
(maximum of four [4] drops) | \$ <u>9.348</u> Price per gal. |
| 3. | 0 - 1000 gals. of product point to point | |
| | (a) One (1) drop | \$ <u>9.348</u> Price per gal. |
| | (b) Two (2) or more drops
(maximum of four [4] drops) | \$ <u>9.348</u> Price per gal. |
| 4. | 1001 - 2000 gals. of product point to point | |
| | (a) One (1) drop | \$ <u>9.348</u> Price per gal. |
| | (b) Two (2) or more drops
(maximum of four [4] drops) | \$ <u>9.348</u> Price per gal. |

**CORROSION CONTROL CHEMICALS SPECIFICATIONS
RIVERHEAD WATER DISTRICT**

PART 1 - GENERAL

1. SCOPE

- A. The supplier under this contract shall furnish "approved" corrosion control chemicals for bulk liquid solution for water treatment certified by the NSF to conform to ANS/NSF Standard 60/61.

2. FEDERAL, STATE AND COUNTY APPROVALS

- A. The Corrosion Control Chemical to be supplied shall have been accepted by the NSF to conform to ANS/NSF Standard 60/61.
- B. The bidder shall also provide proof of certification of meeting ANSI/NSF Standard-60/61 and have a Material Safety Data Sheet for the product being bid.

3. BACTERIA/CHLORINATION

- A. Due to potential problems with encapsulated bacteria in the distribution system and the current continuous use of chlorine in the range of 0.5 to 1.5 parts per million (PPM), the bidder shall provide some documentation that the corrosion control chemical does not increase bacteria counts in the distribution system and does not materially increase the

November 5, 2008

Adopted

TOWN OF RIVERHEAD

AUTHORIZES RELEASE OF DEVELOPER MONEY
COUNTRY TRAILS

RESOLUTION # 961

COUNCILMAN WOOTEN

offered the following resolution,

which was seconded by **COUNCILWOMAN BLASS**

WHEREAS, Country Trails deposited monies for expansion of the Riverhead Water District, Capital Project 30066, with the Town of Riverhead on February 5, 2002 (C-3603) & May 19, 2006 (G-13924 & G-13925) totaling One Hundred Eighty Two Thousand Five Hundred Dollars (\$182,500.00)

WHEREAS, Holzmacher, McLendon & Murrell, P.C. (H2M) and the Riverhead Water District has determined that all work for this extension has been completed and the developer is due back a refund of Sixteen Thousand One Hundred Sixty Four Dollars and Forty Nine Cents (\$16,164.49)

WHEREAS, that the Town of Riverhead Administration fee should be released to General Town (\$5,429.00) and to the Riverhead Water District (\$4,071.00) in the total amount of Nine Thousand Five Hundred Dollars (\$9,500.00).

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Accounting Department to release said monies in the sum of Sixteen Thousand One Hundred Sixty Four Dollars and Forty Nine Cents (\$16,164.49) to Country Trails; and Five Thousand Four Hundred Twenty Nine Dollars (\$5,429.00) to General Town Administration Fee; and Four Thousand Seventy One Dollars (4,071.00) to the Water District Administration Fee; and

BE IT FURTHER RESOLVED, that the Town Clerk be, and is hereby, authorized to forward a Certified Copy of this Resolution to Country Trails, 251 Hawkins Road, Centereach, NY 11720; H2M Group, 575 Broad Hollow Road, Melville, NY 11747; Riverhead Water District and the Accounting Department.

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

November 5, 2008

Adopted

TOWN OF RIVERHEAD

AUTHORIZES RELEASE OF DEVELOPER MONEY
GATEWAY EAST

RESOLUTION # 962

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by COUNCILMAN DUNLEAVY

WHEREAS, Sean Walter, attorney for Gateway East deposited monies for expansion of the Riverhead Water District, Capital Project 30071, with the Town of Riverhead on November 3, 2005 (F-30702) & November 8, 2006 (G-31201) totaling Sixty Seven Thousand Dollars (\$67,000.00).

WHEREAS, Holzmacher, McLendon & Murrell, P.C. (H2M) and the Riverhead Water District has determined that all work for this extension has been completed and the developer is due back a refund of Thirteen Thousand Nine Hundred Seven Dollars and Sixty Five Cents (\$13,907.65)

WHEREAS, that the Town of Riverhead Administration fee should be released to General Town (\$2,000.00) and to the Riverhead Water District (\$1,500.00) in the total amount of Three Thousand Five Hundred Dollars (\$3,500.00).

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Accounting Department to release said monies in the sum of Thirteen Thousand Nine Hundred Seven Dollars and Sixty Five Cents (\$13,907.65) to Sean Walter, attorney for Gateway East; and Two Thousand (\$2,000.00) to General Town Administration Fee; and One Thousand Five Hundred (1,500.00) to the Water District Administration Fee; and

BE IT FURTHER RESOLVED, that the Town Clerk be, and is hereby, authorized to forward a Certified Copy of this Resolution to Sean Walter, attorney for Gateway East PO Box 852, Wading River, NY 11792; H2M Group, 575 Broad Hollow Road, Melville, NY 11747; Riverhead Water District and the Accounting Department.

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

November 5, 2008

Adopted

TOWN OF RIVERHEAD

AUTHORIZES RELEASE OF DEVELOPER MONEY
HOUNDS GATE DEVELOPMENT

RESOLUTION # 963

COUNCILMAN DUNLEAVY

offered the following resolution,

which was seconded by COUNCILMAN BUCKLEY

WHEREAS, Hounds Gate Development, Wading River Woods, LLC deposited monies for expansion of the Riverhead Water District, Capital Project 30075, with the Town of Riverhead on May 7, 2004 (E-12802) & February 7, 2005 (F-3804) totaling One Hundred Thousand (\$100,000.00)

WHEREAS, Holzmacher, McLendon & Murrell, P.C. (H2M) and the Riverhead Water District has determined that all work for this extension has been completed and the developer is due back a refund of Four Thousand One Hundred Nine Dollars and Seventy Three Cents (\$4,109.73)

WHEREAS, that the Town of Riverhead Administration fee should be released to General Town (\$1,920.00) and to the Riverhead Water District (\$1,440.00) in the total amount of Three Thousand Three Hundred Sixty Dollars (\$3,360.00).

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Accounting Department to release said monies in the sum of Four Thousand One Hundred Nine Dollars and Seventy Three Cents (\$4,109.73) to Wading River Woods, LLC; and One Thousand Nine Hundred Twenty Dollars (\$1,920.00) to General Town Administration Fee; and One Thousand Four Hundred Forty Dollars (1,440.00) to the Water District Administration Fee; and

BE IT FURTHER RESOLVED, that the Town Clerk be, and is hereby, authorized to forward a Certified Copy of this Resolution to Hounds Gate, Wading River Woods, LLC, 750 North Country Road, Suite 3, Setauket, NY 11733; H2M Group, 575 Broad Hollow Road, Melville, NY 11747; Riverhead Water District and the Accounting Department.

THE VOTE

Wooten <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Buckley <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
Cardinale <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

November 5, 2008

Adopted

TOWN OF RIVERHEAD

**AUTHORIZES RELEASE OF DEVELOPER MONEY
KELBRIDGE MEADOWS (HARTILL CONTRACTING)**

RESOLUTION # 964

COUNCILMAN BUCKLEY

_____ offered the following resolution,

which was seconded by **COUNCILMAN WOOTEN**_____.

WHEREAS, Hartill Contracting, LLC, deposited monies for expansion of the Riverhead Water District, Capital Project 30076, with the Town of Riverhead on May 12, 2004 (E-13305) & January 31, 2005 (F-3113) totaling Sixty One Thousand (\$61,000.00)

WHEREAS, Holzmacher, McLendon & Murrell, P.C. (H2M) and the Riverhead Water District has determined that all work for this extension has been completed and the developer is due back a refund of Three Thousand Five Hundred Seventy Six Dollars and Nine Cents (\$3,576.09)

WHEREAS, that the Town of Riverhead Administration fee should be released to General Town (\$3,266.00) and to the Riverhead Water District (\$2,449.00) in the total amount of Fiver Thousand Seven Hundred Fifteen Dollars (\$5,715.00).

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Accounting Department to release said monies in the sum of Three Thousand Five Hundred Seventy Six Dollars and Nine Cents (\$3,576.09) to Hartill Contracting, LLC; and Three Thousand Two Hundred Sixty Six Dollars (\$3,266.00) to General Town Administration Fee; and Two Thousand Four Hundred Forty Nine Dollars (2,449.00) to the Water District Administration Fee; and

BE IT FURTHER RESOLVED, that the Town Clerk be, and is hereby, authorized to forward a Certified Copy of this Resolution to Hartill Contracting LLC, 60 Josie Court, Riverhead, NY 11901; H2M Group, 575 Broad Hollow Road, Melville, NY 11747; Riverhead Water District and the Accounting Department.

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

11/5/08

Adopted

TOWN OF RIVERHEAD

Resolution # 965

ACCEPTS 100% SECURITY OF NEW CINGULAR WIRELESS PCS, LLC
(PERFORMANCE BOND)

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

WHEREAS, New Cingular Wireless PSC, LLC has posted a Safeco Insurance Company of America Performance Bond #6608199 in the sum of Ten Thousand Dollars (\$10,000.00) representing the 100% site plan security in connection with Riverhead Town Planning Board Resolution #52 dated July 3, 2008, for the replacement of an existing monopole, installation of antennas and other related equipment and appurtenances at the Jamesport Fire Department located on Manor Lane, Jamesport, New York, further described as Suffolk County Tax Map #0600-68-2-9.5, pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said performance bond and deems it to be sufficient in its form.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts Safeco Insurance Company of America Performance Bond #6608199 in the sum of Ten Thousand Dollars (\$10,000.00); and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to the Law Firm of Munley, Meade, Neilsen & Re, 36 North New York Avenue, Huntington, New York, 11743 and copies to the Building Department, the Planning Department and the Office of the Town Attorney.

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

November 5, 2008

Adopted

TOWN OF RIVERHEAD

Resolution # 966

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST
PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 108
ENTITLED "ZONING", ARTICLE XXXI ENTITLED "OPEN SPACE CONSERVATION
DISTRICT", OF THE RIVERHEAD TOWN CODE**

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

RESOLVED, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled "Zoning", Article XXXI entitled "Open Space Conservation District", § 108-151 entitled "Uses", of the Riverhead Town Code once in the November 13, 2008 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 amendment to be posted on the sign board of the Town; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Riverhead Planning Department; the Riverhead Planning Board; the Riverhead Building Department and the Office of the Town Attorney.

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
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 16th day of December, 2008 at 7:05 o'clock p.m. to consider a local law to amend Chapter 108 entitled "Zoning", Article XXXI entitled "Open Space Conservation District", §108-151 entitled "Uses" of the Riverhead Town Code as follows:

**Chapter 108
Zoning
Article XXXI
Open Space Conservation District**

§108-151. Uses.

In the Open Space Conservation District, no building, structure or premises shall be used, arranged or designed to be used and no structure shall hereafter be erected, reconstructed or altered unless otherwise provided for in this chapter, except for two of the following special permit uses or accessory uses:

A. Special permit uses. All special permit uses set forth herein shall be subject to the approval of the Town Board, pursuant to the definition of site plan in § 108-3 of this chapter Article XXVIA of this chapter. Special permit uses are as follows:

~~(1) Those structures which are considered customary to the prevailing use. This shall include but not be limited to golf clubhouses, tennis clubhouses, bath houses, park administration buildings, camp houses, maintenance buildings, utility shops, central heating and power plants and fully enclosed storage~~

(1) Public Golf Course

(2) Public Parks & Recreational Areas

(3) Camps

(4) Single family residence

(5) Agricultural production as defined in §108-3

(6) Reforestation land or other conservation purposes recognized and approved by local and regional authorities

B. Special permit accessory uses or structures. All special permit accessory uses or structures set forth herein shall be subject to the approval of the Town Board pursuant to Article XXVIA of this chapter. Special Permit accessory uses or structures are as follows:

(1) Those uses or structures which are customarily incidental and subordinate to the principal building or use and located on the same lot as such principal building or use and shall include such uses as golf or tennis

clubhouses, bath houses, park administration buildings, camp houses, maintenance buildings and fully enclosed storage facilities.

~~§ 108-152. Special requirements.~~

- A. ~~Pursuant to Article XXVI of this chapter, all uses shall require site plan approval.~~
- B. ~~Signage shall conform to the provisions of § 108-56 of this chapter.~~
- C. ~~All development in the Open Space Conservation District shall conform to the screening and buffer requirements set forth in §108-64.1 of this chapter.~~

* Underline represents addition(s)

* Strikethrough represents deletion(s)

Dated: Riverhead, New York
November 5, 2008

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

BARBARA GRATTAN, Town Clerk

11/05/08

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 967

AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH
BARIST ELEVATOR COMPANY, INC. TO PROVIDE ELEVATOR
MAINTENANCE SERVICE AT THE RIVERHEAD TOWN
GEORGE YOUNG COMMUNITY CENTER

COUNCILMAN DUNLEAVY, offered the following resolution, which was seconded
by COUNCILMAN BUCKLEY.

WHEREAS, the Town of Riverhead is desirous of maintaining elevator service at the George Young Community Center; and

WHEREAS, procurement of elevator maintenance service is imperative in the safe and efficient operation of the George Young Community Center; and

WHEREAS, Barist Elevator Company, Inc., is interested and capable of providing elevator maintenance service at the George Young Community Center.

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute the attached agreement with Barist Elevator Company, Inc., to provide elevator maintenance service at the George Young Community Center.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Steven Dalvano, General Manager, Barist Elevator Company, Inc., 113F Brook Avenue, Deer Park, New York 11729; Town Engineering Department and the Office of the Town Attorney.

THE VOTE

Wooten Yes No Buckley Yes No
Dunleavy Yes No Blass Yes No

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

SERVICE AGREEMENT

This Agreement made the _____ day of _____, 2008 between the TOWN OF RIVERHEAD (hereinafter "Town"), a municipal corporation organized and existing under the laws of New York, with its office located at 200 Howell Avenue, Riverhead, New York, 11901, and BARIST ELEVATOR COMPANY, INC. (hereinafter "Barist"), a corporation existing under the laws of the State of New York with a principal place of business at 113F Brook Avenue, Deer Park, NY 11729.

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

1. SCOPE OF SERVICES

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

2. TERM OF AGREEMENT

The agreement shall commence on January 1, 2008 and terminate on December 31, 2008.

3. PAYMENT

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

4. PUBLICITY

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

5. ASSIGNMENT AND SUBCONTRACTING

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

6. TERMINATION

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

7. RECORDS

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

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

8. CHANGES

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

9. NOTICES

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

10. COMPLIANCE WITH LAWS

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

11. INSURANCE, INDEMNITY AND LIABILITY

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

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

12. CONFLICT OF INTEREST

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

13. DISCLOSURE

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

14. DISPUTES

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

15. WORK HOURS

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

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

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

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

If overtime examinations, repairs or emergency minor adjustment callback services are later requested by the Town or its representative, the Town agrees to pay extra for the overtime bonus hours at Barist's regular billing rates.

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

16. SERVICE

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

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

17. PRO-RATED PARTS

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

18. SPECIFIC EXCEPTIONS

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

19. GENERAL EXCEPTIONS

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

20. TESTING/INSPECTIONS

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

- Annual Valve Pressure Test
- Semi-Annual Visual Inspections

21. TOWN'S RESPONSIBILITY

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

22. SHARED RESPONSIBILITY

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

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

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

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

Phil Cardinale, Supervisor
Town of Riverhead
200 Howell Avenue
Riverhead, NY 11901

Steven Dalvano, General Manager
Barist Elevator Company, Inc.
113F Brook Avenue
Deer Park, NY 11729

Adopted

11/5/08

TOWN OF RIVERHEAD

Resolution # 968

AUTHORIZES THE SUPERVISOR TO EXECUTE AN ORDER ON CONSENT (DEC VIOLATION – HIGHWAY DEPARTMENT)

COUNCILMAN BUCKLEY

offered the following resolution, was seconded by

COUNCILMAN WOOTEN :

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized execute an Order on Consent in connection with wetland restoration at the Highway Department located at 56 Osborne Avenue, Riverhead, New York; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to New York State Department of Environmental Conservation, Stony Brook University, 50 Circle Road, Stony Brook, New York, 11790 to the attention of Robert F. Marsh, Regional Manager Bureau of Habitat and a copy to the Office of the Town Attorney.

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

11.5.08

Adopted

TOWN OF RIVERHEAD

Resolution #969

**AUTHORIZES THE PUBLICATION OF A PUBLIC NOTICE FOR A
COMBINED PUBLIC HEARING
(Designation of the Peconic River in the hamlet of Riverhead as
"Community River")**

COUNCILMAN WOOTEN offered the following resolution,

which was seconded by COUNCILWOMAN BLASS:

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a change to the New York State Wild, Scenic and Recreational Rivers System ("WSRR") designation of a portion of the river within the hamlet of Riverhead from its current "Recreational" category to a "Community" category pursuant to Article 15, Title 27 of the New York State Environmental Conservation Law, once in the November 6, 2008 edition of the New Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Planning Department, Town Attorney, Maria Villa, Administrative Law Judge, New York State Department of Environmental Conservation, Robert Marsh, New York State Department of Environmental Conservation and James Bagg, County of Suffolk, Department of Planning.

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

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
NOTICE OF COMBINED PUBLIC HEARINGS

Applicants: Town of Riverhead Planning Department
200 Howell Avenue
Riverhead, New York 11901
Attn.: Rick Hanley, Director

County of Suffolk
Department of Planning
P.O. Box 6100
Hauppauge, New York 11788
Attn: James Bagg, Chief Environmental Analyst

Town of Riverhead Proposal: The Town of Riverhead has requested a change to the New York State Wild, Scenic and Recreational Rivers System (“WSRR”) designation of a portion of the hamlet of Riverhead from its current Recreational category to a Community category. This redesignation is requested pursuant to the provisions of Article 15, title 27 of the New York State Environmental Conservation Law (“ECL”), and Section 666.6 of part 666 of title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (“6 NYCRR”).

The area proposed for redesignation is located north of the Peconic River between Mill Road to the west and Grangebel Park to the east with the major portion lying north of Route 25 between Mill Road and Raynor Avenue and south of Pulaski Street, and the remainder lying generally south of State Route 25 in the hamlet of Riverhead, Town of Riverhead, Suffolk County, New York. A total of 134.27 acres of predominantly private land is proposed to be redesignated from the WSRR Recreational category to a Community area.

The proposed change does not entail any physical activity in and of itself. Non-river related commercial and industrial uses and government/institutional uses, which are prohibited under the Recreational designation, are allowed uses under the Community designation. If the redesignation is approved, all future physical activities within the project area will still be subject to all of the other regulatory requirements and standards contained in the WSRR regulations, including setback and lot coverage standards. The area meets the minimum standard contained in the WSRR regulations for a Community designation, which is an area “that has a minimum of 30 acres and, at the time of legislative designation, a minimum of 85 percent of the lots developed. In addition, the area must have either lot sizes that average one-half acre or less or no less than 40 percent of the lots developed for industrial, institutional and/or commercial uses.” Section 666.3(m).

Department Staff have no objection to the proposed redesignation. Pursuant to Section 666.6, a public hearing is required to receive comments from all interested parties prior to the Commissioner making a decision on the proposed redesignation.

County of Suffolk Proposal: The County of Suffolk has requested a change to the WSRR designation of the County Center at Riverhead municipal complex, which is located in the Peconic River Scenic and Recreational River corridor. A total of 49.6 acres of county owned and occupied land are proposed to be redesignated from the current Recreational category to a Community category.

The project area is the Suffolk County Center at Riverhead, located on the south side of Nugent Drive (County Road 94, also known as State Route 24), on the west side of East Moriches-Riverhead Road (County Road 51), in the hamlet of Riverhead, Town of Southampton, Suffolk County, New York.

The proposed change does not entail any physical activity in and of itself. The only change of note is that government/institutional uses, which are prohibited under the Recreational designation, are allowed uses under the Community designation. If the redesignation is approved, all future physical activities within the project area will still be subject to all of the other regulatory requirements and standards contained in the WSRR regulations, including setback and lot coverage standards. Much of this area has already been disturbed due to prior governmental development of the site which occurred in the 1960s, 1970s and 1980s after the County acquired the property for its operations, and prior to the area's inclusion in the Peconic River Scenic and Recreational River corridor.

Department Staff have no objection to the proposed redesignation. Pursuant to Section 666.6, a public hearing is required to receive comments from all interested parties prior to the Commissioner making a decision on the proposed redesignation.

SEORA Status: Department Staff determined that each of the proposed redesignations is a Type I action, pursuant to the State Environmental Quality Review Act, ECL article 8 ("SEQRA") and 6 NYCRR part 617 (see 6 NYCRR 617.4(b)). The Department, as lead agency, determined that the proposed redesignations would not have a significant effect on the environment, and issued two separate negative declarations.

With respect to the Town of Riverhead proposed redesignation, the negative declaration dated August 20, 2007 was published in the Department's electronic *Environmental Notice Bulletin* on September 12, 2007 [ENB link at: www.dec.ny.gov/enb/20070912_not1.html].

With respect to the County of Suffolk's proposed redesignation, the negative declaration dated August 27, 2007 was published in the Department's electronic *Environmental Notice Bulletin* on September 12, 2007 [ENB link at: www.dec.ny.gov/enb/20070912_not1.html].

Combined Public Hearings: All persons, organizations, corporations or government agencies that may be affected by the proposed redesignations are invited to comment. For this purpose, a joint hearing to receive unsworn comments on both proposed redesignations will commence at **6:00 p.m. on Wednesday, December 10 at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York 11901, telephone number 631-727-3200.**

The presentation on the County of Suffolk's redesignation will take place first, followed by the

presentation on the Town of Riverhead's redesignation. Comments on either or both proposals will be accepted throughout the course of the hearings.

This location is reasonably accessible to persons with a mobility impairment. Pursuant to the State Administrative Procedure Act ("SAPA"), interpreter services shall be made available to hearing impaired persons, at no charge, upon written request to the Department's Region 1 office, at the address below, at least five business days prior to the hearing.

Written comments may also be submitted at the hearings or may be mailed to be received on or before **Friday, December 19, 2008**. Address comments to Robert Marsh, NYSDEC Region 1, Bureau of Habitat, SUNY Stony Brook, 50 Circle Road, Stony Brook, New York 11790-3409.

In the event of inclement weather, the hearing will be rescheduled and will commence at 6:00 p.m. at the same location on Wednesday, December 17, 2008.

Document Availability: All filed documents relating to the proposed redesignations are available for inspection during normal business hours at the Department's Region 1 Office, 50 Circle Road, Stony Brook, New York 11790-2356, attn: Robert Marsh, Bureau of Habitat, telephone 631-444-0364, and at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York 11901, telephone number 631-727-3200.

Statutory and Regulatory Provisions: This proceeding is conducted according to the Environmental Conservation Law ("ECL") article 1 (General Provisions); article 3, title 3 (General Functions); article 8 (State Environmental Quality Review, "SEQR"); article 15, title 27 (Wild, Scenic and Recreational Rivers System); and also title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York ("6 NYCRR") part 617 ("SEQR"); part 621 (Uniform Procedures); and part 666 (Wild, Scenic and Recreational Rivers System).

October 22, 2008

11/5/08

Adopted

TOWN OF RIVERHEAD

Resolution # 970

ADOPTS A LOCAL LAW REPEALING §108-51.1 OF THE CODE OF THE TOWN OF RIVERHEAD ENTITLED "HANDICAPPED ACCESS RAMPS"

COUNCILWOMAN BLASS offered the following resolution, 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 repealing §108-51.1 entitled "Handicapped Access Ramps", of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the on the 3rd day of September, 2008 at 2:15 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 repealing §108-51.1 entitled "Handicapped Access Ramps" 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
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
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law enacting repealing §108-51.1 entitled "Handicapped Access Ramps", of the Riverhead Town Code at its regular meeting held on November 5, 2008. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

~~§ 108-51.1 Handicapped access ramps.~~

~~A. Upon submission of a doctor's certificate as proof of a handicap condition, a handicapped access ramp of a minimum size necessary to meet the New York State Uniform Fire Prevention and Building Code and the American National Standards Institute (ANSI) shall be permitted for residential use in all zoning use districts and the minimum yard setback shall not apply, provided that a covenant and restriction, in recordable form, states that the handicapped access ramp shall be completely removed upon the happening of the following events, whichever first occurs:~~

- ~~(1) The handicapped access ramp is no longer necessary.~~
- ~~(2) The property is transferred.~~

~~B. This section shall not apply if the handicapped access ramp meets all setback requirements or if the owner elects to obtain a variance.~~

~~C. Handicapped access ramps and any other structure designed exclusively to facilitate accessibility to structures for the handicapped are exempt from a permit fee for that structure which would otherwise be required pursuant to Chapter 52.~~

- Strikethrough represents deletion(s)

Dated: Riverhead, New York
November 5, 2008

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

11/5/08

Adopted

TOWN OF RIVERHEAD

Resolution # 971

ADOPTS A LOCAL LAW ENACTING CHAPTER 53 OF THE CODE OF THE TOWN OF RIVERHEAD ENTITLED "IMPROVEMENTS FOR PEOPLE WITH DISABILITIES AND SENIORS"

COUNCILMAN DUNLEAVY

offered the following resolution, was seconded by

COUNCILMAN BUCKLEY :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law enacting Chapter 53 entitled "Improvements for disabled and elderly", of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the on the 3rd day of September, 2008 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 enacting Chapter 53 originally entitled "Improvements for disabled and elderly", and re-titled "Improvements for people with disabilities and seniors" 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

Buckley	<input checked="" type="checkbox"/>	yes	<input type="checkbox"/>	no	Wooten	<input checked="" type="checkbox"/>	yes	<input type="checkbox"/>	no
Dunleavy	<input checked="" type="checkbox"/>	yes	<input type="checkbox"/>	no	Blass	<input checked="" type="checkbox"/>	yes	<input type="checkbox"/>	no
					Cardinale	<input checked="" type="checkbox"/>	yes	<input type="checkbox"/>	no

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

TOWN OF RIVERHEAD NOTICE OF ADOPTION

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law enacting Chapter 53 entitled “Improvements for people with disabilities and seniors”, of the Riverhead Town Code at its regular meeting held on November 5, 2008. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

CHAPTER 53 Improvements for people with disabilities and seniors

SECTION 1. Legislative Intent.

It is becoming increasingly apparent that a growing percentage of the residents of the Town of Riverhead require design modifications and accessibility improvements in order to enter and exit their homes safely. In addition, commercial establishment and places of public accommodation require modifications to remove architectural barriers to access and improve access for persons with mobility impairments. This is particularly true where, as here, the demographics demonstrate that increasing numbers of residents aged 55 years and better are seeking to remain in their single family homes and “age-in-place”.

In order to construct necessary design modifications and accessibility improvements in these homes and commercial establishments a building permit is required. The intent of this local law is to facilitate the processing of these permits through the Building Department and to allow for relief from certain strictures of the Zoning Code for these accessibility improvements.

Many existing homes have been built to occupy lots up to front, rear and side lot setback requirements. Often, design modifications and accessibility improvements may only be constructed within these required setbacks – which, under current Town Code requirements, often necessitate an area variance from the Zoning Board of Appeals. The Zoning Board of Appeals may vary these setback requirements, but only after proceedings that often require a hearing and other lengthy processes.

The Town Board finds that, in furtherance of the above stated goals of facilitating design modifications and accessibility improvements, exempting improvements to residential structures from the strict application of the Zoning Code will better assist residents who wish to “age-in-place” and improve their quality of life without adversely affecting neighboring properties.

As set forth in Chapter 52-10(c) and subject to compliance with the American National Standards for Accessible and Usable Buildings and Facilities, as adopted by the New York State Building Code, construction items related solely to improving access, safety and independent living for people with disabilities and seniors at entrances to and within buildings shall be

exempt from building permit fee requirements.

- (1) Commercial establishment modifications. The building permit fee shall be waived for all modifications to commercial buildings or places of public accommodation related solely to removing architectural barriers to access and improving access for persons with mobility impairments, including but not limited to ramps and bathroom renovations.
- (2) Home modification. The building permit fee shall be waived for all home modifications related to improving access for persons with mobility impairments, including but not limited to ramps and kitchen and bathroom renovations.
- (3) New single- family home construction. The building permit fee shall be reduced by \$300.00 for a new construction of single-family dwellings in which the applicant opts to incorporate the following universal design “basic access ”features:
 - (a) At least one stepless entrance to the dwelling (may be located anywhere, front, rear, side or even in the garage);
 - (b) Wider doors on the first floor;
 - (c) At least a half bath on the first floor that enables a wheelchair user to enter and close the door. In addition, having reinforcements between wall studs in bathrooms, or what is commonly called “blocking”, allows for easier and safer installation of grab bars if needed in the future for the home’s occupants;
 - (d) Bedroom located on the first floor or room suitable “flex room” for living space for a person with mobility impairments.
- (4) New two-family dwellings, multiple dwellings, apartments, condominiums and hotels. For new two-family dwellings, multiple dwellings, apartments, condominiums and hotels the building permit fee shall be reduced by \$300.00 if the dwelling units incorporate the following universal design “basic access” features:
 - (a) At least one stepless entrance to the dwelling (may be located anywhere, front, rear, side or even in the garage);
 - (b) Wider doors and hallways on the first floor ;
 - (c) At least a half bath on the first floor that enables a wheelchair user to enter and close the door. In addition, having reinforcements between wall studs

in bathrooms, or what is commonly called “blocking”, allows for easier and safer installation of grab bars if needed.

(d) Bedroom located on the first floor or room suitable “flex room” for living space for a person with mobility impairments.

(5) Priority review. The Building Department Administrator shall promulgate procedures for departmental review of applications for building permits related to design modifications and accessibility improvements which allow for priority review and expedited approval.

(6) The Building Department Administrator or his/her designee shall have the authority to approve the installation of design modifications and accessibility improvements as a temporary exception from any applicable front, side and rear lot setback or similar dimensional restrictions governing the maximum building area of a residentially zoned lot, without necessity of an application for an area variance from the Zoning Board of Appeals, subject to the following:

(a) The applicant presents documentation from a licensed physician declaring that one or more residents domiciled at a dwelling within the Town of Riverhead requires the construction at said domicile of design modifications and accessibility improvements to provide for access or egress aided by equipment requiring ramps or lifts;

(b) Such design modifications and accessibility improvements shall not be included in the floor area or impervious surface calculations applicable to the dwelling;

(c) Such design modifications and accessibility improvements do not project more than seven (7) feet beyond the otherwise permissible building area on the front, side or rear of any dwelling;

(d) The construction of said facilities or improvements meets applicable American National Standards for Accessible and Usable Buildings and Facilities as adopted by the New York State Building Code;

(e) In granting such exemption, the Building Administrator shall limit the duration of the exception to the time period specified by the licensed medical professional providing documentation for the home design modification and accessibility improvement. An extension of such duration may be permitted by presentation of further documentation from a medical professional addressing the continued need for the facility or improvement.

- (f) The Building Department Administrator shall promulgate such rules, procedures, application forms and certificates as may be required to effectively implement the provisions of this subsection.

SECTION 2. Legislative Authority.

This Chapter is enacted pursuant to New York State Town Law §§130 and 138.

SECTION 3. Severability.

If any section or subsection, paragraph, clause, phrase or provision of this law shall be judged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

SECTION 4. Effective Date.

This local law shall become effective upon filing with the Secretary of State pursuant to the Municipal Home Rule Law.

- Underscore indicates additions

Dated: Riverhead, New York
November 5, 2008

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

11/5/08

Adopted

TOWN OF RIVERHEAD

Resolution # 972

AUTHORIZES THE RETENTION OF THE LAW FIRM OF SMITH, FINKELSTEIN, LUNDBERG, ISLER AND YAKABOSKI, LLP AS SPECIAL COUNSEL

COUNCILMAN BUCKLEY offered the following resolution, was seconded by COUNCILMAN WOOTEN:

WHEREAS, the Town Board wishes to appoint the firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP to act as special counsel in connection with *Silverman v. Town of Riverhead* regarding U.S. Department of Housing and Urban Development Complaint and commencement of any related litigation;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby appoints the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski LLP to act as legal counsel in connection with the aforementioned matter at the rate of \$175.00 per hour; and be it further

RESOLVED, that the Riverhead Town Board authorizes the Supervisor to execute the attached Retainer Agreement; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Law Firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP., 456 Griffing Avenue, Riverhead, New York, 11901 ; and send notification to the Office of the Supervisor; the Town Attorney's Office and the Office of Accounting.

WOOTEN YES ___ NO BUCKLEY YES ___ NO
DUNLEAVY YES ___ NO BLASS YES ___ NO
CARDINALE YES ___ NO
THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

RETAINER AGREEMENT

AGREEMENT made this ____ day of November 2008, by and between the Town of Riverhead, 200 Howell Avenue, Riverhead, New York (hereinafter the Town), and Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP, 456 Griffing Avenue, Riverhead, New York 11901 (hereinafter the Firm), pursuant to Resolution # _____ of the Town Board adopted on _____ as follows:

- 1. The Town retains the Firm to provide the legal services described in said resolution.
- 2. The Town agrees to pay the Firm at an hourly rate of \$175 an hour for attorneys and \$85 an hour for paralegals.
- 3. The Town shall reimburse the Firm for actual disbursements.

TOWN OF RIVERHEAD

By: _____
Philip Cardinale
Town Supervisor

Smith, Finkelstein, Lundberg,
Isler and Yakaboski, LLP

By: _____
PHIL SIEGEL

11/5/08

Adopted

TOWN OF RIVERHEAD

Resolution # 973

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT BETWEEN
TOWN OF RIVERHEAD AND THE METHODIST CHURCH OF RIVERHEAD
SUBJECT TO PERMISSIVE REFERENDUM**

COUNCILMAN WOOTEN offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

WHEREAS, on May 4, 1977, the Town of Riverhead entered into a lease agreement with the Methodist Church of Riverhead for the lease of land containing a municipal parking lot; and

WHEREAS, the original lease was extended by Resolution #776 adopted on December 20, 1988, again by Resolution #473 adopted on July 6, 1993, again by Resolution # 658 adopted on August 4, 1998 and again by Resolution #857 adopted on August 5, 2003; and

WHEREAS, it is the desire of the Town Board to extend said lease for another five (5) years with option to renew for a second five year period,

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute a lease agreement with the Methodist Church of Riverhead, which lease is to be extended for a five-year period of time; and be it further

RESOLVED, that this resolution is subject to permissive referendum; and be it further

RESOLVED, that the Town Clerk is hereby directed to publish and post the attached public notice; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Methodist Church of Riverhead, 204 East Main Street, Riverhead, New York, 11901; the Office of the Town Attorney and the Office of Accounting.

THE VOTE

Buckley	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Wooten	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
			Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

Please take notice that the Town Board of the Town of Riverhead adopted a resolution on November 5, 2008 authorizing a five year extension of a lease with the Methodist Church of Riverhead for land containing a municipal parking lot. The extension of said lease shall be subject to permissive referendum.

Dated: Riverhead, New York
November 5, 2008

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

LEASE

THIS INDENTURE, made this ____ day of October, 2008, between THE METHODIST CHURCH OF RIVERHEAD, New York, also known as the United Methodist Church of Riverhead, New York, with offices at 203 East Main Street, Riverhead, New York, party of the first part, and the TOWN OF RIVERHEAD, with offices at 200 Howell Avenue ,Riverhead, party of the second part

W I T N E S S E T H :

The Lessor hereby leases to Lessee certain lands, known as the Methodist Church parking lot located between East Avenue and Maple Avenue, Riverhead, New York, more particularly described as a portion of SCTM# 0600-129-1-11 for the term of five years, to commence from the 1st day of November, 2008, and to end on the 1st day of November, 2013, and shall automatically renew for an additional term (five years) upon the same terms as provided herein unless Lessee notifies Lessor of its intention not to renew prior to commencement of the renewal term, and upon the considerations and covenants following:

1. That the Lessee shall pay the rent of Thirty Five Hundred dollars and 00/100 Dollars (\$3,500.00) a year for the term of this lease upon execution of same, with Consumer Price Index (CPI) increases starting in the year 2009. Lessee shall pay the sum of Thirty Five Hundred dollars (\$3,500.00) with CPI adjustments for each succeeding year of the five year lease on or before November 1st of each year.
2. That Lessee shall repave the parking lot and stripe the parking stalls at the Lessee's sole cost and expense.
3. That Lessee shall be permitted to restrict or designate the use of the parking lot and erect such signs as may be necessary to effectuate same.
4. Any signs installed on the parking lot shall be maintained by the Lessee.
5. The Lessee shall maintain in full force a comprehensive liability insurance policy and name the Lessor as an additional insured limited to the parking lot and use of said parking lot. The comprehensive liability insurance shall cover all Lessee's acts related to improvement, possession and use of the parking lot. The Lessee shall provide

Lessor with a certificate of insurance evidencing that insurance is in effect on or before the commencement of the lease and Lessor's status as an additional insured.

7. Lessor will be held harmless by Lessee and Lessee shall defend and indemnify from and against any and all claims, demands, payments, suits, actions, recoveries, judgments, costs and expenses, including without limitations, attorney's fees in connection therewith, of every nature, including but not limited to claims for bodily injury or death, by any third party, and by or on behalf of the contractors, agents, servants or employees, arising out of or in connection with Lessee's, its agents, servants or employees use of the parking lot. Lessor will be held harmless by Lessee and Lessee agrees to defend and indemnify Lessor for property damage to the leased space, unless damages are caused by, or are the result of, the misconduct or negligence of Lessor or any of Lessor's agents, servants, employees, licensees or invitees. Notwithstanding any provisions herein to the contrary, it is understood and agreed that all property kept, installed, stored or maintained in or upon the Leased space by Lessee will be so installed, kept, stored or maintained at the risk of Lessee. Lessor will not be responsible for any loss or damage to equipment owned by Lessee which might result from lightning, wind storms or other Acts of God, provided however, Lessor will be responsible for, and agrees to hold Lessee harmless from any liability (including reimbursement of reasonable legal fees and all costs) for damages to any person or any property in or upon the Leased Space arising out of the misconduct or negligence of Lessor or any of Lessor's agents, servants, employees, licensees or invitees. Except for willful misconduct, neither Lessor nor Lessee will in any event be liable in damages for each other's business loss, business interruption or other consequential damages of whatever kind or nature, regardless of the cause of the damages, and each party, any anyone claiming by or through them, expressly waives all claims for damages.

8. The Lessor hereby agrees that the Lessee upon paying said rent and performing the aforesaid covenants, shall and may peacefully and quietly have, hold and enjoy the demised premises for the term aforesaid.

10. Upon termination of the lease, Lessee will, to the extent reasonable, restore the leased space to its original condition at the commencement of this lease,

except for ordinary wear and tear and damages by the elements or damages over which Lessee had no control.

11. Lessor and Lessee agree and acknowledge that said lease is subject to permissive referendum as the same is provided in the Town Law of the State of New York.

12. This instrument may not be changed orally.

IN WITNESS WHEREOF, the parties to these presents have hereunto set their hands and seals the day and year first above written.

Sealed and delivered in the presence of

THE METHODIST CHURCH OF
RIVERHEAD

THE TOWN OF RIVERHEAD

, Supervisor

TOWN OF RIVERHEAD

Adopted

Resolution # 974

APPROVES PLAN OF EDWIN FISHEL TUCCIO
AGRICULTURAL WORKER HOUSING PERMIT TO BE ISSUED PURSUANT TO SECTION 108-64.4 OF THE RIVERHEAD ZONING ORDINANCE

Offered the following resolution, COUNCILWOMAN BLASS

Which was seconded by COUNCILMAN DUNLEAVY

WHEREAS, the Riverhead Building Department is in receipt of a survey and plan of the property owned by Edwin Fishel Tuccio to allow the Riverhead Building Department to issue building permits to allow the construction of one (1) Agricultural Worker Housing unit pursuant to Article XIII Section 108-64.4 of the Riverhead Town Code, such real property located at 784 Middle Road, Riverhead, New York, Suffolk County Tax Map Number 0600-082.00-01-011.03; and

WHEREAS, the Riverhead Planning Department and Riverhead Building Department have reviewed the survey and plan and have determined that the location of the proposed structures conform to the criteria enumerated in the Town Code; and

WHEREAS, the Riverhead Planning and Building Department has reviewed the survey plan application and recommended to the Town Board that the petition be considered an Unlisted Action without significant adverse impact to either the natural or social environmental and a Draft Impact Statement need not be prepared.

NOW THEREFORE BE IT RESOLVED, that in the matter of the survey plan petition of Edwin Fishel Tuccio, that the Riverhead Town Board hereby declares itself to be the Lead Agency pursuant to 6NYCRR Part 617 and further determines that action not to have significant adverse impacts upon either the natural or social environment and that the Draft Environmental Impact Statement need not be prepared and be it further resolved that this approval is subject to the execution of an affidavit as request by the Building Department pursuant to Chapter 108-64.4 of the Riverhead Town Code.

BE IT FURTHER RESOVED, that the Town of Riverhead does hereby approve the survey and Agricultural Worker Housing plan of Edwin Fishel Tuccio, subject to the execution of an affidavit, pursuant to Article XIII Section 108-64.4 of the Riverhead Zoning Ordinance.

BE IT FURTHER RESOLVED, that the Town Clerk be and hereby authorizes to forward a certified copy of this resolution to Edwin Fishel Tuccio, 193 Griffing Avenue, Riverhead, New York 11901 the Riverhead Planning Department, the Building Department; Assessor's Office, and the Town Attorney's Office.

THE VOTE

Dunleavy yes no Wooten yes no
Blass yes no Buckley yes no
Cardinale yes no
The Resolution is is not Declared Duly Adopted

11/5/08

Adopted

TOWN OF RIVERHEAD

Resolution # 975

ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (Industrial A (IA) Zoning Use District – §108-274. Uses.)

COUNCILMAN DUNLEAVY offered the following resolution, was seconded by COUNCILMAN BUCKLEY:

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 21st day of October, 2008 at 7:05 o'clock p.m. at 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 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 the Town Clerk is hereby directed to forward a copy of this resolution to the Riverhead Planning Department, the Riverhead Zoning Board of Appeals, the Riverhead Building Department and the Office of the Town Attorney.

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
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 5, 2008.

Be it enacted by the Town Board of the Town of Riverhead as follows:

**Chapter 108
Zoning**

**ARTICLE L
Industrial A (IA) Zoning Use District**

§ 108-274. Uses.

In the IA Zoning Use District, no building, structure, or premises shall be used or arranged or designed to be used, and no building or structure shall be hereafter erected, reconstructed, or altered, unless otherwise provided in this chapter, except for the following permitted uses or specially permitted uses and their customary accessory uses:

A. Permitted uses:

(7) Building trade shop.

- Underline represents addition(s)

Dated: Riverhead, New York
November 5, 2008

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

BARBARA GRATTAN, Town Clerk

11/5/08

TOWN OF RIVERHEAD

Adopted

Resolution # 976

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 (\$108-95 Subdivision Regulations – General Provisions)

COUNCILMAN BUCKLEY offered the following resolution, 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 13, 2008 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" §108-95 entitled "Subdivision Regulations-General Provisions" of the Riverhead Town Code to be posted on the sign board of the Town, and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Planning Department, Building Department, Town Engineering Department and the Office of the Town Attorney.

WOOTEN YES ___ NO BUCKLEY YES ___ NO

DUNLEAVY YES ___ NO BLASS YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY 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 200 Howell Avenue, Riverhead, New York on the 2nd day of December, 2008 at 2:10 o'clock p.m. to consider a local law amending Chapter 108 entitled "Zoning", §108-95 of the Riverhead Town Code as follows:

CHAPTER 108
ZONING
ARTICLE XX
Subdivision Regulations

§108-95. General provisions.

D. Stormwater Pollution Prevention Plan.

- (1) A Stormwater Pollution Prevention Plan (SWPPP) consistent with the requirements of Chapter 110 of the Riverhead Town Code shall be required for Preliminary Subdivision Plat approval. The SWPPP shall meet the performance and design criteria and standards in Chapter 110, section 6 of this code. The approved Preliminary Subdivision Plat shall be consistent with the provisions of this code. Land Development/Redevelopment Activity, as the term is defined in Riverhead Town Code section 110-2, is expressly prohibited absent submission of a Stormwater Pollution Prevention Plan and approval by the Town of Riverhead's Stormwater Management Officer.

- (2) A Stormwater Pollution Prevention Plan consistent with the requirement of the code and with the terms of preliminary plan approval shall be required for Final Subdivision Plat approval. The SWPPP shall meet the performance and design criteria and standards in Chapter 110, section 6 of the code. The approved Final Subdivision Plat shall be consistent with the provision of the code. Land Development/Redevelopment Activity, as the term is defined in Riverhead Town Code section 110-2, is expressly prohibited absent submission of a Stormwater Pollution Prevention Plan and approval by the Town of Riverhead's Stormwater Management Officer.

- Underline represents addition(s)

Dated: Riverhead, New York
November 5, 2008

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

TOWN OF RIVERHEAD

Resolution # 977

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 (\$108-129 – Site Plan Review)

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached public notice once in the November 13, 2008 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" §108-129 entitled "Site Plan Review" of the Riverhead Town Code to be posted on the sign board of the Town, and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Riverhead Planning Department, Riverhead Building Department, Town Engineering Department and the Office of the Town Attorney.

WOOTEN YES ___ NO BUCKLEY YES ___ NO

DUNLEAVY YES ___ NO BLASS YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY 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 200 Howell Avenue, Riverhead, New York on the 2nd day of December, 2008 at 2:15 o'clock p.m. to consider a local law amending Chapter 108 entitled "Zoning", §108-129 of the Riverhead Town Code as follows:

**Chapter 108
Zoning
Article XXVI
Site Plan Review**

§108-129. Review authorized; approval required; penalties; issuance of permits and certificates of occupancy; expiration.

- ~~C.~~ C. Stormwater Pollution Prevention Plan. A Stormwater Pollution Prevention Plan (SWPPP) consistent with the requirements of Chapter 110 of the Riverhead Town Code shall be required for site plan approval. The SWPPP shall meet the performance and design criteria and standards in Chapter 110 of the code. The approved site plan shall be consistent with the provisions of the code. Land Development/Redevelopment Activity, as the term is defined in Riverhead Town Code section 110-2, is expressly prohibited absent submission of a Stormwater Pollution Prevention Plan and approval by the Town of Riverhead's Stormwater Management Officer.
- ~~C. D.~~ D. Permits. No building permit or land clearing permit as required by Chapter 52, Building Construction, required for any such activity, including, without limitation, grading, clearing, cutting and filling, excavating or tree removal associated therewith, or the erection, construction, alteration, demolition or moving of any structure, shall be issued until the required site plan approval shall have been granted, and the approved site plan thereafter shall have been signed by a majority of the Planning Board.
- ~~D. E.~~ E. Certificates of occupancy. No certificate of occupancy shall be issued until all requirements and conditions of the site plan approval have been implemented and an as-built survey, including without limitation the location of all buildings, structures, curb cuts, and other required improvements (e.g., berms, buffer areas), has been submitted to the Planning Director or his duly authorized representative. Any significant change to the approved site plan or elevations that affects the physical character of the building(s) and/or the site, in the absence of an approved amended site plan reflecting said changes, shall cause the certificate of occupancy to be withheld until such change is approved by the Planning Board. The Planning Director shall determine the significance of any such change.
- ~~E. F.~~ F. Expiration. Site plan approval shall remain in effect for 36 months. In the event that the applicant has not obtained a valid building permit within said thirty-six-month period, the Board approving the site plan may grant one twelve-month extension of site plan approval, upon the request of the applicant made at least 30 days prior to the

expiration of the original thirty-six-month period. This section shall also apply to site plans which have been approved but which have not obtained a building permit prior to the date of adoption of this section.

F. G. Penalties for violation of approved site plan. [Added 2-4-2003 by L.L. No. 1-2003]

- (1) It shall be unlawful for any person, firm or corporation to construct, alter, repair, move, remove, demolish, equip, use, occupy or maintain any real property, building or structure or portion thereof in violation of the approved site plan.
- (2) For any and every violation of the approved site plan, the owner or general agent of a building or premises where such violation has been committed or shall exist, and the lessee or tenant of an entire building or entire premises where such violation of approved site plan has been committed or shall exist, and any builder, architect, tenant, contractor, subcontractor, construction superintendent or their agents or any other person taking part or assisting in any such violation of an approved site plan, shall, upon conviction thereof, be liable to a fine or penalty not exceeding \$1,000 for each and every violation. Each day that such violation continues shall constitute a separate and distinct violation of the approved site plan.

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

Dated: Riverhead, New York
November 5, 2008

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

11/5/08

TOWN OF RIVERHEAD

Adopted

Resolution # 978

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 110 ENTITLED "STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL" OF THE RIVERHEAD TOWN CODE (§110-2 Definitions)

COUNCILWOMAN BLASS offered the following resolution, 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 13, 2008 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 110 entitled "Stormwater Management and Erosion and Sediment Control" §110-2 entitled "Definitions" of the Riverhead Town Code to be posted on the sign board of the Town, and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Riverhead Planning Department, Riverhead Building Department, Town Engineering Department and the Office of the Town Attorney.

WOOTEN YES ___ NO BUCKLEY YES ___ NO

DUNLEAVY YES ___ NO BLASS YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY 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 200 Howell Avenue, Riverhead, New York on the 2nd day of December, 2008 at 2:20 o'clock p.m. to consider a local law amending Chapter 110 entitled "Stormwater Management and Erosion Sediment Control", §110-2 of the Riverhead Town Code as follows:

**Chapter 110
Stormwater Management and
Erosion and Sediment Control**

§110-2. Definitions.

The terms used in this chapter or in documents prepared or reviewed under this chapter shall have the meaning as set forth in this section.

Agricultural Activity - the activity of an active farm including grazing and watering livestock, the raising, shearing, feeding and management of animals, irrigating crops, harvesting crops, using land for growing agricultural products including but not limited to fruits, vegetables, eggs, dairy products, meat and meat products, and cutting timber for sale, but shall not include the operation of a dude ranch or similar operation, or the construction of new structures associated with agricultural activities.

Stormwater Management Officer (SMO) - the Town Engineer of the Town of Riverhead (or the person serving in the capacity of the Town Engineer) or designee or his/her authorized deputies, agents or representatives, including employees of other Town Departments as appropriate. The SMO is designated by the Town to accept and review stormwater pollution prevention plans, forward the plans to the applicable municipal board and inspect stormwater management practices.

- Underline represents addition(s)

Dated: Riverhead, New York
November 5, 2008

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

TOWN OF RIVERHEAD

Resolution # 979

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 110 ENTITLED "STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL" OF THE RIVERHEAD TOWN CODE (\$110-11 Enforcement and Penalties)

COUNCILMAN DUNLEAVY offered the following resolution, was seconded by COUNCILMAN BUCKLEY:

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached public notice once in the November 13, 2008 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 110 entitled "Stormwater Management and Erosion and Sediment Control" §110-11 entitled "Enforcement and Penalties" of the Riverhead Town Code to be posted on the sign board of the Town, and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Riverhead Planning Department, Riverhead Building Department, Town Engineering Department and the Office of the Town Attorney.

WOOTEN YES ___ NO BUCKLEY YES ___ NO
DUNLEAVY YES ___ NO BLASS YES ___ NO
CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY 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 200 Howell Avenue, Riverhead, New York on the 2nd day of December, 2008 at 2:25 o'clock p.m. to consider a local law amending Chapter 110 entitled "Stormwater Management and Erosion and Sediment Control", §110-11 of the Riverhead Town Code as follows:

**Chapter 110
Stormwater Management and
Erosion and Sediment Control**

§110-11. Enforcement and Penalties.

D. Penalties

In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this chapter shall be guilty of a violation punishable by a fine not exceeding one thousand dollars (\$1,000) or imprisonment for a period not to exceed six months, or both for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five years, punishable by a fine not less than one thousand dollars nor more than two thousand five hundred dollars (\$2,500) or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense all of which were committed within a period of five years, punishable by a fine not less than two thousand five hundred dollars nor more than five thousand dollars (\$5,000) or imprisonment for a period not to exceed six months, or both. However, for the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of this chapter shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each day's continued violation shall constitute a separate additional violation. To the extent that section 268 of the New York State Town Law limits the fine schedule for a violation of any local law, ordinance or regulation to a fine not exceeding three hundred fifty dollars or imprisonment for a period not to exceed six months, or both for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five years, punishable by a fine not less than three hundred fifty dollars nor more than seven hundred dollars or imprisonment for a period not to exceed six months, or both; and, upon conviction for a third or subsequent offense all of which were committed within a period of five years, punishable by a fine not less than seven hundred dollars nor more than one thousand dollars or imprisonment for a period not to exceed six months, or both, section 268 of the New York State Town Law is superceded, nunc pro tunc, for the protection and enhancement of the Town's physical and visual environment and for the protection, order, conduct, safety, health and well-being of persons or property therein, pursuant to the Town's powers under section 10, subdivision 1(ii)a(3)(11) and (12) of the Municipal Home Rule as well as Article 9, section 2(b)(3) and Article 9, section 3(c)(10) of the New York State Constitution.

- Underline represents addition(s)

Dated: Riverhead, New York
November 5, 2008

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

11/5/08

TOWN OF RIVERHEAD

Adopted

Resolution # 980

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 110 ENTITLED "STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL" OF THE RIVERHEAD TOWN CODE (§110-12 Fees for Services)

COUNCILMAN BUCKLEY

offered the following resolution, 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 13, 2008 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 110 entitled "Stormwater Management and Erosion and Sediment Control" §110-12 entitled "Fess for Services" of the Riverhead Town Code to be posted on the sign board of the Town, and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Riverhead Planning Department, Riverhead Building Department, Town Engineering Department and the Office of the Town Attorney.

WOOTEN YES ___ NO BUCKLEY YES ___ NO

DUNLEAVY YES ___ NO BLASS YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY 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 200 Howell Avenue, Riverhead, New York on the 2nd day of December, 2008 at 2:30 o'clock p.m. to consider a local law amending Chapter 110 entitled "Stormwater Management and Erosion and Sediment Control", §110-12 of the Riverhead Town Code as follows:

**Chapter 110
Stormwater Management and
Erosion and Sediment Control**

§110-12. Fees for Services.

The Town may require any person undertaking land development or redevelopment activities regulated by this chapter to pay reasonable costs at prevailing rates for review of SWPPPs, inspections, or SMP maintenance performed by the Town or performed by a third party at the direction of the Town.

The following fees shall be required in connection with the submission of a stormwater pollution prevention plan (SWPPP):

- A. Review Fees Deposit.
1. SWPPP for final subdivision approval: \$200.00 basic fee; plus \$100.00 per acre or part thereof;
 2. SWPPP for site plan approval: \$200.00 basic fee; plus \$100.00 per acre or part thereof;
 3. SWPPP for final subdivision as built: \$200.00 basic fee; plus \$100.00 per acre or part thereof;
 4. SWPPP for site plan as built: \$200.00 basic fee; plus \$100.00 per acre or part thereof;
- B. Inspection Fees Deposit. SWPPP subdivision and site plan inspection fees to be paid upon approval of final subdivision or site plan shall be 2% of the total estimated cost of all improvements, including all temporary and permanent stormwater erosion control measures. The total estimated cost of all improvements, including all temporary and permanent stormwater erosion control measures shall be determined by Riverhead Town personnel or Town consultants.

C. Escrow Accounts.

1. An escrow account entitled "Engineering Department: Stormwater Pollution Prevention Plan Review and Inspection" shall be established within the Department of Finance regarding the applications addressed in subsection 110-12 (A) and (B) above. The applicant(s) shall fund said escrow account.
2. Withdrawals from said escrow account may be made from time to time to reimburse the Town for the cost of its Town personnel including but not limited to legal consultation, review and consideration, and/or consultant's professional review and inspection services actually incurred at prevailing rates of pay for such Town personnel or consultant's services. Whenever the balance in such escrow account is reduced to ¼ of its initial amount, the Town shall so notify the applicant; thereafter, the applicant shall deposit additional funds into such account so as to restore its balance to ½ of the initial deposit. If such account is not replenished for such additional deposit, the reviewing and/or inspecting party may suspend the review of the application or inspection of the construction until such time that the above-stated conditions are met.
3. After all pertinent review and inspection fees with respect to the particular application for which the account was established have been paid, the Town shall refund to the applicant the balance of any funds then remaining on deposit in the escrow account without interest as established by this section.

- Underline represents addition(s)

Dated: Riverhead, New York
November 5, 2008

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

TOWN OF RIVERHEAD

Adopted

Resolution # 981

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 109 ENTITLED "STORM SEWERS" OF THE RIVERHEAD TOWN CODE (\$109-16 Enforcement; penalties for offenses)

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached public notice once in the November 13, 2008 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 109 entitled "Storm Sewers" §109-16 entitled "Enforcement; penalties for offenses" of the Riverhead Town Code to be posted on the sign board of the Town, and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Riverhead Planning Department, Riverhead Building Department, Town Engineering Department and the Office of the Town Attorney.

WOOTEN YES ___ NO BUCKLEY YES ___ NO

DUNLEAVY YES ___ NO BLASS YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY 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 200 Howell Avenue, Riverhead, New York on the 2nd day of December, 2008 at 2:35 o'clock p.m. to consider a local law amending Chapter 109 entitled "Storm Sewers", §109-16 of the Riverhead Town Code as follows:

CHAPTER 109
STORM SEWERS
ARTICLE I
Illicit Discharges and Connections

109-16. Enforcement; penalties for offenses.

- B. Penalties. In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this article shall be guilty of a violation punishable by a fine not exceeding \$1,000 or imprisonment for a period not to exceed two months, or both for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of five years, punishable by a fine not less than \$1,000 nor more than \$2,500 or imprisonment for a period not to exceed two months, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine not less than \$2,500 nor more than \$5,000 or imprisonment for a period not to exceed two months, or both. However, for the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of this article shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each day's continued violation shall constitute a separate additional violation. To the extent that section 268 of the New York State Town Law limits the fine schedule for a violation of any local law, ordinance or regulation to a fine not exceeding three hundred fifty dollars or imprisonment for a period not to exceed six months, or both for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five years, punishable by a fine not less than three hundred fifty dollars nor more than seven hundred dollars or imprisonment for a period not to exceed six months, or both; and, upon conviction for a third or subsequent offense all of which were committed within a period of five years, punishable by a fine not less than seven hundred dollars nor more than one thousand dollars or imprisonment for a period not to exceed six months, or both, section 268 of the New York State Town Law is superceded, nunc pro tunc, for the protection and enhancement of the Town's physical and visual environment and for the protection, order, conduct, safety, health and well-being of persons or property therein, pursuant to the Town's powers under section 10, subdivision 1(ii)a(3)(11) and (12) of the Municipal Home Rule as well as Article 9, section 2(b)(3) and Article 9, section 3(c)(10) of the New York State Constitution.

- Underline represents addition(s)

Dated: Riverhead, New York
November 5, 2008

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

NOVEMBER 5, 2008

Adopted

TOWN OF RIVERHEAD

**AUTHORIZES AMENDMENT TO
PRELIMINARY BUDGET FOR 2009 FUNDING
IN AMBULANCE DISTRICT**

RESOLUTION # 982

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

WHEREAS, the Preliminary Budget requires an increase in funding for the Ambulance District.

NOW THEREFORE, BE IT RESOLVED, that the Town Board authorizes the attached schedule of adjustments as an increase of \$54,500.00 to the preliminary budget for the Riverhead Volunteer Ambulance Corps Inc. Management Services and EMS Contract.

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No



<u>Page</u>	<u>Fund</u>	<u>C. C.</u>	<u>Object</u>	<u>Amount</u>
120	045400	541500	Vehicle Maintenance	(5,000.00)
120	045400	545400	Lease - Vehicles	(45,000.00)
120	045400	546306	Utilities Fuel	1,000.00
120	045400	524200	Vehicle Reserve	15,000.00
120	099010	599000	Debt Service	<u>88,500.00</u>
				<u>54,500.00</u>
120	010010	411000	Real Property Taxes	<u>54,500.00</u>

Adopted

**AUTHORIZES AMENDMENT TO THE
2009 PRELIMINARY BUDGET
IN THE GENERAL FUND**

RESOLUTION # 983

COUNCILMAN DUNLEAVY offered the following
resolution, which was seconded by COUNCILMAN BUCKLEY.

WHEREAS, the Preliminary Budget requires adjustments for the General Fund.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes adjustments to the Preliminary Budget as per attached Schedule:

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

<u>Fund</u>	<u>C. C.</u>	<u>Object</u>	<u>Account</u>	<u>Amount</u>
001	010100	542609	Advertising	(25,000.00)
001	010100	543301	Litigation / Appraisal	(325,000.00)
001	010100	542609	Town Board Travel	(2,250.00)
001	012200	543405	Supervisor Travel	(1,000.00)
001	013100	543400	Finance Education	(1,750.00)
001	013100	543405	Finance Travel	(500.00)
001	013300	543405	Tax Receiver Travel	(100.00)
001	014100	542609	Advertising	25,000.00
001	014200	543301	Litigation / Appraisal	324,000.00
001	014400	543500	Engineering Consultant	30,000.00
001	016230	546000	Lights Heat and Water	15,000.00
001	016250	511500	B&G Personal Services	58,000.00
001	09.....	580000	Benefits	29,420.00
001	016800	543405	I.T. Travel	(500.00)
001	031200	511100	Uniform Base	73,000.00
001	09.....	580000	Benefits	50,374.00
001	031200	512100	Uniform O.T.	(50,000.00)
001	031200	512500	Non-uniform O.T.	(10,000.00)
001	031200	515501	Holding Cell Attendants	(7,000.00)
001	031200	524214	Radios & Scanners	15,500.00
001	031200	524380	Miscellaneous Office	1,000.00
001	031200	524420	Side Arms Equipment	(1,000.00)
001	031200	524502	Vehicle Trunk Equipment	500.00
001	031200	524900	Misc Field Equipment	(4,000.00)
001	031200	524912	Scuba Gear	2,000.00
001	031200	541500	Auto R&M	30,000.00
001	031200	542113	Postage	500.00
001	031200	542309	Traffic Barricades and Cones	(1,000.00)
001	031200	543940	Interpreter Fees	(2,500.00)
001	031200	545230	Defibrillator R&M	2,000.00
001	031220	542400	Uniform Expense	(200.00)
001	031220	546303	Fuel / Gasoline	(2,000.00)
001	031220	542319	Boat Field Supplies	(500.00)
001	031250	543405	JAB Travel	(750.00)
001	031255	511500	Youth Court Personal Services	(3,000.00)
001	031255	549000	Miscellaneous (Scholarship)	1,250.00
001	034100	543403	Fire Protection Professional Svcs-Education	(2,000.00)
001	036200	543403	Building Conference Expense	(2,250.00)
001	036210	511500	AARB Personal Services	15,000.00
001	067720	543405	Programs for the Aging Travel	(500.00)
001	070200	543405	Recreation Travel	(1,250.00)
001	071800	543405	Beaches Travel	(1,000.00)
001	080100	543310	Professional Services - Attorney	13,000.00
001	080100	543405	ZBA Conferences	(500.00)
001	080200	511500	Planning Personal Services	60,204.00
001	080200	580000	Benefits	13,654.00
001	080200	543405	Planning Travel	(1,250.00)
001	081600	547504	R&G Tipping Fee	(7,000.00)
001	086860	543405	CDA Travel	(3,500.00)
				<u>302,102.00</u>
001	012590	452108	Waste Disposal Permits	1,500.00
001	012590	452116	Yard Waste Permits	5,000.00
001	031560	422055	Accessory Apt Fees	15,000.00
001	000000	499999	Application to Fund Balance	280,602.00
				<u>302,102.00</u>

Adopted

NOVEMBER 5, 2008

TOWN OF RIVERHEAD

AUTHORIZES AMENDMENT TO
PRELIMINARY BUDGET FOR 2009 FUNDING
IN THE HIGHWAY DISTRICT
Equipment Rental

RESOLUTION # 984

COUNCILMAN BUCKLEY _____ offered the following
resolution, which was seconded by COUNCILMAN WOOTEN _____.

WHEREAS, the Preliminary Budget requires an increase in funding for the Highway District:

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the following adjustments to the Preliminary Budget:

111.051100.545200	Equipment Rental - Increase	\$ 75,000.00
111.010010.411000	Property Tax -Increase	\$ 75,000.00

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No



NOVEMBER 5, 2008

Adopted

TOWN OF RIVERHEAD

**AUTHORIZES AMENDMENT TO
PRELIMINARY BUDGET FOR 2009 FUNDING
IN THE HIGHWAY DISTRICT
Personal Services**

RESOLUTION # 985

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

WHEREAS, the Preliminary Budget requires an increase in funding for the Highway District:

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the following adjustments to the Preliminary Budget:

111.051100.511500	Personal Services - Increase	\$ 38,000.00
111.051100.580000	Fringe Benefit - Increase	\$ 25,482.00
111.010010.411000	Property Tax - Increase	\$ 63,482.00

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No



NOVEMBER 5, 2008

Adopted

**AUTHORIZES AMENDMENT TO
PRELIMINARY BUDGET FOR 2009 FUNDING
IN THE SEWER AND SCAVENGER WASTE DISTRICTS**

RESOLUTION # 986

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

WHEREAS, the Preliminary Budget requires adjustments to the following funds: Riverhead Sewer District, Calverton Sewer District and the Scavenger Waste District.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes adjustments to the Preliminary Budget as per attached Schedule:

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No



RIVERHEAD SEWER DISTRICT

<u>Fund</u>	<u>C. C.</u>	<u>Object</u>	<u>Account</u>	<u>Amount</u>
114	081300	523011	Plant Capital Improvements	19,000.00
114	081300	524175	Trucks	30,000.00
114	081300	524217	Recording Equipment	4,000.00
114	081300	524400	Station Equipment	8,000.00
114	081300	541425	Generator Maintenance Station	3,000.00
114	081300	542503	Chlorine & Chemical Expense	3,000.00
114	081300	543504	Engineering Consultant	7,500.00
114	081300	547504	Sanitation Disposal Expense	25,000.00
114	081300	547506	Laboratory Expense	5,000.00
				<u>\$ 104,500.00</u>
114	000000	499999	Fund Balance Application	61,000.00
114	010010	442502	Sewer Rents	43,500.00
				<u>\$ 104,500.00</u>

CALVERTON SEWER DISTRICT

124	081300	524000	Plant Equipment	10,000.00
124	081300	541100	Building R&M	4,000.00
124	081300	543900	Misc Consultant (Contract Operator)	10,000.00
				<u>\$ 24,000.00</u>
114	000000	499999	Fund Balance Application	10,000.00
114	010010	442502	Sewer Rents	14,000.00
				<u>\$ 24,000.00</u>

SCAVENGER WASTE DISTRICT

128	081890	541405	Generator R&M	2,500.00
128	081890	547504	Sanitation	25,000.00
				<u>\$ 27,500.00</u>
128	010010	411000	Real Property Taxes	<u>\$ 27,500.00</u>

11/5/08

Adopted

TOWN OF RIVERHEAD

Resolution # 987

AMENDS RESOLUTION #861 OF 2008
(APPROVES CHAPTER 90 APPLICATION OF
PECONIC BAY MEDICAL CENTER – Polar Bear Plunge)

COUNCILMAN DUNLEAVY

offered the following resolution, was seconded by

COUNCILMAN BUCKLEY :

WHEREAS, by Resolution #861, adopted on October 7, 2008, the Town Board approved the Chapter 90 application of the Peconic Bay Medical Center for the purpose of conducting their annual Polar Bear Plunge to be held at Iron Pier Beach Park, Pier Avenue, Riverhead, New York on Saturday, December 6, 2008, between the hours of 9:00 a.m. and 1:00 p.m.; and

WHEREAS, on October 22, 2008, Peconic Bay Medical Center amended their Chapter 90 application to include a pre-event sky dive demonstration to be conducted by Sky Dive Long Island; and

WHEREAS, Peconic Bay Medical Center has had their Certificate of Insurance amended to include Sky Dive Long Island as an additional insured.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby amends Resolution #861 to include a pre-event sky dive demonstration to be conducted by Sky Dive Long Island; and be it further

RESOLVED, that all other terms and conditions of Resolution #861 shall remain in full force and effect; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Peconic Bay Medical Center, 1300 Roanoke Avenue, Riverhead, New York, 11901 to the attention of Maureen Brady, Sky Dive Long Island, 4062 Grumman Blvd., Calverton, New York 11933 and copies to the Riverhead Fire Marshal, the Riverhead Police Department, and the Office of the Town Attorney.

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

11/5/08

TOWN OF RIVERHEAD

Resolution # 988

**AUTHORIZES THE SUPERVISOR/TOWN ATTORNEY TO EXECUTE DOCUMENTS
IN CONNECTION WITH TOWN OF RIVERHEAD WORKFORCE HOUSING SALES**

COUNCILMAN BUCKLEY

offered the following resolution, was seconded by

COUNCILMAN WOOTEN

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board hereby authorizes the Supervisor/Town Attorney to execute the deeds and any other necessary documentation in connection with the transfer of title of the following workforce housing sites:

<u>SCTM#</u>	<u>Address</u>	<u>Parcel Size</u>
0600-105-2-26	59 Segal Avenue	.21 acres
0600-105-2-36	23 Lewis Street	.25 acres
0600-81-2-14	207 Horton Avenue	.18 acres
0600-65-1-11	54 Oak Drive	.25 acres
0600-65-1-17	26 Oak Drive	.11 acres
0600-105-2-75	74 Lewis Street	.21 acres
0600-105-2-74	88 Lewis Street	.21 acres
0600-105-2-14	18 Melene Avenue	.21 acres
0600-105-2-6	23 Melene Avenue	.22 acres

and be it further.

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Office of the Town Attorney.

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

NOVEMBER 5, 2008

Adopted

TOWN OF RIVERHEAD

**AUTHORIZES AMENDMENT TO
PRELIMINARY BUDGET FOR 2009 FUNDING
IN THE HIGHWAY DISTRICT
Asphalt**

RESOLUTION # 989

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

WHEREAS, the Preliminary Budget requires an increase in funding for the Highway District:

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the following adjustments to the Preliminary Budget:

111.051100.541301	Asphalt - Increase	\$ 50,000.00
111.010010.411000	Property Tax -Increase	\$ 50,000.00

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No



11/5/08

TOWN OF RIVERHEAD
Resolution # 990

APPROVES THE CHAPTER 90 APPLICATION OF RIVERHEAD ELKS LODGE #2044

COUNCILWOMAN BLASS offered the following resolution, was seconded by

COUNCILMAN DUNLEAVY :

WHEREAS, on October 14, 2008, the Riverhead Elks Lodge #2044 (Elks) had submitted a Chapter 90 Application for the purpose of conducting a Lawn Mower Race, Kids Bicycle Race and a kick ball event to be held at the Riverhead Elks Lodge located at 1239 East Main Street, Riverhead, New York, on Sunday, November 9, 2008, having a rain date of Sunday, November 16, 2008, to be held between the hours of 12:00 noon and 4:00 p.m.; and

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

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

WHEREAS, a certificate of insurance has been received; and

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

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

RESOLVED that the Chapter 90 Application of the Riverhead Elks Lodge #2044 for the purpose of conducting a Lawn Mower Race, Kids Bicycle Race and a kick ball event to be held at the Riverhead Elks Lodge located at 1239 East Main Street, Riverhead, New York, on Sunday, November 9, 2008, having a rain date of Sunday, November 16, 2008, to be held between the hours of 12:00 noon and 4:00 p.m., is hereby approved subject to the conditions set forth herein; and be it further

RESOLVED, that the applicant shall be required to stage the arrival and departure of

vehicles in such a way as to minimize to the greatest extent possible the noise impacts to surrounding neighbors; and be it further

RESOLVED, that the applicant shall advise event participants that vehicle engines shall not be permitted to continue to run upon arrival at the event premises; and be it further

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

RESOLVED, that the applicant be required to water down the dirt racing area as needed to prevent fugitive dust; and be it further

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

RESOLVED, that this approval is subject to the provisions of Riverhead Town Code Chapter 81 - "Noise Control", Chapter 108-56 - "Signs" and any other section of the Riverhead Town Code that may pertain to this event; and be further

RESOLVED, that any tent installations and any and all electric shall comply with the applicable provisions of the Building and Fire Code of New York State, including obtaining necessary tent permits, the National Electrical Code and National Fire Protection Agency 102 (Tents & Membrane Structures); and be it further

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

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

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Riverhead Elks Lodge #2044, P.O. Box 688, 1239 E. Main Street, Riverhead, New York, 11901 and copies to the Riverhead Fire Marshal; Chief David Hegermiller, Riverhead Police Department and the Office of the Town Attorney.

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

NOVEMBER 5, 2008

Adopted

TOWN OF RIVERHEAD

Resolution # 991

EXTENDS BID CONTRACT FOR YARD WASTE GRINDING

COUNCILMAN DUNLEAVY offered the following resolution,
COUNCILMAN BUCKLEY which was seconded by

WHEREAS, the Sanitation Department has requested the contract with OYSTER BAY INDUSTRIES, INC. , be extended until DECEMBER 31, 2008 and;

WHEREAS, this will be the first extension;

WHEREAS, the above name vendor has agreed to extend the contract until December 31, 2008 for the same as year 2007 pricing, \$500 MOBILIZATION; \$500 FOR DEMOBILIZATION AND \$4200 PER DAY FOR DAILY GRINDING and;

WHEREAS, the Town Board has reviewed said request.

NOW THEREFORE BE IT

RESOLVED, that the contract for YARD WASTE GRINDING be and hereby is, extended until December 31, 2008;

RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Oyster Bay Industries, Inc. , the Sanitation Department and the Purchasing Department.

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted



200 Howell Ave.
Riverhead, NY 11901
(631) 727-3200
email: tague@riverheadli.com

MaryAnn Tague
Purchasing Agent
Ext. 271

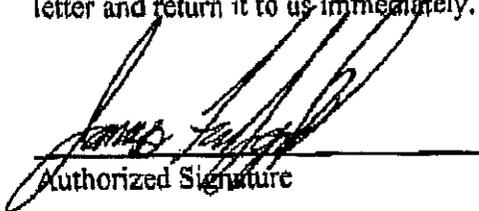
Bid Extension Notice

To: Oyster Bay Industries
From: Purchasing Department
Date: March 17, 2008
Subject: Extension of bid for Yard Waste Grinding

This letter is to inform you that our current bid extension for Yard Waste Grinding expired on January 24, 2008.

The Town of Riverhead would like to extend this contract until December 31, 2008 at the same prices as in the original bid. This would be the first extension.

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


Authorized Signature

James Funtgeld
Print Name

Oyster Bay Industries
Company Name

3/18/08
Date



March 4, 2008

Town of Riverhead
200 Howell Avenue
Riverhead, NY 11901

Attn: Gina

First, I would like to take this opportunity to apologize to you for taking so long in getting this letter to you. We have been in the process of moving our office, please note our new address and telephone numbers at the bottom of the page.

The purpose of this letter is to guarantee our pricing for grinding from last year. The prices will remain as follows:

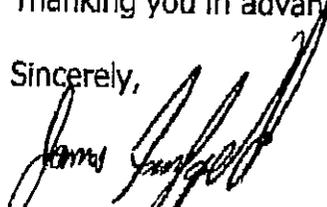
MOBILIZATION	\$500.00
DEMOBILIZATION	\$500.00
DAILY GRINDING	\$4,200.00 / DAY

These prices will remain in effect for the entire calendar year of 2008.

If you need any further information, or if you have any questions or concerns, please feel free to call me at the number below.

Thanking you in advance for your time.

Sincerely,



James A. Funfgeld

OYSTER BAY INDUSTRIES, INC.
P.O. BOX 533 - WADING RIVER, NY 11972
PHONE: 631-591-0401 FAX: 631-591-0404

11/05/08

TOWN OF RIVERHEAD

Adopted

Resolution # 992

AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS AND MORTGAGEE OF THE PROPERTY LOCATED AT 449 EDWARDS AVENUE, CALVERTON, NEW YORK

COUNCILMAN BUCKLEY offered the following resolution, was seconded by COUNCILMAN WOOTEN:

WHEREAS, the Town Board has determined that the property situated at 449 Edwards Avenue, Calverton, NY, (Suffolk County Tax Map # 0600-117-01.00-4.2) is being used and occupied in violation of various sections of the Code of the Town of Riverhead;

NOW, THEREFORE, BE IT 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 situated at 449 Edwards Avenue, Calverton, NY, (Suffolk County Tax Map # 0600-117-1.00-4.2) 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 and/or injunctive relief against the owners, tenants, occupants and/or mortgagee of said property for their illegal use, occupancy and maintenance of said property.

WOOTEN YES NO BUCKLEY YES NO

DUNLEAVY YES NO BLASS YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

Adopted

RESOLUTION # 993		ABSTRACT #08-44 October 30, 2008 (TBM 11/06/08)	
COUNCILMAN WOOTEN offered the following Resolution which was seconded by			
COUNCILWOMAN BLASS			
FUND NAME		CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1	354,372.80	354,372.80
RECREATION PROGRAM FUND	6	3,919.90	3,919.90
YOUTH COURT SCHOLARSHIP FUND	25	0.00	0.00
ECONOMIC DEVELOPMENT ZONE FUND	30	446.58	446.58
HIGHWAY FUND	111	44,219.46	44,219.46
WATER DISTRICT	112	27,445.06	27,445.06
RIVERHEAD SEWER DISTRICT	114	11,710.33	11,710.33
REFUSE & GARBAGE COLLECTION DI	115	2,574.98	2,574.98
STREET LIGHTING DISTRICT	116	1,627.82	1,627.82
PUBLIC PARKING DISTRICT	117	354.33	354.33
AMBULANCE DISTRICT	120	141,689.93	141,689.93
RIVERHEAD SCAVANGER WASTE DIST	128	4,670.40	4,670.40
WORKERS' COMPENSATION FUND	173	10,785.67	10,785.67
TOWN HALL CAPITAL PROJECTS	406	36,030.50	36,030.50
YOUTH SERVICES CAP PROJECT	452	1,267.67	1,267.67
MUNICIPAL FUEL FUND	625	125.00	125.00
MUNICIPAL GARAGE FUND	626	9,388.01	9,388.01
TRUST & AGENCY	735	44,300.57	44,300.57
CALVERTON PARK - C.D.A.	914	249.12	249.12
TOTAL ALL FUNDS		695,178.13	695,178.13

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

RESOLUTION # 993 ABSTRACT #08-43 October 23, 2008 (TBM 11/06/08)			
COUNCILMAN WOODRUFF offered the following Resolution which was seconded by			
COUNCILWOMAN BLASS			
FUND NAME		CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1	832,123.15	832,123.15
RECREATION PROGRAM FUND	6	8,917.76	8,917.76
ECONOMIC DEVELOPMENT ZONE FUND	30	2,839.43	2,839.43
HIGHWAY FUND	111	174,358.55	174,358.55
WATER DISTRICT	112	120,961.90	120,961.90
RIVERHEAD SEWER DISTRICT	114	73,127.12	73,127.12
REFUSE & GARBAGE COLLECTION DI	115	5,770.53	5,770.53
STREET LIGHTING DISTRICT	116	8,868.54	8,868.54
BUSINESS IMPROVEMENT DISTRICT	118	11,123.59	11,123.59
EAST CREEK DOCKING FACILITY FU	122	78.65	78.65
CALVERTON SEWER DISTRICT	124	9,560.73	9,560.73
RIVERHEAD SCAVANGER WASTE DIST	128	26,225.63	26,225.63
WORKERS' COMPENSATION FUND	173	8,263.94	8,263.94
RISK RETENTION FUND	175	4,222.25	4,222.25
CDBG CONSORTIUM ACOUNT	181	3,838.91	3,838.91
TOWN HALL CAPITAL PROJECTS	406	387,452.88	387,452.88
YOUTH SERVICES CAP PROJECT	452	4,399.51	4,399.51
SENIORS HELP SENIORS CAP PROJE	453	3,018.65	3,018.65
MUNICIPAL FUEL FUND	625	5,778.00	5,778.00
MUNICIPAL GARAGE FUND	626	23,213.59	23,213.59
TRUST & AGENCY	735	1,135,698.36	1,135,698.36
COMMUNITY PRESERVATION FUND	737	1,558.23	1,558.23
CALVERTON PARK - C.D.A.	914	556.00	556.00
TOTAL ALL FUNDS		2,851,955.90	2,851,955.90

*11/05/08

Adopted

Tabled

*at the 11/05/08 The resolution was untabled
all voted yes to UNTABLE

*The resolution was ADOPTED

The Vote; Wooten,no; Buckley,yes; Dunleavy,no; Blass,yes; Cardinale,yes

10/21/08

TOWN OF RIVERHEAD

Resolution # 938

**APPOINTS DIANE WILHELM TO FILL VACANCY IN POSTION OF TOWN CLERK
FOR THE TOWN OF RIVERHEAD**

COUNCILMAN WOOTEN

offered the following resolution and was

seconded by **COUNCILWOMAN BLASS**

WHEREAS, Barbara Grattan, Town Clerk of the Town of Riverhead, has regretfully expressed her desire to retire and has requested that her retirement and resignation become effective November 5, 2008; and

WHEREAS, pursuant to Town Law §64(5) the Town Board is authorized to make appointments to fill vacancies in town offices; and

WHEREAS, pursuant to Town Law §64(5) and Public Officers Law §42 the town board may appoint a qualified person to fill the vacancy of an elective office; and

WHEREAS, the Diane Wilhelm is a Deputy Town Clerk with a civil service title as Senior Account Clerk Typist; and

WHEREAS, the Town Board approves Diane Wilhelm's request for a leave of absence until December 31, 2009 from her position as Senior Account Clerk Typist to permit her to accept an appointment to the position of Town Clerk for the Town of Riverhead; and

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Riverhead that Diane Wilhelm, Deputy Town Clerk for the Town of Riverhead, be and hereby is appointed Town Clerk. for a term effective November 5, 2008 and ending upon the commencement of the calendar year next succeeding the first annual election at which the vacancy may be filled, at an annual salary of \$71,036.00, pro-rated for the remainder of 2008, and

BE IT FURTHER RESOLVED that the Office of the Town Clerk is hereby directed to forward a certified copy of this resolution to Diane Wilhelm, 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

WOOTEN YES ___ NO BUCKLEY YES ___ NO
DUNLEAVY YES ___ NO BLASS YES ___ NO
CARDINALE YES ___ NO
THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED