

**PUBLIC COMMENT ON ANY CDA RESOLUTION LISTED BELOW:**

CDA #16 Authorizing the Issuance of a Draft Update of the Town of Riverhead East Main Street Urban Renewal Plan (1993) and Authorizing the Town Clerk to Publish and Post a Notice of Completion of a Draft Generic Environmental Impact Statement on the Proposed Urban Renewal Plan Update

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

- Res. #421 East Creek Docking Facility Budget Adjustment
- Res. #422 2008 Stotzky Park Capital Improvement Project
- Res. #423 General Fund Budget Adjustment
- Res. #424 Authorization to Discard Fixed Assets
- Res. #425 Sets Salaries for 2008 Summer Personnel for the Recreation Department
- Res. #426 Appoints Seasonal Traffic Control Officers in the Police Department (Matthew Graziano, Stephen Santoro)
- Res. #427 Appoints a Recreation Program Planner to the Recreation Department (Thomas Filgate)
- Res. #428 Re-Appoints Seasonal Traffic Control Officers in the Police Department (Shawn Ethier, Ollie Crump, Jr., Thomas Condzella)
- Res. #429 Appoints Two (2) On-Call Traffic Control Specialists to the Police Department (Thomas Tobin, Wallace Smith)
- Res. #430 Appoints Lifeguards to the Recreation Department
- Res. #431 Appoints Beach Attendants/Concession Stand Operators to the Recreation Department
- Res. #432 Appoints Summer Program Leaders to the Recreation Department

- Res. #433 Appoints Water Safety Instructors to the Recreation Department
- Res. #434 Appoints a Call-In Recreation Aide Youth Sports to the Riverhead Recreation Department (Julie Dougherty)
- Res. #435 Authorizes Attendance of Assessors at Seminar
- Res. #436 Supports and Endorses an Application of the Riverhead Chamber of Commerce to Suffolk County for Downtown Revitalization Grant Funding
- Res. #437 Authorizes Senior Citizens Programs Director to Attend NYS Association of Area Agencies on Aging Conference
- Res. #438 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (§108-314. Uses.- Downtown Center 5: Residential (DC-5) Zoning Use District)
- Res. #439 Authorizes the Assignment of Contract from New Age Builders to the Long Island Housing Partnership
- Res. #440 Supports Application to New York State Department of Environmental Conservation for Tree and Shrub Funding
- Res. #441 Authorizes & Endorses Submission of a Grant Application to the New York State Environmental Facilities Corporation
- Res. #442 Authorizes Cashin Associates, P.C. to Proceed with East Creek Marina Construction Phase
- Res. #443 Authorizes the Supervisor to Execute an Agreement to Permit Cheri Wirth to Repair the Storm Water Piping System and Surrounding Sidewalk Area Located at or Near 60 West Main Street, Riverhead, Also Known as Diggers Restaurant (Tax Map No. 0600-128-6-17; 0600-128-6-18.001)
- Res. #444 In the Matter of the Increase and Improvement of the Facilities of the Riverhead Sewer District, in the Town of Riverhead, Suffolk County, New York
- Res. #445 Declares Significance of Action on Wading River Beach Renovations

- Res. #446 Authorizes the Supervisor to Execute an Agreement with Commander Power Systems to Maintain an Emergency Generator at Police Department Headquarters
- Res. #447 Authorizes the Supervisor to Execute an Agreement with Commander Power Systems to Maintain an Emergency Generator at Riverhead Ambulance Company
- Res. #448 Authorizes the Supervisor to Execute an Agreement with Commander Power Systems to Maintain an Emergency Generator at Riverhead Senior Center
- Res. #449 Authorizes the Supervisor to Execute an Agreement with Commander Power Systems to Maintain an Emergency Generator at Henry Pfeiffer Community Center (AKA Calverton Rec Center)
- Res. #450 Authorizes Dvirka and Bartilucci Consulting Engineers to Proceed with Preparation of the 2008 Storm Water Management Program Annual Report and Municipal Compliance Certification for Submittal to the New York State Department of Environmental Conservation
- Res. #451 Sets Sewer Rent for Mill Pond Commons Riverhead Sewer District
- Res. #452 Authorizes Town Clerk to Publish and Post Notice of Public Hearing Special Use Permit of Larry's Lighthouse Marina
- Res. #453 Authorizes Town Clerk to Publish and Post Notice of Public Hearing Special Use Permit of Jane Wanat
- Res. #454 Authorizes the Supervisor to Execute a License Agreement with Southampton Oyster Company to Allow the Installation of Floating Upweller Systems (FLUPSY) in East Creek
- Res. #455 Authorizes the Town Clerk to Post and Publish the Attached Notice to Bidders for the Removal and Disposal of Non-Friable Asbestos Shingles at 1114 Woodcrest Avenue, Riverhead SCTM #0600-122-1-13

- Res. #456 Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law to Repeal Article XXXIII Entitled “Business E Highway Commercial /Service Zone”, and to Amend Article II Entitled “Districts and Boundaries”, of the Riverhead Town Code
- Res. #457 Authorizes Supervisor to execute Retainer Agreement with Napoli Bern Ripka & Associates, LLP (Riverhead Water District)
- Res. #458 Authorizes Dunn Engineering Associates, P.C. to Proceed with CR 63 Peconic Avenue Pedestrian Crossing Design
- Res. #459 Authorizes Gary Jacquemin, AIA to Proceed with East End Arts Council Schematic Site Planning
- Res. #460 Extension of the Riverhead Parking District Atlantis Holding Company, LLC
- Res. #461 Authorizes the Supervisor to Execute a Stipulation of Settlement and Related Documents with Waddington Realty Corp, Et Al
- Res. #462 Releases Irrevocable Letter of Credit of All County Paving (Drain Layer)
- Res. #463 Accepts 100% Security of 1998 Peconic, LLC (Irrevocable Letter of Credit)
- Res. #464 Accepts Cash Security of Verizon Wireless – Baiting Hollow
- Res. #465 Approves Chapter 90 Application of Martha Clara Vineyards, LLC
- Res. #466 Approves the Chapter 90 Application of Hallockville Inc. (Kellogg-Becker Wedding)
- Res. #467 Approves Chapter 90 Application of Railroad Museum of Long Island (Riverhead Railroad Festival 2008)
- Res. #468 Amends Resolution #254 of 2008 (Approves Chapter 90 Application of East End Olds Club Car Show & Swap Meet)

Res. #469 Awards Bid for Snack Vendor Services for Wading River  
Beach

Res. #470 Awards Bid for Sporting Goods

Res. #471 Pays Bills

TOWN OF RIVERHEAD  
COMMUNITY DEVELOPMENT AGENCY

Adopted

RESOLUTION # 16

**AUTHORIZING THE ISSUANCE OF A DRAFT UPDATE OF THE TOWN OF RIVERHEAD EAST MAIN STREET URBAN RENEWAL PLAN (1993) AND AUTHORIZING THE TOWN CLERK TO PUBLISH AND POST A NOTICE OF COMPLETION OF A DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT ON THE PROPOSED URBAN RENEWAL PLAN UPDATE**

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

**WHEREAS**, the Town of Riverhead Community Development Agency (CDA), by CDA Resolution #9 of September 19, 2006, authorized the update of the East Main Street Urban Renewal Plan (URP) as adopted October 19, 1993, pursuant to the General Municipal Law of the State of New York, and

**WHEREAS**, the CDA by the same resolution declared itself the lead agency for the environmental review of the aforementioned Urban Renewal Plan Update under the State Environmental Quality Review Act (SEQRA), and determined that such action, together with existing development petitions, had the potential for a significant adverse impact upon either the natural or social environment, and that a Draft Generic Environmental Impact Statement (GEIS) should be prepared, and thereafter the CDA filed the requisite Positive Declaration of significance under SEQRA, and

**WHEREAS**, the CDA as lead agency prepared a Draft Scope of Issues to properly focus the analysis of the GEIS; circulated the document among involved and interested agencies for their comment; and also held a Scoping Hearing on October 25, 2006, to solicit public comment on the GEIS Scope, and

**WHEREAS**, the CDA reviewed those comments and incorporated them into a Final Scope of Issues, and

**WHEREAS**, the CDA, with the assistance of the Town's consultants, has prepared a Draft Urban Renewal Plan Update, and a Draft GEIS assessing the aforementioned action,

**NOW, THEREFORE, BE IT RESOLVED** that the CDA determines that the Draft Urban Renewal Plan Update is ready for issuance to the public and interested agencies, and further, is ready for Planning Board Review and a Public Hearing before the Planning Board, and accordingly, the CDA hereby refers the Draft Urban Renewal Plan Update to the Planning Board for Planning Board and public review, and

**IT IS FURTHER RESOLVED** that the CDA has determined that the information in the Draft GEIS is complete with respect to the scope, content, and adequacy for the purpose of commencing public review pursuant to SEQRA, and

**IT IS FURTHER RESOLVED** that a Public Hearing to be conducted by the CDA on the Draft GEIS shall be held on Thursday, June 19, 2008, at 3:00 p.m., at the following location: Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, and that thereafter, public comments on the Draft GEIS will be accepted until July 7, 2008, and

**IT IS FURTHER RESOLVED** that the aforementioned Public Hearing shall be conducted as a joint Public Hearing with the Planning Board of the Town of Riverhead and shall include the Draft Urban Renewal Plan Update, if the Planning Board authorizes such joint Public Hearing, and

**IT IS FURTHER RESOLVED** that the attached Notice of Completion of the Draft GEIS and Notice of Public Hearing under the provisions of SEQRA be filed, circulated and published in the official newspaper of the Town of Riverhead at least 14 days in advance of such hearing, and that said Notice of Completion, Notice of Public Hearing, and Draft GEIS be filed, circulated in accordance with 6 NYCRR Part 617.12 of the SEQRA implementing procedures.

**THE VOTE**

DUNLEAVY ~~YES~~ NO

BUCKLEY ~~YES~~ NO

BLASS ~~YES~~ NO

WOOTEN ~~YES~~ NO

CARDINALE ~~YES~~ NO

**State Environmental Quality Review  
Notice of Completion of Draft GEIS  
And Notice of SEQR Hearing**

**May 21, 2008**

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

A Draft Generic Environmental Impact Statement has been completed and accepted by the Riverhead Town Board as the governing body of the Riverhead Community Development Agency and lead agency for the proposed action described below. Comments on the DGEIS are requested and will be accepted by the contact person until June 30, 2008. A public hearing on the DGEIS will be held on June 19, 2008 at 3:00 PM at Riverhead Town Hall, Meeting Room, 200 Howell Avenue, Riverhead, New York.

**Name of Action:** Update of the 1993 East Main Street Urban Renewal Plan.

**Description of Action:** The agency CDA intends to review and update the East Main Street Urban Renewal Plan adopted in October 1993 pursuant to the General Municipal Law of the State of New York.

**Location:** The East Main Street Urban Renewal Area established under the plan: generally bounded by Peconic Ave. on the west; Ostrander Ave. on the east; the Long Island Railroad on the north and the Peconic River on the south within the Town of Riverhead, Suffolk County.

**Potential Environmental Impacts:** The agency CDA cites the Comprehensive Plan adopted in November 2003 pursuant to Section 272 of State Town Law and the new zoning districts implemented according to its findings. The agency believes the revised zoning regime within the renewal area warrants a review of the renewal plan to ensure its consistency with the Comprehensive Plan and that the potential redevelopment of the area under that zoning may generate significant environmental and socio/economic impacts of a generic nature.

**Contact Person:** Town of Riverhead Community Development Agency  
Chris Kempner, Director  
200 Howell Avenue  
Riverhead, New York 11901  
(631) 727-3200, Ext. 287

Notice and DGEIS sent to: Supervisor, Town of Riverhead; Town Clerk, Town of Riverhead; Riverhead Planning Board; NYSDEC, Div. of Regulatory Services, Albany; Riverhead Free Library; Riverhead Community Development Agency; NY State Commissioner of Housing and Community Renewal; NYS Dept. of Transportation; Suffolk County Dept. of Public Works; Suffolk County Planning Commission; Town of Southampton; Environmental Notice Bulletin (notice only).

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE** that a public hearing will be held before the Community Development Agency of the Town of Riverhead at the Town Board meeting room, Town Hall, 200 Howell Avenue, Riverhead, New York on the 19<sup>th</sup> day of June 2008 at 3:00 o'clock PM on the Draft Generic Environmental Impact Statement prepared in support of the update of the 1993 East Main Street Urban Renewal Plan.

Dated: Riverhead, New York  
May 29<sup>th</sup>, 2008

**BY THE ORDER OF THE COMMUNITY  
DEVELOPMENT AGENCY OF THE TOWN OF  
RIVERHEAD**

Adopted

05/20/08

Tabled

04/15/08

TOWN OF RIVERHEAD

Resolution # 345

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH H2M GROUP**

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

**WHEREAS**, the Town of Riverhead may from time to time enter into professional service agreements with various professionals, and

**WHEREAS**, the Town of Riverhead recognizes the continued need to utilize the services of a professional engineering services firm in connection with the rehabilitation, expansion, operation and maintenance of the facilities of the Riverhead Water District, Calverton Sewer District, Riverhead Scavenger Waste District and at times other Town Departments; and

**NOW, THEREFORE, be it**

**RESOLVED**, that the Supervisor is hereby authorized to execute the attached Agreement with H2M; and be it further

**RESOLVED** that the Town Clerk is hereby directed to forward a copy of this resolution to the Dennis Kelleher, P.E., Richard A. Ehler, Esq., William Rothaar, Financial Administrator, Michael Reichel, Superintendent Riverhead Sewer District, Gary Pendzick, Superintendent of Town of Riverhead Water District, Town of Riverhead CDA, the office of the Town Attorney

May 20, 2008  
Councilwoman Blass offered the resolution to be brought off the table seconded by Councilman Dunleavy. All members in favor of untabling the resolution.

Councilwoman Blass offered the resolution for adoption, seconded by Councilman Dunleavy. All members in favor of the adoption.  
Town Attorney: authorize execution of agreement with H2M

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

Tabled

*THIS AGREEMENT*, made this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, by and between the TOWN OF RIVERHEAD, hereinafter sometimes referred to as the TOWN, a municipal corporation of the State of New York, having its principal office at 200 Howell Avenue, Riverhead, New York 11901, acting by and through the TOWN BOARD, hereinafter sometimes referred to as the BOARD, party of the first part, and HOLZMACHER, McLENDON & MURRELL, P.C. (H2M), having their principal office at 575 Broad Hollow Road., Melville, NY 11747, hereinafter referred to as the ENGINEER, party of the second part, WITNESSETH:

*WHEREAS*, the BOARD recognizes the continued need to utilize the services of a professional engineering services firm, in connection with the rehabilitation, expansion, operation, and maintenance of the facilities of the RIVERHEAD WATER DISTRICT; RIVERHEAD SEWER DISTRICT; CALVERTON SEWER DISTRICT; RIVERHEAD SCAVENGER WASTE DISTRICT; and at time other TOWN DEPARTMENTS; and,

*WHEREAS*, HOLZMACHER, McLENDON & MURRELL, P.C. have been engaged by the TOWN and DISTRICTS for more than 50 years on engineering and related matters, and are staffed with skilled and adequate personnel;

*NOW, THEREFORE*, the TOWN and the ENGINEER, in consideration of the mutual covenants and agreements hereinafter set forth, agree as follows:

**A. TERMS OF AGREEMENT**

This agreement shall commence on \_\_\_\_\_, \_\_\_\_\_, 2008. The parties may, by agreement in writing and by Resolution of the Town Board, renew the terms and conditions thereof on an annual basis.

**B. SCOPE OF SERVICES:**

1. GENERAL CONSULTATION SERVICES -

(a) The ENGINEER agrees to provide engineering consultation services and assist the SUPERVISOR, TOWN BOARD, SUPERINTENDENT, and other personnel by general discussions and review of TOWN matters; assist the SUPERVISOR, BOARD, SUPERINTENDENT, and other personnel by general discussions and review of TOWN problems, consumer inquiries and complaints, operations, budgets, policies, and future requirements of the TOWN.

2. SPECIAL ENGINEERING STUDIES AND REPORTS -

(a) The ENGINEER agrees to provide professional services in preparation of studies and engineering reports that are required for special or DISTRICT-wide projects or improvements on water supply, sewage treatment, collection, water storage, distribution and administration; for submissions to regulatory agencies and organizations; for operation and maintenance; for review of TOWN ordinances; and in connection with area-wide water and wastewater resources management.

3. CONSTRUCTION AND REPAIR PROJECTS -

The ENGINEER agrees to provide the following services for each contract in connection with new construction projects and repair projects, including plants, pumping stations, wells, storage facilities, water and sewer mains and appurtenances:

(a) Preliminary and Design -

- (1) Participate in discussions and prepare conceptual design and preliminary cost estimates.
- (2) Prepare detailed plans and specifications for primary and alternate type work, including Instructions for Bidders, Bid Proposals, General Specifications, General Conditions, Technical Specifications, and Contract Documents for each contract after coordination with and notification to State Labor Department; applicable Highway Department; Gas, Electric, and Telephone Utility Companies and Town Building Department. Provide electronic copy of plans and specifications to TOWN for public bidding.
- (3) Prepare Notice to Bidders after coordination with TOWN on bid date, send to official newspapers, and notify potential bidders. The TOWN shall pay for the cost of advertising.
- (4) Attend bid openings, prepare bid tabulation sheets with unit, lump sum, and total prices for all bidders; check bid for irregularities and unbalanced bids.
- (5) Check references of low bidder, as required. References shall include such references as the TOWN may require. Prepare a "Letter of Recommendation" for award by TOWN; and, if applicable, notify developer of cost in order to place funds in escrow.

- (6) Conform five (5) sets of plans and contract documents with unit, lump sum, and total prices for the attorney to complete signing.
  - (7) Notify State Labor Department and contractor of award.
- (b) During Construction -
- (1) Contract administration and other office services during construction for the agreed upon schedule; coordination with TOWN, contractor, and ENGINEER field personnel to ensure conformance with plans, specifications, and other contract documents.
  - (2) Schedule preconstruction meetings with the contractor and DISTRICT SUPERINTENDENT or appointed TOWN representative.
  - (3) Review shop drawings submitted by contractor.
  - (4) Prepare partial certificates of completion for payment that shall constitute a representation to the TOWN by the ENGINEER that the work has progressed to the point indicated and that the quality of the work is in accordance with the contract documents. Review and approve the contractor's affidavits and the vouchers for contractor payment.

4. ADDITIONAL SERVICES -

(a) The ENGINEER agrees to provide the following services when needed by the TOWN or the SUPERINTENDENT of the specific TOWN.

- (1) Resident or detailed inspection of construction, dependent upon TOWN's availability of inspection personnel; attend construction meetings with the contractor and TOWN SUPERINTENDENT or appointed TOWN representative; reinspection one (1) year after final payment request and prior to bond expiration; witness performance, leakage, and bacteriological tests; make final inspection and prepare the final certification of completion for payment, if the project has been completed in accordance with the contract documents. The ENGINEER shall not, however, be held responsible for the contractor's failure to perform the work in accordance with the contract documents, unless attributed to a design error.
- (2) Surveying, topographical work, stakeout or re-stakeout of construction, and related office computation and drafting; negotiations and plans for easements and land acquisition.
- (3) Revisions to drawings or specifications that have been previously approved, including revisions during construction in conjunction with change orders.
- (4) Preparation of plans, specifications, and bid documents for alternate proposals or for rebidding the project.

- (5) Preparation of application and exhibits for financial aid and for agency approvals of project.
- (6) Preparation of record maps for new projects and valve location maps on standards sheets.
- (7) Preparation of valve schedule and TOWN distribution map update or revisions.
- (8) Preparation for and meetings with TOWN, highway authority, and utility personnel in regard to field locations of TOWN facilities.
- (9) Preparation for and meetings with either developers or builders of commercial or industrial buildings in regard to fire flow, services, backflow prevention controls, sewage flow, etc.
- (10) Preparation of advance plans and specifications for the Suffolk County Department of Health Services on subdivision maps to be filed by the developer (to be paid from developer's escrow funds).
- (11) Preparation of specifications for chemicals and other material bids.
- (12) Preparation of submission for annual water supply statement and consumer confidence reports, and other requirements of various regulatory agencies.

- (13) Final inspection of construction after one (1) year including office coordination on the release of bonds, trench inspections, etc.
- (14) Assistance with start-up services on new or repaired equipment and facilities.
- (15) Preparation of Operation and Maintenance Manuals.
- (16) Preparation of Environmental Assessment forms and Draft Environmental Impact Statements (DEIS), as required for TOWN projects.
- (17) Preparation and submission of applications for agency approval [New York State DEC and Health Department, Suffolk County Department of Health Services, Town Fire Marshal, Town Building Department] including required revisions and resubmissions. Preparation and submission of New York State Department of Environmental Conservation Well Permit applications and Discharge Permit applications.
- (18) Preparation of Energy Audit as required by either regulatory agencies or TOWN. Preparation of permit applications for LIPA, gas service or electric service.
- (19) Preparation and attendance at various hearings, civic associations and other meetings in regard to TOWN facilities, water quality, and other TOWN matters.

C. **COMPENSATION FOR SERVICES:**

Payment for services under this agreement shall be either on a lump sum basis, hourly rates with a maximum fee or based on a percentage of construction as described below:

1. LUMP SUM -

Should the scope of services of a specific project be well defined, the ENGINEER will submit to the TOWN a lump sum fee proposal for the specific assignment.

2. HOURLY RATES -

If the scope of work of a specific project or assignment is not well defined and for construction inspection and additional services, the fee shall be based on hourly rates of remuneration. Hourly rates shall be calculated as payroll cost (salary plus fringe calculated at 37%) plus 1.35 times total payroll cost for overhead and profit allowance. The ENGINEER will provide a salary schedule for each job classification on as presented in Attachment "A". Updated salary schedule can be submitted on an annual basis.

3. PERCENT OF CONSTRUCTION -

For design and construction projects the fee shall be based on a percentage of construction in accordance with the engineering industry derived fee curve presented in Attachment "B" and as follows:

- (1) Payable on each construction contract bid in accordance with the following:

- (i) For preliminary and detailed design, preparation of plans, specifications and other bidding documents, the fee shall be Seventy-five Percent (75%) of the total engineering fee per individual contract construction cost computed in accordance with the Fee Curve as presented in Attachment "B" that follows.
  - (ii) The "during construction" fees shall be Twenty-five Percent (25%) of the total engineering fee per individual contract construction cost, computed in accordance with Fee Curve as presented in Attachment "B". This fee shall be due as construction progresses and in proportion to the progress as certified.
  - (iii) For any construction contract where the construction cost is less than \$50,000, the fee schedule shall be at hourly rates.
  - (iv) Construction observation services shall be provided based on an hourly rate of payroll costs plus a multiple of 1.35 as explained in Section C.2.
- (2) Additional Work - Where additional work is authorized after award or where alternate designs represent substantial additional work, a design fee shall be included for these amounts at the same percentage as derived above.

(3) Existing Facilities - Where projects involve either the modification, renovation or repair of existing plants and structures, the fee shall be increased by a factor of 1.5, except when done on per diem rates.

(4) Progress Payments - At no less than monthly intervals, the ENGINEER shall present a progress payment claim for professional services performed during the period under the agreement for each contract or authorization.

4. REIMBURSABLE EXPENSES -

(a) Reimbursable expenses are in addition to compensation to ENGINEER for basic and additional services and include expenditures made by the ENGINEER, its employees or its consultants, related to TOWN projects ordered by the BOARD:

(1) Expense of transportation subsistence and lodging when traveling in connection with the project, as required or requested by the TOWN.

(2) Expense of messenger service, field office expenses and fees paid for securing approval of authorities having jurisdiction over the project or to expedite projects.

(3) When authorized in advance by the TOWN, ~~expenses of~~ overtime work requiring higher than normal rates. Overtime work shall be defined as any time more than eight (8) hours per day on Town projects or work performed on weekends, the overtime shall be 1.5 times normal rate.

(4) Soil borings and soil testing; asbestos testing; permit fees.

(5) Expense of preparing perspectives, renderings or models.

(b) Payment for reimbursable expenses shall be at cost.

**D. THE TOWN AND ENGINEER MUTUALLY AGREE TO THE FOLLOWING:**

1. EXTENT OF AGREEMENT -

This AGREEMENT represents the entire AGREEMENT between the TOWN and the ENGINEER and supersedes all prior negotiations, representations or agreements either written or oral. This AGREEMENT may be amended only by written instrument signed by both the TOWN and the ENGINEER.

2. GOVERNING LAW -

Unless otherwise specified within this AGREEMENT, the law of the State of New York shall govern this AGREEMENT.

3. INVALID PROVISIONS -

In the event any provisions of this AGREEMENT shall be held to be invalid and unenforceable, the remaining provisions shall be valid and binding upon the parties. One or more waivers by either party of any provision, term, condition or covenant shall not be construed by the other party as a waiver of a subsequent breach of the same by the other party.

4. GENERAL -

(a) If a dispute arises out of any of the provisions contained herein, the Engineer and the TOWN agree to exercise good faith efforts to resolve the matter fairly, amicably and in a timely manner. If the dispute cannot be settled through discussion, each party agrees to endeavor to settle the dispute through non-binding mediation. The mediation shall be conducted under the auspices of the American Arbitration Association (AAA) and in accordance with the construction industry mediation rules of the AAA. The parties agree to resort to arbitration, litigation or other court proceedings, only in the event mediation efforts fail to resolve the dispute. Regardless of the outcome of the mediation, the costs associated with the mediation, exclusive of attorney fees, expert fees and other costs not related to the actual cost of administering the mediation, shall be borne equally by the parties.

(b) Neither party shall hold the other responsible for damages or delay in performance caused by Acts of God, strikes, lockouts, accidents or other events beyond the control of the other or the other's employees and agents.

(c) The ENGINEER has not been retained or compensated to provide design and construction review services relating to the contractor's safety precautions or to means, methods techniques, sequences or procedures required for the contractor to perform its work, but not relating to the final or completed structure. These services include, but are not limited to, shoring, scaffolding, underpinning, temporary retainment of excavations, stockpiling of materials, any erection methods, and temporary bracing.

(d) ~~The ENGINEER intends to render its services under this AGREEMENT~~  
in accordance with generally accepted professional practices for the intended use of the TOWN.

(e) Any opinion of the construction cost prepared by the ENGINEER represents its judgment as a design professional and is supplied for the general guidance of the TOWN. Since the ENGINEER has no control over the cost of labor and material, other competitive bidding or market conditions, the ENGINEER does not guarantee the accuracy of such opinions as compared to contractor bids or actual costs to the TOWN.

5. DELEGATION OF DUTIES -

Neither the TOWN nor the ENGINEER shall delegate its duties under this AGREEMENT without written consent of the other.

6. INSURANCE LIABILITY AND INDEMNITY -

(a) ENGINEER's Insurance - The ENGINEER shall acquire and maintain statutory Workers Compensation Insurance coverage, employer's liability, comprehensive general liability insurance coverage, and comprehensive automobile liability insurance coverage. When required, each policy shall name the TOWN and specific DISTRICT as a party insured. The ENGINEER shall also acquire and maintain professional liability insurance coverage. The general liability policy shall contain minimum limits of \$1,000,000. combined for bodily injury and property damage. and \$1,000,000 personal injury. The comprehensive automobile liability policy shall contain minimum limits of \$500,000. combined for bodily injury and property damage. The Engineer shall also maintain a \$5,000,000 umbrella policy in addition to the limits described above. The professional liability policy shall contain minimum limits of \$2,000,000. aggregate per year. Should the Engineer subcontract any of the work, all subcontractors shall also be required to comply with the same insurance requirement.

(b) Contractor's Insurance - Prior to the commencement of the work, the TOWN shall require the contractor and any subcontractors to submit evidence that it (they) have obtained for the period comprehensive general liability insurance coverage (including

completed operations coverage). This coverage shall provide for bodily injury and property damage arising directly or indirectly out of or in conjunction with the performance of the work under the construction contract and have a limit of not less than \$1,000,000. for all damages arising out of bodily injury, sickness or death of one person, and an aggregate of \$1,000,000. for damages arising out of bodily injury, sickness or death of two or more persons in any one occurrence. The property damage portion will provide for a limit of not less than \$500,000. for all damages arising out of injury to or destruction of property of others arising directly or indirectly out of or in connection with the performance of the work under the construction contract and in any one occurrence including explosion, collapse, and underground exposure.

Included in such coverage will be contractual coverage sufficiently broad to insure the provision of Article D.6(c). The comprehensive general liability insurance will include as additional named insured: the TOWN, the ENGINEER, and each of their officers, agents, and employees.

(c) The TOWN will require that any contractor or subcontractors performing work in connection with drawings and specifications produced under this AGREEMENT to hold harmless, indemnify and defend the client, the ENGINEER and their consultants and each of their officers, agents and employees for any and all liability claims, losses or damage, including the costs, expenses, and reasonable attorney fees on account thereof, arising out of or alleged to arise from the contractor's (or subcontractor's) negligence in the performance of the work described in the construction contract documents, but not including liability that may be due to the sole negligence of the TOWN, the ENGINEER, their consultants or their officers, agents, and employees.

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7. RESIDENT CONSTRUCTION REVIEW SERVICES -

(a) If requested by the TOWN or recommended by the ENGINEER and approved in writing by the TOWN, the ENGINEER shall provide one or more full-time

resident project representative(s) in order to render more extensive representation to the project site during the construction phase. The TOWN shall pay for such resident construction review services as described in Article C.2, as defined within this AGREEMENT. The limits of the TOWN, duties and responsibilities of a resident project representative shall be described before such services begin by written instruments.

(b) By means of the more extensive on-site observations of the work in progress, the ENGINEER will endeavor to provide further protection for the TOWN against defects and deficiencies in the contractor's work, but the furnishing of such services shall not include construction review of the Contractor's construction means, methods, techniques, sequences or procedures, or of any safety precautions and programs in connection with the work.

#### 8. OWNERSHIP OF DOCUMENTS -

Upon completion of the work and payment in full in accordance with the agreement to the ENGINEER for the services or on the default of the ENGINEER, the ENGINEER shall render copies of all drawings, specifications, and other products to the TOWN. The TOWN agrees that use of the ENGINEER's work products in any manner other than those for which the work product was specifically intended shall be at the TOWN's sole risk and the TOWN agrees to defend, indemnify, and hold harmless the ENGINEER from all claims, damages, and expenses, including attorney's fees arising out of such other use of the ENGINEER's work product, including the suits and claims of third parties.

#### 9. TERMINATION OF CONTRACT -

The TOWN shall have the right to postpone, delay, suspend, reduce in scope or terminate the services for which the ENGINEER is herein engaged at any time for any reason deemed to be in the TOWN's interest.

Either party may terminate this AGREEMENT by seven (7) days written notice in the event of substantial failure to perform in accordance with the terms of this AGREEMENT by the other party through no fault of the terminating party. If this AGREEMENT is terminated, the ENGINEER shall be paid for services performed to the termination notice date including reimbursable expenses due.

**E. THE TOWN FURTHER AGREES TO PERFORM OR PROVIDE THE FOLLOWING:**

1. ACCESS TO THE WORK -

The TOWN shall assure access to and make all provisions for the ENGINEER to enter upon public and private lands as required for the ENGINEER to perform such work as surveys, stakeouts, and inspections in the development and implementation of the contracted work.

2. CONSIDERATION OF THE ENGINEER'S WORK -

The TOWN shall give thorough consideration to all reports, sketches, estimates, drawings, specifications proposals, and other documents presented by the ENGINEER, and shall inform the ENGINEER of all decisions within a reasonable time so as not to delay the work of the ENGINEER. The TOWN expects timely submission of documents for its consideration.

3. LEGAL REQUIREMENTS -

The TOWN shall hold all required special meetings, serve all required public and private notices, receive and act upon all protests and fulfill all requirements necessary in the development of the work, and pay all costs incident thereto.

4. PROPOSALS -

The TOWN shall advertise for proposals from bidders, open the proposals at the appointed time, and place and pay for all costs incidental thereto.

5. TOWN'S REPRESENTATIVE -

The TOWN representative, unless otherwise directed by the BOARD, shall be the SUPERVISOR of the Town, SUPERINTENDENT of the specific TOWN or DISTRICT, or any Town Board member designated by the BOARD, any of whom shall have authority to transmit instructions, receive information, interpret and define TOWN policy and decisions with respect to the materials, equipment, and systems pertinent to the work covered by this AGREEMENT.

6. PAYMENTS TO ENGINEER -

The TOWN shall endeavor to make payments to the ENGINEER in a timely manner and within thirty (30) days after receipt by the TOWN of duly executed TOWN claim forms with supporting documentation.

7. SOILS DATA -

If required by a specific project, the ENGINEER will arrange for the TOWN to retain the services of a soil boring firm for soils testing and analysis including, but not limited to, test borings, test pits, probing, percolation tests, all with appropriate professional interpretation.

The soil boring firm will have a separate contract with the TOWN.

**D. THE ENGINEER FURTHER AGREES TO PERFORM OR PROVIDE THE FOLLOWING:**

1. WAIVER OF IMMUNITY AND GROUNDS FOR CANCELLATION OF CONTRACT -

The ENGINEER, in entering into this AGREEMENT, specifically agrees that the provisions of Sections 103-a and 103-b of the General Municipal Laws, which are hereby incorporated herein by reference, applies to this contract, and that the parties expressly covenant and agree that they and this contract are fully subject to the provisions of said laws.

2. COPYRIGHT OF PATENT INFRINGEMENT -

The ENGINEER shall defend actions or claims charging infringement of any copyright or patent by reason of use of adoption of any designs, drawings or specifications supplied by the ENGINEER providing that the TOWN within thirty (30) days after receipt of any notice of infringement or of a summons in any action shall deliver said notice or summons in writing to the address herein given for the ENGINEER or to a subsequent address of the ENGINEER. The ENGINEER shall indemnify and hold harmless the TOWN from any and all demands, claims, damages, and expenses of every kind, including reasonable attorney's fees expended or incurred by the TOWN by reason of the claim of any person, firm or corporation of an alleged infringement of any copyright or patent by reason of use of adoption of any designs, drawings or specifications supplied by the ENGINEER.

3. INSURANCE OF ENGINEER -

The ENGINEER shall provide Workers Compensation Insurance coverage, employer's liability, comprehensive general liability insurance coverage, comprehensive automobile liability insurance coverage, and professional liability insurance coverage as detailed under Article B.6 (a).

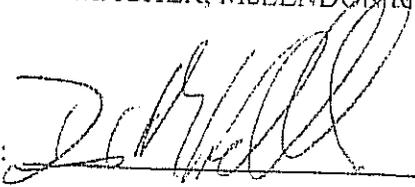
*IN WITNESS WHEREOF*, the parties hereto have hereunto subscribed names, affixed their respective seals the day and year first above written.

TOWN: TOWN OF RIVERHEAD

BY: \_\_\_\_\_

Philip Cardinale, Supervisor

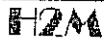
ENGINEER: HOLZMACHER, McLENDON & MURRELL, P.C.

BY:  \_\_\_\_\_

Dennis M. Kelleher, P.E., Sr. Vice President

ENGINEERING  
SERVICES AGREEMENT

ATTACHMENT "A"  
SALARY SCHEDULE

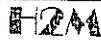


TOWN OF RIVERHEAD

Hourly Rate Schedule

Effective 1/1/08

Job Title	Min Rate	Max Rate
ACCOUNTING PROJECT MGR	\$17.50	\$27.50
ACCT. PROJ. MGR TEAM LDR.	\$17.50	\$27.50
ADMINISTRATIVE ASSISTANT	\$16.88	\$25.00
ARCHITECTURAL INTERN	\$100.00	\$17.50
ARCHITECTURAL TECHNICIAN	\$17.50	\$25.00
CADD INTERN	\$10.00	\$16.88
CADD TECHNICIAN	\$13.13	\$25.00
CHIEF ARCHITECT	\$60.00	\$77.50
CHIEF CIVIL ENGINEER	\$52.50	\$77.50
CHIEF COATINGS INSPECTOR	\$40.00	\$55.00
CHIEF ELECTRICAL ENGINEER	\$52.50	\$77.50
CHIEF ENV PLANNER	\$43.75	\$65.00
CHIEF ENVIRONMENTAL ENG	\$52.50	\$77.50
CHIEF ENVIRONMENTAL SCI	\$50.00	\$65.00
CHIEF GEOLOGIST	\$43.75	\$65.00
CHIEF HYDROGEOLOGIST	\$43.75	\$65.00
CHIEF INSPECTOR	\$40.00	\$55.00
CHIEF MECHANICAL ENGINEER	\$52.50	\$77.50
CHIEF PLANNER	\$43.75	\$65.00
CHIEF SITE PLANNER	\$39.90	\$70.35
CHIEF SOLID WASTE ENG	\$52.50	\$77.50
CHIEF STRUCTURAL ENGINEER	\$52.50	\$77.50
CHIEF SURVEYOR	\$50.00	\$67.50
CHIEF WASTEWATER ENGINEER	\$52.50	\$85.00
CHIEF WATER DISTRIBUT ENG	\$52.50	\$77.50
CHIEF WATER RESOURCES ENG	\$52.50	\$77.50
COATINGS INSPECTOR	\$21.00	\$35.00
CONSTRUCTION ADMIN.	\$28.88	\$52.50
CONSTRUCTION INSPECTOR	\$21.00	\$27.50
DESIGNER	\$20.00	\$36.25
DIVISION DIRECTOR	\$53.13	\$90.38
DOC REPRODUCTION CLERK	\$12.50	\$21.25
ENGINEERING INTERN	\$10.00	\$20.00
ENGINEERING TECHNICIAN	\$15.00	\$22.50
ENVIRONMENTAL INTERN	\$10.00	\$17.50
ENVIRONMENTAL TECHNICIAN	\$15.00	\$27.50
ESTIMATOR	\$26.25	\$40.00
GIS SPECIALIST	\$21.25	\$33.00
GIS TECHNICIAN	\$17.00	\$25.00
INSTRUMENT PERSON (PW)	\$25.01	\$25.01
JR CONSTRUCTION INSPECTOR	\$15.75	\$24.00
JR. COATINGS INSPECTOR	\$15.75	\$23.63



## TOWN OF RIVERHEAD

## Hourly Rate Schedule

Effective 1/1/08

Job Title	Min Rate	Max Rate
LEAD CADD DESIGNER	\$26.00	\$43.75
LEAD CADD TECHNICIAN	\$22.00	\$42.50
MANAGER OF GIS SERVICES	\$26.25	\$40.00
MGR. OF COATINGS SERVICES	\$37.50	\$62.50
OFFICE SURVEYOR	\$29.38	\$43.75
PARTY CHIEF (PW)	\$29.82	\$29.82
PLANNING INTERN	\$10.00	\$17.50
PLANNING TECHNICIAN	\$15.00	\$20.00
PRINCIPAL	\$73.50	\$118.75
PROJ LANDSCAPE ARCHITECT	\$28.75	\$40.00
PROJECT ARCHITECT	\$30.00	\$45.00
PROJECT COORDINATOR	\$25.00	\$37.50
PROJECT ENGINEER	\$30.00	\$45.00
PROJECT PLANNER	\$25.00	\$32.50
PROJECT SCIENTIST	\$23.75	\$32.50
RECORDS CLERK	\$13.75	\$22.50
RESIDENT INSPECTOR	\$37.50	\$56.25
ROD PERSON (PW)	\$21.95	\$21.95
SPECIFICATION WRITER	\$30.00	\$50.00
SR ADMINISTRATIVE ASSIST	\$20.00	\$30.00
SR ARCHITECT	\$40.00	\$63.00
SR ARCHITECTURAL TECH	\$17.50	\$22.50
SR CADD TECHNICIAN	\$22.00	\$30.00
SR CIVIL ENGINEER	\$40.00	\$67.50
SR CONSTRUCTION INSPECTOR	\$25.00	\$50.00
SR DESIGNER	\$27.50	\$43.75
SR ELECTRICAL ENGINEER	\$40.00	\$67.50
SR ENGINEERING TECHNICIAN	\$22.50	\$40.00
SR ENVIRONMENTAL ENGINEER	\$40.00	\$67.50
SR ENVIRONMENTAL PLANNER	\$36.25	\$50.00
SR ENVIRONMENTAL SCI	\$42.00	\$65.00
SR ENVIRONMENTAL TECH	\$20.00	\$31.25
SR GEOLOGIST	\$42.00	\$65.00
SR GIS TECHNICIAN	\$23.00	\$28.00
SR HYDROGEOLOGIST	\$42.00	\$65.00
SR MECHANICAL ENGINEER	\$40.00	\$67.50
SR PLANNER	\$36.25	\$50.00
SR PROJECT ARCHITECT	\$37.50	\$50.00
SR PROJECT ENGINEER	\$30.00	\$50.00
SR PROJECT PLANNER	\$26.25	\$40.00
SR PROJECT SCIENTIST	\$27.63	\$50.00
SR STRUCTURAL ENGINEER	\$40.00	\$67.50



ENGINEERING  
SERVICES AGREEMENT

ATTACHMENT "B"  
AMERICAN SOCIETY OF  
CIVIL ENGINEERS

FEE CURVE A - (1980)

## CONSULTING ENGINEERING

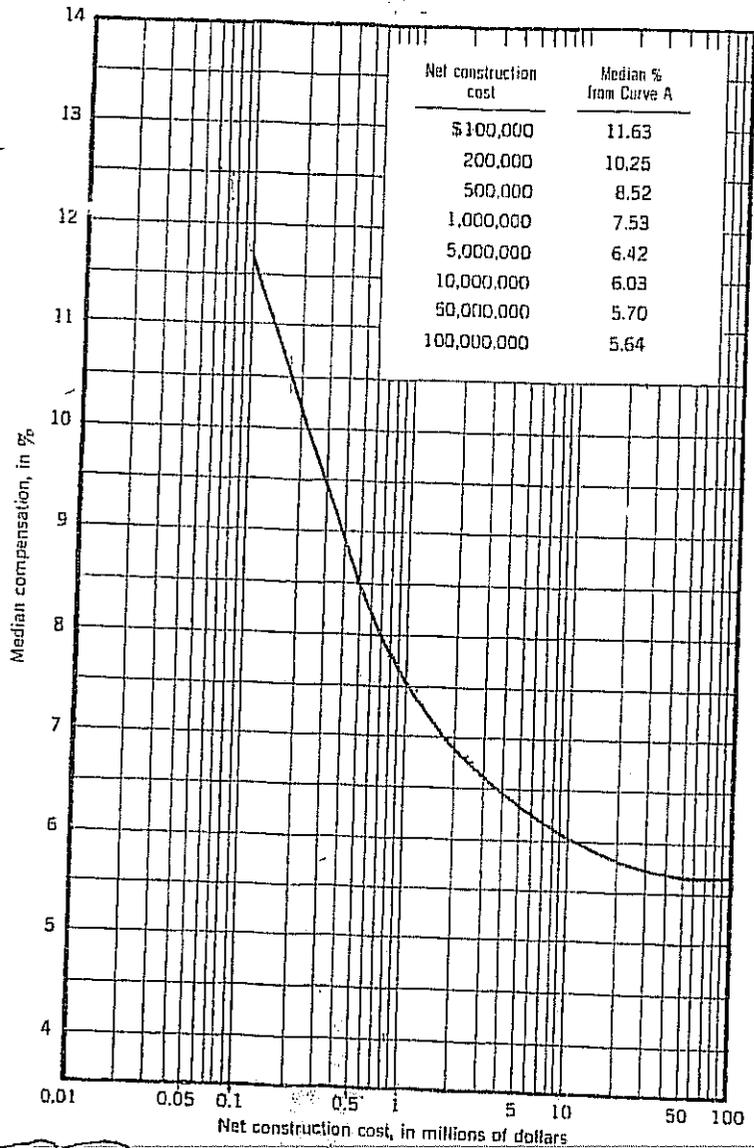


FIG. 1.—CURVE A, MEDIAN COMPENSATION FOR BASIC SERVICES EXPRESSED AS A PERCENTAGE OF NET CONSTRUCTION COST FOR PROJECTS OF ABOVE-AVERAGE COMPLEXITY (1980)

May 20, 2008

Adopted

TOWN OF RIVERHEAD

EAST CREEK DOCKING FACILITY

BUDGET ADJUSTMENT

RESOLUTION # 421

COUNCILMAN DUNLEAVY

offered the following resolution,

COUNCILMAN BUCKLEY

which was seconded by \_\_\_\_\_.

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

		<u>FROM</u>	<u>TO</u>
122.000000.499999	Appropriated Fund Balance	268,284	
122.072300.523018.40161	East Creek Construction & Maintenance		186,784
122.072300.543500.40161	Engineering		24,500
122.072300.547900.40161	Contingency		57,000

**THE VOTE**

Wooten  Yes  No

Buckley  Yes  No

Dunleavy  Yes  No

Blass  Yes  No

Cardinale  Yes  No

MAY 20, 2008

Adopted

**TOWN OF RIVERHEAD**  
**2008 STOTZKY PARK**  
**CAPITAL IMP PROJECT**

**BUDGET ADOPTION**

**RESOLUTION # 422**

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

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

		<u>FROM</u>	<u>TO</u>
406.095031.481900.70803	Special Trust Transfers	224,000	
406.071100.523020.70803	Fence Installation Improvement		103,000
406.071100.523028.70803	Tennis Court Improvement		100,500
406.071100.547900.70803	Contingency		20,500

**THE VOTE**

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

May 20, 2008

Adopted

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 423

COUNCILMAN WOOTEN

offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

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

		<u>FROM</u>	<u>TO</u>
001.016200.542500	Supplies and Service	2,833	
001.016200.524000	Equipment		2,833

**THE VOTE**

Wooten  Yes  No

Buckley  Yes  No

Dunleavy  Yes  No

Blass  Yes  No

Cardinale  Yes  No

TOWN OF RIVERHEAD

Adopted

AUTHORIZATION TO DISCARD FIXED ASSETS

RESOLUTION # 424

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

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>
BID	21484	Copier
PD	4563	Calculator
PD	25166	Chair
Sewer	787	Bulletin Board
Municipal Garage	22245	Fax Machine
Town Attorney	25990	Gateway Monitor
Senior Citizen	23760	UPS
Town Engineer	25225	Gateway Mouse
Town Attorney	26852	Gateway Keyboard
IT	23082	Receipt Printer
IT	23762	UPS
IT	20636	Modem

THE VOTE

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

5/20/08

Adopted

TOWN OF RIVERHEAD

Resolution # 425

SETS SALARIES FOR 2008 SUMMER PERSONNEL FOR  
THE RECREATION DEPARTMENT

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

**RESOLVED**, that the Town Board sets salaries for 2008 summer personnel for the Recreation Department.

**BE IT FURTHER RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting. 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

*ab*



**Recreation Department  
200 Howell Avenue  
Riverhead, NY 11901  
(631) 727-5744**

**SUMMER PERSONNEL SALARIES- 2008**

<u>Lifeguard</u>	<u>WSI</u>	<u>Summer Rec Aide</u>	<u>Summer Rec Aide-cert</u>	<u>Concession/ Bch Att.</u>	<u>PT Rec Aid Score- Keeper</u>
Level I.\$ 11.00	\$ 11.25	\$8.75	\$10.25	\$8.70	\$8.25
Level II.\$ 12.10	\$ 12.40	\$9.65	\$11.30	\$9.60	\$9.10
Level III.\$12.45	\$ 12.75	\$9.95	\$11.60	\$9.90	\$9.35
Level IV.\$ 12.85	\$13.15	\$10.25	\$11.95	\$10.15	\$9.65
Level V. \$ 13.25	\$13.50	\$10.55	\$12.30	\$10.50	\$9.90
Level VI.\$13.65	\$13.90	\$10.90		\$10.75	\$10.20
Level VII\$14.00	\$14.35	\$11.25		\$11.10	\$10.50
Level VIII\$14.45	\$14.80	\$11.60			
Level IX \$14.90		\$12.00			

<u>Summer Rec. Program Leader</u>	<u>Waterfront Coordinator</u>	<u>Beach Manager</u>	<u>Head Lifeguard</u>
Level I	\$12.50	\$13.50	\$13.50
Level II	\$13.75	\$14.85	\$14.30
Level III	\$14.15	\$15.30	\$14.73
Level IV	\$14.60	\$15.75	\$15.17
Level V	\$15.00	\$16.25	\$15.63
Level VI	\$15.50	\$16.75	\$16.09
Level VII	\$15.95	\$17.25	\$16.58

**NOTE:** The above salaries are listed on a per hour basis. New Hires can begin at a maximum level 3 (based on experience)

\*\*Salary increase will be determined by reaching a minimum level of hours worked (by category) combined with a positive evaluation. Can jump (2) levels (maximum) with an outstanding evaluation.

May 20, 2008

Adopted

TOWN OF RIVERHEAD

Resolution # 426

**APPOINTS SEASONAL TRAFFIC CONTROL OFFICERS IN THE POLICE DEPARTMENT**

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

**WHEREAS**, the need for seasonal Traffic Control Officers exists in the Police Department, and

**WHEREAS**, this position was duly advertised for, interviews were conducted, and

**WHEREAS**, pursuant to a completed background investigation, the recommendation of the Chief of Police has been received.

**NOW, THEREFORE, BE IT RESOLVED**, that effective May 21, 2008 Matthew Graziano and Stephen Santoro are hereby appointed to the positions of seasonal Traffic Control Officer 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 Matthew Graziano, Stephen Santoro, the Police 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**

MAY 20, 2008

Adopted

TOWN OF RIVERHEAD

Resolution # 427

**APPOINTS A RECREATION PROGRAM PLANNER TO THE RECREATION DEPARTMENT**

COUNCILMAN WOOTEN offered the following resolution,

which was seconded by COUNCILWOMAN BLASS.

**WHEREAS**, a vacancy exists in the Recreation Department for a Recreation Program Planner; and

**WHEREAS**, Suffolk County Department of Civil Service has certified a List of Eligibles, list #07-4018-046, for the title of Recreation Program Planner, the position was duly posted for, posting #10, and all eligible applicants were interviewed; and

**WHEREAS**, pursuant to a completed background investigation, the Superintendent of Recreation and the Personnel Officer have made a recommendation of a qualified candidate.

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board hereby appoints Thomas Filgate to the position of Recreation Program Planner effective May 27, 2008, as found on Group 4 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 Thomas Filgate, 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**

May 20, 2008

Adopted

TOWN OF RIVERHEAD

Resolution # 428

**REAPPOINTS SEASONAL TRAFFIC CONTROL OFFICERS IN THE POLICE DEPARTMENT**

COUNCILWOMAN BLASS

offered the following

resolution, which was seconded by

COUNCILMAN DUNLEAVY

**BE IT RESOLVED**, that effective May 21, 2008 Shawn Ethier, Ollie Crump, Jr., and Thomas Condzella are hereby reappointed to the positions of seasonal Traffic Control Officer 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 Shawn Ethier, Ollie Crump, Jr., Thomas Condzella, the Police 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**

May 20, 2008

Adopted

TOWN OF RIVERHEAD

Resolution # 429

**APPOINT TWO (2) ON-CALL TRAFFIC CONTROL SPECIALISTS TO THE POLICE DEPARTMENT**

COUNCILMAN DUNLEAVY

offered the following

resolution, which was seconded by

COUNCILMAN BUCKLEY

**WHEREAS**, the need for Traffic Control Specialists exists in the Police Department; and,

**WHEREAS**, pursuant to completed background investigations, a recommendation has been made by the Chief of Police to hire Thomas Tobin and Wallace Smith to this on-call position.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby appoints Thomas Tobin and Wallace Smith to the on-call positions of Traffic Control Specialist at an hourly rate of \$12.00 effective May 21, 2008.

**BE IT FURTHER, RESOLVED** that the Town Clerk be and is hereby directed to forward a copy of this resolution to Thomas Tobin, Wallace Smith, the Chief of Police, the Office of Accounting and the Personnel Officer.

The Vote

Wooten ~~Yes~~ No

Buckley ~~Yes~~ No

Dunleavy ~~Yes~~ No

Blass ~~Yes~~ No

Cardinale ~~Yes~~ No

THE RESOLUTION ~~X~~ WAS      WAS NOT

**THEREFORE DULY ADOPTED**

5/20/08

Adopted

**TOWN OF RIVERHEAD**

Resolution # 430

**APPOINTS**  
**LIFEGUARDS**  
**TO THE**  
**RECREATION DEPARTMENT**

COUNCILMAN BUCKLEY offered the following resolution,

which was seconded by COUNCILMAN WOOTEN

**RESOLVED**, that the Town Board appoints the attached list of Lifeguards to the Recreation Department effective May 24, 2008 to and including September 1, 2008 and to serve as needed on an at will basis and to serve at the pleasure of the Town Board.<sup>1</sup>

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

<sup>1</sup> Rec. Colleen: Res Blanket Lifeguards 08

**RECREATION DEPARTMENT APPOINTMENTS  
5/20/08 TOWN BOARD MEETING**

<u>Last</u>	<u>First</u>	<u>Title</u>	<u>Level</u>	<u>Start Date</u>	<u>End Date</u>	<u>Salary</u>
Behrens	Riley	Lifeguard	IV	5/24/08	9/1/08	\$12.85
Bilumis	Courtney	Lifeguard	III	5/24/08	9/1/08	\$12.45
Boccafola	Janine	Fill-In Lifeguard	I	5/24/08	9/1/08	\$11.00
Burns	Christopher	Lifeguard	VII	5/24/08	9/1/08	\$14.00
Burns	Katherine	Lifeguard	VI	5/24/08	9/1/08	\$13.65
Burns	Thomas	Lifeguard	VII	5/24/08	9/1/08	\$14.00
Condzella	Rebecca	Lifeguard	II	5/24/08	9/1/08	\$12.10
DelliCarpini	Michael	Lifeguard	VII	5/24/08	9/1/08	\$14.00
Everitt	Natalie	Lifeguard	II	5/24/08	9/1/08	\$12.10
Fox	Anna	Lifeguard	II	5/24/08	9/1/08	\$12.10
Hegermiller	Anna	Lifeguard	II	5/24/08	9/1/08	\$12.10
Hennenlotter	Deborah	Lifeguard	IX	5/24/08	9/1/08	\$14.90
Ince	Bailey	Fill-In Lifeguard	II	5/24/08	9/1/08	\$12.10
Ince	Parker	Fill-In Lifeguard	I	5/24/08	9/1/08	\$11.00
Ince	Thomas	Fill-In Lifeguard	I	5/24/08	9/1/08	\$11.00
May	Thomas	Fill-In Lifeguard	I	5/24/08	9/1/08	\$11.00
McCoy	Colin	Fill-In Lifeguard	I	5/24/08	9/1/08	\$11.00
McCoy	Jared	Lifeguard	V	5/24/08	9/1/08	\$13.25
McCoy	Gavin	Lifeguard	III	5/24/08	9/1/08	\$12.10
Nugent	Gregory	Lifeguard	III	5/24/08	9/1/08	\$12.10
Kendra	Opatovsky	Lifeguard	II	5/24/08	9/1/08	\$12.10
Potapchuk	John	Lifeguard	I	5/24/08	9/1/08	\$11.00
Rucigay	Evan	Fill-In Lifeguard	I	5/24/08	9/1/08	\$11.00
Racaniello	Amanda	Lifeguard	III	5/24/08	9/1/08	\$12.45
Sanders	Gregory	Lifeguard	X	5/24/08	9/1/08	\$15.35
Sullivan	Kara	Fill-In Lifeguard	I	5/24/08	9/1/08	\$11.00
Wagner	Kyle	Fill-In Lifeguard	I	5/24/08	9/1/08	\$11.00

**BE IT FURTHER, RESOLVED**, that these positions are subject to the following conditions:

- 1: All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start
- 2: Subject to Suffolk county Lifeguard Certifications.
- 3: Current CPR/ AED Certifications

5/20/08

Adopted

**TOWN OF RIVERHEAD**

Resolution # 431

**APPOINTS**  
**BEACH ATTENDANTS/ CONCESSION STAND OPERATORS**  
**TO THE**  
**RECREATION DEPARTMENT**

COUNCILMAN WOOTEN offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

**RESOLVED**, that the Town Board appoints the attached list of Beach Attendants/Concession Stand Operators to the Recreation Department effective May 24, 2008 to and including September 1, 2008 and to serve as needed on an at will basis and to serve at the pleasure of the Town Board.

1

THE VOTE

Buckley  yes  no Wooten  yes  no

Dunleavy  yes  no Blass  yes  no

Cardinale  yes  no *at-stan*

THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

<sup>1</sup> Rec. Colleen: Res Blanket Beach Attn-08

**RECREATION DEPARTMENT APPOINTMENTS  
5/20/08 TOWN BOARD MEETING**

<u>Last</u>	<u>First</u>	<u>Title</u>	<u>Level</u>	<u>Start</u>	<u>End</u>	<u>Salary</u>
Blass	Juliet	Beach Attendant/Concession Stand Operator	II	5/24/08	9/1/08	\$9.60
Drexel	Angela	Beach Attendant/Concession Stand Operator	II	5/24/08	9/1/08	\$9.60
Farrell	Morgan	Beach Attendant/Concession Stand Operator	I	5/24/08	9/1/08	\$8.70
Fasanelli	Christine	Beach Attendant/Concession Stand Operator	I	5/24/08	9/1/08	\$8.70
Flood	Liam	Beach Attendant/Concession Stand Operator	III	5/24/08	9/1/08	\$9.90
Mittleman	Gershon	Beach Attendant/Concession Stand Operator	III	5/24/08	9/1/08	\$9.90
Mottem	Jennifer	Beach Attendant/Concession Stand Operator	II	5/24/08	9/1/08	\$9.60
Olson	Ryan	Beach Attendant/Concession Stand Operator	I	5/24/08	9/1/08	\$8.70
Pecker	Amanda	Beach Attendant/Concession Stand Operator	I	5/24/08	9/1/08	\$8.70
Pipczynski	Kalei	Beach Attendant/Concession Stand Operator	II	5/24/08	9/1/08	\$9.60
Villanelli	Frank	Beach Attendant/Concession Stand Operator	VII	5/24/08	9/1/08	\$11.10
Zlinski	Kyle	Beach Attendant/Concession Stand Operator	I	5/24/08	9/1/08	\$8.70

**BE IT FURTHER, RESOLVED**, that these positions are subject to the following condition:

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

5/20/08

Adopted

**TOWN OF RIVERHEAD**

Resolution # 432

**APPOINTS**  
**SUMMER PROGRAM LEADERS**  
**TO THE**  
**RECREATION DEPARTMENT**

COUNCILWOMAN BLASS

\_\_\_\_\_ offered the following resolution,

which was seconded by \_\_\_\_\_ COUNCILMAN DUNLEAVY

**RESOLVED**, that the Town Board appoints the attached list of Summer Program Leaders to the Recreation Department effective May 21, 2008, to and including August 29, 2008, to serve as needed on an at will basis and to serve at the pleasure of the Town Board and

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorize the Town clerk to forward this resolution to the Recreation Department and the Office of Accounting.

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

<sup>1</sup> Rec. Kelly: Res Blanket Sum Prog Leaders 08

**RECREATION DEPARTMENT APPOINTMENTS  
5/20/08 TOWN BOARD MEETING**

<u>Last</u>	<u>First</u>	<u>Title</u>	<u>Level</u>	<u>Start Date</u>	<u>End Date</u>	<u>Salary</u>
Amato	Kristina	Summer Program Leader	II	5/21/08	8/29/08	\$13.75
Bentsen	Patrick	Summer Program Leader	III	5/21/08	8/29/08	\$14.15
Koroleski	Cori	Summer Program Leader	IV	5/21/08	8/29/08	\$14.60
Lindsay	Lisa	Summer Program Leader	VIII	5/21/08	8/29/08	\$16.45
Miller	Leslie	Summer Program Leader	III	5/21/08	8/29/08	\$14.15
Rollins	Dana	Summer Program Leader	II	5/21/08	8/29/08	\$13.75

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

Adopted

5/20/08

**TOWN OF RIVERHEAD**

Resolution # 433

**APPOINTS**  
**WATER SAFETY INSTRUCTORS**  
**TO THE**  
**RECREATION DEPARTMENT**

**COUNCILMAN DUNLEAVY**

\_\_\_\_\_ offered the following resolution,

which was seconded by **COUNCILMAN BUCKLEY**

**RESOLVED**, that the Town Board appoints the attached list of Water Safety Instructors to the Recreation Department effective June 30, 2008 to and including September 1, 2008 and to serve as needed on an at will basis and to serve at the pleasure of the Town Board.

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

<sup>1</sup> Rec. Colleen: Res WSI 08

**RECREATION DEPARTMENT APPOINTMENTS  
5/20/08 TOWN BOARD MEETING**

<u>Last</u>	<u>First</u>	<u>Title</u>	<u>Start Date</u>	<u>End Date</u>	<u>Salary</u>
Hegermiller	Anna	WSI Level II	5/24/08	9/1/08	\$12.40
Opatovsky	Kendra	WSI Level II	5/24/08	9/1/08	\$12.40
Sullivan	Kara	WSI Level I	5/24/08	9/1/08	\$11.25

**BE IT FURTHER, RESOLVED**, that these positions are subject to the following conditions:

- 1: All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start
- 2: Subject to Suffolk county Lifeguard/ WSI Certifications.
- 3: Current CPR/ AED Certifications

5/20/08

TOWN OF RIVERHEAD

Adopted

Resolution # 434

**APPOINTS A CALL-IN RECREATION AIDE YOUTH SPORTS TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILMAN BUCKLEY

offered the following resolution,

which was seconded by COUNCILMAN WOOTEN

**RESOLVED**, that Julie Dougherty is hereby appointed to serve as a call-in Recreation Aide youth sports Level I effective June 30<sup>th</sup>,2008, to serve as needed on an at-will basis and to be paid at the rate of \$7.50 per hour, 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, Julie Dougherty, and the Office of Accounting.

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

<sup>1</sup> Rec. Doris/ Res CI rec aide Julie Dougherty

5/20/08

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 435

**AUTHORIZES ATTENDANCE OF ASSESSORS AT SEMINAR**

COUNCILMAN WOOTEN

offered the following resolution which was seconded by

COUNCILWOMAN BLASS

WHEREAS, a seminar for assessors is being held at Cornell University, Ithaca, New York, on July 14 through July 18, 2008 and,

WHEREAS, 2 members of the Board of Assessors have expressed a desire to attend the seminar.

NOW, THEREFORE, BE IT RESOLVED, that 2 assessors are hereby authorized to attend said seminar, and

BE IT FURTHER RESOLVED, that the use of a Town vehicle is hereby authorized, and

BE IT FURTHER RESOLVED, that the amount of \$3,000.00 shall cover tuition, lodging, meals, materials, and travel expenses, and

BE IT FURTHER RESOLVED, that all expenses shall be reimbursed by the Town upon submission of receipts, and

BE IT FURTHER RESOLVED, that tuition, lodging, meals, and travel expenses are subject to reimbursement by the State of New York to the Town of Riverhead upon completion of said seminar, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Assessor's Office and the Accounting 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

5/20/08

Town of Riverhead

Adopted

Resolution 436

**Supports and Endorses an Application of the Riverhead Chamber of Commerce to  
Suffolk County for Downtown Revitalization Grant Funding**

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

**WHEREAS**, Suffolk County has announced Round 8 of the Downtown Revitalization Grant Program to encourage long-term improvements in downtown business districts; and

**WHEREAS**, eligible applicants include chambers of commerce and business improvement districts with municipalities acting as local sponsors; and

**WHEREAS**, the Town of Riverhead Community Development Department has been awarded funding for six previous projects on behalf of the Riverhead Chamber of Commerce and the Riverhead Business Improvement District under Rounds I – VII of the Suffolk County Downtown Revitalization Program; and

**WHEREAS**, the Riverhead Chamber of Commerce has requested support and sponsorship from the Town of Riverhead to submit a grant funding application to provide funds for site improvements to the publicly accessible portions of the Town of Riverhead property currently occupied by the East End Arts Council; and

**WHEREAS**, the project meets the requirements and goals and objectives of the program, is consistent with the goals of the East Main Street Urban Renewal Plan (1993), the Vision Plan for Downtown Riverhead (BID 1995), the Revitalization Strategy for Downtown Riverhead (APPS, June 2000), the Town of Riverhead Comprehensive Plan (2003), Downtown Center-1 zoning district (2004), and the objectives of Smart Growth as recognized by Vision Long Island (2005); and

**WHEREAS**, the project is supported by the Riverhead Chamber of Commerce and the East End Arts Council.

**THEREFORE, BE IT RESOLVED**, that the Town Board hereby supports and endorses an application to be submitted by the Riverhead Chamber of Commerce to Suffolk County, the Legislator for the First District, and the Downtown Revitalization Program Citizens Advisory Panel for a project as herein described and reflecting leveraged funds

provided by inkind Town of Riverhead buildings and grounds services and Suffolk County administered Housing and Urban Development Community Development Block Grant funds previously awarded for improvements to the East End Arts Council; and

**BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to Carolyn Fahey, Department of Economic Development, Suffolk County, PO Box 6100, Hauppauge, NY 11788, Heidi Inzerillo, Executive Director, Riverhead Chamber of Commerce, 542 East Main Street, Riverhead, Pat Snyder, Executive Director, East End Arts Council, 133 East Main St., Riverhead, and notification to the Accounting Department and the Community Development Department.

**THE VOTE**

Wooten ~~Yes~~ No

Buckley ~~Yes~~ No

Dunleavy ~~Yes~~ No

Blass ~~Yes~~ No

Cardinale Yes ~~No~~

**THE RESOLUTION ~~X~~ WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED.**

May 20, 2008

TOWN OF RIVERHEAD

Adopted

Resolution # 437

**AUTHORIZES SENIOR CITIZENS PROGRAMS DIRECTOR  
TO ATTEND NYS ASSOCIATION OF AREA AGENCIES ON  
AGING CONFERENCE**

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

WHEREAS, Judy Doll requests to attend the 12<sup>th</sup> Annual NYS ASSOCIATION OF  
AREA AGENCIES ON AGING, "Aging Concerns Unite Us" Conference,

WHEREAS, the 2008 Conference will be held on June 16 – June 18 at the Desmond  
Hotel & Conference Center in Albany, New York

**NOW THEREFORE BE IT RESOLVED**, that the Town Board does authorize the  
Senior Citizens Department to allow Judy Doll to attend the Annual NYS ACUU  
Conference, (June 16 – June 18, 2008), and that Judy shall receive reimbursement not to  
exceed eight hundred dollars, (\$800), following proper submission of all pertinent  
receipts and documentation to the Accounting Department,

BE IT FURTHER RESOLVED that the Town Clerk be and is authorized to forward a  
copy of this resolution to Senior Citizens' Department and Office of Accounting.

**THE VOTE**

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

5/20/08

Adopted

TOWN OF RIVERHEAD

Resolution # 438

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO  
CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED,  
"ZONING" OF THE RIVERHEAD TOWN CODE  
(\$108-314. Uses. – Downtown Center 5: Residential (DC-5) Zoning Use District)**

COUNCILMAN BUCKLEY

offered the following resolution, was seconded

by COUNCILMAN WOOTEN :

**RESOLVED**, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the May 29, 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 to be posted on the sign board of the Town; 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 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 17th day of June, 2008 at 7:30 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

Chapter 108  
**Zoning**

ARTICLE LX  
Downtown Center 5: Residential (DC-5) Zoning Use District

**§ 108-314. Uses.**

In the DC-5 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:

**B. Special permit uses.**

- (1) Day-care facilities and nursery schools.
- (2) Bed-and-Breakfast establishments.

\* Underline represents addition(s)

Dated: Riverhead, New York  
May 20, 2008

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

**BARBARA GRATTAN, Town Clerk**

05/20/08

Adopted

TOWN OF RIVERHEAD

Resolution # 439

**AUTHORIZES THE ASSIGNMENT OF CONTRACT FROM NEW AGE BUILDERS TO THE LONG ISLAND HOUSING PARTNERSHIP**

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

**WHEREAS**, the Town entered into an agreement with New Age Builders, Inc. for the construction of three affordable housing units on Town owned properties, et al, and

**WHEREAS**, the Town entered into an agreement with the Long Island Housing Partnership (LIHP) for the construction of ten affordable housing units on Town owned properties, et al, and

**WHEREAS**, New Age Builders, Inc. wishes to assign its obligations under its agreement to the Long Island Housing Partnership,

**NOW, THEREFORE, it is hereby**

**RESOLVED**, that the Town Board hereby authorizes New Age Builders, Inc. to assign the entirety of its obligations under the aforementioned agreements to the LIHP, and be it further

**RESOLVED**, that the Supervisor is authorized to execute an amended agreement with LIHP to reflect the assumption of New Age Builders, Inc.'s obligations as set forth herein, and be it further

**RESOLVED** that the Town Clerk is hereby directed to forward a certified copy of this resolution to Justin Lite, Esq., Michael McCarty, Esq., LIHP, New Age Builders, 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

5/20/08

Town of Riverhead

Adopted

Resolution # 440

**SUPPORTS APPLICATION TO NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR TREE AND SHRUB FUNDING**

COUNCILWOMAN BLASS offered the following resolution, which was

seconded by COUNCILMAN DUNLEAVY.

**WHEREAS**, grant funding is available from the New York State Department of Environmental Conservation ("DEC") to provide funds to the Town of Riverhead for Tree and Shrub planting and maintenance; and

**WHEREAS**, the Town of Riverhead owns several parcels along the Peconic River for public access and use, and is in the process of obtaining an additional parcel of approximately 0.454 acres of land located on the s/s of West Main Street, Riverhead New York, known and designated as Weeping Willow Motel, located at 961 West Main Street, Riverhead, New York; and

**WHEREAS**, the aforementioned parcels will be remediated and revegetated through demolition of the existing structures and revegetation of the parcel for preservation and re-establishment of the parcel as open space with passive recreational amenities;

**THEREFORE, BE IT RESOLVED**, that the Town Board hereby ratifies submission of an application to the DEC for up to \$20,000 for tree and shrub planting and maintenance on Town of Riverhead owned parcels to be matched by in-kind services, such as labor costs for demolition of existing structure and preparation of the parcel for revegetation, along with donated professional and labor costs; and

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

**THE VOTE**

Wooten ~~Yes~~ No

Buckley ~~Yes~~ No

Dunleavy ~~Yes~~ No

Blass ~~Yes~~ No

Cardinale ~~Yes~~ No

**THE RESOLUTION ~~X~~ WAS \_\_\_ WAS NOT THEREFORE DULY ADOPTED.**

May 20, 2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 441

AUTHORIZES & ENDORSES SUBMISSION OF A GRANT APPLICATION TO THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION

COUNCILMAN DUNLEAVY offered the following resolution which was

seconded by COUNCILMAN BUCKLEY

WHEREAS, the Town of Riverhead had previously installed a boater sewage pump out station at the South Jamesport boat ramp to allow all boaters the opportunity to discharge waste into an approved disposal area and prevent improper discharge into the Peconic River; and

WHEREAS, the current boater pump out station is in need of replacement; and

WHEREAS, the Town of Riverhead strongly supports the proper discharge and disposal of waste and recognizes the important role that a boater pump out station provides in protecting the delicate Peconic River ecosystem; and

WHEREAS, the New York State Environmental Facilities Corporation through funding from the Clean Vessel Assistance Program has grant funds available that will pay for 75% of the replacement costs of the new boater pump out facility requiring the Town of Riverhead to fund the remaining 25%.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead be and does hereby support and endorse the request for grant funds and desires to accept funding under the NYS Environmental Facilities Corporation Clean Vessel Assistance Program by completing and submitting the Clean Vessel Act Pumpout Grant Program Initial Application; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Riverhead is committed to the 25% matching portion of the grant in the amount of \$2,742.00; and

BE IT FURTHER RESOLVED, that the Riverhead Town Board finds that the installation of a replacement boater pumpout facility is critical to the sensitive Great Peconic Bay and Peconic River environment and to ensure that the neighboring habitats continue to flourish; and

BE IT FURTHER RESOLVED, the Riverhead Town Board be and does hereby authorize the Supervisor to execute the Clean Vessel Assistance Program Application; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Christine Fetten, P.E. and a copy to 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



New York State  
ENVIRONMENTAL FACILITIES CORPORATION

ALEXANDER B. GRANNIS, *Chairman*

May 12, 2008

Ms. Christine Fetten  
200 Howell Avenue  
Riverhead, New York 11901

Re: Clean Vessel Assistance Program Final Application: **Town of Riverhead-East  
Creek Marina**

Dear Ms. Fetten:

I am pleased to inform you that the New York State Environmental Facilities Corporation (NYSEFC) has been selected by the New York State Department of Environmental Conservation (NYSDEC) to administer the Clean Vessel Assistance Program (CVAP). The NYSEFC will be your point of contact for the CVAP.

Your initial application for program funding provides information that indicates you may be a candidate for financial assistance from this grant. This letter transmits the final application package for financial assistance under the CVAP, which will be used to make final funding decisions. Please submit your application as soon as possible as awards will be made on a first-come/first-served basis for as long as the limited funds are available.

Please find enclosed with this letter:

1. A "Fact Sheet" on CVAP, including program rules and requirements.
2. A "Clean Vessel Assistance Program Final Application."
3. Guidance for filling out the application.
4. An IRS W-9 Form and Instructions for completion.

Please read this information carefully as the ability of your proposal and application to meet program requirements will affect your chances to receive assistance. Please provide all information requested; an incomplete application will delay the process and may jeopardize the ability of this program to provide you with funding.

In keeping with the program goal to protect and enhance water quality by providing boaters with pumpout and dump station facilities in areas where boater demand is high, priority may be given to applications that meet certain criteria. Any additional boater usage or water quality information pertinent to your project may be provided with this application for our consideration.

Please be aware that items that are considered "accessory items" may not be eligible for the full 75% funding and may be prorated if determined eligible for funding. Accessory items include such things as docks, sheds, etc., that are part of a project, but not directly part of the actual pumpout system.

When your Final Application is approved, a Funding Agreement (contract) will be forwarded to you for notarized signature. At the time the Funding Agreement is returned to NYSEFC, you must also provide NYSEFC with a copy of a Certificate of Insurance which shall meet the requirements of Section 2. (a) v) of the Funding Agreement, a copy of which is enclosed for your use. This must be received in order to execute a contract.

Please note that the effective date of the final federal rule is April 11, 1994. Costs cannot be considered eligible unless they are incurred after this date and within the current grant period. Therefore, any costs you incur prior to execution of a funding agreement with the State are incurred at your own risk and may not be eligible for reimbursement. Once the funding agreement is executed, you may begin your project. Upon successful completion of your project, 75% of eligible costs incurred for the project may be reimbursed, up to the full amount of the agreement (not to exceed \$35,000). Please also note that work is expected to be completed within the contract period and your inability to complete a project within this timeframe may deem some costs ineligible.

eligibility for financial assistance or the CVA Program in general please contact NYSEFC

If you need assistance completing the application, have questions regarding at 1-800-882-9721 (within NYS) or (518) 402-7461. All correspondence should be directed to:

NYS Environmental Facilities Corporation  
625 Broadway, 7<sup>th</sup> floor  
Albany, New York 12207-2997  
**ATTENTION: CVAP/Lisa Van Alstyne**

On behalf of NYSDEC and NYSEFC, we look forward to reviewing your application and assisting you with the development of your project.

Sincerely,



Frederick McCandless, Director  
Technical Advisory Services

Enclosures

# New York State Clean Vessel Assistance Program

## *What is the Clean Vessel Assistance Program - CVAP?*

Under the Clean Vessel Act of 1992, the U.S. Department of Interior, Fish and Wildlife Service administered a 5 year, \$40 million matching grant program to provide federal funds to states. The program provides money to survey existing marine pumpout and dump stations, to establish education programs and for the reimbursement of constructed and renovated facilities. The fundamental purpose of the program is to increase the availability, public awareness and public use of pumpout and dump stations to receive sewage waste from marine recreational vessels.

The Clean Vessel Assistance Program (CVAP) is New York's federally funded reimbursement program to help construct, renovate and maintain marine pumpout and dump station facilities. The program's goal is to help protect and improve water quality in New York State's waters. The program is being administered by the NYS Department of Environmental Conservation (DEC) and managed by the NYS Environmental Facilities Corporation (EFC).

## *Will the program continue?*

SAFETEA-LU, the most recent version of the Transportation Act, has reauthorized Clean Vessel Act funding through September 30, 2009. NYS expects to receive a portion of this funding through this time.

## *How does it work?*

This program works on a reimbursement basis.

Based on the requirements of the Federal Clean Vessel Act, upon execution of an approved NYS funding agreement under the CVAP, applicants must first pay for the purchase and installation of an approved facility and then file for financial reimbursement.

Following the successful completion of a facility inspection and request for reimbursement of acceptably documented expenses, applicants will be reimbursed for approved, eligible costs.

Currently, financial assistance through the CVAP may be provided in an amount not to exceed \$35,000 or 75% of eligible costs per project.

## *What if the project costs more than the approved amount?*

The applicant shall be responsible for facility costs not covered by the CVAP.

## *What is the application process?*

To determine if you may be eligible to apply for a CVA grant or to receive an Initial Application, please contact NYSEFC at the address/phone or e-mail provided:

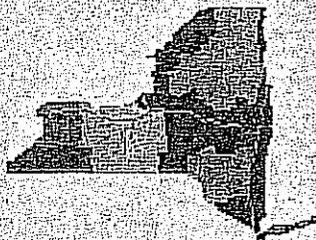
Upon an approved Initial Application, a Final Application packet will be supplied. The applicant must submit the Final Application which will provide specific details of the project. Upon approval of the Final Application, a Funding Agreement (contract) will be processed. Once the contract is executed, work may begin on the project.

Once completed, an inspection of the operational project will be conducted. Upon submittal of cost documentation showing all project costs have been paid, and determination of eligible costs, reimbursement of approved eligible costs will be issued.

The effective date of the federal ruling is April 11, 1994. No costs prior to that date and outside of the current grant period are eligible. Any costs incurred by the applicant prior to the execution of a funding agreement are incurred at the applicant's own risk and may not be eligible. Potential applicants should not begin work until all necessary approvals are received.

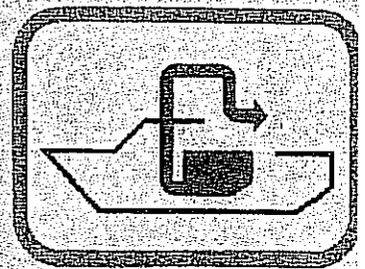
## *Who can apply?*

The program is open to public and private applicants who meet the criteria of the program.



**Keep our waters  
clean.**

**Use Pumpouts !**



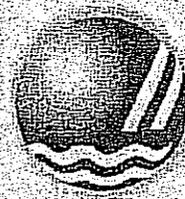
*For an initial application or for further information on the program, please contact:*

*At DEC:*



*Edward Woltmann,  
Biologist III, Aquatic  
Division of Fish, Wildlife and  
Marine Resources  
Bureau of Fisheries  
625 Broadway  
Albany, NY 12233  
(518) 402-8890  
Fax: (518) 402-8925  
[www.dec.ny.us](http://www.dec.ny.us)*

*At EFC:*



*Lisa Van Alstyne  
Senior Program Analyst  
Technical Advisory Services  
625 Broadway  
Albany, NY 12207-2997  
1-800-882-9721  
Fax: (518) 486-9248  
[www.nysefc.org](http://www.nysefc.org)  
e-mail: CVAP@nysefc.org*

### *What is a facility?*

For eligibility in the New York State CVAP, a facility is: a pumpout station, a dump station, a floating restroom, a shoreside sewage holding tank, piping to a sewer line or treatment facility, sewage hauling equipment, and modifications to sewage plants for acceptance of marine wastes prior to treatment.

A pumpout station is a facility that pumps or receives sewage from a type III marine sanitation device installed on board vessels. The four basic types of pumpout stations are: stationary unit, portable unit on wheels, portable unit on vessel and remote operated multi-station system which transports waste via a main sewer to central collection and treatment.

A dump station is a facility designed to receive sewage waste from portable toilets carried on vessels. Dump stations do not include lavatories or restrooms.

A floating restroom is a facility in the water, not connected to land or structures connected to land (docks), used solely by boaters.

A shoreside holding tank is a facility that provides a means for sanitary storage of vessel sewage until it can be transported by a licensed septage hauler to an approved septic waste receiving/treatment facility.

A plant modification is a facility that may be necessary to get sewage treatment plants to accept marine vessel waste. It cannot be part of the actual treatment process. Eligible modifications include: receiving stations, holding and bleed-in tanks and associated piping.

### *What are eligible costs?*

Facilities and activities eligible for the New York State Clean Vessel Act Assistance Program include:

- Construction and renovation of pumpout stations and dump stations, and their associated appurtenances.
- Stationary and portable pumpout/dump station units, including associated attachments and remote units.
- Mobile pumpout vessels, if their sole purpose is pumping out Type III marine sanitation devices.
- Floating restrooms in the water, not connected to land or structures connected to the land, used solely by boaters.
- Equipment associated with the eligible facility, such as equipment for rinsing boat holding tanks and attachments (e.g. wands) for pumping out portable toilets.
- Activities necessary to hold and transport marine vessel sewage to sewage treatment plants, such as holding tanks and piping.
- Activities necessary to get sewage treatment plants to accept marine vessel sewage, such as installing bleed-in facilities.
- Engineering costs associated with the eligible facility, including planning, design, construction, supervision and inspection.
- Other costs directly associated with the eligible facility, including administrative (including permits), legal and use of municipal forces.
- Facilities designed to include purposes other than those eligible under the Act shall have the costs prorated equitably among the various purposes. Assistance funds shall be used only for the part of the activity related to the CVA.

### *What are not eligible costs?*

- Construction or renovation of upland restroom facilities, including connections to pumpout stations or dump stations.
- Construction and renovation of on-site sewage treatment plants, such as package treatment plants and septic systems, and of municipal sewage treatment plants for primary and secondary treatment.
- Sewage treatment activities.
- On board sanitation devices.
- Land, easements and rights-of-way.
- Activities that do not provide public benefits.
- Enforcement activities.
- Costs incurred outside of an eligible grant period.

### *What are additional requirements of the program?*

- All projects must provide access to the general public for the pumpout facility.
- Participants must obtain all necessary permits, certificates, licenses and approvals.
- Signs must be provided which credit CVAP and include other basic information.
- Rinse water must be provided within easy access of the pumpout.
- A maximum fee of \$5.00 per pumpout may be charged.
- Contact DEC or EFC for additional requirements.

*Thank you for your interest in CVAP!!*

Please see [www.nysefc.org](http://www.nysefc.org) for more detailed information.



625 Broadway

Albany, NY 12207-2997

**CLEAN VESSEL ASSISTANCE PROGRAM  
FINAL APPLICATION - 2008**

Please refer to the enclosed instructions before completing this application. Please print or type.

**A. Facility Contact Information**

**1. FACILITY INFORMATION**

Name of Facility: East Creek Marina & S. Jamesport Boat Ramp

Street Address: Peconic Bay Boulevard btwn St. Mary's Drive & Beach Rd

City/Town: Jamesport State: NY Zip Code: 11901

Business Telephone: 631-727-3200-282 Business Fax: 631-369-7739

Federal ID #: 11-600-193-5

GPS Location of the facility: Latitude: E 70450 Longitude: N 453536

**2. OWNERSHIP/AUTHORIZED REPRESENTATIVE**

Ownership: Town of Riverhead

Type of Ownership: Ind./Sole Proprietor Corporation Partnership  Govt.  
Other (Provide details)

Authorized Representative:

Last Name: Cardinale First Name: Phil M.I. \_\_\_\_\_

Title: Town Supervisor

Street Address: 200 Howell Avenue

City/Town: Riverhead State: NY Zip Code: 11901

Telephone: 631-727-3200 Fax: 631-369-7739

**3. CONTACT**

Contact Person: Christine Fetten

Street Address: 200 Howell Avenue

City/Town: Riverhead State: NY Zip Code: 11901

Telephone: 631-727-3200-282 Fax: 631-369-7739

e-mail: fetten@riverheadli.com website address: www.riverheadli.com

**B. Project Basic Data**

Facility Type: Public:  Private:  Facility Accessible by Public: Yes  No   
County: Suffolk Municipality: Riverhead  
Specific Waterbody Served: Great Peconic Bay - East Creek  
Project Type: New  Renovation  Replacement   
Project Scope: Pumpout  Dump station  Boat  Floating restroom   
Holding Tank ONLY  Piping ONLY  Hauling Equip.   
STP Modification

**Restrictions:**

Vessel size limitations: 16' to 45' Residency requirements: No  
Membership: for Marina Dates of Operation: April 15, to November 15  
Days/Hours of Operation: 24 hours a day, 7 days a week  
Other: Marina is membership based on public list, Boat Ramp is open to the public

**Number of Vessels to be Serviced:**

Seasonally Moored up to 120 + Transient up to 50/day = Total 170

VHF Channel Monitored: \_\_\_\_\_ Pumpout Fee: \$ \_\_\_\_\_ or Free of charge

**C. Project Specifics:**

**Permit requirements:**

-For construction of facility: In order process this application, it is necessary to have this project reviewed for any permit requirements and submit determinations regarding these requirements. Please see attached documents for completion and guidance.

-For the operation of the facility? Yes  No

Explain: Facility already exists, it will be a replacement.

**Method of disposal of collected waste:**

Connection to municipal system \_\_\_\_\_ Community: \_\_\_\_\_  
Holding tank  Name of Waste hauler: Town of Riverhead  
Empty to existing pumpout - \_\_\_\_\_ Location: Scavenger Waste Plant

**D. Project Description:**

To remove and replace existing pump out located adjacent to the South Jamesport Boat Ramp. The boat ramp is a public facility, the East Creek Marina is a public facility based on a list of applicants received from the Town of Riverhead Recreation Department. The existing pumpout is approximately 10 years of age, and is beyond its useful life. The Town would like to replace it with a new Peristaltic Type Pumpout.

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**Type of Operation:** Boater Use – Switch Operation  Boater Use – Token \_\_\_\_\_  
Boater Use- Coin \_\_\_\_\_ Attendant Use Only \_\_\_\_\_  
Other (please explain: \_\_\_\_\_)

- Attach drawing showing facility layout, location of pumpout, boater access to pumpout, sewer lines to municipal system or storage tank, location of septic tanks/sewer hook-up, etc., rinse water (program requirement), etc.
- Attach map showing general location of marina/facility (local road map, facility brochure, etc.)

**NOTE:** It is a program requirement that a sign be posted providing boaters information about the facility and crediting the program for funding.

A sign will be provided for you by EFC which will require you to complete the following information: 1) Pumpout fee [\$5 max.] 2) Hours of operation 3) Days available 4) Restrictions, if any [i.e. Attendant use only, etc.] 5) Name and telephone number or location to contact someone in case of operational problems. [if self-service] 6) Operating instructions

**This sign must be completed and posted by the time of inspection.**

Please initial here to indicate you understand and will comply with this requirement. \_\_\_\_\_

**E. Funding Requested:**

<u>Item</u>	<u>Cost</u>
Edson Model #286-EP Pump-Out System	\$9,468.00
Estimated Labor to Install Pump	\$1,200.00
Concrete Pad to Mount Pump Out System	\$300.00

**Summary:**

<u>COST CATEGORY</u>	<u>TOTAL COSTS</u>
Construction	\$ 1,200.00-Labor
Engineering	\$
Equipment	\$ 9,468.00
Accessory Item	\$
Miscellaneous	\$ 300.00 Concrete
<b>TOTALS</b>	<b>\$ 10,968.00</b>

Amount of Funding Requested: \$ 8,226.00 (max. 75%)

Amount of Matching Share: \$ 2,742.00 (min. 25%)

Source of Matching Share: Town Funds

(Note: Source of Matching Share cannot be from other Federal moneys)

- Estimates and price quotes have been attached to justify costs quoted above.
- Please remember proof of insurance must be provided with the signed contract, at the latest.

NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION  
625 BROADWAY  
ALBANY, NEW YORK 12207-2997

Clean Vessel Assistance Program  
APPLICANT CERTIFICATION

I hereby certify that the information set forth in this application is accurate and that I have reviewed and understand the requirements necessary to obtain reimbursement of costs under the Clean Vessel Assistance Program for a Clean Vessel Act project at (name of facility) East Creek Marina & S. Jamesport Boat Ramp, as set forth in the program information provided with the final application and reimbursement package, and I agree to comply with such requirements. I also certify that I have diligently investigated and obtained, or will obtain, all licenses, agreements, easements and permits necessary to undertake the project prior to commencing the project. I also certify that I am in compliance with all necessary local, state and federal laws relating to the project and that I will continue to comply with all such laws for the useful life of the project.

Phil Cardinale

Authorized Representative Name - Printed or Typed

Town Supervisor

Applicant Title

\_\_\_\_\_  
Authorized Representative Signature

\_\_\_\_\_  
Date

Please Note: An original signed copy of this form must be received by New York State Environmental Facilities Corporation. Faxed or e-mail copies are not acceptable.

March 2006

# INSTRUCTIONS FOR CLEAN VESSEL ASSISTANCE PROGRAM FINAL APPLICATION

## Please print or type

The following instructions will assist you in filling out the attached application.

**Please Note: Unless indicated, all information is required. If an item is not applicable, please note such. Failure to complete all information will delay review of your project.** If you are filling out applications for multiple locations or multiple projects, please complete a separate application for each project. If you require further assistance or clarification, please contact our toll-free telephone number at 1-800-882-9721.

## A) MARINA FACILITY CONTACT INFORMATION

### 1. FACILITY INFORMATION

- Provide the actual name of the facility (i.e. Happiness Marina; Town of Bliss Pumpout Boat at Friendly Harbor; NYSXYZ at Perfect Park, etc.
- Provide the physical address of the facility (where the pumpout is actually located), facility telephone and Fax if applicable.
- Provide the Federal Identification number for your business, municipality, or not-for-profit organization. This is an absolute requirement for any projects with reimbursements of \$15,000 or above.
- Provide the GIS coordinates for the facility.

### 2. OWNERSHIP/AUTHORIZED REPRESENTATIVE

- Provide name of individual owner, corporation, municipality or other private/public entity. **Please note:** This should read exactly as you wish the reimbursement check to be made out.
- Provide the type of ownership. Attach any additional information required.
- Give full name and title of person authorized to sign contracts.
- Give address, telephone number and Fax number of Authorized Representative.
- Note: if the Authorized Representative does not hold a title in the organization of the owner, the owner must provide written authorization to allow the individual to sign contacts on their behalf.

### 3. CONTACT

- Provide name, address, telephone, Fax numbers and e-mail of person who will serve as the primary contact during the review, construction and inspection process. If this is the same as the person in section 2., please note by stating, "Same as above" in space next to "Contact Person".
- Provide website that will direct boaters to information about your facility, community, etc.

## B) PROJECT BASIC DATA

- Complete for information about the actual physical location of the pumpout.
  - A "Public" facility is one operated by a municipality or other government agency; a "Private" facility includes those operated by individuals, corporations, clubs, etc.
  - List the County the pumpout will be located, the **township or city** and the *specific* body of water being served (name of lake, river, bay...).
  - Is this a new project, replacement of an older system or a repair of a failing system?
  - Regarding Project Scope, check all that apply. If you are applying for more than one project and they are totally separate entities, they should be applied for as separate projects and an additional application submitted.
  - Please complete for all restrictions that will apply to the pumpout. If the restriction doesn't apply, please complete by saying "None". It is expected that the pumpout will be available for public use during a reasonable time period to allow reasonable access.
  - Indicate Dates of Operation (What Month and Day until What Month and Day); Days and Hours of Operation (ie. Mon. – Sun. 8 AM – 8 PM, etc.).
  - Indicate and other restrictions that may apply.
  - Please estimate seasonally moored and transient usage to the best of your ability.
  - If a VHF channel is monitored, please indicate.
  - Indicate the fee to be charged to boaters and give details if fees vary for any reason. If no fee, please check that line. Remember, max. fee allowed under the program is \$5.

## C) PROJECT SPECIFICS

- List all permits required for the construction and operation of the pumpout facility. By acceptance of the contract that succeeds this application, you commit to compliance with all permitting requirements.
- Include copies of any permits obtained.
- Indicate the method of disposal of waste from the pumpout facility. Include name of municipal system, certified waste hauler or existing pumpout as appropriate.

## D) PROJECT DESCRIPTION

- Please provide as much detail as possible regarding specifics of the project. Drawings must be attached which show the layout of the facility including proposed location of the pumpout, location and source of rinse water, water, sewer and electrical piping and method of waste disposal. In addition, you must also include existing buildings and their uses, sewer and water lines, etc. If the pumpout is located on a dock that has multiple uses, these must be indicated. Boater access to the pumpout must be shown. If water depth in the area is a concern, please explain here.
- Check the line following the Type of Operation to indicate how a boater will use the facility.

- A map must be included which shows the general area where the marina/facility will be located. This may be a local road map, a facility brochure, a computer generated map, etc.
- EFC will provide required signage, which you must complete by filling in the spaces and posting near the pumpout, by the time of inspection. You must initial this application to show understanding of this requirement. Failure to have the sign completed and posted at the time of inspection will make the project ineligible for funding until such time as it is completed!

## E) FUNDING REQUESTED

This is the section used to detail your costs for the project. It is **very important** to provide all required attachments to support the information contained here. If your application contains items which are not directly involved with the functioning of the pumpout/dump station, but are accessory items (dock, shed, etc.), you must attach an explanation as to why this expense is necessary and if there are any other uses for the accessory. If there are no other uses, we require that the item be posted stating "**for pumpout use only**". EFC/DEC reserves the right to limit the eligible funding of these accessory items. For all items listed here, invoices, price quotes on company letterhead, vouchers, etc. are required to support costs. Please check and be sure the costs on the invoices correspond with the numbers you have provided on this page. If you need additional space in order to provide complete information for this application, please attach. Lack of adequate information in this section is the major reason for delays in approval. Please be thorough and do not hesitate to call for assistance if needed (1-800-882-9721)!

*Use the first area to describe the portions of the project for which you have obtained invoices for, for example:*

<u>Item</u>	<u>Cost</u>
Brand X Pumpout	\$4,800
Holding Tank	\$1,000
ABC Plumbing	\$1,000
XYZ Electrical	\$ 500
D & E Contractors	\$2,000
Dave's Docks	\$2,000
A-1 Engineering	\$ 500
Signs	\$ 200

*This area is to summarize all of these costs into categories:*

### Summary:

Construction	\$3,500
Engineering	\$ 500
Equipment	\$5,800
Accessories	\$2,000
Miscellaneous	\$ 200
<b>TOTALS</b>	<b>\$12,000</b>

*This area will determine your actual funding request. Funding can only be provided for a maximum of 75% of eligible costs and currently for a maximum of \$35,000 total. Matching share funds cannot be provided through other Federal funds.*

Amount of Funding Requested	\$9,000
Amount of Matching Share	\$3,000
Source of Matching Share:	Marina Funds, Town Budget, etc....

**APPLICANT CERTIFICATION:** This must be completed by the person who is designated as the authorized representative and will sign all documents. We must receive an original signature. If you fax the application, you must also mail this document.

**INSURANCE REQUIREMENTS:**

Information is provided regarding insurance requirements. If you have any questions, please call the number listed for further information.

Upon receipt of a Final Application, it is reviewed for completeness and compliance with the CVAP guidelines. If there are questions or concerns regarding the application, the preferred method of communication is via Fax or e-mail if they are available to you, so please provide this information. The review process generally takes less than ten business days to complete, based on completeness of the application and prompt responses to any questions that may arise. Once approved, a contract is prepared and mailed promptly.

IF YOU HAVE ANY QUESTIONS REGARDING COMPLETION OF THIS APPLICATION,  
PLEASE DO NOT HESITATE TO CONTACT NYSEFC:

CVAP@NYSEFC.ORG

www.nysefc.org

1-800-882-9721 (within NYS)

518-402-7461 (direct line to NYSEFC Technical Advisory Services)

518-486-9248 (FAX)

Thank you for your participation in this program!

## CVAP INSURANCE REQUIREMENTS CHECKLIST

The following is provided to assist you in providing the required insurance information:

### CHECKLIST OF NECESSARY ITEMS:

- 30 Day Notice Provision
- EFC Additional Insured
- DEC Additional Insured
- Required Bodily Injury Liability covered  
Limits Acceptable  Y or  N
- Required Property Damage Liability covered  
Limits Acceptable  Y or  N

### Insurance Requirements:

2. (a) v) For the duration of the term of this Agreement, the Applicant will procure and maintain at its own expense, general liability insurance with a limit of not less than \$1,000,000, and such other insurance coverage as the Corporation shall require in such amounts that are acceptable to the Corporation and provided by insurance companies licensed to do business in the State of New York. Upon signing this Agreement, the Applicant shall furnish to the Corporation, a certificate or certificates, in a form satisfactory to the Corporation, evidencing that it has complied with this provision. The certificate or certificates shall provide that the policies shall not be changed or canceled unless thirty (30) days prior written notice of such change or cancellation has been given to the Corporation. Not less than thirty (30) days prior to the expiration date or renewal date, the Contractor shall supply EFC updated replacement Certificates of Insurance. The Corporation and DEC shall be named as an "additional insured" on all insurance policies. The Applicant shall require all contractors and subcontractors utilized by the Applicant, in connection with this Project, to comply with all such insurance requirements.

*For questions or concerns regarding insurance requirements, please contact Beth Smith at 1-800-882-9721.*

## CVAP

### Technical Guidelines for Construction

#### Pumpout and Dump stations should:

- provide an efficient means of removing sewage from boats and a means of disposing of that sewage in a safe and sanitary manner.
- include all the equipment, structures and disposal facilities necessary to ultimately discharge or dispose of boat sewage in an efficient, safe and sanitary manner without causing an actual or potential health hazard.
- include equipment for rinsing boat holding tanks.
- be operated and maintained to provide adequate service and be maintained to function as intended.
- be reliable, corrosion resistant, easy to use, neat and tidy to clean and use, low maintenance.
- be conveniently located for ease of use of the boaters and to encourage boaters to use the facility.

#### All pumps should be:

- specifically designed for handling sewage.
- safe, functional and efficient.
- able to pump against the maximum head developed by elevation changes and line losses.
- able to transport flows out of the holding tank.
- properly sized. Pumps exceeding 45 gallons per minute may cause tanks to collapse.
- designed with a suction connection to the boat which shall be a tight fit and adjustable by adapters to service boat discharge connections.

#### Holding tanks

- capacity should be determined based on several factors, including boat size and use patterns.
- should be sized on a case-by-case basis.
- should be designed and installed to meet local regulations.

## CVAP

### Appropriate Methods for Disposal of Vessel Sewage

#### Discharge to a Public Wastewater Collection System and Treatment Facility:

This is the preferred method of disposal whenever available. All approvals, permits, etc. involved in this type of connection are the responsibility of the applicant. As part of the Final Application, EFC may request proof that the municipality involved has provided all necessary approvals. If the municipality requires the facility provide any special equipment or handling of the waste prior to the connection to the municipal sewer, which become part of the funds applied for, this must be provided in writing from the municipality by the applicant during the final application process. \_

#### Discharge to a Holding Tank:

In the case of a stationary facility, the pumpout will be directly connected to the holding tank. In the case of a portable unit, there must be a connection provided for sanitary disposal of the waste. Discharge to a holding tank involves removal and transport of the waste by a person licensed to haul septage waste to a municipal receiving/treatment facility. The name of the person contracted to do this must be provided at the time of the final inspection of the facility. All approvals and permits are the responsibility of the applicant. Sizing of the holding tank is dependent on the boat size and use patterns at each facility and the anticipated frequency of waste removal from the tank.

#### On-site Treatment at Marina:

This includes discharge to a septic system or an on-site treatment plant. Applicant must be aware that the unique nature of pumpout waste can often adversely affect the proper functioning of an on-site system and the services of an engineer will be required to determine if it is feasible.

**NOTE:** Cost of treatment is **not** an eligible expense under the NYS Clean Vessel Assistance Program. Eligible costs include piping to a municipal connection, a holding tank, or an on-site system; cost of a holding tank and municipal bleed-in facilities.

## The Permitting Process

You, as an applicant to the New York State Clean Vessel Assistance Program, are required to obtain all necessary permits for the construction and operation of your project and by your signature, certify that this has been done. **A copy of any permit obtained for this project or exemption from permit requirements is required to be attached to the application submittal.** The following is provided to assist you with contact information. Efforts are made to periodically update names and contact information included here, however, it is possible that some information may change. It is your responsibility as applicant to determine if there are any state, federal or local agency that must be considered in the process of your project.

The federal and state permits required for the installation and operation of a pumpout station depend on the location and the scope of the work involved. In certain parts of the state, counties have been designated to administer regulatory environmental programs. The determination of the need for permits is made by the federal, state or local regulating authorities.

Regulated environmental activities requiring permits may include, but are not limited to:

Structures in navigable waters per Section 10 of the Rivers and Harbor Act.

Dredging and filling.

Pier Construction or Extension.

Tidal Wetland Land Use.

Freshwater Wetland Land Use.

Coastal Erosion Hazard Areas Use.

Floodlands Use.

Coastal Barrier Resources Use.

Direct Discharge SPDES Permit

State Historic Preservation (SHPO)

Federal Regulatory Authority Contacts

U.S. Army Corp of Engineers

[www.usace.army.mil](http://www.usace.army.mil)

**U.S. Army Corps of Engineers, Buffalo District**

**Attention: CELRB-CO-SR**

**1776 Niagara Street**

**Buffalo, NY 14207-3199**

**Phone: 716-879-4313**

**FAX: 716-879-4310**

**U.S. Army Corps of Engineers, New York District**

**Attention: CENAN-OP-R**

**26 Federal Plaza**

**New York, NY 10278-0090**

**Phone: 212-264-3996**

**FAX: 212-264-4260**

**U.S. Army Corps of Engineers, Philadelphia District**

**Attention: CENAP-OP-R**

**100 Penn Square East**

**2nd and Chestnut Street**

**Philadelphia, PA 19107-3390**

**Phone: 215-656-6725**

**FAX: 215-656-6724**

**U.S. Army Corps of Engineers, Pittsburgh District**

**Attention: CELRP-OP-F**

**Federal Building**

**1000 Liberty Avenue**

**Pittsburgh, PA 15222-4186**

**Phone: 412-395-7155**

**FAX: 412-644-4211**

**U.S. Army Corps of Engineers, Baltimore District**

**Attention: CENAB-OP-R**

**P.O. Box 1715**

**Baltimore, MD 21203-1715**

**Phone: 410-962-3670**

**FAX: 410-962-8024**

**State Regulatory Authority Contacts**

**NYS Department of Environmental Conservation**

**[www.dec.state.ny.us](http://www.dec.state.ny.us)**

**Region 1**

**Nassau and Suffolk Counties**

**Regional Permit Administrator: John W. Pavacic**

SUNY - Building 40

Stony Brook, New York 11790

(631) 444-0354; Fax (631) 444-0349

**Region 2**

**Bronx, Kings, New York, Queens and Richmond counties**

**Regional Permit Administrator: John Cryan**

1 Hunter's Point Plaza

47-40 21st Street

Long Island City, NY 11101-5407

(718) 482-4997

**Region 3**

**Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and Westchester counties**

**Regional Permit Administrator: Margaret Duke**

21 South Putt Corners Road

New Paltz, NY 12561-1696

(845) 256-3054; Fax: (845) 255-3042

**Region 4**

**Albany, Columbia, Delaware, Greene, Montgomery, Otsego, Rensselaer,  
Schenectady and Schoharie counties**

**Regional Permit Administrator: William Clark**

(Albany/Col./Greene/Mont./Rens./Sch)

1150 N. Westcott Road

Schenectady, NY 12306-2014

(518) 357-2069; Fax (518) 357-2460

**Regional Permit Administrator: Kent Sanders**

Updated February 2005

**(Delaware, Otsego & Greene)**  
65561 State Hwy 10  
Stamford, NY 12167-9503  
(607) 652-7741; Fax (607) 652-2342

**Region 5**

**Clinton, Franklin, Essex, Hamilton, Fulton, Saratoga, Warren and Washington counties**

**Regional Permit Administrator: Thomas W. Hall**

**(Clinton/Franklin/Essex/Hamilton)**  
Route 86, P.O. Box 296  
Ray Brook, NY 12977-0296  
(518) 897-1234; Fax (518) 897-1394

**(Fulton/Saratoga/Warren/Washington)**  
County Route 40  
PO Box 220  
Warrensburg, NY 12885-0220  
(518) 623-1281; Fax (518) 623-3606

**Region 6**

**Herkimer, Jefferson, Lewis, Oneida and St Lawrence counties**

**Regional Permit Administrator: Brian D. Fenlon**

**(Jefferson/Lewis/St.Lawrence)**  
317 Washington St.  
Watertown, NY 13601  
(315) 785-2245; Fax: (315) 785-2242

**Deputy Regional Permit Administrator: J. Joseph Homburger**

**(Herkimer/Oneida)**  
State Office Building  
207 Genesee Street  
Utica NY, 13501-2885  
(315) 793-2554; Fax (315) 793-2748

**Region 7**

**Broome, Cayuga, Chenango, Cortland, Onondaga, Oswego, Madison, Tioga and Tompkins counties**

**Regional Permit Administrator: John Feltman**

615 Erie Blvd. West  
Syracuse, NY 13204-2400  
(315) 426-7438; Fax (315) 426-7425

**Region 8**

**Chemung, Genesee, Livingston, Monroe, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne and Yates counties**

Updated February 2005

**Regional Permit Administrator: Peter Lent**  
6274 E. Avon-Lima Road  
Avon, NY 14414-9519  
(585) 226-2466; Fax (585) 226-2830

**Region 9**

**Niagara, Erie, Wyoming, Chautauqua, Cattaraugus and Allegany counties.**

**Regional Director: Gerald F. Mikol**  
**Buffalo Office**  
270 Michigan Avenue  
Buffalo, N.Y. 14203-2999  
(716) 851-7165

**Allegany Office**  
182 East Union Street  
Allegany, N.Y. 14706  
(716) 372-0645

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**New York State Office of Parks, Recreation & Historic Preservation**  
Peebles Island Resource Center  
P.O. Box 189  
Waterford, New York 12188-0189  
(518) 237-8643

## Local Permits

The local permits or certificates that may be required include any or all of the following:

- Building permit or Zoning Certificate
- Sanitary Construction Permit
- Grading Permit or Sediment Control Plan
- Plumbing or Connection Permit to the local sewer authority facility
- Pre-treatment Permit

The need for local permits depends on the local county or municipal requirements and your process for the marine sewage storage and disposal. Local permit requirements and the specific local authorities that issue those permits vary from county to county and from municipality to municipality. Exact permit requirements must be determined on a case-by-case basis by the local authorities that review applications and/or issue permits. It is advisable to consult your local authorities to determine the specific requirements for your project.

It is also recommended that your local health department be contacted if marine waste is being disposed to an on-site septic system, as they will be able to help you to determine if the system is capable of supporting the additional load or if professional advice is needed. Please be aware that the CVAP cannot accept costs for treatment as eligible expenses, but an additional tank specific to Clean Vessel waste to be used as a "bleed-in" is an eligible expense. Please call NYSEFC at 1-800-882-9721 if you have any questions regarding this issue.

## Request for Taxpayer Identification Number and Certification

Give form to the requester. Do not send to the IRS.

Print or type See Specific Instructions on page 4.	Name (as shown on your income tax return) <b>Town of Riverhead</b>	
	Business name, if different from above	
	Check appropriate box: <input type="checkbox"/> Individual/Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Other <b>GOVERNMENT</b> <input type="checkbox"/> Exempt from backup withholding	
	Address (number, street, and apt. or suite no.) <b>200 Howell Avenue</b>	
	City, state, and ZIP code <b>Riverhead, New York 11901</b>	
List account number(s) here (optional)		

**Part 1 Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part 1 instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note: If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number       -	or Employer identification number <b>11-60019315</b>
-----------------------------------	--

**Part 2 Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 4.)

Sign Here	Signature of U.S. person <b>William Roth</b>	Date <b>5/15/08</b>
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**Purpose of Form**

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

**U.S. person.** Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding,
- or
- Claim exemption from backup withholding if you are a U.S. exempt payee.

Note: If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

For federal tax purposes you are considered a person if you are:

- An individual who is a citizen or resident of the United States,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States, or

- Any estate (other than a foreign estate) or trust. See Regulations sections 301.7701-6(a) and 7(a) for additional information.

**Foreign person.** If you are a foreign person, do not use Form W-9. Instead, use the appropriate Form W-8 (see Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

**Nonresident alien who becomes a resident alien.** Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the recipient has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

- The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
- The treaty article addressing the income.
- The article number (or location) in the tax treaty that contains the saving clause and its exceptions.

7. A foreign central bank of issue,
8. A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States,
9. A futures commission merchant registered with the Commodity Futures Trading Commission,
10. A real estate investment trust,
11. An entity registered at all times during the tax year under the Investment Company Act of 1940,
12. A common trust fund operated by a bank under section 584(a),
13. A financial institution,
14. A middleman known in the investment community as a nominee or custodian, or
15. A trust exempt from tax under section 664 or described in section 4947.

The chart below shows types of payments that may be exempt from backup withholding. The chart applies to the exempt recipients listed above, 1 through 15.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt recipients except for 9
Broker transactions	Exempt recipients 1 through 13. Also, a person registered under the Investment Advisers Act of 1940 who regularly acts as a broker
Barter exchange transactions and patronage dividends	Exempt recipients 1 through 5
Payments over \$600 required to be reported and direct sales over \$5,000 <sup>1</sup>	Generally, exempt recipients 1 through 7 <sup>2</sup>

<sup>1</sup>See Form 1099-MISC, Miscellaneous Income, and its instructions.

<sup>2</sup>However, the following payments made to a corporation (including gross proceeds paid to an attorney under section 6045(f), even if the attorney is a corporation) and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees; and payments for services paid by a Federal executive agency.

## Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-owner LLC that is disregarded as an entity separate from its owner (see *Limited liability company (LLC)* on page 2), enter your SSN (or EIN, if you have one). If the LLC is a corporation, partnership, etc., enter the entity's EIN.

**Note.** See the chart on page 4 for further clarification of name and TIN combinations.

**How to get a TIN.** If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office or get this form online at [www.socialsecurity.gov/onlines-5.pdf](http://www.socialsecurity.gov/onlines-5.pdf). You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at [www.irs.gov/businessesef](http://www.irs.gov/businessesef) and clicking on Employer ID Numbers under Related Topics. You can get Forms W-7 and SS-4 from the IRS by visiting [www.irs.gov](http://www.irs.gov) or by calling 1-800-TAX-FORM (1-800-829-3676).

If you are asked to complete Form W-9 but do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

**Note.** Writing "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

**Caution:** A disregarded domestic entity that has a foreign owner must use the appropriate Form W-8.

May 20, 2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 442

AUTHORIZES CASHIN ASSOCIATES, P.C. TO PROCEED WITH  
EAST CREEK MARINA CONSTRUCTION PHASE

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

WHEREAS, the Town of Riverhead authorized Cashin Associates, P.C. to proceed with professional services for site planning, engineering design and environmental permitting for East Creek Marina Improvements pursuant to Town Board Resolution No. 55 adopted January 17, 2007; and

WHEREAS, the Town of Riverhead authorized the Town Clerk to proceed with the bidding process for both East Creek Marina Improvement Dock Procurement and Phase I – Infrastructure Improvements and Dock Installation; and

WHEREAS, bids were received and awarded for both East Creek Marina Improvement Dock Procurement and Phase I – Infrastructure Improvements and Dock Installation on May 6, 2008 pursuant to Town Board Resolutions No. 394 and 395 respectively; and

WHEREAS, the Town Board and the Engineering Department wish to proceed with the construction phase of the improvements at the East Creek Marina; and

WHEREAS, Cashin Associates, P.C. has submitted a proposal to provide professional engineering services for the construction phase of the East Creek Marina Improvements which has been reviewed, discussed and accepted by the Engineering Department and the members of the Town Board.

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Riverhead be and does hereby accept the proposal submitted by Cashin Associates, P.C. and does hereby authorize Cashin Associates, P.C. to provide professional engineering services for the construction phase of the East Creek Marina Improvements in the amount, not to exceed, Twenty Four Thousand Five Hundred & 00/100 (\$24,500); and

BE IT FURTHER RESOLVED, that the Town Board be and does hereby authorize the Town Supervisor to execute the attached Professional Services Agreement; 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 in the amount of \$24,500; and

BE IT FURTHER RESOLVED, that the Town Board be and does hereby authorize the Town Clerk to forward a certified copy of this resolution to James A. Gladysz, P.E., Cashin Associates, P.C., 1200 Veterans Memorial Highway, Hauppauge, NY 11788, and a copy to Christine Fetten, P.E., Purchasing Department and the Office of Accounting.

THE VOTE  
Buckley  yes  no Wooten  yes  no  
Dunleavy  yes  no Blass  yes  no  
Cardinate  yes  no  
THE RESOLUTION ~~WAS~~ WAS NOT  
THEREFORE DULY ADOPTED



April 16 2008

Ken Testa, P.E., Town Engineer  
Town of Riverhead  
200 Howell Avenue  
Riverhead, NY 11901

**RE: Revised Proposal for Engineering Services  
East Creek Marina Construction Phase**

Dear Mr. Testa,

Per Christine Fetten's April 16, 2008 email we are writing to provide you with a revised proposal for construction phase services.

To assure construction quality control, CA will provide part-time construction management and inspection services to enforce the provisions of the contract documents and permits. CA proposes the following scope of work during Phase 1 construction:

1. CA will conduct a pre-construction meeting, and approximately three additional progress meetings at the site during the duration of construction. The meetings will be attended by other CA staff members whose expertise is required or appropriate to address specific topics. Minutes will be recorded and distributed to all parties on a timely basis.
2. CA will review all shop drawing submittals, schedules, certifications, design calculations, layout and procedures, requests for substitutions or deviations, design mixes and laboratory reports from the contractors. Drawings will be stamped "Conforms", "Conforms as Noted", "Revise and Resubmit" or "Rejected". CA will distribute copies as required. CA anticipates a "turn around" time of two weeks, calculated from the time the shop drawings are received in CA's office. A log of all submittals will be maintained.
3. CA will perform part-time inspection services to enforce the provisions of the contract documents, verify quantities for payment purposes, and assure protection of facility use and property by the contractor.
4. CA will issue clarifications and written interpretations of plans and specifications only after consultation with the Town representative.
5. CA will review monthly progress payments submitted by the contractor, negotiate

April 16, 2008

Page 2 of 2

Ken Testa, P.E., Town Engineer

Town of Riverhead

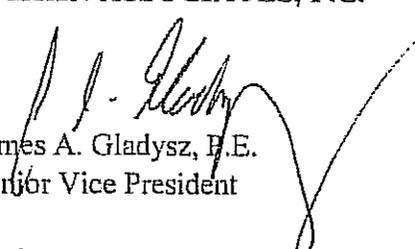
RE: Proposal for Engineering Services  
East Creek Marina Construction Phase

are being met, will be a pre-requisite for payment requisition approval.

6. CA will review the contractor's requests for change orders and advise the Town of its findings. If approved by the Town, CA will prepare the change orders in the format required by the Town.
7. CA will conduct a final inspection and prepare a punch list of items. CA will ensure all punch list items are complete before issuing a certification of completion and approval of the final payment.
8. CA will review contractor as-builts and operations and maintenance manuals, and create a set of record documents for the Town's use.
9. CA will provide consulting and inspection services on an on-call basis to assist the Town in resolving any problems with the contractor's work that may arise during the one year maintenance and guarantee period following completion of the construction.

Based on the above scope and an assumed 15 week construction duration with construction beginning in November, 2008 and substantial completion on April 1, 2009 CA's proposed fee has been estimated as not to exceed \$24,500. CA's cost estimate is based on a multiplier of 2.75 times direct salary for 2008 rates, and the manhour estimates are also provided as an attachment to this proposal. We expect a three to five percent salary rate increase for 2009. Invoices will be issued monthly for the work actually performed and will be based on percentage of completion of the work for each task of the project plus any out-of-pocket expenses.

Very truly yours,  
CASHIN ASSOCIATES, P.C.



James A. Gladysz, P.E.  
Senior Vice President

Encl.

CC: Christine Fetten, P.E.

2008-033 \ I:\PROPOSALS\SP-MARKETING\Proposals and Quots\Town of Riverhead\2008-033 - East Creek Marina Construction Phase\2008-033 - Revised 2008-04-16 EAST  
CREEK CONSTRUCTION PHASE.doc



**TOWN OF RIVERHEAD  
EAST CREEK MARINA IMPROVEMENTS  
PHASE 1 CONSTRUCTION**

**MANPOWER ESTIMATE**

TASK	PERSONNEL	HOURS
Kick Off Meeting	Principal Engineer	4
	Project Manager	4
Progress Meetings	Project Manager	12
Submittal Review	Project Manager	20
	Engineer	20
Construction Inspection*	Inspector	80
Review Payments, Questions	Principal Engineer	15
	Project Manager	20
Close Out	Principal Engineer	8
	Project Manager	16

\* Part-time construction inspection based on about 12 hours per week for assumed six to seven weeks of full-time construction activities

## CONSULTANT/PROFESSIONAL SERVICES AGREEMENT

This Agreement made the \_\_\_\_ day of \_\_\_\_\_, 2008 between the TOWN OF RIVERHEAD, a municipal corporation organized and existing under the laws of New York, with its office located at 200 Howell Avenue, Riverhead, New York, 11901, Cashin Associates. P.C., a corporation existing under the laws of the State of New York with a principal place of business at 1200 Veterans Memorial Highway, Hauppauge, New York 11788, ("Consultant").

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

### 1. SCOPE OF SERVICES

During the term of this Agreement, Consultant shall furnish the services set forth in the Schedule attached hereto and made a part hereof. These services are to be rendered by Consultant as an independent contractor and not as an employee of Town.

### 2. TERM OF AGREEMENT

The Agreement shall commence on \_\_\_\_\_ [date] and terminate on \_\_\_\_\_ [date].

### 3. PAYMENT

For these services Town of Riverhead will pay Consultant a fee (performance based contract) or at the rate (hourly fee based contract) set forth in the attached schedule. Note, the Town may require the submission of documentation, including time records for performance based contracts solely for the purposes of verification of completion of the project or a portion of the project and the request that consultant provide same shall not convert the performance contract to an hourly rate contract. The Town shall not have any liability for any other expenses or costs incurred by Consultant except for expenses expressly provided for in the attached schedule. Consultant shall not incur any expenses in Town's behalf except for those items expressly provided for in the attached schedule. Invoices for services and reimbursable expenses shall contain the following statement signed by Consultant, or if this Agreement is with a firm, an officer or authorized representative of the firm: "I hereby certify, to the best of my knowledge and belief, that this invoice is correct, and that all items invoiced are based upon actual costs incurred or services rendered consistent with the terms of the professional services agreement." Each invoice for reimbursable expenses shall be supported by: (a) an itemized description of expenses claimed; (b) pertinent information relative to the expenses; and (c) attached receipts. Invoices shall reference this Agreement or otherwise be identified in such a manner as Town may reasonably require.

### 4. RIGHTS TO DOCUMENTS OR DATA

All information and data, regardless of form, generated in the performance of, or

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

#### 5. PUBLICITY

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

#### 6. ASSIGNMENT AND SUBCONTRACTING

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

#### 7. TERMINATION

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

#### 8. RECORDS

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

#### 9. CHANGES

The Town, by resolution of the Town Board or written request by at least three members of the Town Board, within the general scope of this Agreement, may, at any time by written notice to Consultant, issue additional instructions, require additional services or direct the omission of services covered by this Agreement. In such event, there will be made an equitable adjustment in price and time of performance, but any claim for such an adjustment must be made within 15 days of the receipt of such

written notice. In the event that the Consultant determines that a change order is required, Consultant shall obtain written approval of the Town, by resolution or written consent of at least three members of the Town Board, and if the change shall require the payment of additional compensation, Consultant must obtain the written approval of three members of the Town Board or resolution of the Town Board for the additional compensation prior to commencement of work regarding the change order. It is agreed and understood that no oral agreement, conversation, or understanding between the Consultant and the Town, its departments, officers, agents and employees shall effect or modify any of the terms or obligations of this Agreement or schedules annexed hereto and made a part hereof.

#### 10. NOTICES

Any notice shall be considered as having been given: (i) to Town of Riverhead if mailed by certified mail, postage prepaid to Town of Riverhead, Attention: Ken Testa, Town Engineer, 200 Howell Avenue, Riverhead, NY 11901; or (ii) to Consultant if mailed by certified mail, postage prepaid to Francis J. Cashin III, P.E., Cashin Associates, P.C., 1200 Veterans Memorial Highway, Hauppauge, New York 11788 [name and address].

#### 11. COMPLIANCE WITH LAWS

Consultant shall comply with all applicable federal, state, and local laws and ordinances and regulations in the performance of its services under this Agreement. Consultant will notify

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

#### 12. INSURANCE, INDEMNITY AND LIABILITY

Consultant shall carry Comprehensive General Liability Insurance and, if applicable, worker's compensation insurance. Consultant hereby indemnifies and holds the Town, its departments, officers, agents and employees, harmless against any and all claims, actions or demands against Town, its departments, officers, agents and employees and against any and all damages, liabilities or expenses, including counsel fees, arising out of the acts or omissions of Consultant under this Agreement.

13. CONFLICT OF INTEREST

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

14. DISCLOSURE

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

15. DISPUTES

If Consultant fails to perform any of its obligations hereunder in accordance with the terms hereof, then after reasonable notice to Consultant not to exceed thirty (30) days, and an opportunity for Consultant to cure such failure, (except in case of emergency), the Town may (but shall not be obligated to) cure such failure at the expense of the Consultant, and the amount incurred by the Town in connection with such cure shall be payable by Consultant 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, Consultant shall proceed diligently with the performance of this Agreement in accordance with the decision of Town.

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

by:

Town Of Riverhead  
200 Howell Avenue  
Riverhead, New York



Francis J. Cashin III, P.E.  
Cashin Associates, P.C.  
1200 Veterans Memorial Highway  
Hauppauge, New York 11788

TOWN OF RIVERHEAD

CASHIN ASSOCIATES, P.C.

BILLING RATE SCHEDULE A/O APRIL 18, 2008

Billable  
Hourly Rate

PRINCIPALS:

Alfred Angiola, PE	MAX	175.00
Francis J. Cashin, III, PE	MAX	175.00
Jim Feeney, PE		156.75
Jim Gladysz, PE	MAX	175.00
Joseph Iannucci, RA		159.50
Aldo Marletti, PE	MAX	175.00

Billable  
Hourly Rate

<u>EMPLOYEE NAME</u>	<u>TITLE</u>		<u>Billable Hourly Rate</u>
Jeffrey Alberts	Technician/Inspector		110.69
Keith Brewer	Sr. Environmental Scientist		93.50
Stephan Brix, PE	Sr. Construction Manager		156.75
A. Fred Brown	Engineer		105.88
Michael Brusseau, AICP	Environmental Planner		116.88
Carlos Carrillo, PE	Sr. Engineer		137.50
Graciela Carrillo	Architect/Engineer		89.38
Jason Cecere	Environmental Scientist		89.38
Susan Ciuffo	Marketing Manager		92.13
Robert Coryell	Technician/Inspector		94.88
Vijay Datta, PE, PhD	Construction Manager		151.25
Robert Doulney	Technician/Inspector		118.25
Brian Duggan	Environmental Counsel		143.00
Jack Figueredo	Technician/Inspector		94.88
Maureen Goutink	Office Technician		81.13
Gregory Greene	Director Environmental Services		247.50
Jeff Hayduk	Inspector		90.75
James Heil, PE	Sr. Engineer		151.25
Donald Howe, Esq.	Construction Manager		134.75
Dennis Karpowicz, PE	Structural Engineer		118.94
Christine Kling	Office Technician		80.44
Nancy Lenz, RLA	Landscape Architect		118.25
Sara Libster	Office Technician		55.00
Robert Maltempo, PE	Sr. Engineer		143.00
John Moore	Sr. Traffic Engineer	MAX	175.00
Tara Murphy	Office Technician		63.25
Robert Nuzzi, PhD.	Sr. Environmental Scientist		165.00
Elyse O'Brien	Asst. Environmental Scientist		63.25
John Perrotta, PE	Engineer		119.63
Susan Perrotto	Marketing Manager		90.75
Anthony Savino	Engineer/Inspector		79.75
John Schreck, PE	Sr. Engineer		137.50
Kim Somers	Environmental Scientist		78.38
Lynn Southard	CADD Operator		90.06
David Tonjes, PhD	Sr. Environmental Scientist		151.25
Russel Wetjen	CADD Operator		94.88
John White	Environmental Scientist		110.00
Michael Wizlor, PE	Construction Manager		122.38

5/20/08

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 443

AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT TO PERMIT  
CHERI WIRTH TO REPAIR THE STORM WATER PIPING SYSTEM AND  
SURROUNDING SIDEWALK AREA LOCATED AT OR NEAR 60 WEST MAIN  
STREET, RIVERHEAD, ALSO KNOWN AS DIGGERS RESTAURANT (TAX MAP  
NO. 0600-128-6-17; 0600-128-6-18.001)

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

WHEREAS, Cheri Wirth is the owner of premises at or near 60 West Main Street,  
Riverhead, also known as Diggers Restaurant; and

WHEREAS, Cheri Wirth is desirous of repairing her storm water piping system and  
surrounding sidewalk area contained within and located at or near 60 West Main Street,  
also known as Diggers Restaurant; and

WHEREAS, The Town of Riverhead is responsible for maintenance of the subject  
sidewalk area containing the subject storm water piping system pursuant to the New York  
State Highway Law; and

WHEREAS, the Town of Riverhead is desirous of ensuring the unimpeded flow of storm  
water in the vicinity of the subject property to ensure the integrity of the inter-connected  
municipal storm water discharge system.

NOW BE IT RESOLVED, that the Town Supervisor is hereby authorized to execute the  
attached agreement with Cheri Wirth regarding repair of her storm water piping system  
and surrounding sidewalk area contained within and located at or near 60 West Main  
Street, Riverhead.

NOW BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward  
a certified copy of this resolution to John Taggart, Esq., attorney for Cheri Wirth, 616  
Roanoke Avenue, PO Box 779, Riverhead, New York 11901; Office of the Supervisor;  
Town of Riverhead Police Department; Town of Riverhead Highway Department, Town  
of Riverhead 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

**SIDEWALK RENOVATION AGREEMENT**

**LOCALE: DIGGERS RESTAURANT**  
**60 WEST MAIN STREET**  
**TAX MAP NO. 0600-128-6-17; 0600-128-6-18.001**

This Agreement, made this \_\_\_\_ day of May, 2008, between the **TOWN OF RIVERHEAD**, a municipal corporation having offices at 200 Howell Avenue, Riverhead, New York 11901 (hereinafter referred to as "Town") and Cheri Wirth, c/o Diggers Restaurant having offices at 60 West Main Street, Riverhead, New York (hereinafter referred to as "Wirth").

**WITNESSETH:**

1. Town hereby agrees to permit Wirth to renovate the sidewalk area depicted in the attached photographs including repair to its storm water piping system at Wirth's own cost.
2. Wirth agrees to retain a contractor who shall be licensed, bonded and insured and provide proof of same to the Town prior to commencement of the subject renovation.
3. Wirth and contractor each agrees to provide a general liability insurance certificate at their own cost to the Town naming the Town of Riverhead as an additional insured regarding the subject renovation project in an amount of not less than TWO MILLION AND NO/100THS (\$2,000,000.00) DOLLARS per occurrence for bodily injury and TWO MILLION AND NO/100THS (\$2,000,000.00) DOLLARS per occurrence for property damage. All policies providing coverage shall be issued by insurance companies with an A.M. best rating of A- or better. All insurance shall be obtained from companies licensed to do business in the State of New York.
4. Wirth agrees and represents that contractor shall perform all work and renovation according to all applicable state, county and town codes, rules, regulations, statutes and laws and

be liable for same in the event contractor fails to perform said renovation as required by this paragraph.

5. **Indemnification:** To the greatest extent permitted by law, Wirth agrees that it shall protect, indemnify and hold harmless the Town and its officers, officials, employees, contractors, agents and other persons (the Town Indemnified Parties") from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, costs, expenses, suits or actions and reasonable attorneys' fees, arising out of the acts or omissions or the negligence of the Contractor or Wirth in connection with the subject renovation project. Wirth shall defend the Town in any suit, including appeals, or at the Town's option, pay reasonable attorney's fees for the defense of any such suit arising out of the acts or omissions or negligence of the Contractor or Wirth, or each of their respective officers, officials, employees, subcontractors or agents, if any, in connection with the subject renovation project.

6. Wirth acknowledges, agrees and understands that Route 25 and sidewalks adjacent to Route 25 are New York State-owned property. Wirth further acknowledges that New York State may renovate the very same sidewalk area which is the subject matter of the renovation project herein in the near future which may affect Wirth's storm water piping system. Wirth acknowledges the State of New York may require removal of Wirth's storm water piping system. Wirth further agrees that the Town shall not be responsible nor liable to Wirth if the State of New York, or its officials, officers, employees, agents or contractors removes same. Wirth further agrees to hold Town harmless if the State of New York, or its officials, officers, employees, agents or contractors removes same.

7. Wirth agrees to complete the subject renovation project in a timely manner.

8. **Merger; Modification:** This Agreement represents the entire Agreement of the parties. All previous understandings of the parties concerning the terms hereof are merged into this Agreement. No modification of this Agreement shall be valid unless written and executed by both parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the latest date written below:

TOWN OF RIVERHEAD

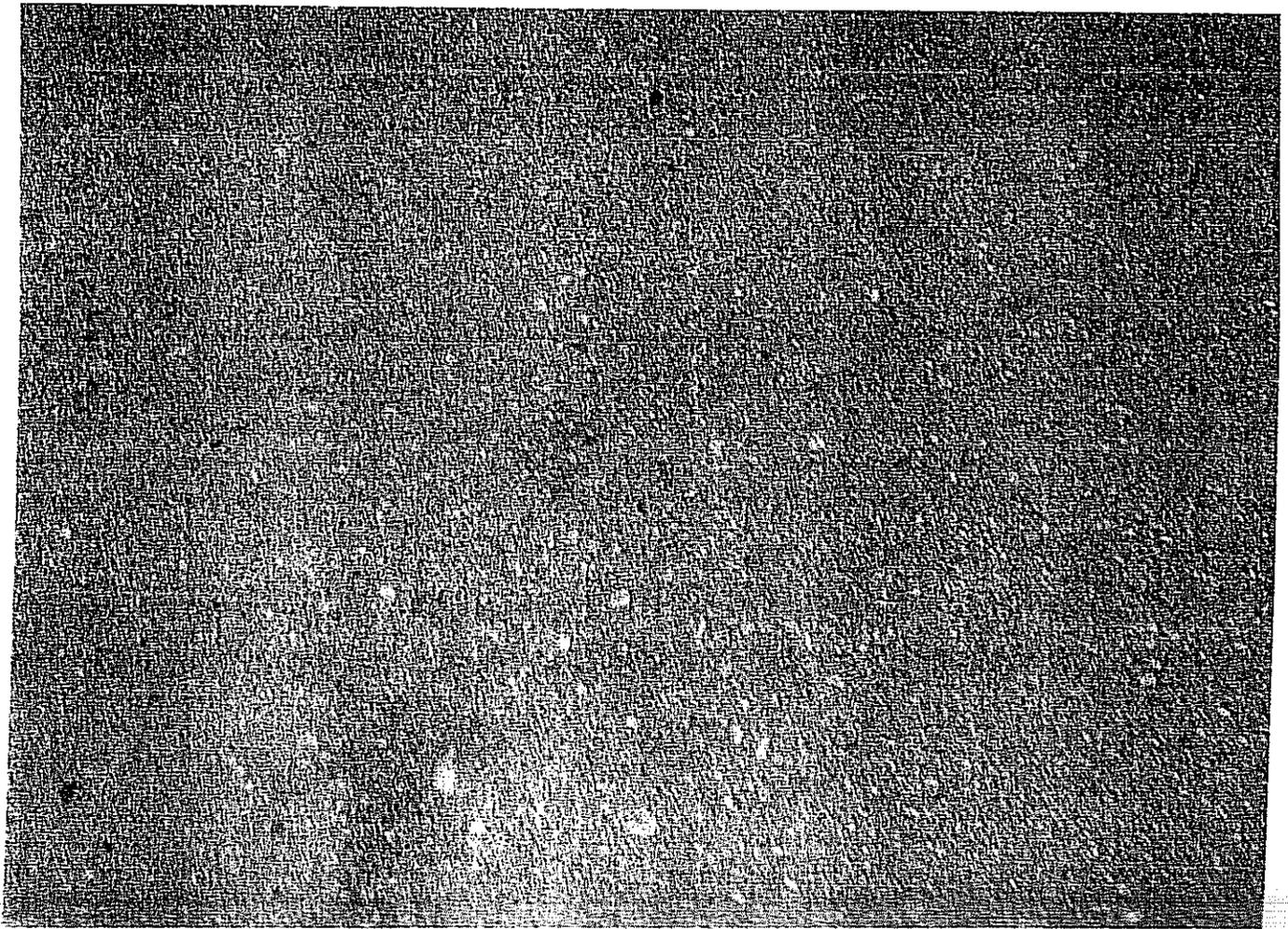
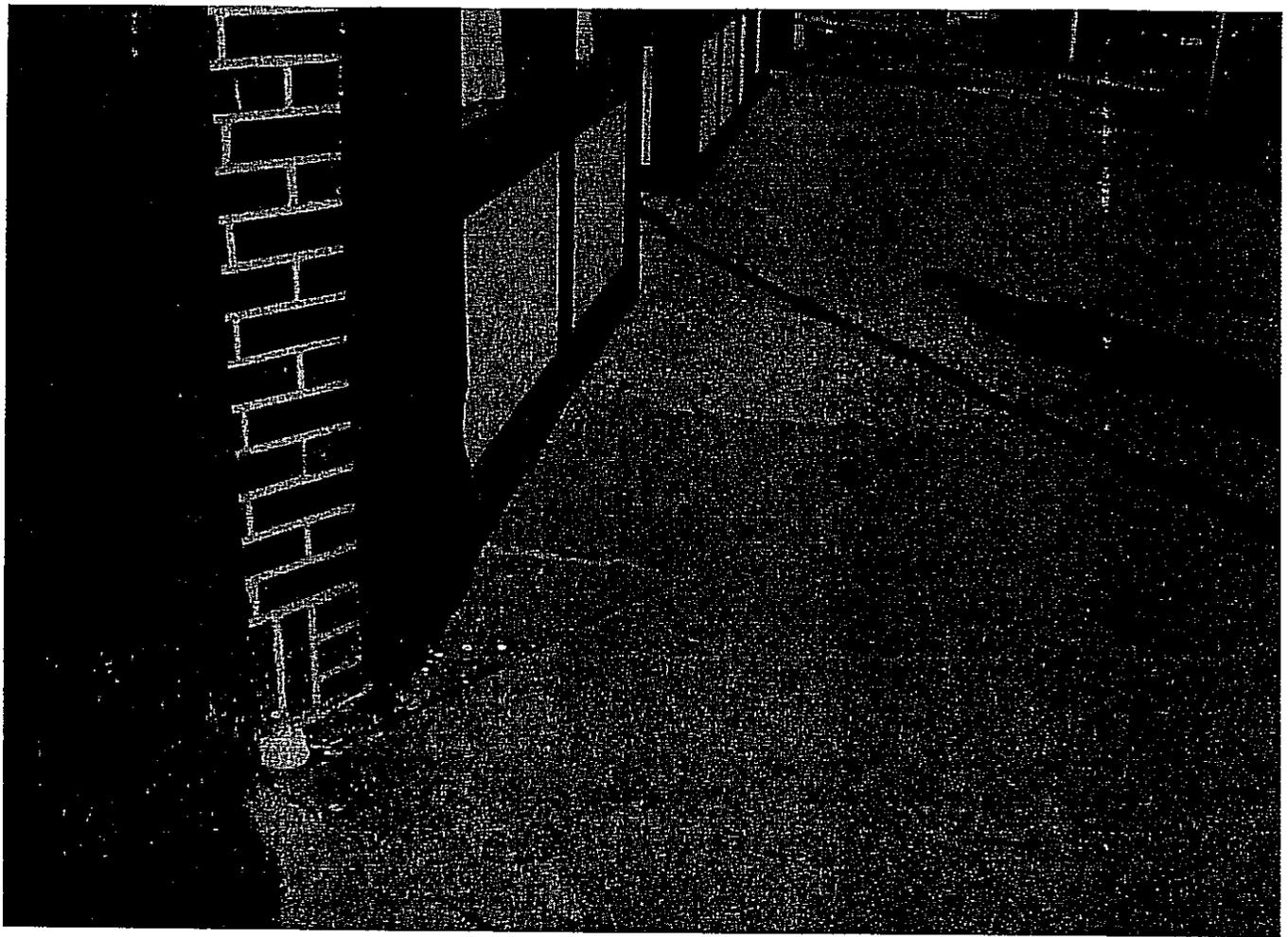
CHERI WIRTH

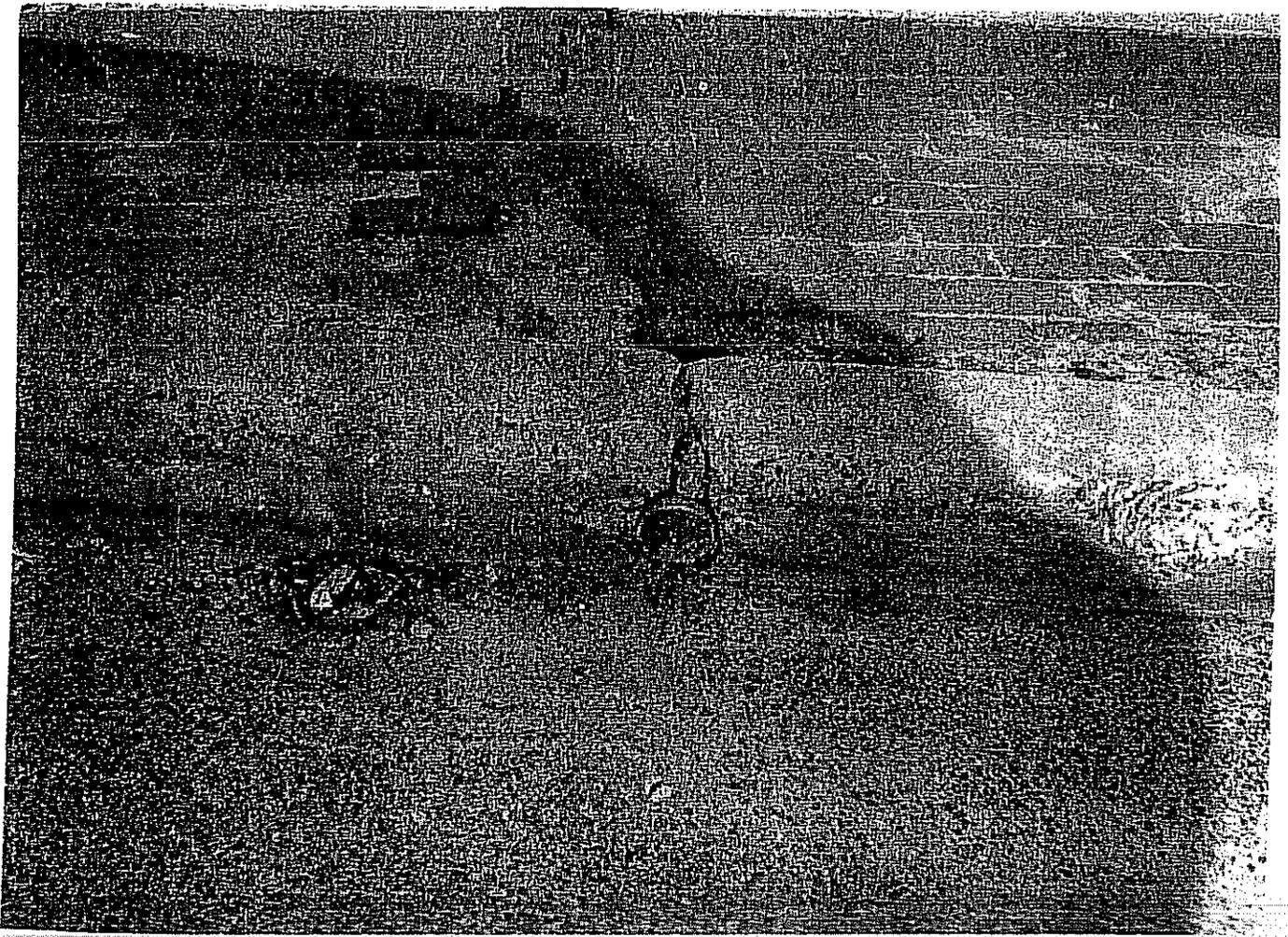
\_\_\_\_\_  
By: Phil Cardinale  
Riverhead Town Supervisor

\_\_\_\_\_  
By: Cheri Wirth

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_





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 May 20, 2008, at Seven O'clock P.M., Prevailing Time.

COUNCILWOMAN BLASS

offered the following resolution which was seconded by

PRESENT:

COUNCILMAN DUNLEAVY

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Councilman

\_\_\_\_\_  
Councilman

\_\_\_\_\_  
Councilman

\_\_\_\_\_  
Councilman

<p style="text-align: center;">In the Matter of The Increase and Improvement of the Facilities of the Riverhead Sewer District, in the Town of Riverhead, Suffolk County, New York</p>	<p style="text-align: center;">ORDER CALLING PUBLIC HEARING</p>
--	---

WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the Riverhead Sewer District, in the Town of Riverhead, Suffolk County, New York (the "Sewer District"), being the planning, design, engineering and reconstruction of the Howell Avenue Pump Station in and for said Town, including the acquisition of land and original furnishings, equipment,

machinery and apparatus, as well as incidental costs and expenses at a maximum estimated cost of \$3,600,000; and

WHEREAS, said capital project has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which as proposed, it has been determined will not result in any significant environmental effects; and

WHEREAS, said project will be of benefit to the Commercial Extension to the Sewer District which will be assessed the costs thereof; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Sewer District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. A public hearing will be held in the Town Hall, in Riverhead , New York, in said Town, on June 17, 2008, at 7:20 o'clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of the Sewer District, in the Town of Riverhead, Suffolk County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper,

and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This Order shall take effect immediately.

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

<u>COUNCILMAN WOOTEN</u>	VOTING	<u>Yes</u>
<u>COUNCILMAN BUCKLEY</u>	VOTING	<u>Yes</u>
<u>COUNCILMAN DUNLEAVY</u>	VOTING	<u>Yes</u>
<u>COUNCILWOMAN BLASS</u>	VOTING	<u>Yes</u>
<u>Supervisor Cardinale</u>	VOTING	<u>Yes</u>

The order was thereupon declared duly adopted.

\* \* \* \* \*



**AFFIDAVIT OF POSTING**

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DEPOSE  
AND SAY:

That on the \_\_\_\_\_ day of \_\_\_\_\_, 2008, I caused to be posted on the  
official signboard maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, a  
Notice of Public Hearing which was a part of an Order adopted by the Town Board of said Town  
on \_\_\_\_\_, \_\_\_\_\_, 2008.

A true and correct copy of such Notice of Hearing is attached hereto.

\_\_\_\_\_  
Town Clerk

Sworn to before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 2008.

\_\_\_\_\_  
Notary Public

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, will meet in the Town Hall, in Riverhead, New York, in said Town, on June 17, 2008 at 7:20 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a certain map, plan and report, including an estimate of cost, in relation to the proposed increase and improvement of the facilities of the Riverhead Sewer District, in said Town, being the planning, design, engineering and reconstruction of the Howell Avenue Pump Station in and for said District, including the acquisition of land and original furnishings, equipment, machinery and apparatus, as well as incidental costs and expenses in connection therewith, at a maximum estimated cost of \$3,600,000.

Said improvements are intended to benefit the Commercial Extension to the Sewer District which will be assessed the costs thereof.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Riverhead, New York,  
May 20, 2008.

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

---

Barbara J. Grattan,  
Town Clerk

May 20, 2008

**TOWN OF RIVERHEAD**

Resolution # 445

Adopted

**DECLARES SIGNIFICANCE OF ACTION ON  
WADING RIVER BEACH RENOVATIONS**

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

**WHEREAS**, the Town of Riverhead wishes to conduct renovations of the public beach facility at Creek Road, Wading River by replacement of the existing restroom, boardwalk and sun shelter and placement of drainage improvements at the subject 1.2ac. parcel; such property more particularly described as SCTM 0600-24-1-18.1, and

**WHEREAS**, the Riverhead Planning Department has reviewed the project documentation provided by the Engineering Department and has recommended the directly undertaken action be considered Type II pursuant to 6NYCRR Part 617.5(c)(2) as replacement, rehabilitation or reconstruction of a structure or facility on the same site, and

**WHEREAS**, pursuant to Part 617.3(f) and 617.6(a)(1)(i), agency SEQR responsibilities end with this designation with no determination of significance being necessary, now

**THEREFORE, BE IT**

**RESOLVED**, that the Riverhead Town Board declares the renovations of the Wading River Creek Road beach facility to be a Type II action pursuant to 6NYCRR Part 617.5(c)(2) for the purposes of compliance with State Environmental Quality Review, and

**BE IT FURTHER**

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

**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**

5/20/08

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 446

AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH  
COMMANDER POWER SYSTEMS TO MAINTAIN AN EMERGENCY  
GENERATOR AT POLICE DEPARTMENT HEADQUARTERS

COUNCILMAN BUCKLEY, offered the following resolution, which was seconded

by COUNCILMAN WOOTEN

WHEREAS, the Town of Riverhead is desirous of maintaining a high level of disaster preparedness; and

WHEREAS, procurement of temporary, portable electrical power is imperative in the event of a declared disaster or emergency or loss of conventional electrical power; and

WHEREAS, Commander Power Systems is interested and capable of providing maintenance of a 105KW emergency generator located at the Town of Riverhead Police Department Headquarters.

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute the attached agreement with Commander Power Systems to maintain a 105KW emergency generator at Police Department Headquarters.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Doug Kane, Commander Power Systems, 22355 County Road 48, Suite 15, Cutchogue, New York, 11935; Office of the Supervisor; Town of Riverhead Police Department, Town Engineering Department and the Office of the Town Attorney .

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		

The Resolution  Was  Was Not  
Thereupon Duly Declared Adopted

This Agreement is between Commander Power Systems and the Town of Riverhead

GENERATOR SERVICE CONTRACT  
RIVERHEAD POLICE 105KW

COMMANDER Power System. Is pleased to offer you an annual Service Contract, designed to maintain your emergency generator system. Commander Power System is a full-service dealer of Onan, Kohler, and Winco generators and Switchgear, but offers premium service programs for generators of all makes. Members of Our service program receive the benefit of priority on-call emergency service, around the Clock, 365 days a year.

Upon receipt of signed contract, your contract becomes effective and a schedule of service dates will follow.

The following is a list of services included in this contract:

1. Operate complete electric plant through Automatic Transfer Switch if possible.
2. Check all controls on transfer switch, and Generator.
3. Clean accumulated dust and grease.
4. Check radiator for correct levels of water and anti-freeze.
5. Check crankcase for correct oil level...
6. Check fuel filters.
7. Check fan belts for wear and correct tension.
8. Check water hoses for deterioration.
9. Check battery cables for deterioration.
10. Check batteries; add water if necessary. Correct charge rates as necessary.
11. Check alternator and battery charging system.
12. Check ignition system.
13. Check air cleaner element...
14. Check generator, brushes, commutator, slip rings, and wiring.
15. Check gas regulator, solenoid valve and fittings.
16. Check warning lights.
17. Check exerciser clock, adjust as required.

NOTE: This service agreement covers the work described only, and does not relieve the Owner from periodic maintenance and testing. Commander Power System disclaims Any responsibility for consequential damages to generator or building loads.

This contract covers only material listed. Services requested but not covered under contract Will bill at our out-of-shop rates for labor, travel and parts.

Our service program is two-fold and consists of a series of Minor and Major inspections to Help assure fail-safe start-up and operation. We recommend at least one MINOR and on MAJOR Per year.

PREVENTATIVE MAINTENANCE SCHEDULE - - - Listed services are to be performed at inter -

Vals stated below:

MONTHS: Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec *Jan Feb Mar Apr May*  
*MI MA*

The MINOR service includes the above-mentioned services for the sum of: plus sales tax. \$258.00  
Plus sales tax.  
Any parts or lubricants necessary will be billed at prevailing rates.

The MAJOR service is a full tune-up and includes the following parts: (oil filter, air filter, fuel filters and sparkPlugs points, condenser, cap, rotor, and oil. For the sum of: \$475.00 plus sales tax

TAXES - - - Prices do not include Federal, State, or Local Sales, use, property, or excise TAXES. If any such taxes are imposed, Commander Power System will bill them to the customer as A separate item. In lieu of such taxes, the customer shall provide with each order, a tax exemption Certificate, acceptable to the proper taxing authorities.

EMERGENCY SERVICE - - - Emergency service between scheduled service dates will be provided At rates in effect at time of service for labor, parts and travel. Travel rates shall apply for travel to Locations accessible by public roads. Lodging and miscellaneous expenses shall be billed at cost. Additional agreements regarding emergency service are as follows:

LABOR RATES: - - - Straight time: Mon-Fri 8-am - 4:30-pm, Except holidays, is at \$86.00 per hour.  
Over time: is at \$129.00 per hour Mon-Fri and \$172.00 per hour on Sat and Sun & Holidays.

SERVICING AGENT RESPONSIBILITY: - - - We are on call 24-hours a day. We will, to the best of Our ability responds within (1) hour of emergency call. Insofar as practical, Commander Power System shall maintain a complete service history, and necessary service procedure data for Reference in service of the equipment. It is agreed that the agreement covers only those items as Above outlined and that it does not included any expense to repair damage caused by above, Accident, theft, acts of a third person, forces of nature, alteration of equipment, or improper operation.

Commander Power System shall not be responsible for: failure to provide service due to Causes beyond its control including strikes, labor disputes, acts of God, etc. or any consequential Damages.

While periodic service and maintenance should result in maximum availability of generating equipment, Commander Power System makes no warranties or quarantines as to availability of Plant or loss of the use of the equipment covered under this agreement.

This agreement is not subject to alteration except as mutually agreed in writing. It may be terminated at any time by either party upon thirty (30) days written notice, or other notice as required by Law, addressed to the last known address of the other party, and no claim for damages on account Of such termination shall arise against either party.

This agreement shall commence on June 1, 2008 and end on June 1, 2009 unless terminated earlier by either party as provided for above.

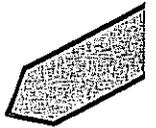
ACCEPTED  
Customer \_\_\_\_\_ Servicing Agent: Commander Power System  
By: \_\_\_\_\_ Glen Grathwohl \_\_\_\_\_  
Date: \_\_\_\_\_ Date \_\_\_\_\_

This Proposal may be withdrawn by servicing agent if not accepted within thirty days (30).

ADDITIONAL LOAD BANK TEST: Commander Power System. if needed, cans perform a Load Bank Test without shutting down the building, and can give a field report as needed.

If you have any questions pertaining to this agreement, please telephone our office (631)765 - 6400.

Thank you for considering our service.



5/20/08

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 447

AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH  
COMMANDER POWER SYSTEMS TO MAINTAIN AN EMERGENCY  
GENERATOR AT RIVERHEAD AMBULANCE COMPANY

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

WHEREAS, the Town of Riverhead is desirous of maintaining a high level of disaster preparedness; and

WHEREAS, procurement of temporary, portable electrical power is imperative in the event of a declared disaster or emergency or loss of conventional electrical power; and

WHEREAS, Commander Power Systems is interested and capable of providing maintenance of a 15KW emergency generator located at the Riverhead Ambulance Company.

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute the attached agreement with Commander Power Systems to maintain a 15KW emergency generator at the Riverhead Ambulance Company.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Doug Kane, Commander Power Systems, 22355 County Road 48, Suite 15, Cutchogue, New York, 11935; Office of the Supervisor; Riverhead Ambulance Company, Town Engineering Department and the Office of the Town Attorney .

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		

The Resolution  Was  Was Not  
Thereupon Duly Declared Adopted

This Agreement is between Commander Power Systems and the Town of Riverhead

**GENERATOR SERVICE CONTRACT  
RIVERHEAD AMBULANCE 15KW**

COMMANDER Power System. Is pleased to offer you an annual Service Contract, designed to maintain your emergency generator system. Commander Power System is a full-service dealer of Onan, Kohler, and Winco generators and Switchgear, but offers premium service programs for generators of all makes. Members of Our service program receive the benefit of priority on-call emergency service, around the Clock, 365 days a year.

Upon receipt of signed contract, your contract becomes effective and a schedule of service dates will follow.

The following is a list of services included in this contract:

1. Operate complete electric plant through Automatic Transfer Switch if possible.
2. Check all controls on transfer switch, and Generator.
3. Clean accumulated dust and grease.
4. Check radiator for correct levels of water and anti-freeze.
5. Check crankcase for correct oil level...
6. Check fuel filters.
7. Check fan belts for wear and correct tension.
8. Check water hoses for deterioration.
9. Check battery cables for deterioration.
10. Check batteries; add water if necessary. Correct charge rates as necessary.
11. Check alternator and battery charging system.
12. Check ignition system.
13. Check air cleaner element...
14. Check generator, brushes, commutator, slip rings, and wiring.
15. Check gas regulator, solenoid valve and fittings.
16. Check warning lights.
17. Check exerciser clock, adjust as required.

NOTE: This service agreement covers the work described only, and does not relieve the Owner from periodic maintenance and testing. Commander Power System disclaims Any responsibility for consequential damages to generator or building loads.

This contract covers only material listed. Services requested but not covered under contract Will bill at our out-of-shop rates for labor, travel and parts.

Our service program is two-fold and consists of a series of Minor and Major inspections to Help assure fail-safe start-up and operation. We recommend at least one MINOR and on MAJOR Per year.

PREVENTATIVE MAINTENANCE SCHEDULE - - - Listed services are to be performed at intervals stated below:

MONTHS: Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec *Jan Feb Mar Apr May Jun*  
*MI MA*

The MINOR service includes the above-mentioned services for the sum of: plus sales tax. \$258.00  
Plus sales tax.  
Any parts or lubricants necessary will be billed at prevailing rates.

The MAJOR service is a full tune-up and includes the following parts: (oil filter, air filter, fuel filters and sparkPlugs points, condenser, cap, rotor, and oil. For the sum of: \$450.00 plus sales tax

TAXES - - - Prices do not include Federal, State, or Local Sales, use, property, or excise TAXES. If any such taxes are imposed, Commander Power System will bill them to the customer as a separate item. In lieu of such taxes, the customer shall provide with each order, a tax exemption Certificate, acceptable to the proper taxing authorities.

EMERGENCY SERVICE - - - Emergency service between scheduled service dates will be provided At rates in effect at time of service for labor, parts and travel. Travel rates shall apply for travel to Locations accessible by public roads. Lodging and miscellaneous expenses shall be billed at cost. Additional agreements regarding emergency service are as follows:

LABOR RATES: - - - Straight time: Mon-Fri 8-am - 4:30-pm, Except holidays, is at \$86.00 per hour.  
Over time: is at \$129.00 per hour Mon-Fri and \$172.00 per hour on Sat and Sun & Holidays.

SERVICING AGENT RESPONSIBILITY: - - - We are on call 24-hours a day. We will, to the best of Our ability responds within (1) hour of emergency call. Insofar as practical, Commander Power System shall maintain a complete service history, and necessary service procedure data for Reference in service of the equipment. It is agreed that the agreement covers only those items as Above outlined and that it does not included any expense to repair damage caused by above, Accident, theft, acts of a third person, forces of nature, alteration of equipment, or improper operation.

Commander Power System shall not be responsible for: failure to provide service due to Causes beyond its control including strikes, labor disputes, acts of God, etc. or any consequential Damages.

While periodic service and maintenance should result in maximum availability of generating equipment, Commander Power System makes no warranties or quarantines as to availability of Plant or loss of the use of the equipment covered under this agreement.

This agreement is not subject to alteration except as mutually agreed in writing. It may be terminated at any time by either party upon thirty (30) days written notice, or other notice as required by Law, addressed to the last known address of the other party, and no claim for damages on account Of such termination shall arise against either party.

This agreement shall commence June 1, 2008 and end on June 1, 2009 unless terminated earlier by either party as provided for above.

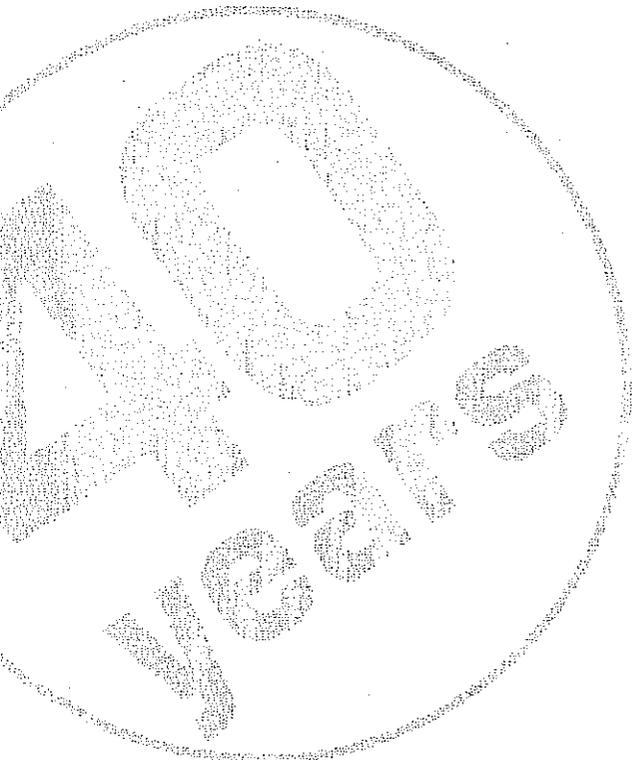
ACCEPTED  
Customer \_\_\_\_\_ Servicing Agent: Commander Power System  
By: \_\_\_\_\_ By: Glen Grathwohl \_\_\_\_\_  
Date: \_\_\_\_\_ Date \_\_\_\_\_

This Proposal may be withdrawn by servicing agent if not accepted within thirty days (30).

ADDITIONAL LOAD BANK TEST: Commander Power System. if needed, can perform a Load Bank Test without shutting down the building, and can give a field report as needed.

If you have any questions pertaining to this agreement, please telephone our office (631)765 - 6400.

Thank you for considering our service.



5/20/08

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 448

AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH  
COMMANDER POWER SYSTEMS TO MAINTAIN AN EMERGENCY  
GENERATOR AT RIVERHEAD SENIOR CENTER

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

WHEREAS, the Town of Riverhead is desirous of maintaining a high level of disaster preparedness; and

WHEREAS, procurement of temporary, portable electrical power is imperative in the event of a declared disaster or emergency or loss of conventional electrical power; and

WHEREAS, Commander Power Systems is interested and capable of providing maintenance of a 100KW emergency generator located at the Riverhead Senior Center.

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute the attached agreement with Commander Power Systems to maintain a 100KW emergency generator at the Riverhead Senior Center.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Doug Kane, Commander Power Systems, 22355 County Road 48, Suite 15, Cutchogue, New York, 11935; Office of the Supervisor; Riverhead Senior Center; 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

This Agreement is between Commander Power Systems and the Town of Riverhead

GENERATOR SERVICE CONTRACT  
RIVERHEAD SENIOR CENTER  
100KW

COMMANDER Power System. Is pleased to offer you an annual Service Contract, designed to maintain your emergency generator system. Commander Power System is a full-service dealer of Onan, Kohler, and Winco generators and Switchgear, but offers premium service programs for generators of all makes. Members of Our service program receive the benefit of priority on-call emergency service, around the Clock, 365 days a year.

Upon receipt of signed contract, your contract becomes effective and a schedule of service dates will follow.

The following is a list of services included in this contract:

1. Operate complete electric plant through Automatic Transfer Switch if possible.
2. Check all controls on transfer switch, and Generator.
3. Clean accumulated dust and grease.
4. Check radiator for correct levels of water and anti-freeze.
5. Check crankcase for correct oil level...
6. Check fuel filters.
7. Check fan belts for wear and correct tension.
8. Check water hoses for deterioration.
9. Check battery cables for deterioration.
10. Check batteries; add water if necessary. Correct charge rates as necessary.
11. Check alternator and battery charging system.
12. Check ignition system.
13. Check air cleaner element...
14. Check generator, brushes, commutator, slip rings, and wiring.
15. Check gas regulator, solenoid valve and fittings.
16. Check warning lights.
17. Check exerciser clock, adjust as required.

NOTE: This service agreement covers the work described only, and does not relieve the Owner from periodic maintenance and testing. Commander Power System disclaims Any responsibility for consequential damages to generator or building loads.

This contract covers only material listed. Services requested but not covered under contract Will bill at our out-of-shop rates for labor, travel and parts.

Our service program is two-fold and consists of a series of Minor and Major inspections to Help assure fail-safe start-up and operation. We recommend at least one MINOR and on MAJOR Per year.

PREVENTATIVE MAINTENANCE SCHEDULE --- Listed services are to be performed at inter -

Vals stated below:

MONTHS: Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec Jan Feb Mar Apr May Jun  
MI MA

The MINOR service includes the above-mentioned services for the sum of: plus sales tax. \$258.00  
Plus sales tax.  
Any parts or lubricants necessary will be billed at prevailing rates.

The MAJOR service is a full tune-up and includes the following parts: (oil filter, air filter, fuel filters and sparkPlugs points, condenser, cap, rotor, and oil. For the sum of: \$525.00 plus sales tax

TAXES - - - Prices do not include Federal, State, or Local Sales, use, property, or excise TAXES. If any such taxes are imposed, Commander Power System will bill them to the customer as A separate item. In lieu of such taxes, the customer shall provide with each order, a tax exemption Certificate, acceptable to the proper taxing authorities.

EMERGENCY SERVICE - - - Emergency service between scheduled service dates will be provided At rates in effect at time of service for labor, parts and travel. Travel rates shall apply for travel to Locations accessible by public roads. Lodging and miscellaneous expenses shall be billed at cost. Additional agreements regarding emergency service are as follows:

LABOR RATES: - - - Straight time: Mon-Fri 8-am - 4:30-pm, Except holidays, is at \$86.00 per hour. Over time: is at \$129.00 per hour Mon-Fri and \$172.00 per hour on Sat and Sun & Holidays.

SERVICING AGENT RESPONSIBILITY: - - - We are on call 24-hours a day. We will, to the best of Our ability responds within (1) hour of emergency call. Insofar as practical, Commander Power System shall maintain a complete service history, and necessary service procedure data for Reference in service of the equipment. It is agreed that the agreement covers only those items as Above outlined and that it does not included any expense to repair damage caused by above, Accident, theft, acts of a third person, forces of nature, alteration of equipment, or improper operation.

Commander Power System shall not be responsible for: failure to provide service due to Causes beyond its control including strikes, labor disputes, acts of God, etc. or any consequential Damages.

While periodic service and maintenance should result in maximum availability of generating equipment, Commander Power System makes no warranties or quarantines as to availability of Plant or loss of the use of the equipment covered under this agreement.

This agreement is not subject to alteration except as mutually agreed in writing. It may be terminated at any time by either party upon thirty (30) days written notice, or other notice as required by Law, addressed to the last known address of the other party, and no claim for damages on account Of such termination shall arise against either party.

This agreement shall commence on June 1, 2008 and end on June 1, 2009 unless terminated earlier by either party as provided for above.



5/20/08

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 449

AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH  
COMMANDER POWER SYSTEMS TO MAINTAIN AN EMERGENCY  
GENERATOR AT HENRY PFEIFFER COMMUNITY CENTER  
(AKA CALVERTON REC CENTER )

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

WHEREAS, the Town of Riverhead is desirous of maintaining a high level of disaster preparedness; and

WHEREAS, procurement of temporary, portable electrical power is imperative in the event of a declared disaster or emergency or loss of conventional electrical power; and

WHEREAS, Commander Power Systems is interested and capable of providing maintenance of a 200KW emergency generator located at the Henry Pfeiffer Community Center.

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute the attached agreement with Commander Power Systems to maintain a 200KW emergency generator at the Henry Pfeiffer Community Center.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Doug Kane, Commander Power Systems, 22355 County Road 48, Suite 15, Cutchogue, New York, 11935; Office of the Supervisor; Henry Pfeiffer Community Center, 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

This Agreement is between Commander Power Systems and the Town of Riverhead

GENERATOR SERVICE CONTRACT  
RIVERHEAD COMMUNITY CENTER  
200KW @ CALVERTON

COMMANDER Power System. Is pleased to offer you an annual Service Contract, designed to maintain your emergency generator system. Commander Power System is a full-service dealer of Onan, Kohler, and Winco generators and Switchgear, but offers premium service programs for generators of all makes. Members of Our service program receive the benefit of priority on-call emergency service, around the Clock, 365 days a year.

Upon receipt of signed contract, your contract becomes effective and a schedule of service dates will follow.

The following is a list of services included in this contract:

1. Operate complete electric plant through Automatic Transfer Switch if possible.
2. Check all controls on transfer switch, and Generator.
3. Clean accumulated dust and grease.
4. Check radiator for correct levels of water and anti-freeze.
5. Check crankcase for correct oil level...
6. Check fuel filters.
7. Check fan belts for wear and correct tension.
8. Check water hoses for deterioration.
9. Check battery cables for deterioration.
10. Check batteries; add water if necessary. Correct charge rates as necessary.
11. Check alternator and battery charging system.
12. Check ignition system.
13. Check air cleaner element...
14. Check generator, brushes, commutator, slip rings, and wiring.
15. Check gas regulator, solenoid valve and fittings.
16. Check warning lights.
17. Check exerciser clock, adjust as required.

NOTE: This service agreement covers the work described only, and does not relieve the Owner from periodic maintenance and testing. Commander Power System disclaims Any responsibility for consequential damages to generator or building loads.

This contract covers only material listed. Services requested but not covered under contract Will bill at our out-of-shop rates for labor, travel and parts.

Our service program is two-fold and consists of a series of Minor and Major inspections to Help assure fail-safe start-up and operation. We recommend at least one MINOR and on MAJOR Per year.

PREVENTATIVE MAINTENANCE SCHEDULE - - - Listed services are to be performed at inter -

Vals stated below:

MONTHS: Jan Feb Mar Apr May Jun Jul Aug Sep Oct Nov Dec *Jan Feb Mar Apr May J*

The MINOR service includes the above-mentioned services for the sum of: plus sales tax. \$430.00  
Plus sales tax.  
Any parts or lubricants necessary will be billed at prevailing rates.

The MAJOR service is a full tune-up and includes the following parts: (oil filter, air filter, fuel filters and sparkPlugs points, condenser, cap, rotor, and oil. For the sum of: \$750.00 plus sales tax

TAXES --- Prices do not include Federal, State, or Local Sales, use, property, or excise TAXES. If any such taxes are imposed, Commander Power System will bill them to the customer as A separate item. In lieu of such taxes, the customer shall provide with each order, a tax exemption Certificate, acceptable to the proper taxing authorities.

EMERGENCY SERVICE --- Emergency service between scheduled service dates will be provided At rates in effect at time of service for labor, parts and travel. Travel rates shall apply for travel to Locations accessible by public roads. Lodging and miscellaneous expenses shall be billed at cost. Additional agreements regarding emergency service are as follows:

LABOR RATES: --- Straight time: Mon-Fri 8-am - 4:30-pm, Except holidays, is at \$86.00 per hour. Over time: is at \$129.00 per hour Mon-Fri and \$172.00 per hour on Sat and Sun & Holidays.

SERVICING AGENT RESPONSIBILITY: --- We are on call 24-hours a day. We will, to the best of Our ability responds within (1) hour of emergency call. Insofar as practical, Commander Power System shall maintain a complete service history, and necessary service procedure data for Reference in service of the equipment. It is agreed that the agreement covers only those items as Above outlined and that it does not included any expense to repair damage caused by above, Accident, theft, acts of a third person, forces of nature, alteration of equipment, or improper operation.

Commander Power System shall not be responsible for: failure to provide service due to Causes beyond its control including strikes, labor disputes, acts of God, etc. or any consequential Damages.

While periodic service and maintenance should result in maximum availability of generating equipment, Commander Power System makes no warranties or quarantines as to availability of Plant or loss of the use of the equipment covered under this agreement.

This agreement is not subject to alteration except as mutually agreed in writing. It may be terminated at any time by either party upon thirty (30) days written notice, or other notice as required by Law, addressed to the last known address of the other party, and no claim for damages on account Of such termination shall arise against either party.

This agreement shall commence on June 1, 2008 and end on June 1, 2009 unless terminated earlier by either party as provided for above.

Customer \_\_\_\_\_ **ACCEPTED** Servicing Agent: Commander Power System  
By: \_\_\_\_\_ **ACCEPTED**  
Date: \_\_\_\_\_ By: Glen Grathwohl \_\_\_\_\_  
Date: \_\_\_\_\_ Date: \_\_\_\_\_

This Proposal may be withdrawn by servicing agent if not accepted within thirty days (30).

ADDITIONAL LOAD BANK TEST: Commander Power System. if needed, cans perform a Load Bank Test without shutting down the building, and can give a field report as needed.

If you have any questions pertaining to this agreement, please telephone our office (631)765 - 6400.

Thank you for considering our service.



Adopted

May 20, 2008

TOWN OF RIVERHEAD

RESOLUTION # 450

AUTHORIZES DVIRKA AND BARTILUCCI CONSULTING ENGINEERS TO  
PROCEED WITH  
PREPARATION OF THE 2008 STORM WATER MANAGEMENT PROGRAM  
ANNUAL REPORT AND MUNICIPAL COMPLIANCE CERTIFICATION FOR  
SUBMITTAL TO THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION

COUNCILMAN BUCKLEY offered the following resolution which was

seconded by COUNCILMAN WOOTEN

WHEREAS, The Town of Riverhead must maintain compliance with the Federal and State Phase II Storm Water Management regulations and;

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) permit requires that the Town maintain a "fully implemented program" and submit the 2008 Stormwater Management Program Annual Report and Municipal Compliance Certification to the NYSDEC on or before June 1, 2008; and

WHEREAS, the Planning Department and Engineering Department have requested and received a proposal for professional engineering design services from Dvirka and Bartilucci Consulting Engineers for the preparation of both the 2008 Storm Water Management Program Annual Report and Municipal Compliance Certification for submittal to the NYSDEC; and

WHEREAS, the submitted proposal has been reviewed and discussed by the Town Attorney's Office, Planning Department and the Engineering Department and the members of the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Town Supervisor to execute an agreement with Dvirka and Bartilucci Consulting Engineers to proceed with professional engineering services to prepare the 2008 Annual Report and Municipal Compliance Certification for Submittal to the NYSDEC as outlined in the May 16, 2008 proposal in the amount not to exceed Three Thousand Eight Hundred Dollars; 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 in the amount of \$3,800.00; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Riverhead be and does hereby authorize the Town Clerk to forward a certified copy of this resolution to Dvirka and Bartilucci Consulting Engineers, 330 Crossways Park Drive, Woodbury, New York 11797-2015 and forward a copy to the Engineering Department, Planning Department, Town Attorney's Office, Purchasing Department and the Office of Accounting.

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



**Dvirka  
and  
Bartilucci**  
CONSULTING ENGINEERS

330 Crossways Park Drive, Woodbury, New York 11797-2015  
516-364-9890 • 718-460-3634 • Fax: 516-364-9045  
e-mail: findingsolutions@db-eng.com

May 16, 2008

**Principals**

Nicholas J. Bartilucci, P.E.  
*President*

Harry J. Chilpan, P.E.  
*Executive Vice President*

Steven A. Fangmann, P.E.  
*Senior Vice President*

Richard M. Wulke  
*Senior Vice President*

Garret M. Byrne, P.E.  
*Vice President*

Anthony O. Conetta, P.E.  
*Vice President*

Dennis F. Koehler, P.E.  
*Vice President*

Joseph H. Marisano  
*Vice President*

William D. Merklin, P.E.  
*Vice President*

Kenneth J. Pritchard, P.E.  
*Vice President*

Thaddeus S. Pyllar, Jr.  
*Vice President*

Brian M. Volpi, P.E.  
*Vice President*

**Senior Associates**

Christopher M. Clement

Thomas P. Fox, P.E.

Michael Neuberger, P.E.

**Associates**

Joseph F. Esador

Steven M. Cabrera

Rudolph F. Cannavale

Ellen R. DeOrsey

Stefano J. Ebdon, R.A.

Richard C. Faminolis

Joseph A. Fiorillo, P.E.

Christopher W. Francis

Michael R. Hufgron

Edward J. Reilly

Daniel Shabat, P.E.

Charles J. Wachamuth, P.E.

Richard Hanley, Planning Director  
Town of Riverhead  
Planning Department  
200 Howell Avenue  
Riverhead, NY 11901

Re: Revised Proposal for 2008 Storm Water Program Services  
USEPA/NYSDEC Phase II Storm Water Management Plan  
Requirements and Permit Compliance Activities  
D&B No. 2100

Dear Mr. Hanley:

Dvirka and Bartilucci Consulting Engineers (D&B) is pleased to provide you with this revised proposal to assist the Town in 2008 in complying with the federal and state Phase II Storm Water Management regulations. Our assistance will include particular emphasis on preparing the City's 2008 annual report. Our proposed 2008 services/activities are presented below.

**Prepare 2008 Storm Water Management Program Annual Report and Municipal Compliance Certification for Submittal to NYSDEC**

To assist the Town in meeting its 2008 annual report obligation, D&B will:

- Prepare a Preliminary Draft of the Annual Report and conduct a program review via teleconference of the Town's overall storm water management program, focusing on specific activities since March 2007.
- After the program review is completed, prepare a Draft 2008 Annual Report and available for review by the public.
- Assist the Town in complying with the NYSDEC requirement for addressing the draft annual report at a public meeting. D&B will prepare a brief, verbal summary of the status of the storm water management program that can be presented by Town staff at the meeting.

**Dvirka and Bartilucci**  
CONSULTING ENGINEERS

Richard Hanley, Planning Director  
Town of Riverhead  
Planning Department  
May 16, 2008

Page Two

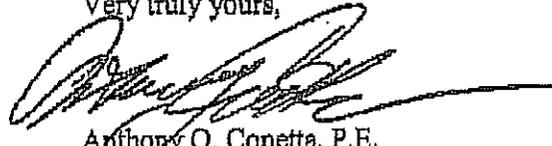
- Prepare the Final 2008 Annual Report and Municipal Compliance Certification Form for Town submittal to the NYSDEC by June 1, 2008.

**ESTIMATED COST**

Our estimated cost for completing the above tasks is \$3,800. If you wish to have us perform the above tasks, please sign the bottom of this letter under "*Accepted By.*"

We've appreciated the opportunity to assist the Town on storm water issues management over the last several years and look forward to continuing our assistance. If there are any questions, please do not hesitate to call me at (516) 364-9890.

Very truly yours,



Anthony O. Conetta, P.E.  
Vice President

AOC/MAW/tpg  
cc: S. Cabrera (D&B)  
#2112AOC08LTR-02

*Accepted By:*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

5/20/08

Adopted

TOWN OF RIVERHEAD

Resolution # 451

**SETS SEWER RENT FOR MILL POND COMMONS  
RIVERHEAD SEWER DISTRICT**

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

WHEREAS, Riverhead Town Code §87-4 permits the Riverhead Town Board, as governing body of the Riverhead Sewer District, to determine sewer rents on an equitable basis where metered water used is substantially greater than the quantity of sewage generated; and

WHEREAS, Mill Pond Commons on Elton Street, Riverhead, has demonstrated that the quantity of metered water is overstated due to onsite irrigation, which water is not treated by the Sewer District.

NOW, THEREFORE, BE IT RESOLVED, that the sewer rent for Mill Pond Commons shall be calculated on the basis of 70% of the metered water for the 2008/2009 tax bill and subsequent years until further resolution of the Riverhead Town Board; and

BE IT FURTHER RESOLVED, that the Town Clerk shall forward a copy of this Resolution to the Board of Managers of the Mill Pond Commons Condominium, 609 Blueberry Commons, Riverhead, NY 11901, the Assessor's Office, Tax Receiver, Michael Reichel and the Accounting Department.

THE VOTE

Buckley  yes  no    Wooten  yes  no  
Dunleavy  yes  no    Blass  yes  no  
Cardinale  yes  no

THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

TOWN OF RIVERHEAD

Resolution # 452

Adopted

**Authorizes Town Clerk to Publish and Post Notice of Public Hearing  
Special Use Permit of Larry's Lighthouse Marina**

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

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Robert J. Kozakiewicz, Esq. on behalf of Larry's Lighthouse Marina to expand a pre-existing non-conforming marina use upon real property located at Meeting House Creek Road, Aquebogue, New York; such property more particularly described as Suffolk County Tax Lot Number 0600-86-2-17, and

WHEREAS, the applicant has appeared before the Town Board at a work session held on May 8, 2008, and

WHEREAS, the Riverhead Town Board desires to hold a public hearing on the subject special use permit at this time, now

**THEREFORE BE IT**

**RESOLVED**, that the Town Clerk hereby be authorized to publish and post the attached notice of public hearing.

**THE VOTE**

DUNLEAVY  YES \_\_\_ NO    BUCKLEY  YES \_\_\_ NO

BLASS  YES \_\_\_ NO    WOOTEN  YES \_\_\_ NO

CARDINALE  YES \_\_\_ NO

THIS RESOLUTION  WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held before the Town Board of the Town of Riverhead at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 1<sup>st</sup> Day of July, 2008 at 2:05 o'clock pm, to consider the special use permit of Larry's Lighthouse Marina to expand a pre-existing non-conforming marina use upon real property located at Meeting House Creek Road, Aquebogue, New York; such property more particularly described as Suffolk County Tax Lot Number 0600-86-2-17.

Dated: Riverhead, New York

Date: May 20, 2008

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

TOWN OF RIVERHEAD

Resolution # 453

Adopted

**Authorizes Town Clerk to Publish and Post Notice of Public Hearing  
Special Use Permit of Jane Wanat**

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

**WHEREAS**, the Riverhead Town Board is in receipt of a special permit petition from Jane Wanat to expand a non-conforming residential use upon real property located at West Main Street, Riverhead, New York; such property more particularly described as Suffolk County Tax Lot Number 0600-119-1-22.1, and

**WHEREAS**, the applicant has secured the necessary relief from strict application of the Town of Riverhead Zoning Board of Appeals; and

**WHEREAS**, the Riverhead Town Board desires to conduct a public hearing upon the subject special use permit at this time, now

**THEREFORE BE IT**

**RESOLVED**, that the Town Clerk hereby be authorized to publish and post the attached notice of public hearing.

**THE VOTE**

DUNLEAVY  YES \_\_\_ NO BUCKLEY  YES \_\_\_ NO  
BLASS  YES \_\_\_ NO WOOTEN  YES \_\_\_ NO  
CARDINALE  YES \_\_\_ NO

**THIS RESOLUTION  WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED**

**TOWN OF RIVERHEAD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a public hearing will be held before the Town Board of the Town of Riverhead at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on 1<sup>st</sup> Day of July, 2008 at 2:10 o'clock pm, to consider the special use permit of Jane Wanat to expand a non-conforming residential use upon real property located at West Main Street, Riverhead, New York; such property more particularly described as Suffolk County Tax Lot Number 0600-119-1-22.1.

Dated: Riverhead, New York

Date: May 20, 2008

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

5/20/08

Adopted

Town of Riverhead

Resolution # 454

**AUTHORIZES THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH SOUTHAMPTON OYSTER COMPANY TO ALLOW THE INSTALLATION OF FLOATING UPWELLER SYSTEMS (FLUPSY) IN EAST CREEK**

COUNCILMAN BUCKLEY offered the following resolution, was seconded by

COUNCILMAN WOOTEN :

**WHEREAS**, the Peconic Estuary Management Conference has identified six priority management issues facing the estuary, one of which is the threat to habitat and living resources; and

**WHEREAS**, the Peconic watershed contains a large variety of natural communities, all of which are important to the ecology and productivity of the ecosystem; and

**WHEREAS**, Southampton Oyster Company is in the business of cultivating oysters, scallops and hard clams for the purpose of providing cultivated shellfish to entities wishing to aid in the proliferation of shellfish; and

**WHEREAS**, Southampton Oyster Company wishes to install two (2) Floating Upweller Systems in East Creek for the purposes of cultivating shellfish; and

**WHEREAS**, it is in the best interests of the residents of the Town of Riverhead to encourage such environmental companies to locate within the Township; and

**WHEREAS**, Southampton Oyster Company has agreed to provide monthly tours of its East Creek facility.

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Supervisor is hereby authorized to execute the attached License Agreement with Southampton Oyster Company; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Southampton Oyster Company, William Pell, P.O. Box 2369, Southampton, New York, 11968 and copies to the Office of the Town Attorney and the Office of Accounting.

Z:\Laura Calamita\reso\AthFlupsy.res.doc

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

May 20, 2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 455

AUTHORIZES THE TOWN CLERK TO POST AND PUBLISH THE ATTACHED NOTICE TO BIDDERS FOR THE REMOVAL AND DISPOSAL OF NON-FRIABLE ASBESTOS SHINGLES AT 1114 WOODCREST AVENUE, RIVERHEAD

S.C.T.M. #0600-122-1-13  
1114 WOODCREST AVENUE

COUNCILMAN WOOTEN offered the following resolution which

was seconded by COUNCILWOMAN BLASS

RESOLVED, that the Town Board of the Town of Riverhead be and does hereby authorizes the Town Clerk to post and publish the attached Notice to Bidders in the May 22, 2008 issue of the official Town newspaper for the Town of Riverhead Community Development Agencies Removal and Disposal of Non-Friable Asbestos Shingles at 1114 Woodcrest Avenue, Riverhead, New York; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Christina Kempner, Kenneth Testa, P.E., Christine Fetten, P.E., and George Woodson.

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 TO BIDDERS**

Sealed proposals for the, Riverhead, Town of Riverhead Community Development Agency REMOVAL AND DISPOSAL OF NON-FRIABLE ASBESTOS SHINGLES AT 1114 Woodcrest Avenue New York will be received by the Town of Riverhead the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:00 am June 13, 2008 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and obtained on or about May 22, 2008 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays or by visiting the Town of Riverhead website: [www.riverheadli.com](http://www.riverheadli.com) and click on Bid Requests.

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

Each proposal must be submitted on the form provided and must be in a sealed envelope clearly marked, "Town of Riverhead Community Development Agency Removal and Disposal of Non-Friable Asbestos Shingles at 114 Woodcrest Avenue" and must be accompanied by a bid surety as stated in the Instruction to Bidders.

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

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

The Town of Riverhead reserves the right to reject any and all bids.

**BY THE ORDER OF THE RIVERHEAD TOWN BOARD**  
Barbara A. Grattan, Town Clerk  
Riverhead, New York 11901

Dated: May 20, 2008

5/20/08

Adopted

TOWN OF RIVERHEAD

Resolution # 456

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW TO REPEAL ARTICLE XXXIII ENTITLED "BUSINESS E HIGHWAY COMMERCIAL/SERVICE ZONE", AND TO AMEND ARTICLE II ENTITLED "DISTRICTS AND BOUNDARIES", OF THE RIVERHEAD TOWN CODE**

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN DUNLEAVY :

**RESOLVED**, that the Town Clerk is hereby authorized to post and publish the attached public notice to consider a proposed local law to repeal Article XXXIII entitled, "Business E Highway Commercial/Service Zone", and amend Article II entitled "Districts and Boundaries" of the Riverhead Town Code, once in the May 29, 2008 issue of the News Review, 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 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

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 17<sup>th</sup> day of June, 2008 at 7:25 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to repeal Article XXXIII entitled, "Business E Highway Commercial/Service Zone" and amend Article II entitled "Districts and Boundaries" of the Riverhead Town Code as follows:

~~§ 108-159 Purpose:~~

~~The purpose of this Article is to provide for highway commercial and related services; to respect and preserve the existing character of the Town; and to provide for coordinated site design which unifies and congregates similar type activities and individual developments, thereby allowing convenient and safe vehicular circulation and promoting higher quality design of developments.~~

~~§ 108-160 Adoption of zoning use:~~

~~The zoning use classification known as "Business E Highway Commercial/Service Zone" shown on the attached amendment to the Zoning Use Classification Map EN is hereby adopted.~~

~~§ 108-161 Uses:~~

~~No building, structure or premises shall be used, in whole or in part, and no building or premises shall be erected, altered or added to unless otherwise provided in this Article, except for the following permitted uses, special permit uses or accessory uses:~~

A. ~~Permitted uses:~~

- ~~(1) Wholesale business, warehouses and building material and sale, excluding the storage of coal, coke fuel oil or junk.~~
- ~~(2) Building, plumbing and electrical contractors trade shops, with outdoor storage of equipment and materials considered an accessory use.~~
- ~~(3) Banks.~~
- ~~(4) Offices for business, governmental and professional use.~~
- ~~(5) Community centers or offices or meeting rooms for philanthropic, fraternal or educational organizations.~~
- ~~(6) Restaurants, excluding outdoor counter service, drive-ins or curb service establishments.~~
- ~~(7) Funeral homes, mortuaries or undertaking establishments.~~
- ~~(8) Retail sale and display of garden materials, supplies and plants, including nursery operations, provided that outdoor storage of materials and equipment is considered an accessory use. Outdoor storage and display of plants, nursery stock and horticultural stock is considered to be a permitted use.~~
- ~~(9) Municipal parks, playgrounds and recreational facilities, including refreshment and service buildings accessory thereto and any other governmental uses and structures of the Town of Riverhead, the County of Suffolk or the state or federal governments or agencies thereof.~~
- ~~(10) Public utility installations.~~
- ~~(11) Places of worship, excluding tents of a permanent nature.~~

- (12) ~~Bus passenger shelters.~~
  - (13) ~~Radio, television and recording studios.~~
  - (14) ~~Professional or performing arts studios considered to be for instructional purposes, such as those for dance, music, arts and/or crafts.~~
- B. ~~Uses subject to issuance of a special permit by the Town Board in accordance with § 108-3 of this chapter.~~
- (1) ~~Gasoline stations subject to the additional requirements of § 108-26.~~
  - (2) ~~Car washes.~~
  - (3) ~~Research and development uses, provided that any manufacturing shall be limited to prototypes and products for testing.~~
  - (4) ~~Institutions for higher learning, business, vocational and training schools, including colleges, universities, junior colleges, business, banking, business management, secretarial and office service schools, computer and data processing schools, art and drafting schools, barber, beauty and cosmetology schools, commercial or noncommercial food preparation schools, photography schools, schools for training in the martial arts, dancing, gymnastics, music, schools for fashion design, under the following conditions:~~
    - (a) ~~The curriculum shall satisfy the requirements of the New York State Department of Education.~~
    - (b) ~~No accommodations for resident students shall be permitted.~~
    - (c) ~~No music or noise shall be audible in any residential district.~~
  - (5) ~~Dry cleaning establishments.~~
  - (6) ~~Printing plants.~~
  - (7) ~~Fully enclosed commercial recreation facilities, including but not limited to tennis clubs, skating rinks, paddle tennis, handball and squash facilities, billiard parlors, bowling alleys, health spas and clubs and uses normally accessory and incidental to commercial recreation, such as locker rooms, eating and drinking facilities and retail sale of goods associated with the particular activity.~~
  - (8) ~~Nationally recognized fraternal organizations catering to members and their guests.~~
  - (9) ~~Fast food restaurants, provided that eating on the premises shall be permitted only inside the structure or in areas specifically designated and properly maintained outside the structure. Minimum lot size for a freestanding structure is 80,000 square feet. Drive-in windows shall not be permitted.~~
  - (10) ~~Theaters or cinemas, other than drive-in type. If freestanding, the minimum lot size shall be 120,000 square feet.~~
  - (11) ~~Small animal hospitals or kennels, provided that no outdoor runs shall be permitted.~~
  - (12) ~~Outdoor table service for restaurants, with special permits renewable on an annual basis.~~
  - (13) ~~Body and fender repair shop. [Added 10-20-1992]~~
  - (14) ~~Motor vehicle repair shop. [Added 10-20-1992]~~
- C. ~~Accessory uses:~~
- (1) ~~Off-street parking and loading.~~
  - (2) ~~Garden houses and greenhouses.~~
  - (3) ~~Signs, subject to the requirements of § 108-165 of this Article.~~

- (4) Cafeteria and recreational facility for employees or clientele.
- (5) Fully enclosed storage and open storage of materials or equipment, provided that such storage shall be:
  - (a) At least 25 feet from any lot line.
  - (b) Not more than eight feet high.
  - (c) Suitably screened by a solid fence or other suitable means at least six feet in height.
  - (d) Trash compactors suitably screened from view.
- D. Prohibited uses. Prohibited uses shall include: [Added 12-17-1996]
  - (1) Flea markets.

~~§ 108-162 Development standards.~~

- A. Lot area. The minimum lot area shall be 40,000 square feet.
- B. Lot width. The minimum lot width (frontage) shall be 150 feet.
- C. Yards.
  - (1) Front. The minimum front yard shall be 35 feet. No building, structure or parking shall be located in the front yard so provided.
  - (2) Side. The minimum side yard shall be 20 feet.
  - (3) Rear. The minimum rear yard shall be 25 feet.
- D. Building area. The maximum building area shall be 17%.
- E. Height. The maximum height of buildings and structures shall be 35 feet.

~~§ 108-163 Landscaping, screening and buffering.~~

- A. Screening and buffering shall meet the minimum requirements of § 108-64.1 of this chapter. In addition, properties that are located adjacent to a noncommercial zone or an existing property shall provide a twenty-foot vegetative buffer between zones or properties.
- B. Preservation of existing vegetation. Site plans for the development of property located in a Business E District shall include an indication of existing mature trees and other instances of unique, indigenous and/or significant vegetation and other natural features so as to ensure their preservation and thereby retain an open space environment which enhances the character of the Town.
- C. Parking areas.
  - (1) The visual impact of parking areas shall be softened by interrupting continuous rows of parking spaces with planting and by creating planted canopies over parking areas.
  - (2) Any open parking areas of 15 spaces or more shall be provided with internal landscaping covering not less than 10% of the total parking area.
  - (3) Landscaping shall be reasonably dispersed. Primary landscape materials shall be shade trees. Secondary materials may include shrubs and ground cover which shall compliment the tree planting and the surrounding natural environment.

~~§ 108-164 Access and parking requirements.~~

- A. Parking. Off street parking and loading must conform to the parking schedule and §§ 108-60 and 108-61 of this chapter.

~~B. Access. No more than one access to the street shall be provided per lot. Shared access between properties will be required at the discretion of the Planning Board.~~

~~§ 108-165 Signage.~~

~~Signage shall meet the requirements of § 108-56, Signs, of this Zoning Ordinance.~~

~~§ 108-166 Additional requirements.~~

~~The Planning Board, under these provisions and the procedures set forth in the Subdivision Regulations of the Town of Riverhead, may require the following additional information as a basis for approving the condominium map of such subdivisions:~~

- ~~A. A complete site plan showing the location of all landscaping and other improvements, including dwelling units (with floor plans, elevations and sections of all buildings and structures).~~
- ~~B. The text of all filed restrictions on the use of the land and buildings, including the condominium agreement ads approved by the New York State Attorney General.~~
- ~~C. Any other information deemed by the Board to be necessary to a reasonable determination of the application.~~

**Chapter 108**  
**Zoning**  
**ARTICLE II**  
**Districts and Boundaries**

§ 108-5. Classes of districts.

- A. In order to designate districts for the purpose of this chapter and to list the districts in the order of most restrictive to least restrictive, the Town of Riverhead is hereby divided into the following use districts: [Amended last 5-17-2005 by L.L. No.14-2005]

Residence A-40 District  
Residence RB-40 District  
Residence B-80 District  
Residence RA-80 District  
Agriculture Protection APZ District  
~~Business E Highway Commercial/Service Zone~~  
Business F District (Manufacturers Outlet Center Overlay Zone)  
Industrial B District (General Industry)  
Business CR District (Rural Neighborhood Business)  
Business PB District  
Residence RC District (Retirement Community)  
Hamlet Residential HR District  
Recreational District  
Open Space Conservation District  
Natural Resources Protection District  
Multifamily Residential Professional Office Zone

Pine Barrens Overlay District  
Industrial Receiving District  
Planned Industrial Park (PIP) District  
Planned Recreational Park (PRP) District  
Riverfront Corridor (RFC) District  
Arts District  
Destination Retail Center DRC District  
Shopping Center SC District  
Business Center BC District  
Commercial/Residential Campus CRC District  
Industrial IA District  
Industrial IC District  
Rural Corridor RLC District  
Hamlet Center HC District  
Village Center VC District  
Business CR District  
Downtown Center 1: Main Street (DC-1) District  
Downtown Center 2: Waterfront (DC-2) District  
Downtown Center 3: Office (DC-3) District  
Downtown Center 4: Office/Residential Transition (DC-4) District  
Downtown Center 5: Residential (DC-5) District  
Tourism/Resort Campus (TRC) District

\*Strikethrough indicates deletion

Dated: Riverhead, New York  
May 20, 2008

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

**BARBARA GRATTAN, Town Clerk**

5/20/08

Adopted

TOWN OF RIVERHEAD

Resolution # 457

**AUTHORIZES SUPERVISOR TO EXECUTE RETAINER AGREEMENT WITH  
NAPOLI BERN RIPKA & ASSOCIATES, LLP  
(RIVERHEAD WATER DISTRICT)**

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

**WHEREAS**, Napoli Bern Ripka & Associates, LLP, Attorneys at Law, are uniquely familiar with methyl tertiary butyl ether (MTBE) and the ability to recover for damages in the event of its presence with the Town of Riverhead Water District; and

**WHEREAS**, Napoli Bern Ripka & Associates, LLP have made a proposal to the Town of Riverhead Water District.

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Riverhead Town Board hereby authorizes the retention of the services of Napoli Bern Ripka & Associates, LLP pursuant to the terms of the fee proposal offered to the Town of Riverhead Water District, a copy of which is attached herewith; and be it further

**RESOLVED**, that the Riverhead Town Board hereby authorizes the Supervisor to execute the attached retainer agreement; and be it further

**RESOLVED**, that the Riverhead Town Board hereby approves the attached Retainer Agreement from Napoli Bern Ripka & Associates, LLP; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Napoli Bern Ripka & Associates, LLP, 3500 Sunrise Highway, Suite T-207, Great River, New York 11739 and copies to Richard A. Ehlers, Counsel to the Water District; Gary Pendzick, Water District Superintendent; the Office of Accounting 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

NAPOLI BERN RIPKA LLP  
Attorneys-At-Law

May 16, 2008

The Town of Riverhead Water District  
1035 Pulaski Street  
Riverhead, New York 11901

Re: MTBE litigation "Methyl Tertiary Butyl Ether"  
Proposal to the Town of Riverhead Water District

Dear Commissioners:

This letter shall act as a proposal to the Town of Riverhead Water District to hire Napoli Bern Ripka & Associates to represent the Town of Riverhead Water District in litigation regarding the contamination or threatened contamination of its drinking water wells and groundwater.

MTBE (methyl tertiary butyl ether) is a synthetic chemical that is added to gasoline to ostensibly improve air quality. MTBE is a byproduct of gasoline and is added to reformulated gasoline as an oxygenate. Unfortunately MTBE is very mobile, less degradable and more soluble in water than other gasoline toxins, thereby making it nearly impossible to remove from the groundwater.

MTBE contaminates not only the groundwater and therefore the drinking water but also the soil and air and may be causing health issues for those people exposed to it. The Environmental Protection Agency has placed MTBE on its list of contaminants and has been classified as a possible human carcinogen.

Our law firm concentrates in the handling of complex mass tort litigation. We represented more than 14,000 individuals throughout the county in the fen-phen diet drug litigation and recovered more than 1 billion dollars in money damages for our clients. We were named co-liaison counsel for the State of New York in both the Diet Drug Litigation and Rezulin Litigation. We are also named to the Plaintiff's Steering Committee by Federal Judge Schindlin for the MTBE MDL in Federal Court.

Napoli Bern Ripka & Associates, LLP is one of the leading plaintiff's law firms in the United States representing towns, water districts and individuals regarding groundwater contamination from the gasoline additive MTBE. We currently represent many public clients, including numerous towns and water districts on the east coast including Pascoag Utility District (Town of Pascoag, Rhode Island), Plainview Water District, Carle Place Water District, Town of Easthampton, Town of Southampton, Village of Westbury, Village of Hempstead, West

NAPOLI BERN RIPKA & ASSOCIATES LLP

3500 Sunrise Highway, Suite T-207, Great River, NY 11739 1-888-LAW-IN-NY www.nbrlawfirm.com

Hempstead, The South Huntington Water District, the City of Crystal River, FL and the City of Inverness, FL. We also represent hundreds of resident in Greenpoint Brooklyn for the largest petroleum spill in the United States.

Napoli Bern Ripka & Associates, LLP is a leader in the MTBE litigation in New York State on behalf of Water Districts. We have a team of lawyers and experts prepared to commence this litigation on behalf of your Water District. Napoli Bern Ripka & Associates have both the financial resources and legal resources to provide the highest level of representation to the Town of Riverhead Water District.

We are prepared to finance the entire litigation including all out of pocket expenses and disbursements and handle the lawsuit on a contingent fee basis. This guarantees that the ratepayers of your district will not be responsible for any costs of this litigation whether we are successful or not.

### FEE ARRANGEMENTS

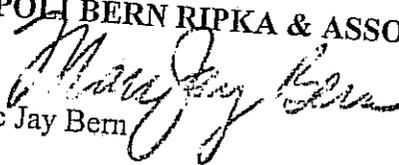
Napoli Bern Ripka & Associates shall handle the entire litigation for a contingent fee of Twenty Five (25%) Percent of the sum recovered, whether by suit or settlement. All costs and disbursements of the litigation will be paid by Napoli Bern Ripka & Associates and are reimbursable at the end of the litigation only if Napoli Bern Ripka & Associates successfully prosecute this claim on behalf of the Town of Riverhead Water District, and then only out of the proceeds of any recovery or settlement.

The Town of Riverhead Water District shall not be responsible for any fees, costs or disbursements in the event the litigation is unsuccessful.

It is a privilege to have this opportunity and we look forward to working with you.

Sincerely,

**NAPOLI BERN RIPKA & ASSOCIATES, LLP**

  
Marc Jay Bern

Agreed this \_\_\_\_\_ day of \_\_\_\_\_ 2008

Town of Riverhead Water District

By: \_\_\_\_\_ (Please print name and title under signature)

May 20, 2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 458

AUTHORIZES DUNN ENGINEERING ASSOCIATES, P.C. TO PROCEED WITH  
CR 63 PECONIC AVENUE PEDESTRIAN CROSSING DESIGN

COUNCILMAN BUCKLEY offered the following resolution which was

seconded by COUNCILMAN WOOTEN

WHEREAS, Peconic Avenue is a busy road beginning at the very busy intersection of Route 25 and heads south to the Town of Southampton traffic circle and is flanked to the east and the west by Grangebel Park and the Peconic River Park and parking lot and;

WHEREAS, the Town of Riverhead has recently upgraded and made numerous improvements to the boardwalk and infrastructure along the Peconic River and is currently in design and permitting to allow for further improvements to Grangebel Park; and

WHEREAS, recent improvements and future improvements to this area have proven to increase both vehicular and pedestrian traffic; and

WHEREAS, due to the increase in vehicular traffic, the Town of Riverhead believes it is necessary to increase the safety of pedestrians wishing to cross Peconic Avenue; and

WHEREAS, the Town of Riverhead has received a \$50,0000 grand under "Suffolk County Executive Steve Levy's Downtown Beautification and Renewal Capital Program for a pedestrian crosswalk in downtown Riverhead on Peconic Avenue; and

WHEREAS, the Engineering Department has requested and received a proposal for professional engineering design services for a proposed pedestrian crosswalk on Peconic Avenue; and

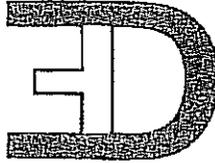
WHEREAS, the submitted proposal has been reviewed and discussed by the Engineering Department and the members of the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead be and does hereby accept the proposal submitted by Dunn Engineering Associates, P.C. and does hereby authorize Dunn Engineering Associates, P.C. to proceed with professional engineering services to design a pedestrian crossing on Peconic

THE VOTE

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



**Dunn Engineering Associates, P.C.**

Consulting Engineers

66 Main Street  
Westhampton Beach, N.Y. 11978  
631-288-2480  
631-288-2544 Fax

March 25, 2008

Mr. Ken Testa, P.E.  
Town Engineer  
Riverhead Town Hall  
200 Howell Avenue  
Riverhead, New York 11901-2596

Re: CR 63 Peconic Avenue  
Pedestrian Crosswalk  
Town of Riverhead

Dear Ken:

In accordance with your request, Dunn Engineering Associates (DEA) is pleased to provide this proposal for professional engineering services to design a pedestrian crosswalk with overhead signs on CR 63 Peconic Avenue in the Town of Riverhead.

The following sections describe our proposal work effort by task:

**Part I – Test Holes**

Considerable survey information is available and will be used in plan preparations. However, it will be necessary to dig a number of test holes to insure that the existing soil will provide the necessary strength to support the proposed mast arms. Therefore, two test holes will be dug at the locations of the mast arm foundations. The soil will be analyzed and a determination will be provided. It is anticipated that the maximum cost to provide these services under Part I will be \$4,000.

**Part II – Pedestrian Crosswalk Design**

Under Part II DEA will prepare the necessary plans for the proposed pedestrian crosswalk at this location. The following tasks will be completed:

1. **Pedestrian Crosswalk Plan** – A plan showing the proposed mast arm poles, overhead and ground mounted signs, pavement markings, pedestrian ramps, and the table of quantities will be prepared in accordance with the latest specifications of the Town of Riverhead and the Suffolk County Department of Public Works.
2. **Overhead sign and pole analysis**
  - The proposed overhead sign and mast arm pole will be analyzed to insure that the pole and pole foundations will meet the requirements of the Suffolk County Department of Public Works. A pole loading analysis will be provided.

Mr. Ken Testa, P.E.  
March 25, 2008  
Page 2

- Footing and mast arm pole details will be provided along with sign and sign attachment details.
  - An overall construction plan will also be provided.
3. **Pavement Marking and Signing Plan** – A pavement marking and signing plan detailing the necessary markings and signing related to the proposed pedestrian crossing will be prepared, as necessary.
  4. **Address Town Comments** – Each of the above improvement plans will be submitted to the Town and then the SCDPW for review and comment, and the comments will be incorporated into the final plans.
  5. **Final Plans** – A final plan set will be prepared for the Pedestrian Crosswalk based on the results of our analyses and Town and SCDPW comments.
  6. **Cost Estimates** – Estimates for the cost of constructing the proposed improvements will be prepared.

Since it is difficult to determine the precise extent of the work effort required to complete the above noted tasks, it is recommended that our fee be based upon time spent by myself and members of my staff in accordance with the rates established in our existing professional services contract. It is anticipated that the maximum cost to provide these services under Part II will be \$9,500.

Out-of-pocket expenses will be billed at cost.

### **Part III – Construction Support**

Under Part III, DEA will provide construction support services for the proposed pedestrian crossing installation to ensure proper construction in accordance with the plans and specifications. This support includes field checks of the staked-out locations of proposed mast arm, periodic checks of the progress during construction, and assistance to the Town or Contractor in resolving issues that may arise during construction. This support does not include the services of a certified construction inspector, or provide for an inspector or engineer to be on-site during construction.

It is anticipated that the maximum cost to provide these services under Part III will be \$2,500.

Mr. Ken Testa, P.E.  
March 25, 2008  
Page 3

### Cost Summary

The following summarizes the costs for each part described above:

o Part I	Test Holes	\$ 4,000
o Part II	Pedestrian Crossing Design	\$ 9,500
o Part III	Construction Support	<u>\$ 2,500</u>
o	<b>ANTICIPATED TOTAL</b>	<b>\$16,000</b>

Please be assured that every effort will be undertaken to complete our work assignments in the shortest and most cost effective time frame. However, in the event that our work efforts approach the maximum costs enumerated above, we will notify you immediately in order to assure that we are accommodating your requirements at a reasonable cost.

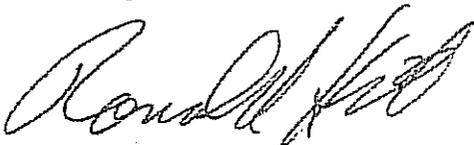
Payment schedules shall be as follows:

1. Monthly payments shall be submitted based upon actual work performed to date.
2. Payments shall be made within 30 days of receipt of invoices.

Our firm is available to perform whatever additional tasks you may request to be sure that we are accommodating your needs.

I trust that our proposal for Parts I, II and III meet with your approval. If you have any questions or any suggested modifications, please contact me so that you can be assured that our professional engineering services will be accomplished to your full satisfaction. We look forward to working with you on this project.

Sincerely,



RONALD HILL, P.E.  
Principal

RH:MTR:as  
A1617 / P28032.99

Mr. Ken Testa, P.E.  
March 25, 2008  
Page 4

AGREED TO AND ACCEPTED TO PART I:

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

AGREED TO AND ACCEPTED TO PART II:

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

AGREED TO AND ACCEPTED TO PART III:

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

May 20, 2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 459

AUTHORIZES GARY JACQUEMIN, AIA TO PROCEED WITH EAST END ARTS  
COUNCIL SCHEMATIC SITE PLANNING

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

WHEREAS, the East End Arts Council is a not-for-profit organization whose mission is bringing the arts to everyone and inspire our community through support, advocacy and education; and

WHEREAS, the East End Arts Council occupies several Town of Riverhead buildings located at East Main Street, Riverhead, New York and hosts outdoor summer camps, outdoor concerts and other related programs; and

WHEREAS, the East End Arts Council in partnership with the Riverhead Chamber of Commerce wishes to submit a grant application which would allow for improvements and upgrades to the site to better accommodate the outdoor educations arts and entertainment activities; and

WHEREAS, the Town of Riverhead supports the improvements and upgrades to the East End Arts Council site and along with the members of the Town Board have discussed and reviewed the proposal submitted by Gary Jacquemin, AIA, for professional architectural services, to provide a schematic site plan of the East End Arts Council site which is an integral part of the grant application.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead be and does hereby accepts the proposal submitted and does hereby authorize Gary Jacquemin, AIA to proceed with the schematic site design services in the not to exceed amount of \$3,500; 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 in the amount of \$3,500; and

BE IT FURTHER RESOLVED, that the Town Clerk be and does hereby authorized the Town Clerk to forward a certified copy of this resolution to Gary Jacquemin, AIA, 115 Griffing Avenue, Riverhead, New York, 11901, Pat Snyder, Director, East End Arts

Council, 141 East Main Street, Riverhead, NY 11901, and a copy to Kenneth Testa, P.E., Christine Kempner, Purchasing Department 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

April 28, 2008

Ken Testa  
Riverhead Town Engineer  
200 Howell Avenue  
Riverhead, NY 11901

RE: EAST END ARTS COUNCIL  
SITE PLANNING & ESTIMATING

Dear Ken:

This is a proposal for professional services for schematic site planning for the EEAC property.

BACKGROUND

The East End Arts Council site enjoys a river setting and houses a collection of functioning historic buildings, one of which has recently undergone a renovation and addition as arts classrooms and studios. The Arts Council provides seasonal outdoor activities including summer camps as well as painting and drawing classes and hosts outdoor concerts on its property. However, it is apparent that the potential of the existing site to provide an elegant setting for the Arts Council compound and the ability to accommodate seasonal activities is unfulfilled. The existing site is bisected by a gravel and dirt road at its major north-south axis and contains a dirt and gravel parking area at the center. The perimeter landscaping is well-developed and maintained, but the core of the site is compromised by the road and parking functions. The outdoor educational arts and entertainment activities are not accommodated nor reinforced by the current site plan.

PROPOSAL

Utilizing the existing survey as a base plan, services provided by this office will be to provide A schematic site plan design. The proposed plan will accommodate the existing trees and landscaped areas at the perimeter and provide a new core plan. The core plan will be designed to accommodate current and future outdoor activities provided in a setting that respects and reinforces the surrounding buildings, views, natural features and access to the site. The plan produced will be a schematic design document to scale for review, comments and approval. Included will be general notes on scope of work and proposed construction materials for the purposes of preparing a preliminary budget cost estimate for construction.

Note that specifications, engineering details and construction documents required for construction to be provided if approved under a separate agreement.

Fee for professional services for site plan design as described shall billed hourly in accordance

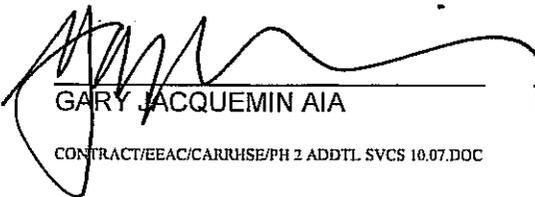
with the following:	Principal .....	165.00
	Senior Technical Architect .....	110.00
	Senior Production Architect .....	105.00
	Production Assistant.....	60.00

Work provided for services described herein shall be billed in accordance with the progress of work and shall not exceed \$3,500.00. Reimbursable expenses shall be in addition to the fee and shall include items such as blueprinting and reproductions, postage and handling of drawings and documents. Such expenses will be billed at 1.2 times direct cost.

Thank you for your continued interest in our firm.

Very truly yours,

Approved:



GARY JACQUEMIN AIA

KEN TESTA, TOWN ENGINEER

DATE

5/20/08

Adopted

RESOLUTION # 460

EXTENSION OF THE RIVERHEAD PARKING DISTRICT  
ATLANTIS HOLDING COMPANY, LLC

Councilman ~~\_\_\_\_\_ COUNCILWOMAN BLASS~~ offered the following resolution which was seconded by Councilman ~~\_\_\_\_\_ COUNCILMAN DUNLEAVY~~

WHEREAS, a petition has been submitted by Atlantis Holding Company, LLC to the Riverhead Town Board, as governing body of the Town of Riverhead Public Parking Improvement District #1 for an extension of the District to include parcels of real property designated as 437 East Main Street, Riverhead, New York (SCTM #0600-129.00-04.00-020.000) and 467 East Main Street, Riverhead, New York (SCTM #0600-129.00-04.00-021.002) and 506 East Main Street, Riverhead, New York (SCTM #0600-129.00-03.00-031.000), and

WHEREAS, Atlantis Holding Company, LLC amended the petition to include a fourth parcel designated as 415 East Main Street, Riverhead, New York (SCTM #0600-129.00-04.00-017.000), and

WHEREAS, Atlantis Holding Company LLC proposes to construct at its own cost, expense and effort, parking facilities upon the lot known as 506 East Main Street, Riverhead, New York (SCTM #0600-129.00-03.00-031.000) to serve the existing aquarium and proposed aquarium, hotel, office and retail expansion and covenant that no use other than parking shall be allowed on such lot until certain conditions occur; therefore, there will be no expense to the District resulting from the approval of this proposed extension to be constructed after site plan approval, and

WHEREAS, a map and plan have been prepared at the sole expense of the applicant by Eschbacher VHB which is on file with the Riverhead Town Clerk and is available for public inspection, and

WHEREAS, the applicant seeks to expand its existing facility, with a substantial portion of the expansion already lying within the existing Parking District, and

WHEREAS, the extension of the Parking District and expansion of applicant's existing facility lies wholly within the New York State Empire Zone, and

WHEREAS, the expansion of applicant's existing facility will not require nor seek any real property tax abatement through the Riverhead Industrial Development Agency, and

WHEREAS, after due publication and posting of the notice for a public hearing, the Town Board of the Town of Riverhead, as governing body of the Riverhead Parking District, held a public hearing on May 6, 2008, at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all persons wishing to be heard on the matter and to determine whether all the property and property owners within the District and the extension are benefitted thereby and whether the proposed extension is in the public interest, and

WHEREAS, after hearing the oral presentation by applicant and the written comments

of the Riverhead Chamber of Commerce, the Riverhead Business Alliance, Inc. and all other interested parties, the Town Board closed the public hearing and stipulated that written comments on the proposal would be accepted until May 16, 2008, and

NOW, THEREFORE, BE IT RESOLVED, that:

- a. Pursuant to Town Law Section 206-a, the Town Board determines that all expenses of the District, including all extensions heretofore or hereafter established, shall be a charge against the entire area of the District as extended on an ad valorem basis;
- b. Determines that all the property and property owners within the District and the extension are benefited thereby and that all the property and property owners benefited are included within the limits of the proposed extension and that the proposed extension is in the public interest;
- c. The Town of Riverhead Public Parking Improvement District #1 is hereby extended to include the real property designated as 437 East Main Street, Riverhead, New York (SCTM #0600-129.00-04.00-020.000), 467 East Main Street, Riverhead, New York (SCTM #0600-129.00-04.00-021.002), and 415 East Main Street, Riverhead, New York (SCTM #0600-129.00-04.00-017.000);
- d. The Town of Riverhead Public Parking Improvement District #1 is hereby further extended to include the real property designated as 506 East Main Street, Riverhead, New York (SCTM #0600-129.00-03.00-031.000), subject to a covenant and restriction that no use other than parking and valet parking for and in connection with the existing aquarium; proposed aquarium expansion, its related hotel, offices and retail uses across the street for the Atlantis Marine World Phase II expansion shall be allowed on such lot until such time as alternate parking is provided to the Town of Riverhead Public Parking Improvement District by others, after which time the applicant may seek relief of the covenant and restriction and to develop the premises for a permitted use;
- e. That the Riverhead Town Clerk deliver certified copies of this resolution to the Riverhead Town Assessor, Riverhead Town Planning Department, Riverhead Town Accounting Department, Eric J. Russo, Esq., James J. Bissett III and Joseph Petrocelli.

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	Bläss	<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

## DECLARATION OF COVENANTS AND RESTRICTIONS

**THIS DECLARATION**, made the \_\_\_\_ day of May, 2008, by **Atlantis Holding Company, LLC**, with offices at 431 East Main Street, Riverhead, New York, Declarant:

**WITNESSETH;**

**WHEREAS**, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

**WHEREAS**, for and in consideration of the extension of the Town of Riverhead Public Parking Improvement District #1 to include parcels of real property designated as 437 East Main Street, Riverhead, New York (SCTM #0600-129.00-04.00-020.000), 467 East Main Street, Riverhead, New York (SCTM #0600-129.00-04.00-021.002), 506 East Main Street, Riverhead, New York (SCTM #0600-129.00-03.00-031.000), and 415 East Main Street, Riverhead, New York (SCTM #0600-129.00-04.00-017.000), the Town Board of the Town of Riverhead has deemed it in the best interests of the Town of Riverhead and the owner of 506 East Main Street, Riverhead, New York (SCTM #0600-129.00-03.00-031.000), that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said extension of the Town of Riverhead Public Parking Improvement District #1 to include parcels of real property designated as 437 East Main Street, Riverhead, New York (SCTM #0600-129.00-04.00-020.000), 467 East Main Street, Riverhead, New York (SCTM #0600-129.00-04.00-021.002), 506 East Main Street, Riverhead, New York (SCTM #0600-129.00-03.00-031.000), and 415 East Main Street, Riverhead, New York (SCTM #0600-129.00-04.00-017.000), and said Town Board has required that the within Declaration be recorded at the Office of the Suffolk County Clerk; and

**WHEREAS**, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel;

**NOW, THEREFORE, THIS DECLARANT WITNESSETH:**

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant, restrict and agree that the said premises herein described shall hereafter be subject to the following covenants and restrictions which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. No use other than parking and valet parking in connection with the existing aquarium; proposed aquarium expansion, its related hotel, offices

and retail uses across the street by the Atlantis Marine World Phase II expansion shall be allowed on such lot until such time as alternate parking is provided to the Town of Riverhead Public Parking Improvement District #1 by others, after which time the applicant may seek relief of this covenant and restriction to develop the premises for a permitted use.

IN WITNESS WHEREOF, the Declarant has hereunto set its hand and seal the day and year above first written.

ATLANTIS HOLDING COMPANY LLC

---

James J. Bissett III, Managing Member  
of J. Bissett Family LLC, Member

---

Joseph Petrocelli, Managing Member  
of J. Petrocelli Atlantis Development LLC, Member



Schedule A

ALL that certain plot, piece or parcel of land, situate, lying and being at Riverhead, Town of Riverhead, Suffolk County, New York, more particularly bounded and described as follows:

BEGINNING at a point at the intersection of northeasterly side of East Main Street and easterly side of Ostrander Avenue;

RUNNING THENCE North  $19^{\circ}40'30''$  West the distance of 179.20 feet to a point and land now or formerly of Otis G. Pike, Jr.;

THENCE North  $70^{\circ}19'30''$  East through a concrete monument and along land now or formerly of Otis G. Pike, Jr. the distance of 110.46 feet to a point;

THENCE South  $19^{\circ}42'$  East along land now or formerly of The Salvation Army the distance of 182.24 feet to the northeasterly side of East Main Street;

THENCE along the northeasterly side of East Main Street South  $71^{\circ}54'$  West the distance of 119.48 feet to the point or place of BEGINNING.

Said premises being designated on the Suffolk County Tax Map as District 0600, Section 129.00, Block 03.00, Lot 031.000.

05/20/08

Adopted

TOWN OF RIVERHEAD

Resolution # 461

**AUTHORIZES THE SUPERVISOR TO EXECUTE A STIPULATION OF SETTLEMENT AND RELATED DOCUMENTS WITH WADDINGTON REALTY CORP, ET AL**

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

**WHEREAS**, the Town has initiated litigation against Waddington Realty, Inc., et al, and

**WHEREAS**, the parties to the litigation have resolved the issues involved in the litigation, and

**NOW, THEREFORE, it is hereby**

**RESOLVED**, that the Supervisor is hereby authorized to execute a stipulation of settlement substantially in the form attached, and be it further

**RESOLVED** that the Town Clerk is hereby directed to forward a certified copy of this resolution to Sean M. Walter, Esq. the Office of the Town Attorney and the Office of Accounting.

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

5/20/08

Adopted

TOWN OF RIVERHEAD

Resolution # 462

**RELEASES IRROVOCABLE LETTER OF CREDIT OF ALL COUNTY PAVING  
(DRAINLAYER)**

COUNCILMAN BUCKLEY

offered the following resolution, was seconded by

COUNCILMAN WOOTEN :

**WHEREAS**, All County Paving had submitted Suffolk County National Bank Irrevocable Letter of Credit #070925 in the amount of Five Thousand Dollars (\$5,000.00), pursuant to §88-3 of the Riverhead Town Code (Sewers); and

**WHEREAS**, by letter dated April 7, 2008, All County Paving has requested that due to the completion of this work in excess of one year, this irrevocable letter of credit now be released; and

**WHEREAS**, Michael Reichel, Sewer District Superintendent, has confirmed that said work is complete and has been completed in excess of one year.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby authorizes the release of the aforementioned irrevocable letter of credit; be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to All County Paving, 205 Peconic Avenue, Medford, New York, 11763; Suffolk County National Bank, P.O. Box 9000, 4 West Second Street, Riverhead, New York, 11901, Attn: David T. DeVito, V.P.; and copies to Michael Reichel, Sewer District Superintendent and the Office of the Town Attorney.

**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**

5/20/08

Adopted

TOWN OF RIVERHEAD

Resolution # 463

ACCEPTS 100% SECURITY OF 1998 PECONIC, LLC (IRREVOCABLE LETTER OF CREDIT)

COUNCILMAN WOOTEN

offered the following resolution,

which was seconded by COUNCILWOMAN BLASS:

WHEREAS, Schenk Quickstop, LLC, on behalf of 1998 Peconic, LLC has posted a Suffolk County National Bank Irrevocable Letter of Credit #080514 in the sum of Three Hundred Sixty-Five Thousand Dollars (\$365,000.00) representing the 100% site plan security in connection with Riverhead Town Planning Board Resolution #10 dated February 11, 2008, for the construction of a 3,600 sq. ft. gasoline service station together with an accessory convenience store, a self-serve car wash and related improvements at Middle Country Road, Calverton, New York, further described as Suffolk County Tax Map #0600-99-2-30, pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said irrevocable letter of credit 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 the Suffolk County National Bank Irrevocable Letter of Credit #080514 in the sum of Three Hundred Sixty-Five Thousand Dollars (\$365,000.00) naming the Town of Riverhead as Beneficiary; 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 Schenck Quickstop. LLC, 62 Newtown lane, East Hampton, New York, 11937 and 1998 Peconic, LLC, 3235 Route 112, Medford, New York, 11763; and be it further

RESOLVED, 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 [checked] yes [ ] no Wooten [checked] yes [ ] no
Dunleavy [checked] yes [ ] no Blass [checked] yes [ ] no
Cardinale [checked] yes [ ] no
THE RESOLUTION WAS [checked] WAS NOT THEREFORE DULY ADOPTED

TOWN OF RIVERHEAD

Adopted

Resolution # 464

ACCEPTS CASH SECURITY OF VERIZON WIRELESS – BAITING HOLLOW

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by

COUNCILMAN DUNLEAVY

WHEREAS, Amato & Associates, P.C., Attorney for Verizon Wireless- Baiting Hollow, has posted a cash security in the sum of Six Thousand Three Hundred Dollars (\$6,300) representing the 100% site plan security as noted in the approved site plan dated November 15, 2007 Resolution #92 for the installation of 12 panel antennas, a 12 foot by 30 foot equipment shelter, two GPS units on the roof of the proposed shelter, fencing and other equipment and appurtenances located on the east side of Fresh Pond Avenue, north of Middle County Road in Calverton, New York 11933, Suffolk County Tax Map # 600-078.00-02-001.00, pursuant to Section 108-133 (I) of the Riverhead Town Code.

NOW THEREFORE BE IT RESOLVED, that the Riverhead Building Department has accepted and deposited this 100% cash security in the sum of Six Thousand Three Hundred (\$6,300); 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 Amato & Associates, P.C. 666 Old Country Road, 9<sup>th</sup> Floor, Garden City, New York 11530, and copies to the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Buckley  Yes  No

Wooten  Yes  No

Dunleavy  Yes  No

Blass  Yes  No

Cardinale  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Adopted

5/20/08

TOWN OF RIVERHEAD

Adopted

Resolution # 465

**APPROVES CHAPTER 90 APPLICATION OF MARTHA CLARA VINEYARDS, LLC**

COUNCILMAN DUNLEAVY

offered the following resolution, was seconded by

COUNCILMAN BUCKLEY:

**WHEREAS**, on April 22, 2008, Martha Clara Vineyards, LLC had submitted a Chapter 90 Application for the purpose of conducting *public* charity events, *public* fund raisers, and accommodating the tasting room overflow to be held under a tent to be held at 6025 Sound Avenue, Jamesport, New York, on May 24, 2008 through July 19, 2008 between the hours of 10:00 a.m. and 9:00 p.m.; and

**WHEREAS**, Martha Clara Vineyards, LLC has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

**WHEREAS**, the Town Board of the Town of Riverhead has declared itself "Lead Agency" in accordance with 6 NYCRR 617.6(b); and

**WHEREAS**, a certificate of insurance has been received naming the Town of Riverhead as an additional insured; and

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

**WHEREAS**, the appropriate Chapter 90 Application fee has been paid.

**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 Martha Clara Vineyards, LLC for the purpose of conducting *public* charity events, *public* fund raisers, and accommodating the tasting room overflow to be held under a tent to be held at 6025 Sound Avenue, Jamesport, New York, on June 1, 2008 through July 27, 2008 between the hours of 10:00 a.m. and 9:00 p.m. is hereby approved; and be it further

**RESOLVED**, that the tent installation 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 this approval is subject to the obtaining of any permits as may be required by the New York State Department of Labor and the Suffolk County Department of Health; 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 a fire safety inspection by the Town Fire Marshal is required prior to the opening of this event to the public. The Riverhead Fire Marshal shall be contacted at least three days in advance at (631) 727-3200 extension 601, for the purpose of arranging the "pre-opening" inspection appointment; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Martha Clara Vineyards, LLC, Attn: Nancy Bartow, 6025 Sound Avenue, 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  
Cardinale  yes  no  
THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

5/20/08

Adopted

TOWN OF RIVERHEAD

Resolution # 466

**APPROVES THE CHAPTER 90 APPLICATION OF HALLOCKVILLE INC.  
(KELLOGG-BECKER WEDDING)**

**COUNCILMAN BUCKLEY**

\_\_\_\_\_ offered the following resolution, was seconded by

**COUNCILMAN WOOTEN**

**WHEREAS**, on March 6, 2007, Vanessa Kellogg and Don Becker had submitted a Chapter 90 Application for the purpose of conducting a wedding having approximately 95 guests in attendance to be held at the Hallockville Museum Farm and Folklife Center at 6038 Sound Avenue, Riverhead, New York, between the hours of 4:00 p.m. and 11:00 p.m. on Saturday, September 13, 2008; and

**WHEREAS**, the applicants have completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617.6(b); and

**WHEREAS**, the Town Board of the Town of Riverhead has declared itself "Lead Agency" in accordance with 6 NYCRR 617; and

**WHEREAS**, a certificate of insurance has been received naming the Town of Riverhead and the Hallockville Inc. as an additional insured; and

**WHEREAS**, the applicable Chapter 90 Application fee has been paid for this event; 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 Vanessa Kellogg and Don Becker for the purpose of conducting a wedding having approximately 95 guests in attendance to be held at the Hallockville Museum Farm and Folklife Center at 6038 Sound Avenue, Riverhead, New York, between the hours of 4:00 pm. and 11:00 p.m. on Saturday, September 13, 2008 is hereby approved as follows:

RESOLVED, that this Chapter 90 permit shall be issued to HALLOCKVILLE INC., owner of premises described as 6038 Sound Avenue, Riverhead, New York, and Applicants Vanessa Kellogg and Don Becker, subject to all conditions and restrictions set forth in the subsequent paragraphs, as well as the conditions set forth in Chapter 90 of the Town Code of the Town of Riverhead;

1. Owner and applicant may not use any structure for the purpose of conducting a wedding unless a certificate of occupancy has issued for said structure and the Riverhead Town Fire Marshal, after inspection, has approved use of said structure for the limited purpose of 95 guests for the specified purpose, date and time requested in the application. In the event, a temporary structure is to be erected on the property, i.e. tent, any installation and any and all electric shall comply with the applicable provisions of the Building and Fire Code of New York State, the National Electrical Code and National fire Protection Agency 102 (Tents & Membrane Structures). The temporary structures shall be erected more than 10 days prior to the date of the permitted event and all such structures shall be removed within five days following the termination of the permitted event. In no event shall any such structure or tent be used at any time for any purpose other than at the time and for the purpose of the permitted event. Any violation of such agreement shall be deemed a violation of this permit and violation of Chapter 90 by the owner and applicant.

2. A plan for the use of live music, loudspeakers, horns, or other sounds which will be used, if any, and the type and location of speakers and other audio equipment must comply with Riverhead Town Code Chapter 81 and be approved by Town/ Fire Marshal at least three days prior to the event.

3. A plan for the use of lighting, if any, and the type and location of such equipment and said plan must be approved by the Fire Marshal at least three days prior to the event.

4. All parking must be off street and traffic control must be provided by the owner of the premises.

5. Owner and applicants are responsible to provide adequate sanitary facilities and comply with all County and/or State approvals.

6. All food must be catered and prepared off site and be prepared and served in such manner as required to comply with all County and/or State approvals.

7. In the event owner and/or applicants plan to serve alcohol, owner and applicants must receive necessary permits from the New York State Liquor Authority.

8. Owner and applicants remain subject to all other applicable government permits and approvals as may be required, including but not limited to approvals/permits from the Suffolk County Department of Health, the New York State Department of Health and approvals/permits for tents, fireworks and any further permit(s) as may be required for similar events.

9. This permit is not transferable and shall expire at the close of the event for which it is issued; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Vanessa Kellogg and Don Becker, 64 North Woodhull Road, House #2, Huntington, New York, 11743; the Hallockville Farm and Folklife Center, 6038 Sound Avenue, Riverhead, New York 11901; the Riverhead Fire Marshal; the Riverhead Police Department and the Office of the Town Attorney.

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

5/20/08

TOWN OF RIVERHEAD

Adopted

Resolution # 467

**APPROVES CHAPTER 90 APPLICATION OF  
RAILROAD MUSEUM OF LONG ISLAND  
(RIVERHEAD RAILROAD FESTIVAL 2008)**

COUNCILMAN WOOTEN

offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

**WHEREAS**, on April 14, 2008, the Railroad Museum of Long Island had submitted a Chapter 90 Application for the purpose of conducting an event entitled, "Riverhead Railroad Festival 2008", which will include a toy train set raffle, vendors, railroad related displays and live Bluegrass music. This event is to be located at 416 Griffing Avenue, Riverhead, New York, on Saturday, August 23, 2008 and Sunday, August 24, 2008 between the hours of 10:00 a.m. and 5:00 p.m.; and

**WHEREAS**, the applicant has requested the Chapter 90 Application fee be waived due to its not-for-profit status; and

**WHEREAS**, Railroad Museum of Long Island has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

**WHEREAS**, the Town Board of the Town of Riverhead has declared itself "Lead Agency" in accordance with 6 NYCRR 617.6(b); and

**WHEREAS**, a certificate of insurance has been received naming the Town of Riverhead as an additional insured; 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 Railroad Museum of Long Island for the purpose of conducting an event entitled, "Riverhead Railroad Festival 2008" to be located at 416 Griffing Avenue, Riverhead, New York on the aforementioned dates and times is hereby approved; and be it further

**RESOLVED**, that the Town Board of the Town of Riverhead hereby waives the Chapter 90 Application fee for this event; and be it further

**RESOLVED**, that this approval is subject to the applicant's submission of an updated Certificate of Insurance (current Certificate of Insurance expires on June 24, 2008) **no later than August 1, 2008**; and be it further

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

**RESOLVED**, that a fire safety inspection by the Town Fire Marshal is required prior to the opening of this event to the public. The Riverhead Fire Marshal shall be contacted *no later than August 15, 2008* 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 be and is hereby authorized to forward a certified copy of this resolution to Railroad Museum of Long Island, P.O. Box 726, Greenport, New York, 11944-0726 and copies to the Riverhead Fire Marshal; Chief 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  
Cardinale  yes  no  
THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

5/20/08

TOWN OF RIVERHEAD

Adopted

Resolution # 468

**AMENDS RESOLUTION #254 OF 2008**  
**(APPROVES CHAPTER 90 APPLICATION OF**  
**EAST END OLDS CLUB CAR SHOW & SWAP MEET)**

COUNCILWOMAN BLASS

offered the following resolution, was seconded by

COUNCILMAN DUNLEAVY :

**WHEREAS**, Resolution #254 adopted by the Riverhead Town Board on March 18, 2008, approved a Chapter 90 Application e for a car show and swap meet to be held at the George Young Community Center located at South Jamesport Avenue, Jamesport, New York, between the hours of 8:00 a.m. and 5:00 p.m., on August 9, 2008 having a rain date of August 16, 2008; and

**WHEREAS**, the East End Olds Club wishes to change the date of the event to August 10, 2008, having a rain date of August 17, 2008.

**NOW THEREFORE BE IT RESOLVED**, that the Riverhead Town Board hereby amends Resolution #254, dated March 18, 2008, to reflect an amendment of the change of dates of said event to August 10, 2008, having a rain date of August 17, 2008; and be it further

**RESOLVED**, that all other terms and conditions of Resolution #254 shall remain in full force and effect; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to the East End Olds Club, P.O. Box 2024, Riverhead, New York, 11901; and copies to the Riverhead Fire Marshal; Kenneth Testa, P.E.; the Riverhead Police Department and the office of the Town Attorney.

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

MAY 20, 2008

Adopted

TOWN OF RIVERHEAD

AWARDS BID FOR SNACK VENDOR SERVICES FOR WADING RIVER BEACH

RESOLUTION # 469

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

**WHEREAS**, the Town Clerk was authorized to publish and post a notice to bidders for SNACK VENDOR SERVICES FOR WADING RIVER BEACH and;

**WHEREAS**, one was received, opened and read aloud on the 2nd day of May, 2008 at 11:05 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders.

NOW THEREFORE BE IT

RESOLVED, that the bid for SNACK VENDOR SERVICES FOR WADING RIVER BEACH be and hereby is, awarded to KARL FREUDENBERG for \$500.00

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

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	

MAY 20, 2008

TOWN OF RIVERHEAD

Adopted

Resolution # 470

AWARDS BID FOR SPORTING GOODS

offered the following resolution, COUNCILMAN BUCKLEY

which was seconded by COUNCILMAN WOOTEN

WHEREAS, the Town Clerk was authorized to publish and post a notice for sealed bids for SPORTING GOODS for the Town of Riverhead and;

WHEREAS, 1 bid was received and opened at 11:00 am on May 2, 2008, at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders.

NOW THEREFORE BE IT RESOLVED, that the bid for SPORTING GOODS for the Town of Riverhead be and hereby is, awarded to SPORT SUPPLY GROUP, INC. dba/PASSONS SPORTS for prices on the attached sheets;

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby is authorized to forward a copy of this resolution to the SPORT SUPPLY GROUP, INC. and 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

ZB RPT BID FORM (ZB02)

04/29/2008 11:12:54

Bid Printout

Page 1

ARHEIN PRD(100)

Division Name . :	BSN/Passon/GSC	Customer Bid ID :	
Bid Manager: . :	ARHEIN	Customer Addendum :	
Bid Log Id: . :	3058651 2008	Expiration Date :	05/06/2009
Bid Description :	ATHLETIC EQUIPMENT		

Customer Number	1004279	TOWN OF RIVERHEAD RECREATION SUPERINTENDENT	Receive Date	03/06/2008	Due Date	03/14/2008
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Line No	Product	Product Description Trim	Quantity	UOM	Bid Price	Total Cost
BBDLM654	DRY LINE MARKER 65 LB 4 WHEEL		1	EA	136.45	136.45
BBBASEPR	MAC MAJOR LEAGUE BASES W/ANCH		1	SE	72.42	72.42
BBSPRINT	ATEC SPORTSNET II		1	EA	86.24	86.24
BBBATTEE	MAC SUPER BATTING TEE		1	EA	11.56	11.56
MSEASBOK	BASEBALL SCOREBOOK		1	EA	2.49	2.49
BBEQTBAG	BASEBALL/SOFTBALL EQUIPMENT T		1	EA	16.76	16.76
1048933	MAC WHEELED DELUXE EQ BAG - B		1	EA	33.43	33.43
5A1030B	WILSON HIGH SCHOOL BALL		1	DZ	29.48	29.48
MCB73CXX	MAC 73 SENIOR LITTLE LEAGUE B		1	DZ	25.56	25.56
MCB79PXX	MAC 79P PRACTICE BASEBALL		1	DZ	17.78	17.78
1155013	MAC LITE MACHINE BALL W/SEAMS		1	DZ	24.44	24.44
TUFFYBBX	MAC LITE MACHINE BALL W/SEAMS		1	DZ	13.88	13.88
MCSB12YH	MAC 12" YELLOW NFHS SOFTBALL		1	DZ	37.66	37.66
MCSB12FA	MAC 12" FAST PITCH SOFTBALL		1	DZ	26.53	26.53
5PSBY12	PRACTICE SOFTBALL - 12" YELLO		1	DZ	19.76	19.76
5BK113128	EASTON BK2 HAMMER - 31/28		1	EA	35.62	35.62
5BK113229	EASTON BK2 HAMMER - 32/29		1	EA	35.62	35.62
5BK113330	EASTON BK2 HAMMER - 33/30		1	EA	35.62	35.62
5BK113431	EASTON BK2 HAMMER - 34/31		1	EA	35.62	35.62
1194135	EASTON BK50 TYPHOON AD - 3 BA		1	EA	51.29	51.29
1194142	EASTON BK50 TYPHOON AD - 3 BA		1	EA	51.29	51.29
1194159	EASTON BK50 TYPHOON AD - 3 BA		1	EA	51.29	51.29
1194166	EASTON BK50 TYPHOON AD - 3 BA		1	EA	51.29	51.29
1172904	MAC NEW - 9 X6SB FASTPITCH BA		1	EA	19.27	19.27
1172911	MAC NEW - 9 X6SB FASTPITCH BA		1	EA	19.27	19.27
1172928	MAC NEW - 9 X6SB FASTPITCH BA		1	EA	19.27	19.27
1172935	MAC NEW - 9 X6SB FASTPITCH BA		1	EA	19.27	19.27
1172942	MAC NEW - 9 X6SB FASTPITCH BA		1	EA	19.27	19.27
1172959	MAC NEW - 9 X6SB FASTPITCH BA		1	EA	19.27	19.27
1172966	MAC NEW - 9 X6SB FASTPITCH BA		1	EA	19.27	19.27
1172973	MAC NEW - 9 X6SB FASTPITCH BA		1	EA	19.27	19.27
5SK202617	EASTON SK20 SOFTBALL - 26/16		1	EA	14.96	14.96
5SK202718	EASTON SK20 SOFTBALL - 27/17		1	EA	14.96	14.96
5SK202819	EASTON SK20 SOFTBALL 28/18		1	EA	14.96	14.96
5SK202920	EASTON SK20 SOFTBALL - 29/19		1	EA	14.96	14.96
5SK203021	EASTON SK20 SOFTBALL - 30/20		1	EA	14.96	14.96
5SK203122	EASTON SK20 SOFTBALL - 31/21		1	EA	14.96	14.96
52898PTWMSCHUTT	2793PT W/MASK BLACK		1	EA	20.36	20.36
1195828	Mac Vented OSFA Helm w/Mask -		1	EA	13.23	13.23
1048704	MAC ADULT HOCKEY STYLE HELM -		1	EA	43.46	43.46
1139211	MAC B73 PREP CHEST PROTECTOR		1	EA	18.74	18.74
1139327	MAC B81 WOMENS YOUTH PROTECTO		1	EA	15.28	15.28
BBKSVYBK	KNEE SAVER YOUTH BLACK		1	PR	17.72	17.72
1159400	MAC 366 DBL KNEE PREP LEG GRD		1	EA	21.59	21.59
1012187	Leg Guard Replacement Straps		1	DZ	6.96	6.96
MCCM100X	MAC PREP SERIES CATCHERS MITT		1	EA	30.96	30.96
MCCM300X	MAC SOFTBALL CATCHERS MITT		1	EA	36.86	36.86
MLSPA	MLB PLACKET ADULT ANGELS LG		1	EA	12.62	12.62

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 ARHEIN PRD(100)

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Division Name	: BSN/Passon/GSC	Customer Bid ID	:
Bid Manager	: ARHEIN	Customer Addendum	:
Bid Log Id	: 3058651 2008	Expiration Date	: 05/06/2009
Bid Description	: ATHLETIC EQUIPMENT		

C66NUMBR	6" NUMBER	1	EA	0.80	0.80
MLBPAXX	MLB PLACKET ADULT ASTROS XXL	1	EA	13.76	13.76
C66NUMBR	6" NUMBER	1	EA	0.80	0.80
MLBCAPA	MLB REPLICAP CAP - ADULT - ANG	1	EA	4.64	4.64
MLBCAPY	MLB REPLICAP CAP - YOUTH - ANG	1	EA	4.64	4.64
MLEV	OUTDOOR CAP VISORS - ANGELS	1	EA	4.38	4.38
1172577	BASEBALL BELT - OSFA BLACK	1	EA	1.78	1.78
C12V	VARSITY 2-IN-1 SOCK-Black	1	DZ	27.13	27.13
C17V	VARSITY H/T BASEBALL SOCK 10-	1	DZ	28.94	28.94
C76	Adult Belted Pant Black SM	1	EA	9.52	9.52
C76KKL	Adult Belted Pant Black XXL	1	EA	10.48	10.48
1019261	DA 605PLP ADULT PIPING PANT -	1	EA	12.32	12.32
1187373	DIAMOND D1-NFHS BASEBALL	1	DZ	44.98	44.98
1187021	BALL BAG - BLACK	1	EA	8.62	8.62
1187045	BAT CADDY	1	EA	12.59	12.59
1091524	ADJ BATTERS BOX TEMPLATE	1	EA	138.88	138.88
1187038	HELMET CADDY - LARGE	1	EA	19.69	19.69
512815506	SCHUTT CATCHER'S EQUIPMENT EA	1	EA	22.32	22.32
MCCM200X	MAC VARSITY SERIES CATCHERS M	1	EA	34.24	34.24
1019308	DA 605PLP ADULT PIPING PANT -	1	EA	15.22	15.22
BSWJ22MX	WOMEN'S SLEEVELESS PLACKET	1	EA	7.72	7.72
SP1N8	8" 1-color Screened #'s	1	EA	1.50	1.50
BSWJ22KX	WOMEN'S SLEEVELESS PLACKET-KX	1	EA	8.82	8.82
SP1N8	8" 1-color Screened #'s	1	EA	1.50	1.50
BSAJMSH1	DA 524MSH 2-BUT ADULT MESH JE	1	EA	15.24	15.24
SP1N8	8" 1-color Screened #'s	1	EA	1.50	1.50
BSAJMSH1KDA	524MSH 2-BUT ADULT MESH JE	1	EA	16.26	16.26
SP1N8	8" 1-color Screened #'s	1	EA	1.50	1.50
MCB22Y	" THROAT GUARD - BLACK	1	EA	1.84	1.84
1187373	DIAMOND D1-NFHS BASEBALL	1	DZ	44.98	44.98
1187021	BALL BAG - BLACK	1	EA	8.62	8.62
1187045	BAT CADDY	1	EA	12.59	12.59
1091524	ADJ BATTERS BOX TEMPLATE	1	EA	138.88	138.88
1187038	HELMET CADDY - LARGE	1	EA	19.69	19.69
512815506	SCHUTT CATCHER'S EQUIPMENT EA	1	EA	22.32	22.32
MCCM200X	MAC VARSITY SERIES CATCHERS M	1	EA	34.24	34.24
1150469	SCHUTT YOUTH SOFTSIDE SIDELIN	1	EA	169.88	169.88
MCFMKJNR	MAC MXJ JUNIOR LEATHER FOOTBA	1	EA	22.28	22.28
MCFMKPWF	MAC MXP PEE WEE LEATHER FOOTB	1	EA	21.64	21.64
3F1360	WILSON TDJ JUNIOR GAME BALL	1	EA	30.63	30.63
3F1382B	WILSON K-2 PEE WEE GAME BALL	1	EA	27.78	27.78
STFBHRAC	Rolling Football Helmet Rack	1	EA	142.43	142.43
MSMOUT	Black Mouthguard w/ Strap 25	1	PA	6.25	6.25
FBCS100L	CHINSTRAP 4PT LG HOOKUP HARD	1	EA	6.98	6.98
FBCS4XXK	PRO-DOWN 4PT CHINSTRAP LO HOO	1	EA	2.88	2.88
FBLNXXKPT-NUT	1/2"LONG 50 PACK	1	PA	7.96	7.96
FBMNXXKPT-NUT	3/8" 50 PACK	1	PA	6.69	6.69
FBSTNXXKPT-NUT	1/8" SHORT 50 PACK	1	PA	4.78	4.78
FEMCSBKXPMETAL	CHINSTRAP BUCKLE 50 PAC	1	PA	8.49	8.49
FBCSSXXKXPC	CHINSTRAP SNAP 1/4" 50 PACK	1	PA	8.29	8.29
FBSWASHP	STAINLESS STEEL WASHER 50 PAC	1	PA	5.76	5.76
FBSXXKXPCFILMET	SCREW 1/2" 50 Pack	1	PA	2.98	2.98
1228106	Little Pro Royal XSM w/ MB2	1	EA	55.48	55.48
1228113	Little Pro Royal SM w/ MB2	1	EA	55.48	55.48
1228120	Little Pro Royal MD w/ MB2	1	EA	55.48	55.48
1228137	Little Pro Royal JG w/ MB2	1	EA	55.48	55.48

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Division Name . . :	BSN/Passon/GSC	Customer Bid ID :	
Bid Manager: . . :	ARHEIN	Customer Addendum :	
Bid Log Id: . . :	3058651 2008	Expiration Date :	05/06/2009
Bid Description :	ATHLETIC EQUIPMENT		

1228144	Little Pro Royal XLG w/ MB2	1	EA	55.48	55.48
1150247	RIDDELL VSR2-Y HELM W/MB-2 MA	1	EA	78.77	78.77
1150254	RIDDELL VSR2-Y HELM W/MB-2 MA	1	EA	78.77	78.77
1150261	RIDDELL VSR2-Y HELM W/MB-2 MA	1	EA	78.77	78.77
FBULHP3Y	PRODOWN ULTRA-LIT3PC.YTH HP S	1	SE	3.82	3.82
P3804000	PRO DOWN AIRLITE YOUTH THIGH	1	PR	3.76	3.76
P3801000	PRO DOWN AIRLITE YTH KNEE PD.	1	PR	2.24	2.24
P3301400	YOUTH 3-PIECE GIRDLR SET	1	SE	5.22	5.22
P2104000	TP-6 YOUTH THIGH PAD	1	PR	5.98	5.98
P2003100	KP-17 YOUTH KNEE PAD	1	PR	3.22	3.22
2001690	3 Pocket Poly FB Girdle Youth	1	EA	6.56	6.56
2001693	3 Pocket Nylon FB Girdle SM	1	EA	10.49	10.49
2001695	5 Pocket Nylon FB Girdle SM	1	EA	12.34	12.34
FBSWEWHX	QB SPORTS WRISTBAND - WHITE	1	EA	3.36	3.36
1201918	SP26 Hawk Shoulder Pad XSM	1	EA	30.49	30.49
1201925	SP26 Hawk Shoulder Pad SM	1	EA	31.33	31.33
1201932	SP26 Hawk Shoulder Pad MD	1	EA	32.44	32.44
1201949	SP26 Hawk Shoulder Pad LG	1	EA	33.42	33.42
1201956	SP26 Hawk Shoulder Pad XLG	1	EA	34.23	34.23
FBSIPL	Shoulder Injury Pad LARGE	1	EA	9.43	9.43
P7520000	YOUTH FLAR VEST	1	EA	10.82	10.82
STSHPRAC	2 STACK SHOULDER PAD RACK	1	EA	108.84	108.84
STSPRDBL	4 STACK SHOULDER PAD RACK	1	EA	168.62	168.62
FBSPL36B	SHOULDER PAD LACE 36" BLACK G	1	GR	16.98	16.98
FBRE150B	ROLL ELASTIC 1 1/2"X25 YDS BL	1	RO	27.63	27.63
FBRE100B	ROLL ELASTIC 1"X25 YDS BLACK	1	RO	19.68	19.68
FBTH100XPT-HOOK 1" 50 PACK		1	PA	12.52	12.52
FBKWM150PKEYWAY METAL FASTNER 1-1/2"		1	PA	13.32	13.32
FBSTH150PSWIVEL T-HOOK 1 1/2" 50 PACK		1	PA	32.62	32.62
1008579	WILSON PRO KICK	1	EA	21.16	21.16
MSPATXXX	PRO DOWN EXTRA POINT TEE	1	EA	1.88	1.88
200235002	BLOCKING DUMMY 14" X 50" - 13	1	EA	94.44	94.44
200234411	Blocking Shield Pro BLUE	1	EA	36.88	36.88
1071948	Deluxe FB Helmet Cover BLACK	1	DE	33.58	33.58
0795XXXX	ATHLETIC FIELD STRIPER	1	ET	68.91	68.91
STSPRDBL	4 STACK SHOULDER PAD RACK	1	EA	168.62	168.62
1149449	FOOTBALL HELMET CART - 60 HEL	1	EA	158.84	158.84
ENBCNETB	MESH HALL NET - BLUE	1	EA	2.98	2.98
FBSETPRO	PRO-DOWN DOWN BOX/CHAIN SET	1	SE	460.63	460.63
200235311	BLOCKING DUMMY 13" X 38" 10LB	1	EA	68.54	68.54
200232811	Collegiate Blocking Shield BL	1	EA	26.46	26.46
MSSLDPDS	SHLD PAD - SQUARE TAPER	1	EA	298.58	298.58
MSVARDBC	Varsity Down Indicator & Chai	1	SE	133.73	133.73
FBPROBOX	PRO-DOWN DOWN BOX ONLY	1	EA	222.82	222.82
C46	ADULT POLYESTER VEST GOLD	1	EA	2.88	2.88
C46Y	YOUTH POLYESTER VEST GOLD	1	EA	2.68	2.68
1023336	DA 64LB YTH DAZZLE FB PANT -	1	EA	14.98	14.98
1039078	DA #64GSL AD DAZZLE FB PANT B	1	EA	16.12	16.12
1022919	DA 860E YOUTH FOOTBALL PANT -	1	EA	10.72	10.72
3650SL	DA SLOTTED FB PANT - BK/SM	1	EA	13.88	13.88
FBBL1L	FOOTBALL BELT 1" BLACK	1	EA	1.18	1.18
2190XXXX	CRAMER #250 TAPE 1.5" X 15 YD	1	PA	43.83	43.83
2215XXXX	INSTANT COLD PACK- 5" X 7"	1	PA	8.84	8.84
1187052	TEAM EQUIPMENT BAG - BLACK	1	EA	17.72	17.72
C33Y	YTH NYLON P.M. FB JERSEY BLAC	1	EA	9.32	9.32
SP1N8	6"-1-color-Screened #'s	2	EA	1.50	3.00

Division Name	: BSN/Passon/GSC	Customer Bid ID	:
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C33	NYLON PORTHOLE MESH FB JERSEY	1	EA	10.59	10.59
SP1N8	8" 1-color Screened #'s	1	EA	1.50	1.50
3059XXXX	MAC Black Plastic Whistle Doz	1	DZ	3.96	3.96
M5LNYD	WHISTLE LANYARD BLACK DOZEN	1	DZ	3.96	3.96
MS12CONE	YLIGHTWEIGHT PLASTIC CONE 12"	1	EA	1.16	1.16
MSCONE06	6" GAME/BOUNDARY CONE - ORANG	1	EA	2.09	2.09
1040814	12" GAME/BOUNDARY CONE - ORAN	1	EA	3.56	3.56
1048742	MAC MID-SIZE TEAM DUFFLE BAG	1	EA	16.68	16.68
SNBCNETB	MESH BALL NET - BLUE	1	EA	2.98	2.98
5GM2085	POPCORN POPPER	1	EA	580.88	580.88
5GM2836	6 OZ. CORN KIT - 36 CT	1	KI	18.38	18.38
5GM2053	1 OZ. POPCORN BAGS - 1000 CT.	1	PA	15.44	15.44
5GM5551	PRETZEL WARMER	1	EA	948.53	948.53
5GM8007	HOT DOG STEAMER	1	EA	485.29	485.29
1052466	EMERSON STAINLESS STEEL MICRO	1	EA	89.98	89.98
M5ECOELV	GAMECRAFT ELECTRIC INFLATOR	1	EA	49.92	49.92
61XXXXXX	DETECTO #439 WHITE SCALE	1	EA	225.63	225.63
M5WFLON	WEIGHTED END ZONE PYLON	1	SE	21.94	21.94
1139044	SEX WOM RACY LACROSSE STICK -	1	EA	27.74	27.74
1071399	GAIT ICON LACROSSE STICK WHIT	1	EA	25.98	25.98
17GM3W	SEX GOALMASTER LACROSSE STICK	1	EA	60.67	60.67
VLCBALLY	VOIT LACROSSE BALL YELLOW	1	DZ	15.76	15.76
VLCBALLW	VOIT LACROSSE BALL WHITE	1	DZ	15.76	15.76
1725UPB	LACROSSE PRACTICE BALLS	1	DZ	17.59	17.59
1049336	SHAMROCK 36 CT. LACROSSE BALL	1	EA	47.12	47.12
1049343	SHAMROCK 36 CT. LACROSSE BALL	1	EA	47.12	47.12
1049367	SHAMROCK 72 CT. LACROSSE BALL	1	EA	105.88	105.88
1049350	SHAMROCK 72 CT. LACROSSE BALL	1	EA	105.88	105.88
1075144	SEX AV8 LACROSSE STICK WHITE	1	EA	27.74	27.74
1725BH	BALLHOG LACROSSE STICK - BLUE	1	EA	17.59	17.59
1051414	CASCADE IRIS EYE MASK	1	EA	58.84	58.84
1049305	SHAMROCK OPTIC PRO GOGGLES	1	EA	16.44	16.44
1201765	Official Lacrosse Goal/Net	1	PR	389.74	389.74
1187939	LACROSSE GOAL NET	1	PR	69.94	69.94
1098259	CASCADE CLH2 MENS LACROSSE HE	1	EA	99.93	99.93
1098266	CASCADE CS YOUTH LACROSSE HEL	1	EA	99.93	99.93
1071245	GAIT INTREPID SHOULDER PAD SM	1	PR	26.47	26.47
1071252	GAIT INTREPID SHOULDER PAD ME	1	PR	26.98	26.98
1071269	GAIT INTREPID SHOULDER PAD LA	1	PR	27.44	27.44
1071276	GAIT INTREPID GLOVE SMALL	1	PR	22.92	22.92
1071283	GAIT INTREPID GLOVE MEDIUM	1	PR	25.46	25.46
1071290	GAIT INTREPID GLOVE LARGE	1	PR	28.12	28.12
1071214	GAIT INTREPID ARM PAD SMALL	1	PR	16.76	16.76
1071221	GAIT INTREPID ARM PAD MEDIUM	1	PR	17.73	17.73
1071238	GAIT INTREPID ARM PAD LARGE	1	PR	18.32	18.32
C33Y	YTH NYLON P.M. FB JERSEY BLAC	1	EA	9.32	9.32
SP1N8	8" 1-color Screened #'s	1	EA	1.50	1.50
C98	7" MICRO MESH SHORT BLACK XLG	1	EA	8.48	8.48
SP1C	1-color Print-Cotton-50/50	1	EA	1.50	1.50
SP5EFLC	Set-up Charge-1-color	1	EA	25.00	25.00
MCS30005	MAC PVC SOCCERBALL #5	1	EA	6.39	6.39
MCS30004	MAC PVC SOCCERBALL #4	1	EA	6.14	6.14
MCS30003	MAC PVC SOCCERBALL #3	1	EA	5.86	5.86
V5BMFEL5	VOIT FELT SOCCERBALL #55	1	EA	8.89	8.89
V5BMFEL4	VOIT FELT SOCCERBALL #54	1	EA	8.44	8.44
70200225	MAC EURO 32 SOCCERBALL #5 NFH	1	EA	10.96	10.96

ZB RPT BID FORM (ZB02)  
04/29/2008 11:12:54  
ARHEIN PRD(100)

Bid Printout

Division Name . :	BSN/Passon/GSC	Customer Bid ID :	
Bid Manager: . :	ARHEIN	Customer Addendum :	
Bid Log Id: . :	3058651 2008	Expiration Date :	05/06/2009
Bid Description :	ATHLETIC EQUIPMENT		

70200224	MAC	EDRO 32	SOCCERBALL #4	1	EA	10.46	10.46
1150872	LLL'	SHOOTER GOAL 6'W X 4'H X		1	EA	32.22	32.22
SN383SNRYS	SOCCER NET SR. 383P, ORANGE			1	PR	64.94	64.94
MCSG7WHS	MAC 7" SOCCER SHINGUARD W/STR			1	PR	1.51	1.51
MCSG9WHS	MAC 9" SOCCER SHINGUARD W/STR			1	PR	1.92	1.92
MSSAUCOR	GAMECRAFT LOW PROFILE FIELD C			1	EA	0.49	0.49
93095XXX	Wire Cone Carrier			1	EA	1.68	1.68
MSSOCFLGYS	SOCCER CORNER FLAGS 4/ST			1	SE	28.88	28.88
C18J	JUNIOR ALL SPORT SOCKS 5-8/BL			1	DZ	23.87	23.87
C18Y	ALL SPORT SOCKS YTH/7-11/BLAC			1	DZ	24.12	24.12
C18V	VARSITY ALL SPORT SOCK-BLACK			1	DZ	26.64	26.64
MSECOBLEY	GAMECRAFT ELECTRIC INFLATOR			1	EA	49.92	49.92
SNBCNETB	MESH BALL NET - BLUE			1	EA	2.98	2.98
MSNEDPAC6	INFLATING NEEDLES 6PCS/PACK			1	PA	0.88	0.88
C58MDXXX	100 % POLY OFFICIALS JERSEY M			1	EA	13.44	13.44
C58LGXXX	100 % POLY OFFICIALS JERSEY L			1	EA	13.44	13.44
C58XLGXX	100 % POLY OFFICIALS JERSEY X			1	EA	13.44	13.44
C58XXLXX	100 % POLY OFFICIALS JERSEY X			1	EA	13.44	13.44
C58XXXLG	100 % POLY OFFICIALS JERSEY X			1	EA	13.44	13.44
MSLNYD	WHISTLE LANYARD BLACK DOZEN			1	DZ	3.96	3.96
3059XXXKX	DMAC Black Plastic Whistle Doz			1	DZ	3.96	3.96

Count	237	Bid Value	10,089.12
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*Adem B. S. AlMgr*

4-29-08

Signature

Date

\*\* END OF REPORT \*\*

SPORT SUPPLY GROUP, INC.  
dba PASSON'S SPORTS

# Adopted

RESOLUTION # <u>471</u> ABSTRACT #08-19 May 8, 2008 (TBM 5/20/08)				
<del>COUNCILMAN WOOTEN</del> offered the following Resolution which was seconded by				
<del>COUNCILWOMAN BLASS</del>				
FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1		738,213.82	738,213.82
POLICE ATHLETIC LEAGUE	4		35.00	35.00
RECREATION PROGRAM FUND	6		385.10	385.10
ECONOMIC DEVELOPMENT ZONE FUND	30		2,861.93	2,861.93
HIGHWAY FUND	111		67,705.49	67,705.49
WATER DISTRICT	112		51,398.48	51,398.48
RIVERHEAD SEWER DISTRICT	114		87,421.35	87,421.35
REFUSE & GARBAGE COLLECTION DI	115		5,478.82	5,478.82
STREET LIGHTING DISTRICT	116		40,520.56	40,520.56
PUBLIC PARKING DISTRICT	117		2,867.58	2,867.58
AMBULANCE DISTRICT	120		1,409.65	1,409.65
CALVERTON SEWER DISTRICT	124		5,644.73	5,644.73
RIVERHEAD SCAVANGER WASTE DIST	128		29,880.00	29,880.00
WORKERS' COMPENSATION FUND	173		15,421.36	15,421.36
RISK RETENTION FUND	175		4,133.00	4,133.00
CDBG CONSORTIUM ACOUNT	181		3,158.60	3,158.60
PUBLIC PARKING DEBT SERVICE	381		2,965.67	2,965.67
SEWER DISTRICTS DEBT SERVICE	382		23,576.36	23,576.36
WATER DISTRICT DEBT SERVICE	383		284,033.64	284,033.64
GENERAL FUND DEBT SERVICE	384		686,442.81	686,442.81
SCAVANGER WASTE DISTRICT DEBT	385		14,034.66	14,034.66
TOWN HALL CAPITAL PROJECTS	406		729,207.50	729,207.50
YOUTH SERVICES CAP PROJECT	452		4,562.67	4,562.67
SENIORS HELP SENIORS CAP PROJE	453		2,844.78	2,844.78
MUNICIPAL FUEL FUND	625		7,092.52	7,092.52
MUNICIPAL GARAGE FUND	626		31,276.56	31,276.56
TRUST & AGENCY	735		1,588,091.68	1,588,091.68
<b>TOTAL ALL FUNDS</b>			<b>4,430,664.32</b>	<b>4,430,664.32</b>

THE VOTE

Buckley  yes  no Wooten  yes  no  
Dunleavy  yes  no Blass  yes  no  
Cardinale  yes  no

THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

# Adopted

RESOLUTION # 4/1		ABSTRACT #08-20 May 15, 2008 (TBM 5/20/08)			
<del>COUNCILMAN WOOTEN</del> offered the following Resolution which was seconded by					
<del>COUNCILWOMAN BLASS</del>					
FUND NAME			CD-5/15/08	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1			303,218.87	303,218.87
RECREATION PROGRAM FUND	6			12,657.00	12,657.00
CHILD CARE CENTER BUILDING FUN	9			90.81	90.81
ECONOMIC DEVELOPMENT ZONE FUND	30			533.53	533.53
HIGHWAY FUND	111			41,607.45	41,607.45
WATER DISTRICT	112			59,839.99	59,839.99
REPAIR & MAINTENANCE RESERVE F	113			47,500.00	47,500.00
RIVERHEAD SEWER DISTRICT	114			29,012.79	29,012.79
REFUSE & GARBAGE COLLECTION DI	115			336,253.14	336,253.14
STREET LIGHTING DISTRICT	116			2,641.57	2,641.57
PUBLIC PARKING DISTRICT	117			544.86	544.86
BUSINESS IMPROVEMENT DISTRICT	118			121.73	121.73
AMBULANCE DISTRICT	120			50,124.84	50,124.84
EAST CREEK DOCKING FACILITY FU	122			276.47	276.47
CALVERTON SEWER DISTRICT	124			24.88	24.88
RIVERHEAD SCAVANGER WASTE DIST	128			22,890.98	22,890.98
WORKERS' COMPENSATION FUND	173			1,335.11	1,335.11
CDBG CONSORTIUM ACOUNT	181			68.30	68.30
TOWN HALL CAPITAL PROJECTS	406	30,378,000.00		1,089,207.22	31,467,207.22
YOUTH SERVICES CAP PROJECT	452			1,409.15	1,409.15
SENIORS HELP SENIORS CAP PROJE	453			27.78	27.78
MUNICIPAL FUEL FUND	625			30,153.81	30,153.81
MUNICIPAL GARAGE FUND	626			10,802.23	10,802.23
TRUST & AGENCY	735			4,834,996.80	4,834,996.80
SPECIAL TRUST	736			337,800.00	337,800.00
CALVERTON PARK - C.D.A.	914			24.78	24.78
<b>TOTAL ALL FUNDS</b>			<b>30,378,000.00</b>	<b>7,213,164.09</b>	<b>37,591,164.09</b>