

May 19, 2009

The Town Clerks Office is responsible for assigning the Councilpersons names to each resolution without any particular preference to content.

PUBLIC COMMENT ON ANY TOWN BOARD RESOLUTION

- Res. #457** Order Calling Public Hearing in the Matter of the Increase and Improvement of the Facilities of the Public Parking District, in the Town of Riverhead, Suffolk County, New York
- Res. #458** Appoints a Senior Beach Manager Level X to the Recreation Department (Matthew Sanders)
- Res. #459** Appoints a Call-In Scorekeeper Level III to the Riverhead Recreation Department (Christopher Barker)
- Res. #460** Appoints a Call-In Scorekeeper Level II to the Riverhead Recreation Department (Daniel Dunn)
- Res. #461** Appoints a Call-In Scorekeeper Level III to the Riverhead Recreation Department (Kenneth Drumm)
- Res. #462** Appoints a Call-In Scorekeeper Level II to the Riverrhead Recreation Department (Thomas Goodwin)
- Res. #463** Appoints a Call-In Scorekeeper Level IV to the Riverhead Recreation Department (Sarah Heins)
- Res. #464** Appoints a Call-In Scorekeeper Level III to the Riverhead Recreation Department (Stephanie Heins)
- Res. #465** Appoints a Seasonal Park Attendant III, Level I to the Riverhead Recreation Department (Stephen E. Burns)
- Res. #466** Appoints a Seasonal Park Attendant III, Level I to the Riverhead Recreation Department (William Lehmann)
- Res. #467** Appointment of Seasonal Clerk to the Riverhead Recreation Department (Jessica Rachubka)
- Res. #468** Ratifies the Appointment of a Student Intern to the Water District (Kalei Pipczynski)

- Res. #469 Approves Request for Leave of Absence (Catherine Seebeck)**
- Res. #470 Appoints a Community Development Program Technician (Lizabeth Plouff)**
- Res. #471 ReAppoints a Student Intern to the Accounting Department (William Torre)**
- Res. #472 ReAppoints a Student Intern to the Accounting Department (Justin Blass)**
- Res. #473 Appoints Temporary Clerks to the Tax Receiver's Office (Alyssa Rowe and Zachary Pileski)**
- Res. #474 Ratifies the Appointment of a Part-Time Clerk to the Riverhead Recreation Department (Anita Lewin)**
- Res. #475 Amends the Appointment of a Call-In Recreation Supervisor to the Recreation Department (Cynthia Hynds)**
- Res. #476 Reappoints a Seasonal Traffic Control Officer in the Police Department (Christopher Butts)**
- Res. #477 Appoints a Call-In Recreation Aide/Youth Sports to the Riverhead Recreation Department (Troy Vetter)**
- Res. #478 Appoints Beach Attendants/Concession Stand Operators to the Recreation Department**
- Res. #479 Appoints Lifeguards to the Recreation Department**
- Res. #480 Appoints Onetime Marriage Officer**
- Res. #481 Rejects Bid and Ratifies Authorization for the Town Clerk to Re-Publish and Re-Post the Notice to Bidders for the Town of Riverhead Tennis Court Renovations Contract**
- Res. #482 Authorizes Publication of Notice to Amend CDBG Program**
- Res. #483 Authorizes Town Clerk to Publish & Post Notice to Bidders for Quick Lube Maintenance Riverhead Water District**
- Res. #484 Extends Bid Contract for Well & Pump Emergency Service for the Riverhead Water District**

- Res. #485** Extends Bid Contract for Corrosion Control Chemical for the Town of Riverhead
- Res. #486** Extends Bid Contract for Annual Diesel/Generator Maintenance for the Riverhead Water District
- Res. #487** Authorizes Attendance of Assessor at Seminar
- Res. #488** Authorizes the Supervisor to Execute a License Agreement with Cold Spring Sea Farms, Inc. to Allow the Utilization of Floating Upweller Systems (FLUPSY) in East Creek
- Res. #489** Authorizes Town Clerk to Publish and Post Notice of Public Hearing Regarding the Special Permit of Bernard J. Kito, Jr.
- Res. #490** Extends Site Plan Approval of Living Waters Gospel Church, Inc.
- Res. #491** Authorizes Town Clerk to Publish and Post a Public Notice for a Public Hearing Regarding an Alleged Unsafe Building Located at 31 Northville Turnpike, Riverhead, Suffolk County, New York, Tax Map No. 0600-128-4-10, Pursuant to Chapter 54 of the Riverhead Town Code
- Res. #492** Authorizes Execution and Submission of Grant Application to Suffolk County for Fiscal Year 2009 American Recovery Act Special Round Community Development Block Grant Funds
- Res. #493** Authorizes Grant of Easement to Suffolk County for Access to the Grangebél Park Comfort Station
- Res. #494** Authorizes Application to the New York State Environmental Facilities Corporation for Green Infrastructure Funding
- Res. #495** Authorizes Town Clerk to Publish and Post a Public Notice for a Local Law to Consider Amendments to Chapter 79 Entitled “Mobile Homes and Travel Trailer Parks” of the Riverhead Town Code
- Res. #496** Authorizes Town Supervisor to Execute Change Order No. 1 for Wading River Beach Renovations Contract

- Res. #497 Authorizes Supervisor to Execute Change Order No. 1 Extension No. 85 – Mastro Realty Riverhead Water District**
- Res. #498 Authorizes the Release of Cash Security for John A. Rothe (Responsible Realty)**
- Res. #499 Authorizes Supervisor to Sign New York State Department of Transportation Contract for Safe Routes to Schools Reimbursement Funding to Support Traffic Calming**
- Res. #500 Ratifies Submission of Grant Applications to department of Justice for Fiscal Year 2009 American Recovery Act Special Round JAG Funds**
- Res. #501 Accepts 100% Security of Beacon Wireless Management, LLC/Dynamic Radiator**
- Res. #502 Approves Chapter 90 Application of Riverhead Country Fair Committee**
- Res. #503 Approves Chapter 90 Application of Jedediah Hawkins Inn (Art Exhibition with Max Moran)**
- Res. #504 Adopts a Local Law Amending Chapter 105 Entitled “Water” of the Riverhead Town Code**
- Res. #505 Adopts a Local Law Amending Chapter 108 Entitled “Zoning” of the Riverhead Town Code (Article XXII – Business PB District)**
- Res. #506 Adopts a Local Law Amending Chapter 108 Entitled “Zoning” of the Riverhead Town Code (Article XXVIA – Special Permit)**
- Res. #507 Adopts a Local Law Amending Chapter 108 Entitled “Zoning” of the Riverhead Town Code (Article XIII – Supplementary Use Regulations)**
- Res. #508 Adopts a Local Law to Amend Chapter 108 Entitled, “Zoning” of the Riverhead Town Code (§108-133. Site Plan Review)**
- Res. #509 Adopts a Local Law Amending Chapter 108 Entitled, “Zoning” of the Riverhead Town Code (§108-175 and §108-179 – Pine Barrens Overlay District)**

- Res. #510** Adopts a Local Law to Adopt a Map Designating Clearing Limits Pursuant to the Pine Barrens Overlay District (Riverhead Town Code Article XXXV) for the Former Naval Weapons Industrial Reserve Plant (NWIRP) now Known as Enterprise Park at Calverton (EPCAL)
- Res. #511** Authorizes the Supervisor to Execute a License Agreement with Broadcast Music Inc, (BMI)
- Res. #512** Resolution in Support for Local Government Records Management Improvement Fund (LGRMIF) and the Office of Cultural Education Account
- Res. #513** Authorizes the Supervisor to Issue a Letter to the Suffolk County Department of Health Services Allowing the Use of a Pine Barrens Credit on Commercial Property Located in Riverhead
- Res. #514** Authorizes Town Clerk to Publish and Post Notice of Public Hearing Regarding the Special Permit of Omnipoint Communications, Inc. Bonsal American Building (EPCAL)
- Res. #515** Authorizes the Suffolk County Department of Health Services to Place it's Mobile Mammography Van Behind the Culinary Center
- Res. #516** Pays Bills

Councilwoman Blass offered the following resolution, which was seconded by
Councilman Dunleavy
160563715.01 434219-2-41

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Senior Citizen Human Resource Center, in Aquebogue, New York on May 19, 2009, at 7 o'clock P.M., Prevailing Time.

PRESENT:

Philip Cardinale

Supervisor

Barbara Blass

Councilman

John Dunleavy

Councilman

Jim Wooten

Councilman

Councilman

<p>In the Matter of The Increase and Improvement of the Facilities of the Public Parking District, in the Town of Riverhead, Suffolk County, New York</p>	<p>ORDER CALLING PUBLIC HEARING</p>
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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 facilities of the Public Parking District, in the Town of Riverhead, Suffolk County, New York (the "Parking District"), being the acquisition of land to construct a parking lot on 209 East Avenue and construction of parking lot improvements thereon, including incidental expenses in connection therewith, at a maximum estimated cost of \$325,000; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Parking 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 at the Town Hall, in Riverhead , New York, in said Town, on June 16, 2009, at 7:15 o'clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of the Public Parking 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 incorporated herein by reference.

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:

Supervisor Cardinale	VOTING	yes
Councilwoman Blass	VOTING	yes
Councilman Dunleavy	VOTING	yes
Councilman Wooten	VOTING	yes
	VOTING	

The order was thereupon declared duly adopted.

* * * * *

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

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 at the Town Hall, 200 Howell Avenue, Riverhead, , New York, on June 16, 2009, at 7:15 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a map, plan, and report and an estimate of cost, in relation to the proposed increase and improvement of the facilities of the Public Parking District, in said Town, consisting of the acquisition of land to construct a parking lot on 209 East Avenue and construction of parking lot improvements thereon, including incidental expenses in connection therewith, at a maximum estimated cost of \$325,000.

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

SEQRA Status: Unlisted

Dated: Riverhead, New York,

May 19, 2009.

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

Diane M. Wilhelm
Town Clerk

5/19/09

Adopted

TOWN OF RIVERHEAD

Resolution # 458

APPOINTS A
SENIOR BEACH MANAGER LEVEL X TO THE
RECREATION DEPARTMENT

COUNCILMAN DUNLEAVY

_____ offered the following resolution,

which was seconded by COUNCILMAN WOOTEN

RESOLVED, that Matthew Sanders is hereby appointed as a Senior Beach Manager Level X to the Recreation Department effective May 19, 2009 to and including September 7, 2009 and to serve as needed on an at will basis and to be paid at the rate of \$18.85 an hour and to serve at the pleasure of the Town Board.

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

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

WOOTEN ✓ yes ___ no
DUNLEAVY ✓ yes ___ no BLASS ✓ yes ___ no
CARDINALE ✓ yes ___ no
THIS RESOLUTION ✓ is ___ is not
DECLARED DULY ADOPTED

¹ Rec. Colleen: Res Matt Sanders -09

5/19/09

Adopted

TOWN OF RIVERHEAD

Resolution # 459

**APPOINTS A CALL-IN SCOREKEEPER LEVEL III
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILMAN WOOTEN offered the following Resolution,

which was seconded by COUNCILWOMAN BLASS

RESOLVED, that Christopher Barker is hereby appointed as a Call-In Scorekeeper Level III effective, May 21, 2009 to serve as needed on an at will basis to be paid at the rate of \$9.35 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; and

BE IT FURTHER, RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk¹

WOOTEN yes no

DUNLEAVY yes no

BLASS yes no

CARDINALE yes no

**THIS RESOLUTION is is not
DECLARED DULY ADOPTED**

¹ Rec.Kelly/Resolution/scorekeeper/Barker

5/19/09

Adopted

TOWN OF RIVERHEAD

Resolution # 460

**APPOINTS A CALL-IN SCOREKEEPER LEVEL II
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILWOMAN BLASS offered the following Resolution,

which was seconded by COUNCILMAN DUNLEAVY

RESOLVED, that Daniel Dunn is hereby appointed as a Call-In Scorekeeper Level II effective, May 21, 2009 to serve as needed on an at will basis to be paid at the rate of \$9.10 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; and

BE IT FURTHER, RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk¹

WOOTEN yes no

DUNLEAVY yes no

BLASS yes no

CARDINALE yes no

**THIS RESOLUTION is is not
DECLARED DULY ADOPTED**

¹ Rec.Kelly/Resolution/scorekeeper/Dunn

5/19/09

Adopted

TOWN OF RIVERHEAD

Resolution # 461

**APPOINTS A CALL-IN SCOREKEEPER LEVEL III
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILMAN DUNLEAVY

_____ offered the following Resolution,

which was seconded by _____ COUNCILMAN WOOTEN

RESOLVED, that Kenneth Drumm is hereby appointed as a Call-In Scorekeeper Level III effective, May 21, 2009 to serve as needed on an at will basis to be paid at the rate of \$9.35 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; and

BE IT FURTHER, RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk¹

WOOTEN yes no

DUNLEAVY yes no BLASS yes no

CARDINALE yes no

THIS RESOLUTION is _____ is not
DECLARED DULY ADOPTED

¹ Rec.Kelly/Resolution/scorekeeper/Drumm

5/19/09

Adopted

TOWN OF RIVERHEAD

Resolution # 462

**APPOINTS A CALL-IN SCOREKEEPER LEVEL II
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILMAN WOOTEN

_____ offered the following Resolution,

COUNCILWOMAN BLASS

which was seconded by _____

RESOLVED, that Thomas Goodwin is hereby appointed as a Call-In Scorekeeper Level II effective, May 21, 2009 to serve as needed on an at will basis to be paid at the rate of \$9.10 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; and

BE IT FURTHER, RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk¹

WOOTEN yes ___ no

DUNLEAVY yes ___ no

BLASS yes ___ no

CARDINALE yes ___ no

THIS RESOLUTION **is** _____ **is not**
DECLARED DULY ADOPTED

¹ Rec.Kelly/Resolution/scorekeeper/Goodwin

5/19/09

Adopted

TOWN OF RIVERHEAD

Resolution # 463

APPOINTS A CALL-IN SCOREKEEPER LEVEL IV TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILWOMAN BLASS offered the following Resolution,

which was seconded by COUNCILMAN DUNLEAVY

RESOLVED, that Sarah Heins is hereby appointed as a Call-In Scorekeeper Level IV effective, May 21, 2009 to serve as needed on an at will basis to be paid at the rate of \$9.65 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; and

BE IT FURTHER, RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk¹

WOOTEN yes no

DUNLEAVY yes no BLASS yes no

CARDINALE yes no

THIS RESOLUTION is is not
DECLARED DULY ADOPTED

¹ Rec.Kelly/Resolution/scorekeeper/SarahHeins

5/19/09

Adopted

TOWN OF RIVERHEAD

Resolution # 464

**APPOINTS A CALL-IN SCOREKEEPER LEVEL III
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILMAN DUNLEAVY

offered the following Resolution,

which was seconded by COUNCILMAN WOOTEN

RESOLVED, that Stephanie Heins is hereby appointed as a Call-In Scorekeeper Level III effective, May 21, 2009 to serve as needed on an at will basis to be paid at the rate of \$9.35 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; and

BE IT FURTHER, RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk¹

WOOTEN yes no

DUNLEAVY yes no

BLASS yes no

CARDINALE yes no

**THIS RESOLUTION is is not
DECLARED DULY ADOPTED**

¹ Rec.Kelly/Resolution/scorekeeper/StephanieHeins

5/19/09

TOWN OF RIVERHEAD

Adopted

Resolution # 465

**APPOINTS A SEASONAL PARK ATTENDANT III, LEVEL I
TO THE RIVERHEAD RECREATION DEPARTMENT**

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

RESOLVED, that Stephen E. Burns is hereby appointed as a Seasonal Park Attendant III, Level I (Beaches) effective May 20, 2009 to and including September 15, 2009 and to serve as needed on an at will basis to be paid at the rate of \$10.25 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; and

BE IT FURTHER, RESOLVED, that the Town Board may review and obtain a copy of this resolution from the E-Cabinet and, if needed, a certified copy of same be obtained from the Office of the Town Clerk.¹

WOOTEN yes no

DUNLEAVY yes no

BLASS yes no

CARDINALE yes no

THIS RESOLUTION is is not
DECLARED DULY ADOPTED

¹ Rec. Kelly/Resolution/PA/Burns

5/19/09

TOWN OF RIVERHEAD

Adopted

Resolution # 466

**APPOINTS A SEASONAL PARK ATTENDANT III, LEVEL I
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by COUNCILMAN DUNLEAVY

RESOLVED, that William Lehmann is hereby appointed as a Seasonal Park Attendant III, Level I (Beaches) effective May 20th, 2009 to and including September 15, 2009 and to serve as needed on an at will basis to be paid at the rate of \$10.25 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; and

BE IT FURTHER, RESOLVED, that the Town Board may review and obtain a copy of this resolution from the E-Cabinet and, if needed, a certified copy of same be obtained from the Office of the Town Clerk.¹

WOOTEN yes no

DUNLEAVY yes no

BLASS yes no

CARDINALE yes no

THIS RESOLUTION is is not
DECLARED DULY ADOPTED

¹ Rec. Kelly/Resolution/PA/Lehmann

5/19/09

Adopted

TOWN OF RIVERHEAD

Resolution # 467

**APPOINTMENT OF
SEASONAL CLERK
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILMAN DUNLEAVY

offered the following Resolution,

which was seconded by COUNCILMAN WOOTEN

RESOLVED, that Jessica Rachubka is hereby appointed as a Seasonal Clerk effective, May 18, 2009 to be paid at the rate of \$13.00 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; and

BE IT FURTHER, RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk¹

WOOTEN yes no

DUNLEAVY yes no

BLASS yes no

CARDINALE yes no

**THIS RESOLUTION is is not
DECLARED DULY ADOPTED**

¹ Rec.Kelly/Resolution/Seasonal Clerk

May 19, 2009

TOWN OF RIVERHEAD

Adopted

Resolution # 468

RATIFIES THE APPOINTMENT OF A STUDENT INTERN TO THE WATER DISTRICT

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

WHEREAS, the need for a Student Intern exists in the Water District, and

WHEREAS, the recommendation of the Water District Superintendent and the Personnel Officer has been received.

NOW, THEREFORE, BE IT RESOLVED, that effective for the period of May 18, 2009 through August 7, 2009 this Town Board hereby ratifies the appointment of Kalei Pipczynski to the position of Student Intern I 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 Kalei Pipczynski, the Water District Superintendent, the Accounting Department, and the Personnel Officer.

WOOTEN yes no
DUNLEAVY yes no BLASS yes no
CARDINALE yes no
THIS RESOLUTION is is not

DECLARED DULY ADOPTED

May 19, 2009

TOWN OF RIVERHEAD

Adopted

Resolution # 469

APPROVES REQUEST FOR LEAVE OF ABSENCE

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

WHEREAS, Pursuant to Article III, Section 5 of the current contract between the Town of Riverhead and the Civil Service Employees Association, Inc., Local 1000, Catherine Seebeck, a Justice Court Clerk in the Riverhead Town Justice Court, has requested a non-paid leave of absence from the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that Catherine Seebeck's request for a non-paid leave of absence is hereby approved for the period of May 22, 2009 through May 21, 2010 subject to the following condition(s):

(1) To facilitate the proper functioning of the Town offices, the employee shall submit written notice to the Town Supervisor of her intent to return to work, resign, retire or other relief at least thirty (30) days prior to the expiration of the leave of absence, and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Catherine Seebeck, the Riverhead Town Justice Court, the Accounting Department and the Personnel Officer.

THE VOTE

WOOTEN yes ___ no
DUNLEAVY yes ___ no BLASS yes ___ no
CARDINALE yes ___ no
THIS RESOLUTION is ___ is not

DECLARED DULY ADOPTED

May 19, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 470

APPOINTS A COMMUNITY DEVELOPMENT PROGRAM TECHNICIAN

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

WHEREAS, Lizabeth Plouff has been serving as a provisional appointment in the position of Community Development Program Technician; and

WHEREAS, Civil Service has established a certified list of Eligibles, list # 09-0585-135 for the position of Community Development Program Technician, and Lizabeth Plouff is reachable on that list.

NOW, THEREFORE, BE IT RESOLVED, that effective today, May 19, 2009, this Town Board hereby removes the provisional status of Lizabeth Plouff and appoints her to the position of Community Development Program Technician at no change in salary.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Lizabeth Plouff, the Community Development Administrator, the Accounting Office, and the Personnel Officer.

THE VOTE

Wooten, Dunleavy, Blass, and Cardinale voting yes; Resolution is adopted.

DECLARED DULY ADOPTED

May 19, 2009

TOWN OF RIVERHEAD

Adopted

Resolution # 471

REAPPOINTS A STUDENT INTERN TO THE ACCOUNTING DEPARTMENT

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

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

WHEREAS, a recommendation from the Financial Administrator and the
Personnel Officer has been received to reappoint certain personnel.

NOW, THEREFORE, BE IT RESOLVED, that effective May 26, 2009 through
September 15, 2009 William Torre is hereby reappointed to the position of Student
Intern II at the hourly rate of \$11.00.

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

THE VOTE

WOOTEN yes no
DUNLEAVY yes no BLASS yes no
CARDINALE yes no
THIS RESOLUTION is is not

DECLARED DULY ADOPTED

May 19, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 472

REAPPOINTS A STUDENT INTERN TO THE ACCOUNTING DEPARTMENT

COUNCILWOMAN BLASS

_____ offered the following

resolution, which was seconded by _____ COUNCILMAN DUNLEAVY

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

WHEREAS, a recommendation from the Financial Administrator and the Personnel Officer has been received to reappoint certain personnel.

NOW, THEREFORE, BE IT RESOLVED, that effective May 26, 2008 through September 15, 2009 Justin Blass is hereby reappointed to the position of Student Intern II at the hourly rate of \$10.50.

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

THE VOTE

WOOTEN yes no

DUNLEAVY yes no

BLASS yes no *abstain*

CARDINALE yes no

THIS RESOLUTION is is not

DECLARED DULY ADOPTED

May 19, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 473

APPOINTS TEMPORARY CLERKS TO THE TAX RECEIVER'S OFFICE

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

WHEREAS, This Town Board recognizes that the need to provide additional clerical personnel to the Office of the Receiver of Taxes to assist in the processing of tax money.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to completed background investigation, Alyssa Rowe and Zachary Pileski be and are hereby appointed as temporary clerks effective May 20, 2009 through June 19, 2009 at the hourly rate of \$10.25.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Alyssa Rowe, Zachary Pileski, the Accounting Department, and the Personnel Officer.

THE VOTE

WOOTEN yes no
DUNLEAVY yes no BLASS yes no
CARDINALE yes no
THIS RESOLUTION is is not

DECLARED DULY ADOPTED

5/19/09

Adopted

TOWN OF RIVERHEAD

Resolution # 474

RATIFIES THE APPOINTMENT OF
A PART-TIME CLERK
TO THE RIVERHEAD RECREATION DEPARTMENT
COUNCILMAN WOOTEN

_____ offered the following Resolution,
COUNCILWOMAN BLASS
which was seconded by _____

RESOLVED, that Anita Lewin is hereby appointed as a Part-Time Clerk effective, May 11, 2009 to be paid at the rate of \$13.00 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; and

BE IT FURTHER, RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk¹

WOOTEN yes no
DUNLEAVY yes no BLASS yes no
CARDINALE yes no
THIS RESOLUTION _____ is _____ is not
DECLARED DULY ADOPTED

¹ Rec.Kelly/Resolution/P/T Clerk/Lewin

5/19/09

Adopted

TOWN OF RIVERHEAD

Resolution # 475

**AMENDS THE APPOINTMENT OF A CALL-IN RECREATION SUPERVISOR
TO THE RECREATION DEPARTMENT**

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

RESOLVED, that Cynthia Hynds is hereby appointed as a Call-In Recreation Supervisor effective, February 17, 2009, to serve as needed on an at will basis to be paid at the rate of \$20.60 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; and

BE IT FURTHER, RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk¹

WOOTEN yes no

DUNLEAVY yes no

BLASS yes no

CARDINALE yes no

**THIS RESOLUTION is is not
DECLARED DULY ADOPTED**

¹ Rec.Kelly/Resolution/C/I Rec Sup/Hynds

May 19, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 476

REAPPOINTS A SEASONAL TRAFFIC CONTROL OFFICER IN THE POLICE DEPARTMENT

COUNCILMAN DUNLEAVY 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, a recommendation made by the Chief of Police and the Personnel Officer has been received to reappoint certain personnel.

NOW, THEREFORE, BE IT RESOLVED, that effective June 1, 2009 Christopher Butts is hereby reappointed to the position 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 Christopher Butts the Police Department, the Accounting Office and the Personnel Officer.

THE VOTE

WOOTEN yes no
DUNLEAVY yes no BLASS yes no
CARDINALE yes no
THIS RESOLUTION is is not

DECLARED DULY ADOPTED

5/19/09

Adopted

TOWN OF RIVERHEAD

Resolution # 477

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

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

RESOLVED, that Troy Vetter is hereby appointed to serve as a Call-In Recreation Aide/ Youth Sports Level 1 effective May 29th, 2009 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 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.

1

WOOTEN yes no
DUNLEAVY yes no BLASS yes no
CARDINALE yes no
THIS RESOLUTION is is not
DECLARED DULY ADOPTED

¹ Rec.Jim/ Res Troy Vetter Rec Aide/ Youth Sports

5/19/09

Adopted

TOWN OF RIVERHEAD

Resolution # 478

APPOINTS
BEACH ATTENDANTS/ CONCESSION STAND OPERATORS
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 Beach Attendants/Concession Stand Operators to the Recreation Department effective May 23, 2009 to and including September 7, 2009 and to serve as needed on an at will basis and to serve at the pleasure of the Town Board.

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

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

1

WOOTEN yes no

DUNLEAVY yes no

BLASS yes no

CARDINALE yes no

THIS RESOLUTION is is not
DECLARED DULY ADOPTED

¹ Rec. Colleen: Res Blanket Beach Attn-09

5/19/09

Adopted

TOWN OF RIVERHEAD

Resolution # 478

APPOINTS
BEACH ATTENDANTS/ CONCESSION STAND OPERATORS
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 Beach Attendants/Concession Stand Operators to the Recreation Department effective May 23, 2009 to and including September 7, 2009 and to serve as needed on an at will basis and to serve at the pleasure of the Town Board.

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

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

1

WOOTEN yes no

DUNLEAVY yes no

BLASS yes no

CARDINALE yes no

THIS RESOLUTION is is not
DECLARED DULY ADOPTED

¹ Rec. Colleen: Res Blanket Beach Attn-09

**RECREATION DEPARTMENT APPOINTMENTS
5/19/09 TOWN BOARD MEETING**

<u>Last</u>	<u>First</u>	<u>Title</u>	<u>Level</u>	<u>Start</u>	<u>End</u>	<u>Salary</u>
Anderjack	Kristen	Beach Attendant/Concession Stand Operator	I	5/23/09	9/7/09	\$8.70
Blass	Juliet	Beach Attendant/Concession Stand Operator	III	5/23/09	9/7/09	\$9.90
Czelatka	Amelia	Beach Attendant/Concession Stand Operator	I	5/23/09	9/7/09	\$8.70
Drexel	Angela	Beach Attendant/Concession Stand Operator	III	5/23/09	9/7/09	\$9.90
Farrell	Morgan	Beach Attendant/Concession Stand Operator	II	5/23/09	9/7/09	\$9.60
Fasanelli	Christine	Beach Attendant/Concession Stand Operator	II	5/23/09	9/7/09	\$9.60
Flood	Liam	Beach Attendant/Concession Stand Operator	IV	5/23/09	9/7/09	\$10.15
Goodwin	Nicole	Beach Attendant/Concession Stand Operator	I	5/23/09	9/7/09	\$8.70
Gostic	Katelyn	Beach Attendant/Concession Stand Operator	I	5/23/09	9/7/09	\$8.70
Keuling	Deidre	Beach Attendant/Concession Stand Operator	II	5/23/09	9/7/09	\$9.60
Loper	Samantha	Beach Attendant/Concession Stand Operator	I	5/23/09	9/7/09	\$8.70
McCormick	Christina	Beach Attendant/Concession Stand Operator	I	5/23/09	9/7/09	\$8.70
Moran	Kayleen	Beach Attendant/Concession Stand Operator	I	5/23/09	9/7/09	\$8.70
Mottern	Jennifer	Beach Attendant/Concession Stand Operator	III	5/23/09	9/7/09	\$9.90
Rowe	Kristina	Beach Attendant/Concession Stand Operator	I	5/23/09	9/7/09	\$8.70
Villanell	Frank	Beach Attendant/Concession Stand Operator	VIII	5/23/09	9/7/09	\$11.40
Vlachich	Amelia	Beach Attendant/Concession Stand Operator	I	5/23/09	9/7/09	\$8.70
Zilnicki	Kelly	Beach Attendant/Concession Stand Operator	I	5/23/09	9/7/09	\$8.70
Zilnicki	Kyle	Beach Attendant/Concession Stand Operator	II	5/23/09	9/7/09	\$9.60

5/19/09

Adopted

TOWN OF RIVERHEAD

Resolution # 479

APPOINTS
LIFEGUARDS
TO THE
RECREATION DEPARTMENT

COUNCILMAN DUNLEAVY

_____ 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 23, 2009 to and including September 7, 2009 and to serve as needed on an at will basis and to serve at the pleasure of the Town Board.

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

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

WOOTEN yes no

DUNLEAVY yes no

BLASS yes no

CARDINALE yes no

THIS RESOLUTION is is not
DECLARED DULY ADOPTED

¹ Rec. Colleen: Res Blanket Lifeguards 09

**RECREATION DEPARTMENT APPOINTMENTS
5/19/09 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>
Andrejack	John	Fill-In Lifeguard	I	5/23/09	9/7/09	\$11.00
Behrens	Riley	Lifeguard	V	5/23/09	9/7/09	\$13.25
Bilunas	Courtney	Lifeguard	IV	5/23/09	9/7/09	\$12.85
Boccafola	Janine	Lifeguard	II	5/23/09	9/7/09	\$12.10
Burns	Katherine	Lifeguard	VII	5/23/09	9/7/09	\$14.00
Condzella	Thomas	Lifeguard	VIII	5/23/09	9/7/09	\$14.45
DelliCarpini	Emma	Fill-In Lifeguard	I	5/23/09	9/7/09	\$11.00
DelliCarpini	Rebecca	Lifeguard	III	5/23/09	9/7/09	\$12.45
Fox	Natalie	Lifeguard	III	5/23/09	9/7/09	\$12.45
Hegermiller	Anna	Lifeguard	III	5/23/09	9/7/09	\$12.45
Hegermiller	Gilbert	Fill-In Lifeguard	I	5/23/09	9/7/09	\$11.00
Hennenlotter	Deborah	Fill-In Lifeguard	IX	5/23/09	9/7/09	\$14.90
Ince	Bailey	Fill-In Lifeguard	II	5/23/09	9/7/09	\$12.10
Ince	Parker	Lifeguard	II	5/23/09	9/7/09	\$12.10
May	Thomas	Lifeguard	II	5/23/09	9/7/09	\$12.10
McCoy	Colin	Lifeguard	II	5/23/09	9/7/09	\$12.10
McCoy	Jared	Lifeguard	VI	5/23/09	9/7/09	\$13.65
Nugent	Gavin	Lifeguard	IV	5/23/09	9/7/09	\$12.85
Kendra	Opatovskiy	Lifeguard	II	5/23/09	9/7/09	\$12.10
Potapchuk	John	Lifeguard	II	5/23/09	9/7/09	\$12.10
Rucigay	Evan	Lifeguard	II	5/23/09	9/7/09	\$12.10
Racaniello	Amanda	Lifeguard	IV	5/23/09	9/7/09	\$12.10
Sanders	Gregory	Lifeguard	X	5/23/09	9/7/09	\$12.85
Sullivan	Kara	Lifeguard	II	5/23/09	9/7/09	\$15.35
Wagner	Kyle	Lifeguard	II	5/23/09	9/7/09	\$12.10

May 19, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 480

APPOINTS ONETIME MARRIAGE OFFICER

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

WHEREAS, pursuant to New York State Domestic Relations Law, Article Three, § 11-C (1), the Town Board of the Town of Riverhead is authorized to appoint one or more marriage officers who shall have the authority to solemnize a marriage and which marriage shall be valid if performed in accordance with other provisions of the Domestic Relations Law; and

WHEREAS, pursuant to New York State Domestic Relations Law, Article Three, § 11-C (2) and (4), the Town Board of the Town of Riverhead shall determine the number of such marriage officers appointed for the town and the term of office of each marriage officer; and

WHEREAS, the need for a Marriage Officer exists on October 30, 2009; and

WHEREAS, Theresa Davis has expressed an interest in serving as a onetime Marriage Officer on October 30, 2009.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby appoints Theresa Davis as a Marriage Officer on October 30, 2009.

RESOLVED, that the Town Clerk shall forward a copy of this resolution to Theresa Davis, 449 Marcy Avenue, Riverhead, New York 11901.

THE VOTE

WOOTEN YES NO DUNLEAVY YES NO
BLASS YES NO
CARDINALE YES NO
THIS RESOLUTION IS IS NOT

DECLARED DULY ADOPTED

May 19, 2009

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 481

REJECTS BID AND RATIFIES AUTHORIZATION FOR THE TOWN CLERK TO RE-PUBLISH AND RE-POST THE NOTICE TO BIDDERS FOR THE TOWN OF RIVERHEAD TENNIS COURT RENOVATIONS CONTRACT

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

WHEREAS, the Town Clerk was authorized to post and publish a Notice to Bidders for the Town of Riverhead Tennis Court Renovations Contract; and

WHEREAS, one (1) bid was received and opened on April 30, 2009 at 11:05 am in the Office of the Town Clerk; and

WHEREAS, the single bidder formally withdrew their bid on May 6, 2009.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Riverhead be and does hereby reject the bid received; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to return any and all bid bonds received in connection with the above referenced project; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to re-post and re-publish the attached Notice to Bidders in the May 14, 2009 issue of the official Town newspaper; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Ray Coyne, Recreation Superintendent, Christine Fetten, P.E., Assistant Town Engineer, Purchasing Department, IT Department and the Office of Accounting.

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed proposals for the Town of Riverhead Tennis Court Renovations, Riverhead, New York will be received by the Town of Riverhead in the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until 11:00 am on May 28, 2009 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and/or obtained on or about May 14, 2009 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays or by visiting the Town of Riverhead website: www.riverheadli.com and click on Bid Requests.

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 Tennis Court Renovations Contract" and must be accompanied by a bid surety as stated in the Instruction to Bidders.

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

BY ORDER OF THE RIVERHEAD TOWN BOARD
DIANE M. WILHELM, Town Clerk
Riverhead, New York 11901

Dated: May 19, 2009

THE VOTE

Blass Yes No

Dunleavy Yes No

Wooten Yes No

Cardinale Yes No

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED.

May 19, 2009

TOWN OF RIVERHEAD

RESOLUTION # 482

Adopted

Authorizes Publication of Notice to Amend CDBG Program

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten.

WHEREAS, the Town of Riverhead desires to amend its FY 2007 Community Development Block Grant ("CDBG") Program; and

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

THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby authorized to publish the attached notice in the News Review on Thursday, May 28, 2009, and

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

THE VOTE

Blass Yes No

Wooten Yes No

Dunleavy Yes No

Cardinale Yes No

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

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

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

<u>Year 2007</u>	<u>Current</u>	<u>Proposed Change</u>	<u>Amended Budget</u>
Carriage House Renovations	\$75,000.00	(-\$53,200.00)	\$21,800.00
<u>Year 2007</u>	<u>Current</u>	<u>Proposed Change</u>	<u>Amended Budget</u>
East End Art Council Site Improvements	\$0.00	+\$53,200.00	\$53,200.00

Interested citizens may submit comments on or before Friday, June 19th, 2009 to:

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

The Town Board will consider a Resolution authorizing the proposed change at the July 7, 2009 Board Meeting to be held at 2:00 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, NY 11901.

Dated: May 28, 2009

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

DIANE WILHELM, TOWN CLERK

May 19, 2009

Adopted

TOWN OF RIVERHEAD

**AUTHORIZES TOWN CLERK TO PUBLISH & POST
NOTICE TO BIDDERS FOR QUICK LUBE MAINTENANCE
RIVERHEAD WATER DISTRICT**

RESOLUTION # 483

COUNCILMAN WOOTEN

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the
attached Notice to Bidders for Quick Lube Maintenance for the Riverhead Water District in the
May 28, 2009, issue of *The News-Review*.

THE VOTE

WOOTEN YES ___ NO

DUNLEAVY YES ___ NO

BLASS YES ___ NO

CARDINALE YES ___ NO

THE RESOLUTION **IS** ___ **IS NOT**

DECLARED DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **QUICK LUBE MAINTENANCE** for use by the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m.** on **June 8, 2009**.

Bid Specifications and/or Plans may be examined and/or obtained at the Town Clerk's office at Town Hall Monday through Friday (except holidays) between the hours of 8:30 a.m. and 4:30 p.m. or by visiting the Town of Riverhead website at **www.riverheadli.com**. Click on "Bid Requests" and follow the instructions to register.

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

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BIDS FOR QUICK LUBE MAINTENANCE – BID #RWD-2009-34**.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Diane M. Wilhelm, Town Clerk

May 19, 2009

Adopted

TOWN OF RIVERHEAD

EXTENDS BID CONTRACT FOR WELL & PUMP EMERGENCY SERVICE FOR THE RIVERHEAD WATER DISTRICT

RESOLUTION # 484

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

WHEREAS, the Riverhead Water District has requested that the contract with Layne Christensen Company, originally awarded under Resolution #530 adopted June 17, 2008, for the contract period of June 19, 2008 through June 18, 2009, be extended for one (1) year through June 18, 2010; and

WHEREAS, the above-named vendor has agreed to extend the contract through June 18, 2010, at the original bid amount; and

WHEREAS, the Town Board has reviewed said request.

NOW, THEREFORE, BE IT

RESOLVED, that the bid contract for emergency well and pump service for the Riverhead Water District originally awarded to Layne Christensen Company be and is hereby extended through June 18, 2010; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Layne Christensen Company, 1126 Lincoln Avenue, Holbrook, New York, 11741; and be it further

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

THE VOTE

WOOTEN YES NO

DUNLEAVY YES NO

BLASS YES NO

CARDINALE YES NO

THE RESOLUTION IS IS NOT

DECLARED DULY ADOPTED



RWD Riverhead Water District

Gary J. Pendzick, Superintendent

1035 Pulaski Street, Riverhead, New York 11901

Phone: 631-727-3205 FAX: 631-369-4608

Bid Extension Notice

To: Bob Grecki, General Manager
Layne Christensen Co.

From: Riverhead Water District

Date: 5/4/09

Subject: Extension of Bid Services

This letter is to inform you that our current bid contract with you for well and pump emergency service will expire on June 18, 2009.

The Town of Riverhead would like to extend this contract for a period of one (1) year until June 18, 2010 per the attached. This will be the first extension pursuant to the terms of the original contract.

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

Authorized Signature

ROBERT GRECKI District Manager
Print Name

LAYNE CHRISTENSEN CO.
Company Name

Date

5/4/09

Adopted

TOWN OF RIVERHEAD

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

RESOLUTION # 485

COUNCILMAN DUNLEAVY

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

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

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

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

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

WHEREAS, the Town Board has reviewed said request.

NOW, THEREFORE, BE IT

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

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

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

THE VOTE

Wooten Yes No

Dunleavy Yes No Blass Yes No

Cardinale Yes No

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



RWD Riverhead Water District

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

Bid Extension Notice

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

From: Riverhead Water District

Date: May 4, 2009

Subject: Extension of Bid Services

This letter is to inform you that our current bid contract with you for corrosion control chemical (PO4) will expire on June 3, 2009.

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

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

Date: 5/16/09

CARUS PHOPHATES, INC.

Cy P. Principi
Authorized Signature

CRAIG P. PRINCIPI
Bid & Sales Manager

May 19, 2009

Adopted

TOWN OF RIVERHEAD

**EXTENDS BID CONTRACT FOR ANNUAL DIESEL/GENERATOR
MAINTENANCE FOR THE RIVERHEAD WATER DISTRICT**

RESOLUTION # 486

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

WHEREAS, the Riverhead Water District has requested that the contract with Atlantic Detroit Diesel Allison for diesel/generator maintenance for the Riverhead Water District, originally awarded under Resolution #070324 adopted April 4, 2007, for the contract period June 19, 2007 to June 19, 2008, be extended until June 19, 2010, pursuant to the attached Bid Extension Notice; and

WHEREAS, the above-named vendor has agreed to extend the contract until June 19, 2010, at the original bid amount; and

WHEREAS, the Town Board has reviewed said request.

NOW, THEREFORE, BE IT

RESOLVED, that the bid contract awarded to Atlantic Detroit Diesel Allison for diesel/generator annual maintenance for the Riverhead Water District be and is hereby extended to June 19, 2010; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Mr. Michael McNeil, Atlantic Detroit Diesel Allison, 3025 Veterans Memorial Highway, Ronkonkoma, New York, 11779; and be it further

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

THE VOTE

WOOTEN YES NO
DUNLEAVY YES NO BLASS YES NO
CARDINALE YES NO

THE RESOLUTION IS IS NOT
DECLARED DULY ADOPTED



RWD Riverhead Water District

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

Bid Extension Notice

To: Guy Davi
From: Riverhead Water District
Date: 5/4/09
Subject: Extension of Bid Services

This letter is to inform you that our current bid contract with you for Annual Diesel/Generator Maintenance will expire on June 19, 2009.

The Town of Riverhead would like to extend this contract for a period of one (1) year until June 19, 2010. This will be the second extension pursuant to the terms of the original contract..

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

Guy Davi
Authorized Signature

GUY DAVI
Print Name

ATLANTIC DETROIT DIESEL/ALLISON
Company Name

May 4, 2009
Date

05/19/2009

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 487

AUTHORIZES ATTENDANCE OF ASSESSOR AT SEMINAR

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

WHEREAS, a seminar for assessors is being held at Cornell University, Ithaca, New York, on July 13 through July 17, 2009 and,

WHEREAS, 1 member of the Board of Assessors has expressed a desire to attend the seminar.

NOW, THEREFORE, BE IT RESOLVED, that 1 assessor is 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 \$1,500.00 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, and

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

WOOTEN yes no

DUNLEAVY yes no

BLASS yes no

CARDINALE yes no

THIS RESOLUTION is is not
DECLARED DULY ADOPTED

5/19/09

Town of Riverhead

Adopted

Resolution # 488

AUTHORIZES THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH COLD SPRING SEA FARMS, INC. TO ALLOW THE UTILIZATION OF FLOATING UPWELLER SYSTEMS (FLUPSY) IN EAST CREEK

COUNCILMAN DUNLEAVY

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, Cold Spring Sea Farms, Inc. 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, Cold Spring Sea Farms, Inc. wishes to utilize 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, Cold Spring Sea Farms, Inc. 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 Cold Spring Sea Farms, Inc.; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Cold Spring Sea Farms, Inc., 445 Broadhollow Road, Melville, New York, 11747; and be it further

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

THE VOTE

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

The Resolution Was Was Not
Therefore Duly Adopted

LICENSE

License ("License"), made as of the day of May, 2009, by and between the Town of Riverhead, ("Licensor") having and address at 200 Howell Avenue, Riverhead, New York and Cold Spring Sea Farms, Inc., ("Licensee"), having an address at 445 Broadhollow Road, Melville, New York, 11747, a not for profit corporation.

WITNESSETH

WHEREAS, Cold Spring Sea Farms, Inc. wishes to utilize a floating Upweller System (FLUPSY) to be located at the northerly terminus of East Creek, in Jamesport, for the purpose of culturing seed hard clams, bay scallops and oysters set forth in the contract between the parties, and

WHEREAS, the Town of Riverhead wishes to grant the Licensor the right to install and utilize up to two (2) FLUPSY tanks at the aforementioned location.

NOW, THEREFORE, in consideration of the mutual agreements herein contained, Licensor and Licensee, for themselves and their successors, hereby agree as follows:

1. Licensing: Upon the terms and conditions hereinafter set forth, Licensor hereby licenses to Licensee the right to use the licensed premises, a copy of which is annexed hereto as Exhibit A.

2. Term of the License. The term of this License (the "term") shall commence on June 1, 2009 and shall end on December 31, 2009.

3. Condition of the License Properties. Licensee is familiar with the licensed premises, has examined same and is aware of defects, if any, in it. Notwithstanding the foregoing, licensee agrees to accept the license properties "as is".

4. License Fee. Licensee shall pay to Licensor, upon the execution of this agreement the license fee of \$50.00 per month for each FLUPSY installed at the Town's site for the term of the license, in full.

a) The License fee and any other monies payable by the licensee shall be paid by check made payable to the Town of Riverhead and delivered to William Rothaar, Financial Administrator, at 552 East Main Street, Riverhead, New York, 11901.

5. Use of License Property. Licensee agrees to utilize the licensed properties exclusively for the purpose of operating the FLUPSY and to provide educational tours of the facility.

6. Insurance. Cold Spring Sea Farms, Inc. further agrees to carry public liability and in an amount not less than \$1,000,000.00 combined single limit covering bodily injury and property damage per occurrence in a company(ies) acceptable to the Town of Riverhead, in which policy the Town of Riverhead shall be named as additional insured. Cold Spring Sea Farms, Inc. shall furnish satisfactory evidence that such insurance is in effect and will not be canceled during the term of this Agreement

without thirty (30) days prior written notice of such cancellation to Authority.

7. Repair, Maintenance and Inventory of License Properties.

a) Licensee agrees to maintain the licensed area free of trash and debris.

b) The licensee shall not be permitted to alter the licensed properties without the prior permission of the licensor.

8. Assignment. Notwithstanding anything to the contrary contained in the License, Licensee shall not assign this license, license the license property, in whole or in part, or permit licensee's interest to be vested in any other party other than licensee by operation of law or otherwise. A transfer of more than fifty (50%) percent at any one time, or in the aggregate from time to time, of the stock, partnership or other ownership interests in Licensee, direct or indirectly shall be deemed to be an assignment of this License.

9. Indemnity: Licensee shall indemnify and hold the Licensor harmless from and against any and all claims, actions, liabilities, losses (including, without limitation, consequential and special damages), costs and expenses (including, without limitation, court costs and reasonable attorney fees and expenses), arising from or in connection with the use of the licensed property.

10. Notices: Any notices to be given under this License shall be in writing and shall be sent by registered or certified mail, return receipt

requested. If such notice is directed to Licensor, it shall be addressed to the attention of the Riverhead Town Supervisor at 200 Howell Avenue, Riverhead, New York. If such notice is directed at the Licensee, it shall be addressed to 445 Broadhollow Road, Melville, New York, 11747.

11. Miscellaneous: Merger. All prior understandings and agreements between the parties with respect to the subject matter hereof are merged within this agreement, which alone, fully and completely sets forth the understanding of the parties with respect to the subject matter hereof. This license may not be changed or terminated orally, or in any manner, other than in writing signed by the party against whom enforcement is sought.

12. Cross Default: To the extent that the Licensor and Licensee are parties to related agreements, any default under the related agreements shall be deemed to be a default under this License, and any default under this license shall be deemed a default under such similar agreements.

IN WITNESS WHEREOF, Licensor and Licensee do hereby execute this License as of the date and year first above written.

TOWN OF RIVERHEAD

By: _____
PHILIP J. CARDINALE, Supervisor

COLD SPRING SEA FARMS, INC.

By: _____
THOMAS C. OCONNER

May 19, 2009

TOWN OF RIVERHEAD

Adopted

Resolution # 489

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING REGARDING THE SPECIAL PERMIT OF BERNARD J. KITO, JR.

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

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Bernard J. Kito, Jr., pursuant to Article LII, Section 108-282B of the Riverhead Town Code for the construction of four (4) medical office buildings on a 3.902 acre parcel zoned Rural Corridor (RLC); such property more particularly described as SCTM 0600-85-3-1.8, and

WHEREAS, by resolution dated July 3, 2007, the Riverhead Town Board did refer the Special Use Permit petition to the Riverhead Planning Board for its report and recommendation; and

WHEREAS, as the result of an appearance made by the applicant on August 2, 2007, and upon its findings, the Planning Board has recommended the special permit be granted by the Riverhead Town Board; and

WHEREAS, the petitioner has appeared before the Town Board at a work session held on April 2, 2009, and

WHEREAS, the Town Board desires to hold a public hearing on this matter at this time, now

THEREFORE, BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the attached notice of public hearing in the May 21st, 2009 edition of the official newspaper of the Town of Riverhead.

THE VOTE

DUNLEAVY 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 2nd Day of June at 2:30 o'clock pm, to consider the special use permit petition of Bernard J. Kito, Jr. to allow the construction of four (4) medical office buildings on a 3.902 acre parcel zoned Rural Corridor (RLC) upon real property located at Main Road, Aquebogue, New York; such property more particularly described as SCTM 0600-85-3-1.8, and

Dated: Riverhead, New York

Date: May 21, 2009

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

May 19, 2009

TOWN OF RIVERHEAD

Adopted

Resolution # 490

Extends Site Plan Approval of Living Waters Gospel Church, Inc.

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

WHEREAS, by Resolution # 344 dated April 18, 2006, the Riverhead Town Board did approve the site plan petition of Living Waters Gospel Church, Inc. to allow for the construction of an addition to an existing church together with a church school with related site improvements located at 24 Shade Tree Lane, Aquebogue, New York; such property referred to as Living Waters Gospel Church, Inc. and more particularly described as SCTM # 0600-129-4-5.2; and

WHEREAS, the Riverhead Town Clerk is in receipt of correspondence from George Dupree on behalf of Living Waters Gospel Church, Inc. requesting that the Town Board extend the aforementioned site plan approval for a period of twelve (12) months pursuant to Section 108-129(F) of the Riverhead Zoning Ordinance; and

WHEREAS, the Town Board has carefully considered the merits of the request for an extension of the subject site plan approval; and

NOW THEREFORE BE IT RESOLVED, that in the application of Living Waters Gospel Church, Inc. to extend the site plan approval to construct an addition to the existing church together with a church school, the Town Board of the Town of Riverhead hereby declares itself to be the Lead Agency pursuant to 6 NYCRR Part 617, and further determines the action to be Unlisted pursuant to 6 NYCRR Part 617; and

BE IT FURTHER RESOLVED, that that since no material changes in either zoning regulations or site plan depiction have been made, the Town Board hereby approves the request for an extension of the site plan approval of Living Waters Gospel

Church, Inc. for a twelve (12) month period ending April 18, 2010. *No further extensions will be granted;* and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to George Dupree on behalf of Living Waters Gospel Church, Inc., the Planning Department, Building Department, and Office of the Town Attorney, and a copy be scanned on to the Town Hall Share Drive for future reference.

THE VOTE

DUNLEAVY YES ___ NO

BLASS YES ___ NO

WOOTEN YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

May 19, 2009

TOWN OF RIVERHEAD

Adopted

Resolution # 491

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE FOR A PUBLIC HEARING REGARDING AN ALLEGED UNSAFE BUILDING LOCATED AT 31 NORTHVILLE A TURNPIKE, RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TAX MAP NO. 0600-128-4-10, PURSUANT TO CHAPTER 54 OF THE RIVERHEAD TOWN CODE

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice for a public hearing regarding an alleged unsafe building located at 31 Northville Turnpike, Riverhead, Suffolk County, New York, Suffolk County Tax Map No. 0600-128-4-10, pursuant to Chapter 54 of the Riverhead Town Code once in the May 21, 2009 edition of the News Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to send notification of this resolution to Marie McMillan, 26 Northside Road, Wading River, New York 11792; the Office of the Town Attorney; and the Fire Marshal's Office.

WOOTEN YES NO

DUNLEAVY YES NO BLASS YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York on the 2nd day of June, 2009 at 2:20 o'clock p.m. to hear all interested persons regarding an alleged unsafe building at 31 Northville Turnpike, Riverhead, New York, Suffolk County Tax Map No. 0600-128-4-10, pursuant to Chapter 54 of the Riverhead Town Code.

Dated: Riverhead, New York
May 19, 2009

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHEM, Town Clerk

Resolution 492

Authorizes Execution and Submission of Grant Application to Suffolk County for Fiscal Year 2009 American Recovery Act Special Round Community Development Block Grant Funds

COUNCILMAN WOOTEN

offered the following resolution,

which was seconded by COUNCILWOMAN BLASS.

WHEREAS, the Town of Riverhead annually requests Community Development Block Grant (CDBG) funds for the United States Department of Housing and Urban Development for benefit to low and moderate income persons and for the prevention of slum and blight; and

WHEREAS, the federal government has provided an additional special round of CDBG funding under the American Recovery and Reinvestment Act (Recovery Act) to be made available to the Town of Riverhead through participation in the Suffolk County consortium; and

WHEREAS, the Town of Riverhead possesses the legal authority to make a grant application and to execute a community development and housing program.

THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby ratifies the execution and submission of a grant application to the Suffolk County Department of Community Development as grantee of Community Development Block Grant funds, as attached on Schedule A, for the special FY 2009 round under the Recovery Act from the United States Department of Housing and Urban Development; and

BE IT FURTHER RESOLVED, that upon approval by the Grantor, the Town Board authorizes the Supervisor to execute the required agreement between Suffolk County and the Town of Riverhead and to undertake the program as approved; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to provide a copy of this resolution to Joseph T. Sanseverino (Suffolk County Community Development Director, H. Lee Dennison Bldg., PO Box 6100, Hauppauge, NY 11788) and Community Development.

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

WOOTEN yes no
 DUNLEAVY yes no BLASS yes no
 CARDINALE yes no
 THIS RESOLUTION is is not
DECLARED DULY ADOPTED

Attachment A

2009 Recovery Act Special Round CDBG Application

East End Arts Council Public Space Site Improvements	\$ 44,226
<u>Administration</u>	<u>\$ 2,574</u>
Total	\$46,800

May 19, 2009

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 493

**AUTHORIZES GRANT OF EASEMENT TO SUFFOLK COUNTY
FOR ACCESS TO THE GRANGEBEL PARK COMFORT STATION**

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

WHEREAS, grant funding is available from Suffolk County under Round VII of the Downtown Revitalization Grant Program to encourage long-term improvements in downtown business districts; and

WHEREAS, The Community Development Department applied for and received an award of \$60,000 on behalf of the Riverhead Business Improvement District for renovation of the Grangebel Comfort Station; and

WHEREAS, the Suffolk County Round VII Downtown Revitalization Grant contract requires that the Riverhead Town Board authorize the grant of an easement to Suffolk County for access to the Grangebel Park Comfort Station in connection with such grant (see attached grant of easement).

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby authorizes the grant of an easement to Suffolk County for access to the Grangebel Park Comfort Station in connection with requirements of the grant contracts with Suffolk County; and

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

WOOTEN yes no
DUNLEAVY yes no BLASS yes no
CARDINALE yes no
THIS RESOLUTION is is not
DECLARED DULY ADOPTED

EASEMENT

THIS INDENTURE, made this day of March, 2009, between Town of Riverhead, a municipal corporation of the State of New York having its principal place of business at 200 Howell Ave - Riverhead, NY (hereinafter referred to as "Grantor"); and

the County of Suffolk, a municipal corporation of the State of New York with offices at Suffolk County Center, Center Drive, Riverhead, New York 11901 (hereinafter referred to as "Grantee"):

WITNESSETH:

WHEREAS, the Grantor covenants that it is seized of certain premises (the "Subject Premises") described in Schedule "A", attached hereto and made a part hereof, of which a Map or Survey is also attached hereto and made a part of hereof, as Schedule "B", and further the Grantor also covenants that it has good right and title to convey the Subject Premises; and

WHEREAS, the Grantor desires to participate in the Grantee's Downtown Revitalization Program, which will consist of a joint project in which the Grantee shall agree, pursuant to an intermunicipal agreement between the Grantor and the Grantee, to assist in the financing of the construction of certain infrastructure improvements on land not owned by the Grantee; and

WHEREAS, in conformity with the Grantee's Downtown Revitalization Program, the Grantor is required to grant an easement to the Grantee, comprised of that portion of the Subject Premises upon which such infrastructure improvements will be built, along with the real property necessary to gain access to such infrastructure improvements; and

WHEREAS, the Grantor desires to convey an easement, for the time period stipulated in paragraph 6 of this Indenture, on, over, across and in all or a portion of the Subject Premises to the Grantee, and its successors and assigns, for the purposes as set forth below:

NOW, THEREFORE, the Grantor does hereby grant and convey unto the Grantee, and its successors and assigns, an easement on, over, across and in all or a portion of the Subject Premises (hereinafter referred to as the "Easement," described in

Schedule "C", attached hereto and made a part hereof, of which a map or survey is also attached herein and made a part hereof as Schedule "D").

Said Easement herein granted includes the following rights and privileges:

1. The right and privilege, but not the obligation or duty, to ascertain site conditions and/or inspect, build, operate, maintain, remediate and gain access, as necessary, to the following infrastructure improvements (the "Infrastructure Improvements") at the Subject Premises without limitation, along with the real property necessary to gain access to such Infrastructure Improvements:

A) renovation of existing building for public restrooms

2. Such right and privilege is for the purpose of protecting the Grantee's interest in this Easement only, and is not for the purpose of ensuring the safety of persons on or near the Subject Premises.

3. The right and privilege shall be deemed to include, but not be limited to, ingress and egress over the Subject Premises in order to accomplish the rights and privileges granted in paragraph 1 of this Easement; and

4. The right to clear and disturb, in any reasonable manner, form or way, without limitation, the Subject Premises to effectuate the terms of this Easement.

TO HAVE AND TO HOLD, the rights and easements granted herein unto the Grantee, and its successors and assigns, and which shall run with the Subject Premises for the time period stipulated in paragraph 6 of this Easement, said Grantor and Grantee mutually agree and covenant as follows:

5. All Infrastructure Improvements as identified in paragraph 1 above, constructed by or on behalf of the Grantor, and its successors and assigns, upon the Easement, shall be and remain property of the Grantor, and its successors and assigns, until such time as this Easement is terminated.

6. a. This Easement shall commence upon its execution by the Grantor, and is deemed a condition precedent for the Grantee's participation in the funding of the Grantor's Infrastructure Improvements via the Grantee's issuance of its notes and /or bonds.

b. This Easement shall terminate upon the condition precedent of written notice given by the Grantee to the Grantor, upon the occurrence of either of the following events:

(i) That the subject notes and/or bonds issued to finance all or part of the costs of the Infrastructure Improvements are fully paid and retired.

(ii) Upon full payment by the Grantor to the Grantee, of an amount comprised of the outstanding principal amount of the Grantee's notes and/or bonds issued to finance all or part of the cost of the Infrastructure Improvements, plus all of the Grantee's issuance costs, interest costs, redemption premiums, and penalties, if any, and administrative soft costs therefore, should there be any failure to comply with the terms and conditions of the Capital Project Agreement between the Grantor and the Grantee of even date herewith.

7. The Grantee shall have the right of quiet enjoyment of said rights and easement.

8. The Grantee agrees to reasonably restore any Easement area(s) or other areas on the Subject Premises disturbed by the Grantee to a condition similar to that which existed prior to the disturbance.

9. The Grantor agrees that the terms, conditions, covenants, restrictions, and purposes of this Easement shall continue for the time period stipulated in paragraph 6 above, and the same shall be incorporated by reference in any subsequent deed or other legal instrument by which the Grantor divests itself of either the fee simple title to, or other possessory interest in the Subject Premises, or any portion thereof, specifically setting forth the date of this Easement and also the date that this Easement was recorded in the Suffolk County Clerk's Office, and the Liber and page thereof.

10. Except as set forth in paragraph 11 below, any rule of strict construction designed to limit the breadth of the restrictions in the use of the Easement shall not apply in the construction or interpretation of this Easement, and, this Easement shall be interpreted broadly to effectuate the purposes of this Easement as intended by the Grantor and Grantee.

11. The Grantor and Grantee acknowledge, agree and accept that this Easement shall be deemed to have been made pursuant to and in accordance with Suffolk County Legislative Resolution No. 808-1998 and the Rules and Regulations promulgated thereunder, and the Grantor shall be, and remain in compliance therewith.

12. Notwithstanding anything to the contrary, the Grantor, and its successors and assigns, agree that anyone who legally uses the Subject Premises, shall have the reasonable right to reasonably cross over the Easement, so long as the Grantee's rights, privileges and usage, as stipulated in this Easement, are not obstructed thereby.

13. The Grantor shall maintain the Easement in good repair at its sole cost and expense.

14. The Grantor shall, at its sole cost and expense, secure any and all permits or licenses which may be lawfully required by, and shall abide by all laws, rules, regulations and codes of, each and every municipality and/or department and/or agency, whether federal, state, or local, having jurisdiction in or over the Easement.

15. It is intended by the parties to this Indenture that the Easement is necessary for the issuance of bonds in connection with the Grantee's Downtown Revitalization Program and the Grantor's participation in such program, and is not intended to establish any liability to the Grantee regarding any construction, building or work performed at the Subject Premises. The Grantor agrees that it shall protect, indemnify and hold harmless the Grantee and its officers, officials, employees, contractors, agents and other persons from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, costs, expenses, suits or actions and reasonable attorneys' fees, whatsoever, arising out of the acts, omissions or the negligence of the Grantor in connection with any construction, building and work performed at the Subject Premises, the use of the Subject Premises and this Easement. The Grantor shall defend the Grantee and its officers, officials, employees, contractors, agents and other persons in any claim and/or suit, including appeals, or at the Grantee's option, pay the Grantee reasonable attorneys' fees for defense of any such suit arising out of the acts, omissions or negligence of the Grantor, its officers, officials, employees, subcontractors or agents, if any, in connection with any construction, building and work performed at the Subject Premises, the use of the Subject Premises and this Easement.

16. The Grantor represents and warrants that neither the Grantor nor any official, officer, or employee of Grantor, has offered or given any gratuity to any official, employee or agent of Grantee, Suffolk County, New York State or any political party with the purpose or intent of securing favorable treatment with respect to the awarding or amending of an agreement, or the making of any determinations with respect to the performance of an agreement, and that Grantor has read and is familiar with the provisions of Suffolk County Local Law Number 32-1980.

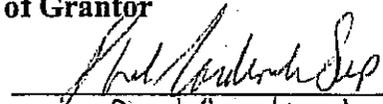
17. The Grantor, in compliance with Section 13 of the Lien Law, hereby covenants that the Grantor will receive the funding provided by the Grantee under the Grantee's Downtown Revitalization Program and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvements and will apply the same first to the payment of the cost of the improvements before using any part of the total of the same for any purpose.

18. This Easement shall run with the land and shall be binding upon the parties thereto, their heirs, distributees, executors, successors, and assigns for the time

period set forth in paragraph 6 above.

IN WITNESS WHEREOF, the Grantor and Grantee have duly executed this Easement as of the date first above written.

Name of Grantor

By: 
Name Phil Cardinale
Title Supervisor

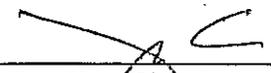
Date: 12/18/09

County of Suffolk

By: 
Name BENJAMIN ZIVERN
Deputy County Executive, Office of Staff

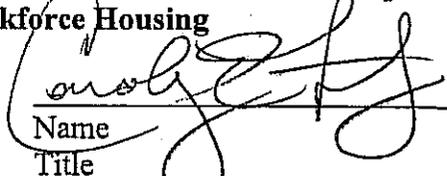
Date: 4/06/05

Approved as to Legality:
Christine Malafi, County Attorney

By: 
Name Jacqueline Caputi
Assistant County Attorney

Date: 3/23/09

Approved:
Department of Economic Development & Workforce Housing

By: 
Name _____
Title _____

Date: 3/5/09

Schedule A—

The subject parcel, consists of a 3.3 acre public park. Parcel is more particularly described as SCTM 0600-128-3-72.1.

The property, being in the Town of Riverhead, County of Suffolk, State of New York, being more particularly bounded and described as follows:

Beginning at a point on the southerly side of West Main Street, distant 117.75 feet easterly from the corner formed by the intersection of said southerly side of West Main Street and the easterly side of the Right of Way of the Town of Riverhead; and from said point of beginning running thence along the southerly side of West Main Street, the following two courses and distances: (1) South 65° 35' 10" East 77.58 feet; (2) South 58° 06' 20" East 38.51 feet to land now or formerly of B. Mesrobian; thence South 9° 37' 10" West along said last mentioned land, 153.22 feet to the northerly side of the Right of Way of the Town of Riverhead; thence North 61° 30' 20" West, along the northerly side of the Right of Way of the Town of Riverhead, 116.93 feet to a monument; thence North 9° 37' 10" East 149.80 feet to the southerly side of West Main Street at the point or place of beginning.

Being and intended to be the same premises conveyed to the party of the first part by deed dated August 4, 1965, and recorded in the Suffolk County Clerk's Office on October 7, 1965, Liber 5836 cp 523.

Schedule C—

As the project area is a publicly accessible recreation area, the easement area will consist of the entire park as described in Schedule A.

May 19, 2009

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 494

AUTHORIZES APPLICATION TO THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION FOR GREEN INFRASTRUCURE FUNDING

COUNCILMAN DUNLEAVY

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

WHEREAS, the New York Environmental Facilities Corporation (EFC) is implementing specific funding initiatives under the American Recovery and Reinvestment Act (Recovery Act); and

WHEREAS, the Recovery Act authorized that not less than 20% of economic stimulus funding provided for the State Revolving Funds (SRFs) be used for green infrastructure. Of the \$432 million in stimulus funds appropriated for the New York Clean Water SRF, \$86.5 million will be available for green infrastructure projects. Of the \$86.8 million in stimulus funds appropriated for the New York Drinking Water SRF, \$17.36 million will be available for green infrastructure projects; and

WHEREAS, for the purpose of the Recovery Act funding via the SRF, green infrastructure includes:

- Water efficiency, reuse or conservation - projects that deliver equal or better services with less water;
- Energy efficiency - projects that reduce energy consumption or produce clean energy;
- Green wet weather infrastructure - projects that maintain, restore, or mimic natural systems to infiltrate, evapotranspire, or recycle stormwater;
- Environmental innovation - projects that manage water resources to prevent or remove pollution in an economically sustainable way; and

WHEREAS, the Town of Riverhead is bordered by the Peconic Estuary and the Long Island Sound, two federally designated estuaries of national significance, that provide valuable recreational and commercial resources for the Town and the Region.

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby authorizes the Community Development Department to submit multiple applications to the New York State Environmental Facilities Corporation for 90% of project costs to be matched with a 10% local share for green infrastructure funding for a Green Streets Project along River Road; Road End Stormwater Mitigation Projects for Miamogue Point, Corwell Avenue, and South Jamesport Boat Ramp; a Green Roof Incentive Program and a Water Conservation Rebate Program (low flow/high performance fixture retrofit incentives) for the Town of Riverhead.

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

WOOTEN yes no

DUNLEAVY yes no

BLASS yes no

CARDINALE yes no

THIS RESOLUTION is is not
DECLARED DULY ADOPTED

May 19, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 495

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE FOR A LOCAL LAW TO CONSIDER AMENDMENTS TO CHAPTER 79 ENTITLED "MOBILE HOMES AND TRAVEL TRAILER PARKS" OF THE RIVERHEAD TOWN CODE

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached public notice once in the May 28, 2009 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law amending Chapter 79 entitled "Mobile Homes and Travel Trailer Parks" to be posted on the sign board of the Town, and be it further

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

WOOTEN YES NO

DUNLEAVY YES NO BLASS YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 16th day of June, 2009 at 7:05 o'clock p.m. to consider a local law amending Chapter 79 entitled "Mobile Homes and Travel Trailer Parks" of the Riverhead Town Code as follows:

**CHAPTER 79
MOBILE HOMES AND TRAVEL TRAILER PARKS**

§79-29. Penalties for offenses Placement and storage restrictions.

It shall be unlawful for any person, firm or corporation to store or place or cause or permit to be stored or placed a mobile home or travel trailer as those terms are defined in section 79-4 or any personal property associated with such mobile home or travel trailer upon any street, roadway or highway or sidewalk area within the Town of Riverhead.

~~§79-29.~~ §79-30. Penalties for offenses.

Any person, firm or corporation who shall violate or fail to comply with any of the provisions of this chapter shall be guilty of an offense and shall, upon conviction, be punishable by a fine of not less than ~~five dollars (\$5.)~~ one hundred dollars (\$100.) nor to exceed ~~one hundred dollars (\$100)~~ three hundred dollars (\$300.) or by imprisonment for a term not exceeding fifteen (15) days, or by both such fine and imprisonment. Each day that a violation is permitted to exist shall constitute a separate offense.

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

Dated: Riverhead, New York
May 19, 2009

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, Town Clerk

Adopted

May 19, 2009

TOWN OF RIVERHEAD

RESOLUTION # 496

AUTHORIZES TOWN SUPERVISOR TO EXECUTE CHANGE ORDER NO. 1 FOR WADING RIVER BEACH RENOVATIONS CONTRACT

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

WHEREAS, on April 9, 2009, the Riverhead Town Board adopted Resolution No. 353 entitled, "Awards Bid for Wading River Beach Renovation Project: and

WHEREAS, the bid was awarded to JNS Contracting in the amount of Two Hundred Sixty Nine Thousand Four Hundred Nineteen Dollars & 00/100 (\$269,419.00); and

WHEREAS, it was discovered during construction that the groundwater elevation had risen substantially requiring a re-design of the sanitary system by the Engineering Department and permit modification by the Suffolk County Department of Health Services and is the recommendation of the Engineering Department that additional work is required for contract Item 3 – Sanitary Systems for the additional amount of Three Thousand Seven Hundred & 00/100 (\$3,700.00).

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute Change Order No. 1 for the amount of Three Thousand Seven Hundred and 00/100 (\$3,700.); and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to JNS Contracting, P.O. Box 385, Wading River, New York 11792, Engineering Department, Purchasing Department and the Office of Accounting.

THE VOTE

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

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED.

TOWN OF RIVERHEAD WADING RIVER BEACH RENOVATIONS
 ADDITION #1
 TOWN OR RIVERHEAD, SUFFOLK COUNTY, NEW YORK

CHANGE ORDER NO. 1

Project:	Town of Riverhead Wading River Beach Renovations Contract
Change Order No.:	1
Date:	May 19, 2009
Contractor:	JNS Contracting P.O. Box 385 Wading River, NY 11792
Contract Date:	April 27, 2009

The Contract is changed as follows:
 Refer to Attachment

NOT VALID UNTIL SIGNED BY THE OWNER, ENGINEER AND CONTRACTOR

The Original Contract Sum was.....	\$269,419.00
Net Change by Previously Authorized Change Orders.....	\$0.00
The Contract Sum Prior to This Change Order was.....	\$269,419.00
The Contract Sum will be increased by this Change Order In the amount of	$\$ 3,700$ \$5,500.00
The New Contract Sum Including this Change Order will be.....	\$274,919.00

\$ 273,119 -
 (CA) 5/18/09

Contractor	Owner
JNS Contracting	Town of Riverhead
P.O. Box 385	200 Howell Avenue
Wading River, New York 11792	Riverhead, New York 11901
By: _____ Authorized Representative Signature	By: _____
Print Name: _____	Print Name: _____
Date: _____	Date: _____

5/19/09

Adopted

**AUTHORIZES SUPERVISOR TO EXECUTE CHANGE ORDER NO. 1
EXTENSION NO. 85 – MASTRO REALTY
RIVERHEAD WATER DISTRICT**

Resolution # 497

Adopted _____

Councilperson COUNCILMAN DUNLEAVY offered the following resolution
which was seconded by Councilperson COUNCILMAN WOOTEN,

RESOLVED, that the Supervisor be and is hereby authorized to execute Change Order No. 1 of the Riverhead Water District for the project known as Extension No. 85 – Mastro Realty, and be it further

RESOLVED, that Change Order No. 1 is in the amount of \$13,775.00 for the completion of several items by Roy Wanser, Inc. as specifically described in the attached change order, and be it further

RESOLVED, that the original contract amount for Extension No. 85, Mastro Realty of \$219,850 will now be increased by Change Order No. 1 in the amount of \$13,775 totalling a revised contract amount of \$233,625.

RESOLVED, that the Town Clerk shall forward copies of this resolution to the Riverhead Water District, Accounting Department, Frank A. Isler, Esq., and the contractor, Roy Wanser, Inc.

THIS RESOLUTION PREPARED BY FRANK A. ISLER FOR THE RIVERHEAD WATER DISTRICT

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



RIVERHEAD WATER DISTRICT

**EXTENSION NO. 85 – MASTRO REALTY
H2M PROJECT NO.: RDWD 05-55**

CONTRACTOR: ROY WANSER, INC.

CHANGE ORDER NO. 1:

APRIL 6, 2009

ITEM NO: 1A, 1B, 2, 3A, 4A, 8X-B, 30X-1 & 30X-2

Description of Change:

1. Item 1A: Add ten (10) linear feet of 6" water main to the contract.
2. Item 1B: Add seventy-five (75) linear feet of 8" water main to the contract.
3. Item 2: Add 550 pounds of special castings to the contract.
4. Item 3A: Add one (1) 6" valves to the contract.
5. Item 4A: Add one (1) fire hydrant assembly to the contract.
6. Item 8X-B: Add one (1) 8" cut-in to the contract.
7. Item 30X-1: Relocate existing water service at #401 Deep Hole Road.
8. Item 30X-2: Relocate existing water service at #105 The Preserves.

Reason For Change:

ITEMS 1A (6" PIPE), 2 (SPECIAL CASTINGS), 3A (6" GATE VALVES) & 4A (FIRE HYDRANTS):

The Town Fire Marshall has requested that an additional fire hydrant assembly (includes 12 x 6 tee, 6" valve, piping and hydrant) be installed along Deep Hole Road. This request was made prior to bidding, but not included in the final bid documents.

ITEM 1B, 8X-B & 30X-2:

The contract plans call for a connection to the existing water main and a relocation of the existing hydrant at the end of the Preserves cul-de-sac. Following the receipt of bids, the developer was instructed by the Town to re-grade the existing cul-de-sac to meet the proposed subdivision roadway. In order to perform this re-grade the existing cul-de-sac will need to be cut approximately 12 to 18 inches. This cut will reduce the cover on the existing water main to below 4'-0". Four feet of cover is required by industry standards. The length of main affected is approximately 75 feet.

In addition, the service to #105 The Preserves will need to be relocated from the water main to be abandoned; to water main with the correct depth of cover. The relocation of this service will also include removing the existing meter pit and curb stop from within the limits of the driveway and re-installing within the lawn area.



RIVERHEAD WATER DISTRICT

**EXTENSION NO. 85 – MASTRO REALTY
H2M PROJECT NO.: RDWD 05-55**

CONTRACTOR: ROY WANSER, INC.

CHANGE ORDER NO. 1:

APRIL 6, 2009

ITEM 30X-1:

The water service line for #401 Deep Hole Road will be re-connected to the new water main in order to remove it from the path of the new installation and reduce the length of service piping within the public right-of-way.

Cost of Change:

For Items 1A, 1B, 2, 3A & 4A, itemized prices were secured within the contract documents and pricing will be in accordance with the proposal submitted.

For Items 8X-B, 30X-1 & 30X-2, items were not included within the bid documents and therefore lump sum quotes were requested from and provided by the contractor.

Increase in Costs:

1.	Item 1A:	6" pipe,	10 L.F.	@	\$20.00	=	\$200.00
2.	Item 1B:	8" pipe,	75 L.F.	@	\$25.00	=	\$1,850.00
3.	Item 2:	Fittings,	550 lbs	@	\$1.50	=	\$825.00
4.	Item 3A:	6" valve,	1 Unit	@	\$800.00	=	\$800.00
5.	Item 4A:	Hydrant,	1 Unit	@	\$2,000.00	=	\$2,000.00
6.	Item 8X-B	8" Cut-In	1 Unit	@	\$4,000.00	=	\$4,000.00
7.	Item 30X-1:	Reconnection	1 Unit	@	\$1,850.00	=	\$1,850.00
8.	Item 30X-2:	Reconnection	1 Unit	@	\$2,250.00	=	<u>\$2,250.00</u>

TOTAL INCREASE CHANGE ORDER NO. 1 = \$13,775.00

CONTRACT COST SUMMARY:

Original Contract Amount:	\$219,850.00
Change Order No. 1:	<u>13,775.00</u>
Revised Contract Amount:	\$233,625.00



RIVERHEAD WATER DISTRICT

**EXTENSION NO. 85 – MASTRO REALTY
H2M PROJECT NO.: RDWD 05-55**

CONTRACTOR: ROY WANSER, INC.

CHANGE ORDER NO. 1:

APRIL 6, 2009

RECOMMENDED BY:

Holzmacher, McLendon & Murrell, P.C.

DATE: _____

ACCEPTED BY:

Roy Wanser, Inc.

DATE: _____

APPROVED BY:

Town of Riverhead

DATE: _____

X:\RDWD (Riverhead Water District) - 10810\RDWD0555 - Mastronardi Property Ext. No. 85\Change Order\Change Order 1 - Item Increase & Service Reconnects.doc

5/19/09

Adopted

TOWN OF RIVERHEAD

Resolution # 498

**AUTHORIZES THE RELEASE OF CASH SECURITY FOR JOHN A. ROTHE
(RESPONSIBLE REALTY)**

COUNCILMAN WOOTEN offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

WHEREAS, John A. Rothe of Responsible Realty posted cash security (Check #630) in the amount of Five Thousand Dollars (\$5,000) for improvements to be completed at 1 East Main Street, Riverhead, New York, known and designated as Suffolk County Tax Map Number 0600-128.00-06-068.00, pursuant to Section 108-133(I) of the Riverhead Town Code; and

WHEREAS, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department's satisfaction, the Planning Department is satisfied with the site requirements and a Certificate of Occupancy has been issued.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the cash security in the sum of Five Thousand Dollars (\$5,000); and be it further

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

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to John A. Rothe, Responsible Realty Corp, c/o Richard B. Martin, Esq., 148. Long Beach Avenue, Freeport, New York, 11520.

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

The Resolution Was Was Not
Therefore Duly Adopted

May 19, 2009

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 499

**AUTHORIZES SUPERVISOR TO SIGN NEW YORK STATE DEPARTMENT OF
TRANSPORTATION CONTRACT FOR SAFE ROUTES TO SCHOOLS
REIMBURSEMENT FUNDING TO SUPPORT TRAFFIC CALMING**

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

WHEREAS, the New York State Department of Transportation ("NYSDOT") sponsors the Safe Routes to Schools Program ("Safe Routes") to fund infrastructure and non-infrastructure projects that encourage and aid students in grades K-8 to walk and bike to school; and

WHEREAS, the purpose of the Safe Routes Program is to enable and to encourage children to walk and bicycle to school, to make bicycling and walking a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age, and to facilitate the planning, development and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption and air pollution in the vicinity of schools; and

WHEREAS, Safe Routes is a federal reimbursement program, not a grant program, thus the Town of Riverhead will pay project costs first then request reimbursement of eligible costs from NYSDOT; and

WHEREAS, eligible infrastructure-related projects include the planning, design and construction of traffic calming and pedestrian or bicycle safety capital projects within two miles of a K-8 school and public right-of-way, including project elements such as sidewalk improvements; traffic calming and speed reduction improvements; and pedestrian and bicycle crossing improvements and facilities, and traffic diversion improvements in the vicinity of schools; and

WHEREAS, eligible non-infrastructure project costs include student and public education activities to encourage walking and bicycling to school, including public awareness campaigns and outreach, traffic education, and student sessions on bicycle and pedestrian safety, health and environment; and

WHEREAS, for approximately four years ago the Town of Riverhead and Riverhead Central School District in conjunction with NYSDOT and its consultant, The RBA Group, began work on both short and long term solutions to improve traffic and pedestrian safety on town roads in the vicinity of the school campus; and

WHEREAS, in November 2005 community members, Town and school officials participated in a Safe Routes to Schools workshop focused on the development of an Action Plan to improve bicycle/pedestrian conditions for students utilizing this campus and summarized the

recommendations in a technical memorandum prepared by The RBA Group and issued February 2006 providing the basis for the grant application to the NYSDOT reflecting input obtained through this consensus-building process which involved the Town Board, Departments of Highway, Police, Engineering and Community Development as well as the school board, administration, security and transportation staff for submission to the NYSDOT on or before April 1, 2008.

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby authorizes the Supervisor to sign the NYSDOT contract for Safe Routes reimbursement funds in the amount of \$474,000 (\$398,000 in infrastructure projects and \$76,000 in non-infrastructure projects).

AND BE IT FURTHER RESOLVED, that the Town Clerk shall provide a copy of this resolution to Mrs. Diane Scricca (Superintendent, Riverhead Central School District).

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

WOOTEN yes no
DUNLEAVY yes no BLASS yes no
CARDINALE yes no
THIS RESOLUTION is is not
DECLARED DULY ADOPTED

May 19, 2009

Adopted

Town of Riverhead

Resolution 500

Ratifies Submission of Grant Applications to Department of Justice for Fiscal Year 2009 American Recovery Act Special Round JAG Funds

COUNCILMAN DUNLEAVY offered the following resolution,

which was seconded by COUNCILMAN WOOTEN.

WHEREAS, grant funding is available through the American Recovery Act for the Federal Fiscal Year 2009 Edward Byrne Memorial Justice Assistance Grant ("JAG") Program and the Edward Byrne Competitive Grant to provide funds for the Town of Riverhead to support Riverhead Police Department enforcement activities; and

WHEREAS, the Town of Riverhead Community Development Department ("**CDD**") wishes to apply for JAG grant funds in the amount of \$250,000 to fund a portion of the salaries for Town of Riverhead Public Safety Dispatchers and \$71,934 to fund equipment for the Bay Constable Boat, a computer server, vehicle computer systems and portable radios; and

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby ratifies submission of the grant applications to JAG, and further authorizes the Town Supervisor to execute the grant contracts with JAG if awarded.

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

	<u>✓</u>	WOOTEN	<u>✓</u>	yes	<u> </u>	no
DUNLEAVY	<u>✓</u>		yes	<u> </u>	no	BLASS
		CARDINALE	<u>✓</u>	yes	<u> </u>	no

THIS RESOLUTION ✓ **is** **is not**
DECLARED DULY ADOPTED

5/19/09

Adopted

TOWN OF RIVERHEAD

Resolution # 501

ACCEPTS 100% SECURITY OF BEACON WIRELESS MANAGEMENT, LLC/DYNAMIC RADIATOR

COUNCILMAN WOOTEN

_____ offered the following resolution,

which was seconded by COUNCILWOMAN BLASS _____:

WHEREAS, Beacon Wireless Management, LLC/Dynamic Radiator has posted cash security (Check #1314) in the sum of Five Thousand Dollars (\$5,000.00) representing the 100% site plan security bond in connection with Riverhead Planning Board Resolution #30 dated April 2, 2009 for improvements to be completed at 1863 W. Main Street, Riverhead, New York, further described as Suffolk County Tax Map #0600-118-4-8.1, pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said security 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 cash security in the sum of Five Thousand Dollars (\$5,000.00) issued to the Town of Riverhead; and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a copy of this resolution to Beacon Wireless Management, LLC, 27 Oak Lane, Hampton Bays, New York, 11946 ; and be it further

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

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

The Resolution Was Was Not
Therefore Duly Adopted

5/19/09

Adopted

TOWN OF RIVERHEAD

Resolution # 502

APPROVES CHAPTER 90 APPLICATION OF RIVERHEAD COUNTRY FAIR COMMITTEE

COUNCILWOMAN BLASS offered the following resolution, was seconded by

COUNCILMAN DUNLEAVY :

WHEREAS, on April 30, 2009, the Riverhead Country Fair Committee had submitted a Chapter 90 Application for the purpose of conducting their annual Country Fair to be held on Main Street, Peconic Riverfront parking area and Peconic Avenue, Riverhead, New York on October 11, 2009 having a rain date of October 12, 2009, between the hours of 10:00 a.m. and 5:00 p.m.; and

WHEREAS, the Riverhead Country Fair Committee has completed and filed a Long 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, due to its not-for-profit status, the Riverhead Country Fair Committee has requested the Chapter 90 Application fee for this event be waived; 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 including the certificate of insurance regarding said application.

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

RESOLVED that the Chapter 90 Application of Riverhead Country Fair Committee for the purpose of conducting their annual Country Fair to be held on Main Street, Peconic Riverfront parking area and Peconic Avenue, Riverhead, New York on October 11, 2009, having a rain date of October 12, 2009, between the hours of 10:00 a.m. and 5:00 p.m., is hereby approved; and be it further

RESOLVED, that approval for this event shall be subject to the following:

- Receipt of required Suffolk County Department of Health permit(s), including the food handling permit(s);
- Receipt of required Public Gathering/Emergency Medical Services (EMS) permit(s);

RESOLVED, that Chapter 46 entitled “Alcoholic Beverages” is deemed to be waived for the service of alcoholic beer during the event at or in locations and by licensed alcohol service providers to be determined prior to the commencement of the event; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes this event to be exempt from Chapter 86 entitled, “Noise Control” of the Riverhead Town Code; and be it further

RESOLVED, that the necessary tent permits must be obtained and any tent installations 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); and be it further

RESOLVED, that a fire safety inspection by the Town Fire Marshal is required prior to the opening of this event to the public. The Riverhead Fire Marshal shall be contacted at least three days in advance at (631) 727-3200 extension 601 for the purpose of scheduling the “pre-opening” inspection appointment; 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 employees of the Riverhead Buildings and Grounds Department, the Riverhead Police Department, the Riverhead Highway Department, the Sanitation Department and the Riverhead Fire Marshal Office are hereby authorized to utilize overtime expenditures to ensure the necessary public safety and security in connection with this event; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Riverhead Country Fair Committee/Townscape, Inc.

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

Wooten Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

The Resolution Was Was Not
Therefore Duly Adopted

5/19/09

TOWN OF RIVERHEAD

Adopted

Resolution # 503

APPROVES CHAPTER 90 APPLICATION OF JEDEDIAH HAWKINS INN
(ART EXHIBITION WITH MAX MORAN)

COUNCILMAN DUNLEAVY

offered the following resolution, was seconded by

COUNCILMAN WOOTEN :

WHEREAS, on May 24, 2009, the Jedediah Hawkins Inn had submitted a Chapter 90 Application for the purpose of conducting an event entitled "Art Exhibition with Max Moran" to include the service of hors d'oeuvres and wine at their Inn located at 400 South Jamesport Avenue, Jamesport, New York, to be held on Sunday, May 24, 2009, between the hours of 4:00 p.m. and 8:00 p.m.; and

WHEREAS, the Jedediah Hawkins Inn has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

WHEREAS, the Town Board of the Town of Riverhead has declared itself "Lead Agency" in accordance with 6 NYCRR 617.6(b); and

WHEREAS, the applicant has paid the applicable Chapter 90 Application fee; 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 the Jedediah Hawkins Inn for the purpose of conducting an event entitled "Art Exhibition with Max Moran" to include the service of hors d'oeuvres and wine at their Inn located at 400 South Jamesport Avenue, Jamesport, New York, to be held on Sunday, May 24, 2009, between the hours of 4:00 p.m. and 8:00 p.m., is hereby approved; and be it further

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

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Jedediah Hawkins Inn, 400 South Jamesport Avenue, Jamesport, New York, 11947; and be it further

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

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

The Resolution Was Was Not
Therefore Duly Adopted

5/19/09

Adopted

TOWN OF RIVERHEAD

Resolution # 504

**ADOPTS A LOCAL LAW AMENDING CHAPTER 105 ENTITLED
"WATER" OF THE RIVERHEAD TOWN CODE**

COUNCILMAN WOOTEN

offered the following resolution, was seconded by

COUNCILWOMAN BLASS

:

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 105 entitled "Water" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the on the 7th day of April, 2009 at 2:10 o'clock p.m. at the Town of Riverhead, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all person wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 105 "Water" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the News Review, the official newspaper, and to post same on the signboard at Town Hall; and be it further

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

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law amending Chapter 105 entitled "Water" of the Riverhead Town Code at its regular meeting held on May 19, 2009. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

SEE ATTACHED CHART

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

Dated: Riverhead, New York
May 19, 2009

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

DIANE M. WILHELM, Town Clerk

TABLE NO. 11

(Revised March 2009)

RIVERHEAD WATER DISTRICT
EVALUATION OF KEY MONEY FEES

PROPOSED DEVELOPMENT CATEGORIES FOR KEY MONEY ASSESSMENTS

PROPERTY LANDUSE/DEVELOPMENT CATEGORY	TO BE ASSESSED KEY MONEY FEE	ASSESSMENT METHOD
A. Outside of District Boundaries		
1. Single Lot - Residential Existing or Proposed	Yes	\$7,120/unit
2. All Residential Developments	Yes	\$7,120/unit
3. All Commerical and Retail	Yes	\$10.70/gallon water use est. ⁽¹⁾
B. Inside District Boundaries		
1. Existing Single Lot Residential (private well to public water)	No	---
2. Existing Vacant Single Lot Residential	No	---
3. Vacant to Minor Subdivision - Residential	No	---
4. Vacant to Major Subdivision Residential	Yes	\$6,052/unit
5. Vacant to Commercial	Yes	\$9.10/gallon water use est. ⁽¹⁾
6. Existing Commerical - Change In Use (no change increase in water service-size-usage)	No	---
7. Existing Commerical - Change or Expansion In Use (requiring change increase in water service-size usage)	Yes	\$9.10/gallon
		water use est. minus credit for existing water use est(1) for previous use

NOTES:

⁽¹⁾ - Water Use estimate to be based on SCDHS standards for on-site septic system design plus an irrigation factor based on square footage of landscaping times a 1" per week irrigation rate as per Cornell Cooperative Extension recommendations.

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

May 19, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 505

ADOPTS A LOCAL LAW AMENDING CHAPTER 108
ENTITLED "ZONING" OF THE RIVERHEAD TOWN CODE
(Article XXII – Business PB District)

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 108 entitled "Zoning", Section 108-114 entitled "Additional requirements", of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 5th day of May, 2009 at 2:15 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW, THEREFORE, BE IT RESOLVED, that a local law amending Chapter 108 entitled "Zoning", Section 108-114 entitled "Additional requirements", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the News Review, the official newspaper, and to post same on the signboard at Town Hall; and be it further

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

WOOTEN YES NO

DUNLEAVY YES NO BLASS YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled "Zoning", Section 108-114 entitled "Additional requirements", of the Riverhead Town Code at its regular meeting held on May 19, 2009. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**CHAPTER 108
ZONING
ARTICLE XXII
Business PB District**

§108-114. Additional requirements.

B. ~~No signs shall be permitted upon any land or structure within the Business PB District with the exception of one sign per lot by special permit of the Town Board or Board of Appeals, which shall bear only the name and occupation of the resident.~~ Signage shall be provided in accordance with §108-56 H.(10), the Riverhead Sign Ordinance. Such sign shall have a maximum area of eight square feet and may be located on the building wall or in the required front yard, provided that it is set back not less than 25 feet from any side line, that it is set back not less than 15 feet from the front lot line and that it is not more than six feet above the natural ground at its location.

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

Dated: Riverhead, New York
May 19, 2009

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, Town Clerk

May 19, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 506

ADOPTS A LOCAL LAW AMENDING CHAPTER 108
ENTITLED "ZONING" OF THE RIVERHEAD TOWN CODE
(Article XXVIA – Special Permit)

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 108 entitled "Zoning", Section 108-133.3 entitled "Application for special permit use", of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 5th day of May, 2009 at 2:20 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW, THEREFORE, BE IT RESOLVED, that a local law amending Chapter 108 entitled "Zoning", Section 108-133.3 entitled "Application for special permit use", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the News Review, the official newspaper, and to post same on the signboard at Town Hall; and be it further

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

WOOTEN YES NO

DUNLEAVY YES NO BLASS YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled "Zoning", Section 108-133.3 entitled "Application for special permit use", of the Riverhead Town Code at its regular meeting held on May 19, 2009. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**CHAPTER 108
ZONING
ARTICLE XXVIA
Special Permit**

§108-133.3. Application for special permit use.

D. A written application, verified by the applicant, not an agent, where the applicant is the person or entity responsible and bound for the land use envisioned by the special permit. Where the applicant is not the owner of the real property, the owner must join in and swear to the truth of the application. ~~Any special permit granted, unless performance of the terms and conditions thereof is bonded, shall be personal to the applicant and shall not be assignable or transferable without a resolution of approval by the Town Board.~~

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

Dated: Riverhead, New York
May 19, 2009

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, Town Clerk

Adopted

May 19, 2009

TOWN OF RIVERHEAD

Resolution # 507

**ADOPTS A LOCAL LAW AMENDING CHAPTER 108
ENTITLED "ZONING" OF THE RIVERHEAD TOWN CODE
(Article XIII – Supplementary Use Regulations)**

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 108 entitled "Zoning", Section 108-56 entitled "Signs", of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 5th day of May, 2009 at 2:10 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW, THEREFORE, BE IT RESOLVED, that a local law amending Chapter 108 entitled "Zoning", Section 108-56 entitled "Signs", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the News Review, the official newspaper, and to post same on the signboard at Town Hall; and be it further

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

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

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled "Zoning", Section 108-56 entitled "Signs", of the Riverhead Town Code at its regular meeting held on May 19, 2009. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**CHAPTER 108
ZONING
ARTICLE XIII
Supplementary Use Regulations**

§108-56. Signs.

H. Zoning use districts. The following limitations shall apply to signs in the zoning use districts indicated below:

(7) TRC, RFC, DC-2, DC-4, DC-5 ~~and PB~~. In the Tourism/Resort Campus (TRC), Riverfront Corridor (RFC), Downtown Center - 2 (DC-2), Downtown Center - 4 (DC-4), and Downtown Center - 5 (DC-5) ~~and Professional Business (PB)~~ Districts, all signs are permitted with the exception of:

- (a) Wall signs.
- (b) Window signs.
- (c) Internally illuminated (including neon) signs.
- (d) Roof signs.

(10) PB In the Professional Business (PB) District, the following signs are permitted:

- (a) Wall signs.
- (b) Free standing signs.

Such signs shall bear only the name and occupation of the resident, and may not be internally illuminated (including neon).

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

Dated: Riverhead, New York
May 19, 2009

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, Town Clerk

5/19/09

WITHDRAWN
TOWN OF RIVERHEAD

Resolution # 508

**ADOPTS A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF
THE RIVERHEAD TOWN CODE**
(§108-133. Site Plan Review)

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider an amendment to Chapter 108 entitled "Zoning" (§108-133. Site Plan Review) of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 5th day of May, 2009 at 2:30 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law to consider an amendment to Chapter 108 entitled, "Zoning" (§108-133. Site Plan Review) of the Town Code of the Town of Riverhead is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk is hereby authorized to publish the attached notice of adoption once in the News Review newspaper and to post same on the signboard at Town Hall; and be it further

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

THE VOTE

Wooten Yes No
Dunleavy Yes No Blass Yes No

Cardinale Yes No

The Resolution Was Was Not
Therefore Duly Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law to amend Chapter 108 entitled "Zoning" (§108-133. Site Plan Review) at its regular meeting held on May 19, 2009.

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

ZONING
ARTICLE XXVI
Site Plan Review

§108-133. Conditions for approval.

In reviewing a site plan submitted to it under this article, the Town Board may call upon expert advice in varied disciplines to assist it in making the determination required of it. It shall seek to further the overall purposes and goals of this chapter, and of other applicable provisions of the Town Code and state law. Moreover, it shall make certain that any development plan it approves hereunder conforms to the following:

- I. ~~Performance bond~~ Letter of credit or other equivalent security. Upon approval of a final site plan by the Town Board and prior to the issuance of a building permit, the applicant shall post a letter of credit in a form approved by the Town Attorney and adopted by resolution of the Town Board, in an amount equal to 100% of the cost of construction of site improvements as estimated by the Planning Department. The Town Board may, at its discretion, reduce or waive a ~~performance bond~~ letter of credit upon a showing of significant hardship. No certificate of occupancy shall be issued until all site improvements have been inspected and approved by the Planning Department and said letter of credit has been released by resolution of the Town Board. In the event that the applicant fails to comply with the provisions of this article, the letter of credit shall be forfeited to the Town, and the Town of Riverhead shall complete the site plan improvements. Where the cost of the improvements exceeds the forfeited security, the additional cost, including but not limited to any legal fees incurred, shall be and constitute a lien upon the land upon which the improvements are to be made and shall be included in the levy against such property and shall be collected and enforced in the same manner, by the same proceedings, at the same time and under the same penalties as are provided by law for the collection and enforcement of real property taxes in the Town of Riverhead.

* Underline represents additions(s)

Dated: Riverhead, New York
May 19, 2009

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

DIANE M. WILHELM, Town Clerk

TOWN OF RIVERHEAD

Tabled

Resolution # 509

ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE
(\$108-175. and \$108-179. - Pine Barrens Overlay District)

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 108 entitled "Zoning" (Article XXV - Pine Barrens Overlay District) of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 5th day of May, 2009 at 2:35 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 108 "Zoning" (Article XXV - Pine Barrens Overlay District) of the Riverhead Town Code is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk is hereby authorized to publish the attached notice of adoption once in the News Review, the official newspaper, and to post same on the signboard at Town Hall; and be it further

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

THE VOTE

Wooten Yes No
Dunleavy Yes No Blass Yes No
Cardinale Yes No
The Resolution Was Was Not
Therefore Duly Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled "Zoning" (Article XXV - Pine Barrens Overlay District) of the Riverhead Town Code at its regular meeting held on May 19, 2009.

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

Chapter 108
ZONING
ARTICLE XXXV
Pine Barrens Overlay District

§108-175. Findings, legislative intent and purpose.

A. This Town Board finds and determines that the provisions of the Pine Barrens Overlay District were designed, in part, to protect the Pine Barrens Core and Compatible Growth areas.

This Town Board further finds that the provisions of the Pine Barrens Overlay District regarding land clearing must be clarified to insure that contiguous areas of land remain undisturbed to both protect habitats and to insure the continued proliferation of flora and fauna in the area.

This Town Board further determines that the needed clarification must be adopted before ownership of the affected lands pass from the Town of Riverhead to forestall any dispute over the intended meaning of the land clearing provisions.

This Town Board further finds and determines that the Long Island Pine Barrens Protection Act enacted by the State Legislature in 1993 recognized that the Towns within the Pine Barrens region are the natural guardians of the unique Pine Barrens land within the Town's jurisdiction through the exercise of their accepted zoning powers.

Therefore, it is the intent of this local law to enact certain clarifications of existing provisions to insure that the safeguards that the Town of Riverhead intended to impose regarding land clearing are observed.

B. A. In 1993, New York State adopted § 57-0119 of the Environmental Conservation Law ("ECL") entitled "Central Pine Barrens Joint Planning and Policy Commission." This Commission consists of five voting members: a member appointed by the Governor, the County Executive of Suffolk County and the Supervisors of the Towns of Riverhead, Brookhaven and Southampton. This Commission was formed to implement, manage and oversee land use within the Central Pine Barrens area on Long Island. ECL 57-0119(6)(a) gives the Commission the power to prepare, adopt and insure implementation of the Comprehensive Land Use Plan. ECL Article 57 recognizes the importance of the three local towns in regulating the implementation of the plan within the Central Pine Barrens region. The authority to establish a Comprehensive Land Use Plan is contained in ECL § 57-01021. In conformance with ECL Article 57 and the Comprehensive Land Use Plan, the Town Board of the Town of Riverhead enacted § 108-175 of the Town Code of

the Town of Riverhead entitled "Pine Barrens Overlay District." The intention of the original legislation adopted in 1995 and the resulting plan was that the local planning board and zoning powers and authority to regulate land uses by local municipalities within the Central Pine Barrens area would not be affected by said legislation and plan.

B. C. It is the purpose of this article to provide consistency with the goals of the Central Pine Barrens Comprehensive Land Use Plan adopted by the Town Board on June 28, 1995, pursuant to the provisions of Article 57 of the New York State Environmental Conservation Law, as follows:

- (1) To protect, preserve and enhance the functional integrity of the Pine Barrens ecosystem and the significant natural resources thereof.
- (2) To protect the quality of surface water and groundwater.
- (3) To discourage piecemeal and scattered development, and to encourage the preservation of contiguous areas of open space and non-disturbed areas to the greatest extent practicable.
- (4) To promote active and passive recreational and environmental educational uses that are consistent with the Land Use Plan.
- (5) To accommodate development in a manner consistent with the long-term integrity of the Pine Barrens ecosystem and to ensure that the pattern of development is efficient and orderly.
- (6) To protect the pine barrens ecosystem from illegal activity within the boundaries of the Central Pine Barrens Area, in particular clearing of large tracts of land without the necessary approvals.

~~C. D.~~ The particular objectives for land use with respect to the Central Pine Barrens Core Preservation Area include:

- (1) Preserving the pine barrens in their natural state thereby ensuring the continuation of the unique and significant ecologic, hydrogeologic and other resources representative of such environments.
- (2) Promoting compatible agricultural, horticultural and open space recreational uses within the framework of maintaining a pine barrens environment and minimizing the impact of such activities thereon.
- (3) Prohibiting or redirecting new construction or development.
- (4) Accommodating specific pine barrens management practices, such as prescribed burning, necessary to maintain the special ecology of the preservation area.
- (5) Protecting and preserving the quality of surface water and groundwater.
- (6) Protecting the pine barrens ecosystem from illegal activity within the boundaries of the Central Pine Barrens Area, in particular clearing of large tracts of land without the necessary approvals.

~~D. E.~~ The particular objectives for land use with respect to the Central Pine Barrens Compatible Growth Area include:

- (1) Preserving and maintaining the essential character of the existing pine barrens environment, including plant and animal species indigenous thereto and habitats thereof.
- (2) Protecting the quality of surface water and groundwater.
- (3) Discouraging piecemeal and scattered development.
- (4) Encouraging appropriate patterns or compatible residential, commercial, agricultural, and industrial development in order to accommodate regional growth influences in an orderly way while protecting the pine barrens environment from the individual and cumulative adverse impacts thereof.

- (5) Accommodating a portion of the development redirected from the Core Preservation Area.
 - (6) Allowing appropriate growth consistent with stated natural resource goals.
 - (7) Protecting the pine barrens ecosystem from illegal activity within the boundaries of the Central Pine Barrens Area, in particular clearing of large tracts of land without the necessary approvals.
- E. F. Although each of the zoning codes of the respective three towns contains penalty provisions for violations of the Code, no specific provisions are included for violations of regulations within the Central pine barrens area. Article 57 of the ECL does not specifically provide for an enforcement or penalty provision. The Towns of Riverhead, Brookhaven, and Southampton desire to discourage and prevent unauthorized and illegal land clearing activities, illegal dumping and other unauthorized uses within the core area and the compatible growth area of the Long Island Central Pine Barrens region. Any amendment to Article 57 of the ECL should be consistent with existing code enforcement provision in each of the three towns.
- F. G. This article, in addition to the purposes outlined above, is necessary to raise the potential penalties under the authority of the respective Town codes for unauthorized and illegal land clearing activities, as well as provide enforcement of other provisions of the respective Town code regarding the Long Island Central Pine Barrens region.

§ 108-179. Development within Compatible Growth Area.

- A. Development within the Compatible Growth Area (CGA) shall comply with the following standards:
- (1) All development subject to the provisions of Article 6 of the Suffolk County Sanitary Code shall meet the applicable requirements of the Suffolk County Department of Health.
 - (2) As determined by the State of New York or the County of Suffolk, any new public or private sewage treatment plant discharge shall be outside of the Core Preservation Area and shall be located north of the groundwater divide, as defined by the Suffolk County Department of Health Services, as site conditions permit.
 - (3) All development shall comply with the provisions of Articles 7 and 12 of the Suffolk Sanitary Code.
 - (4) All development involving significant discharges to groundwater and located proximate to public water supply wells shall require measures to mitigate impacts upon water quality as required under Article 17 of the New York State Environmental Conservation Law. The Suffolk County Department of Health Services' guidelines for private wells should be used for private wellhead protection.
 - (5) Development proposals for sites containing or abutting freshwater wetlands shall be separated by a non-disturbance buffer area which shall be in accordance with Article 24 of the New York State Environmental Conservation Law, the Wild, Scenic and Recreational Rivers Act (the Rivers Act) and Chapter 107 of the Code of the Town of Riverhead, whichever is most restrictive. Distances shall be measured horizontally from the wetland edge as mapped by the New York State Department of Environmental Conservation, field delineation or local ordinance. Stricter buffer areas may be established for wetlands as appropriate. Buffer areas shall be delineated on development plans with conditions imposed to assure the preservation of the freshwater wetland resource. Said conditions shall be set forth in a declaration of covenants, conservation

- easement or similar instrument.
- (6) Development proposals for sites within the regulated area of the New York Wild, Scenic and Recreational Rivers Act shall conform to the standards of the Act. Variances from the Act shall meet all requirements imposed by the State of New York in order to be deemed to have met the requirements of this standard. Additional relief from the Town of Riverhead Zoning Board of Appeals shall not be required.
- (7) All stormwater generated by development shall be recharged on site unless surplus capacity exists in an off-site drainage system. In the review of development plans, the Town Board shall encourage the use of natural recharge areas or drainage system design which result in minimal disturbance of native vegetation with the use of natural swales and depressions as an alternative to excavated recharge basins where feasible. Development plans should include the use of ponds only if such ponds are designed to retain stormwater and are not merely constructed for aesthetic purposes. Adequate measures should be employed to control soil erosion and stormwater runoff during construction, as per guidelines promulgated by the New York State Department of Environmental Conservation.
- (8) ~~Clearance:~~ Clearing.
- (a) The proposed disturbance to natural vegetation, combined with previously disturbed areas, shall conform to the following ~~clearance~~ clearing standards:

Zoning Use District	Maximum Site Clearance-Clearing (percentage)
RB-80	53%
APZ	53%
IA	65%
IC	65%
Business CR	65%
<u>Property within EPCAL LI, PIP, CO and PRP Districts</u>	<u>in conformance with map filed in the Department of Planning, as set forth in subsection 9 hereinafter</u>

- (b) The applicable ~~clearance~~ clearing percentage shall be calculated over the area of the entire parcel, including but not limited to public highways, roadways, building sites, parking areas, drainage structures and recharge areas. Development plans shall delineate the existing naturally vegetated areas, shall calculate those portions of the site that are already cleared due to previous activities and shall contain calculations for the amount of disturbance of native vegetation and indicate the clearing limits thereof.
- (c) To the extent that a portion of a site includes Core property, and for the purpose of calculating the clearing limits, the site shall be construed to be the combined Core and CGA portions. However, the Core portion may not be cleared without a hardship exemption.
- (9) ~~Land subdivision maps and site plans shall be designed to encourage the preservation of large unbroken blocks that provide for contiguous open spaces to be established when adjacent~~

~~parcels are developed. Applications for subdivision and site plan shall contain calculations for clearing, and these limits shall become part of the filed map or approved drawings. Non-native vegetation species to be avoided are contained in Figure 5-2 of the plan.~~

- A. A map of the portion of Pine Barrens Overlay District within the fence line of the former Grumman facility now known as EPCAL, shall be adopted designating those areas of the EPCAL site where land clearing is prohibited. The areas where land clearing is prohibited shall constitute 35% of the overall site. Those areas contained on said map where land clearing is not prohibited may be cleared. The map may be modified from time to time by local law of the Town Board.
- B. Land subdivision maps and site pans outside of the EPCAL site shall also be designed to encourage the preservation of large unbroken blocks that provide for contiguous open spaces to be established when adjacent parcels are developed. Applications for subdivision and site plan shall contain calculations for clearing, and these limits shall become part of the filed map or approved drawings. Non-native vegetation species to be avoided are contained in Figure 5-2 of the Central Suffolk Pine Barrens Comprehensive Plan.

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

Dated: Riverhead, New York
May 19, 2009

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

DIANE M. WILHELM, Town Clerk

5/19/09

TOWN OF RIVERHEAD

Tabled

Resolution # 510

ADOPTS A LOCAL LAW TO ADOPT A MAP DESIGNATING CLEARING LIMITS PURSUANT TO THE PINE BARRENS OVERLAY DISTRICT (Riverhead Town Code Article XXXV) FOR THE FORMER NAVAL WEAPONS INDUSTRIAL RESERVE PLANT (NWIRP) NOW KNOWN AS ENTERPRISE PARK AT CALVERTON (EPCAL)

COUNCILMAN WOOTEN

offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law which would adopt a map designating clearing limits pursuant to the Pine Barrens Overlay District (Riverhead Town Code Article XXXV) for the former Naval Weapons Industrial Reserve Plant (NWIRP) now known as Enterprise Park at Calverton (EPCAL); and

WHEREAS, a public hearing was held on the 5th day of May, 2009 at 2:40 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law to adopt a map designating clearing limits pursuant to the Pine Barrens Overlay District (Riverhead Town Code Article XXXV) for the former Naval Weapons Industrial Reserve Plant (NWIRP) now known as Enterprise Park at Calverton (EPCAL) is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk is hereby authorized to publish the attached notice of adoption once in the News Review, the official newspaper, and to post same on the signboard at Town Hall; and be it further

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

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No



The Resolution Was Was Not
Therefore Duly Adopted

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law to adopt a map designating clearing limits pursuant to the Pine Barrens Overlay District (Riverhead Town Code Article XXXV) for the former Naval Weapons Industrial Reserve Plant (NWIRP) now known as Enterprise Park at Calverton (EPCAL) as shown on the map depicted below. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

Dated: Riverhead, New York
May 19, 2009

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

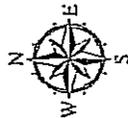
DIANE M. WILHELM, Town Clerk

LEGEND

-  Former Grauman Site Boundary
-  Non-Clearing Limits

map of
EPCAL
NON-CLEARING LIMITS

35.5% of M-QBC LLC SUBDIVISION MUST BE PRESERVED AS NON-CLEARED AREA PURSUANT TO THE COMPREHENSIVE DEVELOPMENT PLAN FILE #11500, SUFFOLK COUNTY CLERKS OFFICE SUBMISSION DATED: MARCH 9, 2007



Item Shaded in 2009
Initial January 5, 2009

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Total Site	2,920.99	ac
Non-Clearance Area (green)	867.05	ac
Required by M-QBC LLC Subdivision	177.75	ac
Total Non-Clearance Area	1,044.80	ac
GRAND TOTAL OS %	35.77%	
TOTAL M-QBC LLC SUBDIVISION AREA: 100.7 ACRES		
35.5% OF 302.7 AC = 117.75 AC		



TOWN OF RIVERHEAD

Phil Cardinale, Supervisor
200 Howell Ave.
Riverhead, New York 11901

May 19, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 511

AUTHORIZES THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH BROADCAST MUSIC, INC. (BMI)

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

WHEREAS, The Town of Riverhead plays pre-recorded music in the form of compact discs, digital video discs, cassettes, and other media in Town facilities and at Town events (e.g. the senior center, teen activities); and

WHEREAS, many of these works are protected by U.S. Copyright Law; and

WHEREAS, a municipality requires permission from the holders of such copyrights to use the works in a public forum; and

WHEREAS, Broadcast Music, Inc. (BMI) represents the holders of copyrights for over 8 million such works; and

WHEREAS, BMI offers a license granting permission to municipalities to play all of the works of copyright holders BMI represents.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized to execute the attached license agreement with BMI for the right to play pre-recorded music represented by BMI; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Monique Smith, Account Executive-Customer Relations, BMI, 10 Music Square East, Nashville, TN 37203; the Accounting Department; the Recreation Department; Riverhead Senior Center and the Office of the Town Attorney.

WOOTEN YES NO

DUNLEAVY YES NO BLASS YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

1. DEFINITIONS

- (a) **LICENSEE** shall include the named entity and any of its constituent bodies, departments, agencies or leagues.
- (b) **Premises** means buildings, hospitals, airports, zoos, museums, athletic facilities, and recreational facilities, including, but not limited to, community centers, parks, swimming pools, and skating rinks owned and/or operated by LICENSEE and any site which has been engaged by LICENSEE for use by LICENSEE.
- (c) **Recorded Music** means music which is performed at the Premises by means other than by live musicians who are performing at the Premises, including, but not limited to (1) compact disc, audio record or audio tape players (but not including "jukeboxes"); (2) videotape, videodisc or DVD players; (3) music performed as an accompaniment to karaoke; (4) the reception and communication at the premises of radio or television transmissions which originate outside the Premises, and which are not exempt under the Copyright Law; or (5) a music-on-hold telephone system operated by LICENSEE at the Premises.
- (d) **Live Entertainment** means music that is performed at the Premises by musicians, singers and/or other performers.
- (e) **BMI Repertoire** means all copyrighted musical compositions written and/or published by BMI affiliates or members of BMI-affiliated foreign performing rights societies, including compositions written or published during the Term of this Agreement and of which BMI has the right to license non-dramatic public performances.
- (f) **Events and Functions** means any activity conducted, sponsored, or presented by or under the auspices of LICENSEE. Except as set forth in Paragraph 2 (d) below, "Events" and "Functions" shall include, but are not limited to, aerobics and exercise classes, athletic events, dances and other social events, concerts, festivals, arts and crafts fairs, and parades held under the auspices of, or sponsored or promoted by, LICENSEE on the Premises.
- (g) **Special Events** means musical events, concerts, shows, pageants, sporting events, festivals, competitions, and other events of limited duration presented by LICENSEE for which the "Gross Revenue" (as defined in Schedule B) of such Special Event exceeds \$25,000.

2. BMI GRANT

- (a) BMI grants and LICENSEE accepts a non-exclusive license to perform, present or cause the live and/or recorded public performance on the "Premises" and at "Events" and "Functions", and not elsewhere or otherwise, non-dramatic renditions of the separate musical compositions in the "BMI Repertoire". The performances licensed under this Agreement may be by means of "Live Entertainment" or "Recorded Music".
- (b) This license does not authorize (1) the broadcasting, telecasting or transmission or retransmission by wire, Internet, website or otherwise, of renditions of musical compositions in BMI's Repertoire to persons outside of the Premises, other than by means of a music-on-hold telephone system operated by LICENSEE at the Premises; and (2) performances by means of background music (such as *Muzak*) or other services delivered to the Premises. Nothing in this Paragraph shall be deemed to limit LICENSEE's right to transmit renditions of musical compositions in the BMI Repertoire to those who attend Events or Functions on the Premises by means of teleconferencing, videoconferencing or similar technology.
- (c) This license is limited to non-dramatic performances, and does not authorize any dramatic performances. For purposes of this Agreement, a dramatic performance shall include, but not be limited to, the following: (1) performance of a "dramatico-musical work" (as hereinafter defined) in its entirety; (2) performance of one or more musical compositions from a "dramatico-musical work" (as hereinafter defined) accompanied by dialogue, pantomime, dance, stage action, or visual representation of the work from which the music is taken; (3) performance of one or more musical compositions as part of a story or plot, whether accompanied or unaccompanied by dialogue, pantomime, dance, stage action, or visual representation; and (4) performance of a concert version of a "dramatico-musical work" (as hereinafter defined). The term "dramatico-musical work" as used in the Agreement, shall include, but not be limited to, a musical comedy, opera, play with music, revue, or ballet.
- (d) This license does not authorize performances: (1) at any convention, exposition, trade show, conference, congress, industrial show or similar activity presented by LICENSEE or on the Premises unless it is presented or sponsored solely by and under the auspices of LICENSEE, is presented entirely on LICENSEE's Premises, and is not open to the general public; (2) by or at colleges and universities; (3) at any professional sports events or game played on the Premises; (4) at any permanently situated theme or amusement park owned or operated by LICENSEE; (5) by any symphony or community orchestra; and (6) by means of a coin operated jukebox.

3. REVIEW OF STATEMENTS AND / OR ACCOUNTINGS

- (a) BMI shall have the right to require such reasonable data necessary in order to ascertain the Annual License Fee.
- (b) BMI shall have the right, by its authorized representatives, at any time during customary business hours, to examine the books and records of account of LICENSEE to such extent as may be necessary to verify the statements made hereunder. BMI shall consider all data and information coming to its attention as a result of any such examination of books and records as completely confidential.
- (c) BMI shall have the right to adjust LICENSEE's Annual License Fee based upon the most recently available revised population figures provided by the U. S. Census Department.

4. ~~LATE PAYMENT AND SERVICE CHARGES~~ ^{DPM}

~~BMI may impose a late payment charge of one and one-half percent (1½%) per month, or the maximum rate permitted by law, whichever is less, from the date payment is due on any payment that is received by BMI more than thirty (30) days after the due date. BMI may impose a \$25.00 service charge for each unpaid check, draft or other means of payment LICENSEE submits to BMI.~~

5. BMI COMMITMENT TO CUSTOMER / INDEMNITY

So long as LICENSEE is not in default or breach of this Agreement, BMI agrees to indemnify, save harmless, and defend LICENSEE and its officers, and employees, from and against any and all claims, demands, or suits that may be made or brought against them with respect to the performance of any musical works which is licensed under this Agreement at the time of performance. LICENSEE agrees to give BMI immediate notice of any such claim, demand, or suit, to deliver to BMI any papers pertaining thereto, and to cooperate with BMI with respect thereto, and BMI shall have full charge of the defense of any such claim, demand, or suit.

6. BREACH OR DEFAULT / WAIVER

Upon any breach or default of the terms and conditions contained herein, BMI shall have the right to cancel this Agreement if such breach or default continues for thirty (30) days after LICENSEE's receipt of written notice thereof. The right to cancel granted to BMI shall be in addition to any and all other remedies which BMI may have. No waiver by BMI of full performance of this Agreement by LICENSEE in any one or more instances shall be deemed a waiver of the right to require full and complete performance of this Agreement thereafter or of the right to cancel this Agreement with the terms of this Paragraph.

7. CANCELLATION OF ENTIRE CATEGORY

BMI shall have the right to cancel the Agreement along with the simultaneous cancellation of the Agreements of all other licensees of the same class and category as LICENSEE, as of the end of any month during the Term, upon sixty (60) days advance written notice.

8. ASSIGNMENT

This license is not assignable or transferable by operation of law or otherwise. This license does not authorize LICENSEE to grant to others any right to perform publicly in any manner any of the musical compositions licensed under this Agreement, nor does it authorize any public performances at any of the Premises in any manner except as expressly herein provided.

9. ARBITRATION

All disputes of any kind, nature, or description arising in connection with the terms and conditions of this Agreement, except for matters within the jurisdiction of the BMI Rate Court, shall be submitted to the American Arbitration Association in the City, County, and State of New York, for arbitration under its then prevailing arbitration rules. The arbitrator(s) to be selected as follows: Each of the parties shall, by written notice to the other, have the right to appoint one arbitrator. If, within ten (10) days following the giving of such notice by one party, the other shall not, by written notice, appoint another arbitrator, the first arbitrator shall be the sole arbitrator. If two arbitrators are so

appointed, they shall appoint a third arbitrator. If ten (10) days elapse after the appointment of the second arbitrator and the two arbitrators are unable to agree upon a third arbitrator, then either party may, in writing, request the American Arbitration Association to appoint the third arbitrator. The award made in the arbitration shall be binding and conclusive on the parties and judgment may be, but not need be, entered in any court having jurisdiction. Such award shall include the fixing of the costs, expenses, and attorneys' fees of arbitration, which shall be borne by the unsuccessful party.

10. NOTICES

Any notice under this Agreement will be in writing and deemed given upon mailing when sent by ordinary first-class U.S. mail to the party intended, at its mailing address stated, or any other address which either party may designate. Any such notice sent to BMI shall be to the attention of the Vice President, General Licensing Department at 10 Music Square East, Nashville, TN 37203. Any such notice sent to LICENSEE shall be to the attention of the person signing the Agreement on LICENSEE's behalf or such person as LICENSEE may advise BMI in writing.

11. MISCELLANEOUS

The fact that any provisions are found by a court of competent jurisdiction to be void or unenforceable will not affect the validity or enforceability of any other provisions. This Agreement constitutes the entire understanding between the parties and cannot be waived or added to or modified orally and no waiver, addition and modification shall be valid unless in writing and signed by both parties.

12. FEES

- (a) In consideration of the license granted herein, LICENSEE agrees to pay BMI a license fee which includes the total of the "Base License Fee" and any applicable "Special Events License Fees", all of which shall be calculated in accordance with the Rate Schedule on Page 3. For purposes of this Agreement,
- (i) "Base License Fee" means the annual fee due in accordance with Schedule A of the Rate Schedule and based on LICENSEE's population as established in the most recent published U.S. Census data. It does not include any fees due for Special Events.
 - (ii) "Special Events License Fees" means the amount due in accordance with Schedule B of the Rate Schedule when Special Events are presented by or on behalf of LICENSEE. It does not include any Base License Fee due.
 - (iii) LICENSEES who are legally organized as state municipal and/or county leagues or state associations of municipal and/or county attorneys shall be required to pay only the fee under the Schedule C of the Rate Schedule. Such leagues or associations are not subject to Schedule A or Schedule B of the Rate Schedule. Fees paid by such leagues or associations do not cover performances of the municipality, county, or other local government entity represented by the league or association. Schedule C fees are not applicable to municipal, county or other government entities.

2008 RATE SCHEDULE FOR LOCAL GOVERNMENTS

SCHEDULE A			
Check Population Range (√)	LICENSEE's Population	Base License Fee	Enter Fee Based Upon Population
<input checked="" type="checkbox"/>	1 - 50,000	\$294	\$294
<input type="checkbox"/>	50,001 - 75,000	\$587	
<input type="checkbox"/>	75,001 - 100,000	\$705	
<input type="checkbox"/>	100,001 - 125,000	\$941	
<input type="checkbox"/>	125,001 - 150,000	\$1,176	
<input type="checkbox"/>	150,001 - 200,000	\$1,528	
<input type="checkbox"/>	200,001 - 250,000	\$1,880	
<input type="checkbox"/>	250,001 - 300,000	\$2,235	
<input type="checkbox"/>	300,001 - 350,000	\$2,587	
<input type="checkbox"/>	350,001 - 400,000	\$2,941	
<input type="checkbox"/>	400,001 - 450,000	\$3,293	
<input type="checkbox"/>	450,001 - 500,000	\$3,647	
<input type="checkbox"/>	500,001 - plus	\$4,969 plus \$500 for every 100,000 population increment or portion thereof above 500,000 up to a maximum annual fee of \$58,798	
	If 500,001 or more, enter population		
		SCHEDULE A FEE	\$294.00

SCHEDULE B Special Events Fee (to be reported 90 days after each event*, see Par. 13(d))	
The rate for Special Events shall be 1% of Gross Revenue.	
<ul style="list-style-type: none"> ▪ "Special Events" means musical events, concerts, shows, pageants, sporting events, festivals, competitions, and other events of limited duration presented by LICENSEE for which the "Gross Revenue" of such Special Events exceeds \$25,000. ▪ "Gross Revenue" means all monies received by LICENSEE or on LICENSEE's behalf from the sale of tickets for each Special Event. If there are no monies from the sale of tickets, "Gross Revenue" shall mean contributions from the sponsors or other payments received by LICENSEE for each Special Event. 	
SCHEDULE B FEE	<i>BMI will provide a report form to report your events*</i>

SCHEDULE C State Municipal and/or County Leagues or State Associations of Attorneys (to be completed if you are a State Municipal and/or County Leagues or State Associations of Attorneys)	
The annual license fee for LICENSEES who are legally organized as state municipal and/or county leagues, or state associations of municipal and/or county attorneys shall be \$294.00. No Special Events fee applies to LICENSEES qualifying under this schedule.	
SCHEDULE C FEE	

13. REPORTING

- (a) Upon the execution of this Agreement, LICENSEE shall submit:
- (i) a report stating LICENSEE's population based on the most recent published U.S. Census data. The population set forth in the report shall be used to calculate the Base License Fee under this Agreement; and
 - (ii) a report containing the information set forth in Paragraph 13 (d) below for all Special Events that were presented between the effective date of this Agreement and the execution of this Agreement.
- (b) The Base License Fee for the first year of this Agreement and any license fees due for Special Events that were presented between the effective date of this Agreement and the execution of this Agreement shall be payable upon the execution of this Agreement.
- (c) Base License Fees for subsequent years shall be due and payable within 30 days of the renewal date of this Agreement and shall be accompanied by a statement confirming whether any Special Events were presented during the previous calendar year.
- (d) Ninety (90) days after the conclusion of each Special Event, LICENSEE shall submit to BMI payment for such Special Event and a report in printed or computer readable form stating:
- (i) the date presented;
 - (ii) the name of the attraction(s) appearing;
 - (iii) the "Gross Revenue" of the event (as defined above);
 - (iv) the license fee due for each Special Event.

- (e) If LICENSEE presents, sponsors or promotes a Special Event that is reportable under Rate Schedule B with another person or entity licensed under a BMI License Agreement, LICENSEE shall indicate the name, address, phone number and BMI account number of the other person(s) or entity(ies) and the party responsible for payment for such Special Event. If the other party is not licensed by BMI, LICENSEE shall pay the license fee due hereunder, notwithstanding any agreement to the contrary between LICENSEE and the other party.
- (f) LICENSEE agrees to furnish to BMI, where available, copies of all programs of musical works performed, which are prepared for distribution to the audience or for the use or information of LICENSEE or any department thereof. The programs shall include all encores to the extent possible. LICENSEE shall be under no obligation to furnish programs when they have not been otherwise prepared.

14. RATE ADJUSTMENTS / LICENSE FEE FOR YEAR 2009 AND THEREAFTER

For each calendar year commencing 2009, all dollar figures set forth in Schedules A, B and C (except the \$500 add-on for populations of 500,001 or more) shall be the license fee for the preceding calendar year, adjusted in accordance with the increase in the Consumer Price Index - All Urban Consumers (CPI-U) between the preceding October and the next preceding October, rounded to the nearest dollar. Any additional license fees due resulting from the CPI adjustment shall be payable upon billing by BMI.

15. TERM OF AGREEMENT

This Agreement shall be for an initial Term of one (1) year, commencing January 1, 2009 to December 31, 2009 ~~November 1, 2007~~, which shall be considered the effective date of this Agreement, and continuing thereafter for additional terms of one (1) year each. ~~Either party may give notice of termination to the other no later than thirty (30) days prior to the end of the initial or any renewal term. If such notice is given, the Agreement shall terminate on the last day of the Term in which notice is given.~~

AGREEMENT

AGREEMENT, made at New York, N.Y. on (Date will be entered by BMI upon execution) between BROADCAST MUSIC, INC., a State of New York corporation with its principal offices at 320 West 57th Street, New York, N.Y. 10019 (hereinafter "BMI") and the legal or trade name described below and referred to thereafter as "LICENSEE" (the "Agreement"). This Agreement includes all of the terms and conditions set forth herein.

PLEASE RETURN THIS ENTIRE SIGNED LICENSE AGREEMENT TO: BMI, 10 MUSIC SQUARE EAST, NASHVILLE, TN 37203

ENTER LEGAL NAME:

Town of Riverhead

(Name of Corporation, Partnership, or Individual Owner)

LICENSED PREMISES

(All locations authorized by the LICENSEE)

ENTER TRADE NAME:

Town of Riverhead, Town Hall

(Doing business under the name of)

(Street Address)

(City)

(State)

(Zip)

(Telephone No.)

(Fax Number)

(Contact Name)

(Title)

CHECK APPROPRIATE BOX AND COMPLETE

Individual Ownership _____

LLC Corporation _____
(State of Incorporation if different from Licensed Premises)

LLP Partnership _____
(Enter names of partners)

Other Municipality _____

Fed. Tax ID # _____

MAILING ADDRESS

(If different from Licensed Premises address)

(Street Address)

(City)

(State)

(Zip)

(631) 727-3200

(Telephone No.)

(Fax Number)

Dan McCormick

Attorney

(Contact Name)

(Title)

TO BE COMPLETED BY AN AUTHORIZED REPRESENTATIVE OF LICENSEE

Signature

Print Name / Title

**FOR ADMINISTRATIVE USE ONLY
TO BE COMPLETED BY BMI
BROADCAST MUSIC, INC.**

FOR BMI USE ONLY

1528101

Account No.

1528101

COID



* BMI and the Music Stand symbol are registered trademarks of Broadcast Music, Inc.

Adopted

5/19/09

TOWN OF RIVERHEAD

Resolution # 512

**RESOLUTION IN SUPPORT FOR LOCAL GOVERNMENT RECORDS
MANAGEMENT IMPROVEMENT FUND (LGRMIF) AND THE OFFICE OF
CULTURAL EDUCATION ACCOUNT**

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

WHEREAS, the Local Government Management Improvement Fund (LGRMIF) was created in 1989 to provide technical assistance and grants to establish, improve or enhance, records management programs in New York's 4400 local governments; and

WHEREAS, the LGRMIF has awarded 8,856 grants totaling over \$176 million to improve the management of records for over half of all local governments in New York State; and

WHEREAS, the LGRMIF saves local governments at least \$5.6 million annually in storage costs by funding grant projects to identify and destroy non-permanent records; and

WHEREAS, the LGRMIF saves local governments at least \$4.8 million annually in costs to search for records; and

WHEREAS, the LGRMIF has supported the preservation of over 3 million essential records, ensuring their continued availability for citizens, teachers, genealogists, and other researchers; and

WHEREAS, the LGRMIF has vastly improved public access to millions of records in thousands of local governments through projects to scan paper records, make records available online, or arrange and index voluminous older records; and

WHEREAS, the need for the LGRMIF grants program continues to grow with requests for more money to find increasingly complex and costly records projects; and

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

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

WHEREAS, since 1989, State Archives staff have conducted 20,000 site visits to local governments to provide hands-on records management guidance at no cost to local governments; and

WHEREAS, the LGRMIF has trained over 10,300 local government officials to manage both paper and electronic records through 130 onsite workshops and webinars given each year; and

WHEREAS, the LGRMIF has been at the forefront of technological change in local government, bringing hundreds of local governments into the Internet age in the 1990s, funding complex geographic systems projects, and supporting grants to scan and make available millions of images of local government records; and

WHEREAS, the LGRMIF and the program it supports continue to be flexible and responsive, operate at a high standard of excellence, and provide direct and significant benefit to local governments at no cost to the taxpayers; and

WHEREAS, the records needs of local governments are growing more complex and expensive, and greater support for the LGRMIF will make possible critical electronic records and disaster planning projects; and

WHEREAS, greater support for the LGRMIF will further make possible shared services programs that will save money for local governments by helping them develop cooperative and sustainable records management programs; and

WHEREAS, the LGRMIF has never been increased since its inception in 1989; and

WHEREAS, the Town of Riverhead has benefited from technical assistance, training and publications; and

WHEREAS, the LGRMIF continues to be critically important in the fulfillment of the many records and information related responsibilities of the Town of Riverhead; and

WHEREAS, the Cultural Education Account funds most of the operations of the State Museum, Library, and Archives; and

WHEREAS, the Cultural Education Account fund is now fully depleted as a result of the severe decline in revenue and the annual and special transfers of funds to support other state purposes; and

WHEREAS, without the fee increase, the Office of Cultural Education's services to the public will be at risk, including access to the Museum's huge collection of natural history and historical artifacts, the Library's collection of genealogical books and free online access to specialized databases and electronic journals, and the Archives historical records of state and colonial government going back to the early 1600s.

NOW THEREFORE BE IT RESOLVED, that the Town of Riverhead supports Assembly Bill A-6783, which proposes modest increases in the fees supporting the Cultural Education Account from \$15.00 to \$22.50 and the LGRMIF from \$5.00 to \$7.50 per transaction to ensure the continuation of the programs of the Office of the Cultural Education and improvement of records management programs in New York's local governments through LGRMIF services and grants that increase citizen access to records, build vital information infrastructures in local government, stimulate local economies across the state, and allow our local leaders to address twenty-first century realities.

05/19/09

Adopted

TOWN OF RIVERHEAD

Resolution # 513

**AUTHORIZES THE SUPERVISOR TO
ISSUE A LETTER TO THE SUFFOLK COUNTY
DEPARTMENT OF HEALTH SERVICES
ALLOWING THE USE OF A PINE BARRENS CREDIT
ON COMMERCIAL PROPERTY LOCATED IN RIVERHEAD**

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

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

WHEREAS, Nathan Serota, the managing member of Wading River Commons, LLC (SCTM # 0600-075.00-03.00-003.007) wishes to increase the available sanitary density for said premises using a Pine Barrens credit originating from property located in the Town of Brookhaven, and

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

NOW, THEREFORE, BE IT, RESOLVED, that the Town Board authorized the Supervisor to issue a letter to the Suffolk County Department of Health Services approving the use of said Brookhaven Pine Barrens credit on premises located in Wading River and known as SCTM 0600-075.000-03.00-003.007, and be it further

RESOLVED, that the Supervisor be and is hereby authorized to execute the attached letter; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Office of the Town Attorney, Planning Department, Building Department and Mitch Pally, Esq.

authorize execution of stip /dct

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

Phil Cardinale, Town Supervisor

Town Hall, 200 Howell Avenue, Riverhead, NY 11901
Tel: (631) 727-3200 / fax 631-727-6712

May 19, 2009

Vito Minei, P.E.
Director of Environmental Quality
Suffolk County Department of
Health Services
360 Yaphank Avenue, Suite 2B
Yaphank, NY 11980

Re: Nathan Serota
SCTM#: 0600-075.00-03.00-003.007

Dear Mr. Minei:

This shall confirm that the Town Board of the Town of Riverhead consents to the use of 1.53 Town of Brookhaven Pine Barrens Credits to enhance the available sanitary density on property known as Wading River Commons and bearing Suffolk County Tax Map No. 0600-075.00-03.00-003.007 of which Nathan L. Serota, the certificate holder, is the Managing Member.

Kindly contact this office with any questions you may have.

Very truly yours,

PHILIP J. CARDINALE

TOWN OF RIVERHEAD

Adopted

Resolution # 514

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE
OF PUBLIC HEARING REGARDING THE SPECIAL PERMIT OF
OMNIPOINT COMMUNICATIONS, INC.
BONSAL AMERICAN BUILDING (EPCAL)**

COUNCILWOMAN BLASS

_____ offered the following resolution which

COUNCILMAN DUNLEAVY

was seconded by _____

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Jacalyn R. Fleming, Esq. on the behalf of Omnipoint Communications, Inc. to dismantle an existing tower and erect a new 102 feet tower upon an existing building located at the Enterprise Park at Calverton; such property more particularly described as Suffolk Country Tax Map Number 0600-135-1-7.8, and

WHEREAS, a SEQRA report has been completed by the Riverhead Planning Department, and

WHEREAS, the applicant has appeared before the Town Board at a work session, and

WHEREAS, the Town Board desires to hold a public hearing on the matter at this time, now

THEREFORE, BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the attached notice of public hearing in the official newspaper of the Town of Riverhead.

THE VOTE

DUNLEAVY 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 16th Day of June at 7:20 o'clock pm, to consider the merits of the Special Use Permit of Omnipoint Communications, Inc. to allow the demolition of an existing tower and the erection of a new telecommunications tower upon real property located at the Enterprise Park at Calverton; such property more particularly described as Suffolk Country Tax Map Number 0600-135-1-7.8.

Dated: Riverhead, New York

Date: May 19, 2009

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

5/19/09

Adopted

TOWN OF RIVERHEAD

Resolution # 515

**AUTHORIZES THE SUFFOLK COUNTY DEPARTMENT OF
HEALTH SERVICES TO PLACE ITS MOBILE MAMMOGRAPHY
VAN BEHIND THE CULINARY CENTER**

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

WHEREAS, both the County of Suffolk and the Town of Riverhead support various community outreach programs; and

WHEREAS, the Suffolk County Health Department, Division of Patient Care, has mobile mammography vans that visit health centers and community sites which can offer low cost breast cancer screenings to eligible women; and

WHEREAS, the Suffolk County Department of Health Services, Division of Patient Care, has requested the use of the parking lot behind the Culinary Center located on Main Street, Riverhead, New York to locate its mobile mammography van on Friday, June 12, 2009 between the hours of 9:00 a.m. to 1:00 p.m.; and

WHEREAS, the Town of Riverhead has reviewed this information with the Chief of Police and the Highway Superintendent and has determined that said activity will not propose traffic or safety hazards in the area; and

WHEREAS, the Town of Riverhead deems it in the best interests of the residents of the Town of Riverhead to allow said van to be located in the parking lot behind the Culinary Center on the date and time above stated;

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes the placement of the Suffolk County Department of Health Services' mobile mammography unit in the parking lot located behind the Culinary Center, Main Street, Riverhead, on Friday, June 12, 2009 from 9:00 a.m. to 1:00 p.m.; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Suffolk County Health Department, 225 East Rabro Drive,

Hauppauge, New York 11788 and Hon. Kenneth P. LaValle, Senator, 325 Middle Country Road, Suite #4, Selden, New York 11784; and be it further

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

WOOTEN YES ___ NO DUNLEAVY YES ___ NO

BLASS YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

Adopted

RESOLUTION # <u>516</u> ABSTRACT #09-18 May 7, 2009 (TBM 05/19/09)				
<u>Councilman Wooten</u> offered the following Resolution which was seconded by				
<u>Councilwoman Blass</u>				
FUND NAME			CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1		1,154,845.80	1,154,845.80
POLICE ATHLETIC LEAGUE	4		4,182.04	4,182.04
RECREATION PROGRAM FUND	6		3,942.13	3,942.13
ECONOMIC DEVELOPMENT ZONE FUND	30		3,643.01	3,643.01
HIGHWAY FUND	111		119,872.68	119,872.68
WATER DISTRICT	112		92,088.83	92,088.83
RIVERHEAD SEWER DISTRICT	114		49,465.88	49,465.88
REFUSE & GARBAGE COLLECTION DI	115		8,699.29	8,699.29
STREET LIGHTING DISTRICT	116		8,050.79	8,050.79
PUBLIC PARKING DISTRICT	117		535.87	535.87
AMBULANCE DISTRICT	120		785.47	785.47
EAST CREEK DOCKING FACILITY FU	122		5,731.25	5,731.25
CALVERTON SEWER DISTRICT	124		20,315.36	20,315.36
RIVERHEAD SCAVANGER WASTE DIST	128		20,206.97	20,206.97
WORKERS' COMPENSATION FUND	173		10,261.53	10,261.53
RISK RETENTION FUND	175		2,117.62	2,117.62
CDBG CONSORTIUM ACOUNT	181		689.35	689.35
RESTORE GRANT PROGRAM	184		1,260.00	1,260.00
TOWN HALL CAPITAL PROJECTS	406		276,792.15	276,792.15
WATER DISTRICT CAPITAL PROJECT	412		32,747.76	32,747.76
CALVERTON SEWER CAPITAL PROJEC	424		127,615.16	127,615.16
SCAVANGER WASTE CAPITAL PROJEC	428		2,996.88	2,996.88
YOUTH SERVICES CAP PROJECT	452		159.92	159.92
SENIORS HELP SENIORS CAP PROJE	453		2,592.99	2,592.99
MUNICIPAL FUEL FUND	625		150.00	150.00
TRUST & AGENCY	735		1,540,164.12	1,540,164.12
COMMUNITY PRESERVATION FUND	737		9,093.57	9,093.57
CALVERTON PARK - C.D.A.	914		18,750.00	18,750.00
TOTAL ALL FUNDS			3,517,756.42	3,517,756.42

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

RESOLUTION # <u>516</u> ABSTRACT #09-19 May 14, 2009 (TBM 05/19/09)				
Councilman Wooten offered the following Resolution which was seconded by				
Councilwoman Blass				
FUND NAME			CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1		147,414.47	147,414.47
POLICE ATHLETIC LEAGUE	4		150.00	150.00
RECREATION PROGRAM FUND	6		1,938.00	1,938.00
CHILD CARE CENTER BUILDING FUN	9		51.03	51.03
YOUTH COURT SCHOLARSHIP FUND	25		100.00	100.00
ECONOMIC DEVELOPMENT ZONE FUND	30		53.87	53.87
HIGHWAY FUND	111		19,739.31	19,739.31
WATER DISTRICT	112		347,258.91	347,258.91
RIVERHEAD SEWER DISTRICT	114		74,950.21	74,950.21
REFUSE & GARBAGE COLLECTION DI	115		15.09	15.09
STREET LIGHTING DISTRICT	116		57,683.71	57,683.71
PUBLIC PARKING DISTRICT	117		2,967.73	2,967.73
BUSINESS IMPROVEMENT DISTRICT	118		67.17	67.17
AMBULANCE DISTRICT	120		174,448.49	174,448.49
EAST CREEK DOCKING FACILITY FU	122		925.76	925.76
CALVERTON SEWER DISTRICT	124		5,354.27	5,354.27
RIVERHEAD SCAVANGER WASTE DIST	128		36,325.66	36,325.66
RIVERHEAD SEWER DENITRIFICATIO	130		7,500.00	7,500.00
WORKERS' COMPENSATION FUND	173		17,678.51	17,678.51
RISK RETENTION FUND	175		4,236.00	4,236.00
PUBLIC PARKING DEBT SERVICE	381		2,701.04	2,701.04
GENERAL FUND DEBT SERVICE	384		653,805.28	653,805.28
TOWN HALL CAPITAL PROJECTS	406		193,128.26	193,128.26
WATER DISTRICT CAPITAL PROJECT	412		2,198.50	2,198.50
SCAVANGER WASTE CAPITAL PROJEC	428		689.90	689.90
TRUST & AGENCY	735		1,477,395.50	1,477,395.50
CALVERTON PARK - C.D.A.	914		24.81	24.81
TOTAL ALL FUNDS			3,228,801.48	3,228,801.48

Adopted

April 7, 2009

TOWN OF RIVERHEAD

Resolution # 305

Tabled

AUTHORIZING THE TOWN BOARD OF THE TOWN OF RIVERHEAD TO ACCEPT THE OFFER OF DEDICATION FOR 21.4284 ACRES OF OPEN SPACE DESCRIBED AS SCTM#600-80-5-3 FROM WINDCREST EAST HOME OWNERS ASSOCIATION (PREDECESSOR IN INTEREST TO MID ROAD PROPERTIES)

COUNCILMAN WOOTEN offered the following resolution, which was seconded by

COUNCILWOMAN BLASS :

WHEREAS, on August 21, 2001, by Resolution #803, the Town Board approved the special permit of Mid Road Properties to allow for the construction of a retirement community consisting of 126 condominium units and associated amenities upon real property located at Middle Road, Riverhead; and

WHEREAS, the approval of the special permit was conditioned upon an irrevocable offer of dedication of the open space totaling 21.4284 areas, shown upon the site plan prepared by Young & Young dated July 2, 2001, and depicted as "Woods to Remain"; and

WHEREAS, on July 29, 2003, the applicant filed a map with the Clerk of Suffolk County titled "Multi-Family Residential Retirement Community Mid Road Condominium-Condominium I" which clearly delineated the 21.4284 acres to be dedicated to the Town of Riverhead; and

WHEREAS, on July 28, 2003, Windcrest Riverhead LLC, deeded parcels of land, including the 21.4284 acre parcel required to be dedicated as open space to the Town of Riverhead, recorded in Liber D00012265 Page 583, to Windcrest East Home Owners Association; and

WHEREAS, the Windcrest East Home Owners Association, by its President of the Board of Directors, contacted the Town to express its willingness and intention to deed the Town the open space parcel described as SCTM# 600-80-5-3, a metes and bounds description annexed hereto as Exhibit "A"; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead accepts the offer of dedication for real property described as SCTM# 600-80-5-3 and more particularly described by a metes and bounds description annexed hereto as Exhibit "A" subject to the presentation of an original executed deed from Grantor Windcrest East Home Owners Association to Grantee Town of Riverhead, together with all original real property transfer documents to permit the filing and recording of said deed; and be it further

RESOLVED, that the Town of Riverhead shall cause said deed to be filed and recorded with the Clerk of Suffolk County and remit payment for said recording fees; and be it further

05.19.09 The resolution was offered to be untabled by Councilman Wooten, Councilman Blass seconded. The VOTE: Wooten, yes; Dunleavy, yes; Blass, yes; Cardinale, yes. The resolution was UNTABLED.

Councilman Wooten offered the resolution for adoption. Councilwoman Blass seconded. The VOTE: Wooten, yes; Dunleavy, yes; Blass, yes; Cardinale, yes. The resolution was ADOPTED.

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Windcrest East Home Owners Association, Walter Blanck, 2nd Vice President, 102 Golden Spruce Drive, Baiting Hollow, NY 11933; the Riverhead Planning Department; and the Office of the Town Attorney.

WOOTEN YES NO

DUNLEAVY YES NO BLASS YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED