

PUBLIC COMMENT ON ANY CDA RESOLUTION LISTED BELOW:

CDA #18 Authorizes Issuance of Request for Proposals and Publication of Notice for a Rail Access Rehabilitation and Development Project at the Calverton Enterprise Park, New York

PUBLIC COMMENT ON ANY REGULAR TOWN BOARD RESOLUTION LISTED BELOW:

- Res. #501 Ratifies Transfer of Ordinance Inspector to the Town Attorney's Office (Nicole Buckner)
- Res. #502 Authorizes Attendance of Two Police Department Employees to LPR Conference
- Res. #503 Amends 2008 Salary Resolution
- Res. #504 Approves Request for Leave of Absence (Debra Sorensen)
- Res. #505 Accepts Resignation of a Conservation Advisory Council Member (Frederick Edel)
- Res. #506 Appoints Student Intern to the Office of Town Hall Operations (Kristen Beal)
- Res. #507 Rescinds Resolution #483 for the Riverhead Recreation Department
- Res. #508 Ratifies the Appointment of Summer Recreation Aides to the Recreation Department
- Res. #509 Amends the Appointment of a Lifeguard to the Recreation Department (Deborah Hennenlotter)
- Res. #510 Appoints a Seasonal Lifeguard Level V to the Recreation Department (David Hegermiller)
- Res. #511 Amends the Appointment of a Beach Attendant/Concession Stand Operator to the Riverhead Recreation Department (Daniel Flood)
- Res. #512 Amends the Appointment of a Scorekeeper to the Riverhead Recreation Department (Kenneth Drumm)

- Res. #513 Declares Lead Agency and Determines Significance of Action: Land Acquisition, Estate of Sophie Wilson
- Res. #514 Authorizes the Supervisor to Execute an Agreement Between the Riverhead Town Board and the Riverhead Fire District
- Res. #515 Resolution of Support and Concurrence with the Suffolk County/Town of Riverhead Empire Zone (Formerly Economic Development Zone) Regionally Significant Project Application (Mini Graphics, Inc.)
- Res. #516 Resolution of Support and Concurrence with the Suffolk County/Town of Riverhead Empire Zone (Formerly Economic Development Zone) Regionally Significant Project Application (Nanz Custom Hardware, Inc.)
- Res. #517 Authorizes the Submission of a Youth Mentoring Grant
- Res. #518 Authorizes Supervisor to Execute Change Order No. 1 Repainting of Plant Nos. 8 & 9 Standpipes Riverhead Water District
- Res. #519 Authorizes Publication of Notice to Solicit Proposals for the Alternative Analysis and Final Design of Fishway at Upper Mills Dam
- Res. #520 Supports Town of Riverhead Application to New York State Department of Transportation for Transportation Enhancement Reimbursement Funding to Support Bicycle/Pedestrian Path
- Res. #521 Authorizes Community Development Office to Submit Application for Funds to Acquire Real Property at to Develop the Peconic River Greenbelt
- Res. #522 Authorizes Community Development Office to Submit Application for Funds for Educational Signage for Peconic Estuary Program Invasive Species Eradication Program in the Peconic River
- Res. #523 Authorizes the Town Supervisor to Enter into a Municipal Mutual Aid and Assistance Agreement

- Res. #524 Scheduling a Public Hearing Pursuant to Article 2 of the New York State Eminent Domain Procedure Law in Connection with the Partial Condemnation of 1418 Pulaski Street, Riverhead, Reputed Owner, Estate of Sophie Wilson, Suffolk County Tax Map 0600-101.00-02.00-012.003, Riverhead, New York
- Res. #525 Authorizes Town Clerk to Publish and Post Notice of Public Hearing Omnipoint Communications Inc.
- Res. #526 Accepts Offer of Gift from P.C. Richards
- Res. #527 Accepts Donation for Lombardi Park
- Res. #528 Authorizes the Release of Security of Over in 2050 LLC (Riverhead Ford)
- Res. #529 Authorizes the Release of Security for Vinland Commons
- Res. #530 Awards Bid for Well & Pump Emergency Service Riverhead Water District
- Res. #531 Grants the Special Use Permit Petition of Fastenal Company
- Res. #532 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 90 Entitled “Special Events” of the Riverhead Town Code
- Res. #533 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Amend Chapter 108 Entitled, “Zoning” of the Riverhead Town Code
- Res. #534 Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law to Amend Article XIII Entitled, “Supplementary Use Regulations” of the Riverhead Town Code
- Res. #535 Authorizes the Town Clerk to Advertise for Bids on Precast Concrete Drainage Rings & Associated Items
- Res. #536 Authorizes the Town Clerk to Advertise for Bids on Traffic Paint
- Res. #537 Authorizes the Town Clerk to Advertise for Bids on Traffic Line Striping

- Res. #538 Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 101 Entitled, “Vehicles & Traffic” of the Riverhead Town Code (§101-3. Stop and yield intersections; railroad crossings; parking fields.)
- Res. #539 Adopts a Local Law Amending Chapter 108 Entitled, “Zoning” of the Riverhead Town Code (§108-282. Uses.-Rural Corridor (RLC) Zoning Use District)
- Res. #540 Adopts a Local Law Amending Chapter 108 Entitled, “Zoning” of the Riverhead Town Code (§108-278. Uses. – Industrial C (IC) Zoning Use District)
- Res. #541 Adopts a Local Law Amending Chapter 52 Entitled “Building Construction” of the Riverhead Town Code
- Res. #542 Adopts a Local Law Amending Chapter 86 Entitled “Rental Dwelling Units” of the Riverhead Town Code
- Res. #543 Approves Chapter 90 Application of East End Arts & Humanities Council, Inc. (Yard Sale)
- Res. #544 Approves Chapter 90 Application of Peconic Bay Medical Center
- Res. #545 Approves Chapter 90 Application of East End Arts & Humanities Council, Inc.
- Res. #546 Approves the Chapter 90 Application of Riverhead Elks Lodge #2044
- Res. #547 Approves Chapter 90 Application of Church of the Harvest (Community Appreciation Day)
- Res. #548 Approves Chapter 90 Application of Old Steeple Community Church
- Res. #549 Approves Chapter 90 Application of Polish Town Civic Association
- Res. #550 Approves Chapter 90 Application of Polish Town Civic Association DOWOP – 50’s Night)

- Res. #551 Approves Chapter 90 Application of the Irish Centre of L.I. D/B/A Long Island Irish Festival
- Res. #552 Authorizes Town Clerk to Publish and Post a Public Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 95 Entitled, "Taxation" of the Riverhead Town Code (Exemption for Cold War Veterans)
- Res. #553 Authorizes Town Clerk to Publish and Post Notice of Public Hearing for New York SMSA, Limited Partnership d/b/a Verizon Wireless
- Res. #554 Authorizes Town Clerk to Publish and Post Notice of Public Hearing Special Use Permit of Atlantis Marine World
- Res. #555 Declares Significance of Action of Action on Renovation of Grangebél Park Comfort Station
- Res. #556 Authorizes the Supervisor to Execute an Amendment of the Contract Between the Town of Riverhead and the Nature Conservancy, Inc. for Piping Plover Management
- Res. #557 Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 101 (Vehicles & Traffic) of the Riverhead Town Code (§101-7. Turns.)
- Res. #558 Authorizes Town Clerk to Publish and Post a Public Notice for a Local Law to Consider Amendments of Chapter 18 Entitled "Code of Ethics" of the Riverhead Town Code
- Res. #559 Pays Bills

Adopted

June 17, 2008

TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY

RESOLUTION # 18

**AUTHORIZES ISSUANCE OF REQUEST FOR PROPOSALS AND PUBLICATION OF
NOTICE FOR A RAIL ACCESS REHABILITATION AND DEVELOPMENT PROJECT
AT THE CALVERTON ENTERPRISE PARK, NEW YORK**

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN DUNLEAVY:

WHEREAS, the Town of Riverhead has adopted a Comprehensive Plan for the Town and a Comprehensive Reuse Plan for the Calverton Enterprise Park, property now known as "EPCAL", providing the basis for the rezoning of the former Grumman property; and

WHEREAS, the Town Board acting in its capacity as the Community Development Agency (CDA) desires to foster the continued development of infrastructure at the EPCAL site to encourage continued economic development at the site consistent with the comprehensive plans; and

WHEREAS, in furtherance of development of infrastructure at EPCAL, the Town Board seeks to solicit proposals for a Rail Access Rehabilitation and Development Project to and from EPCAL.

THEREFORE, BE IT RESOLVED, that Riverhead Town Board authorizes the issuance of the attached Request for Proposals for a Rail Access Rehabilitation and Development Project.

THEREFORE, BE FURTHER IT RESOLVED, that the Riverhead Town Board hereby authorizes publishing and posting of the attached public notice in the Thursday, June 26, 2008 issue of the News Review and to post same on the signboard in Town Hall.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide notification of this resolution to the Community Development Agency Director.

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**

CKempner

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that the Community Development Agency of the Town of Riverhead is seeking proposals for a Rail Access Rehabilitation and Development Project at the Calverton Enterprise Park, New York.

The Request for Proposals (RFP) is available from the Riverhead Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, NY 11901. Proposals are due on or before August 28, 2008.

Dated: June 26, 2008

Barbara Grattan
Riverhead Town Clerk

REQUEST FOR PROPOSALS

Rail Access Rehabilitation and Development Project
Calverton, New York



Town of Riverhead Community Development Agency
June 26, 2008



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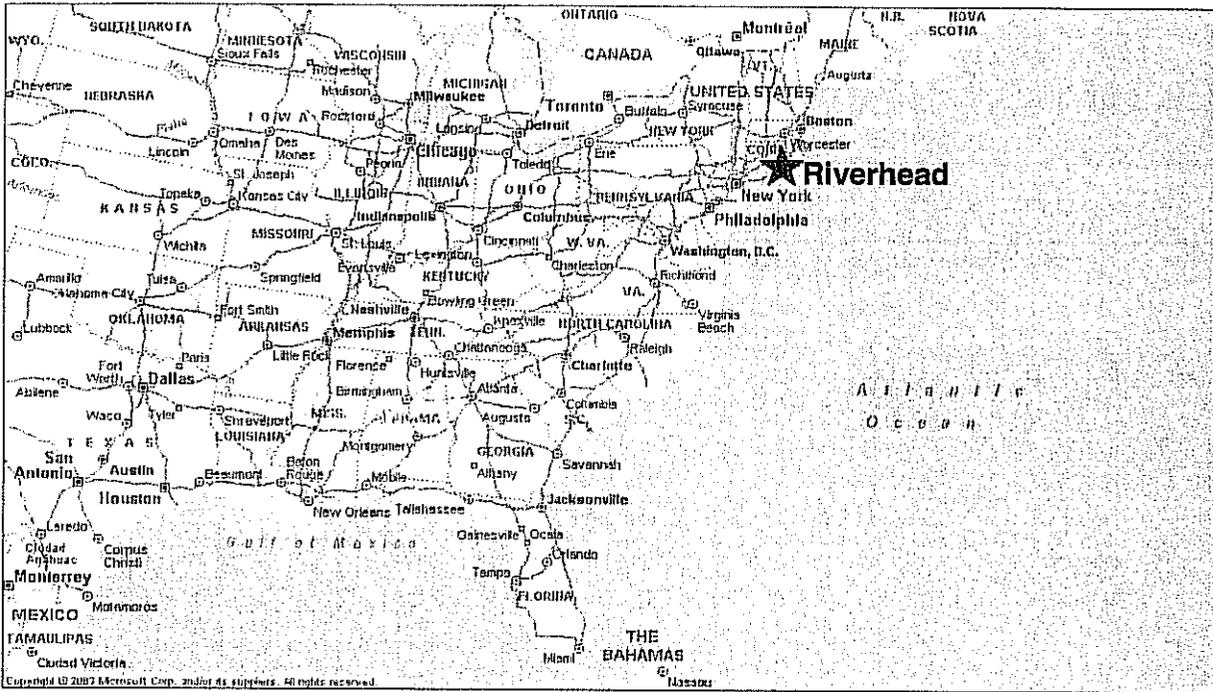
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	C. RESOLUTION # ____ AUTHORIZING RFP	



PROJECT SUMMARY INTRODUCTION

The Town of Riverhead, Community Development Agency (CDA) seeks to solicit proposals from a creative and qualified developer/operator to rehabilitate rail access for freight transportation to and from the Calverton Enterprise Park, Calverton, New York, formerly a Naval Weapons Industrial Reserve Plant operated by Grumman Corporation.

Eastern U.S. Location Map



Background

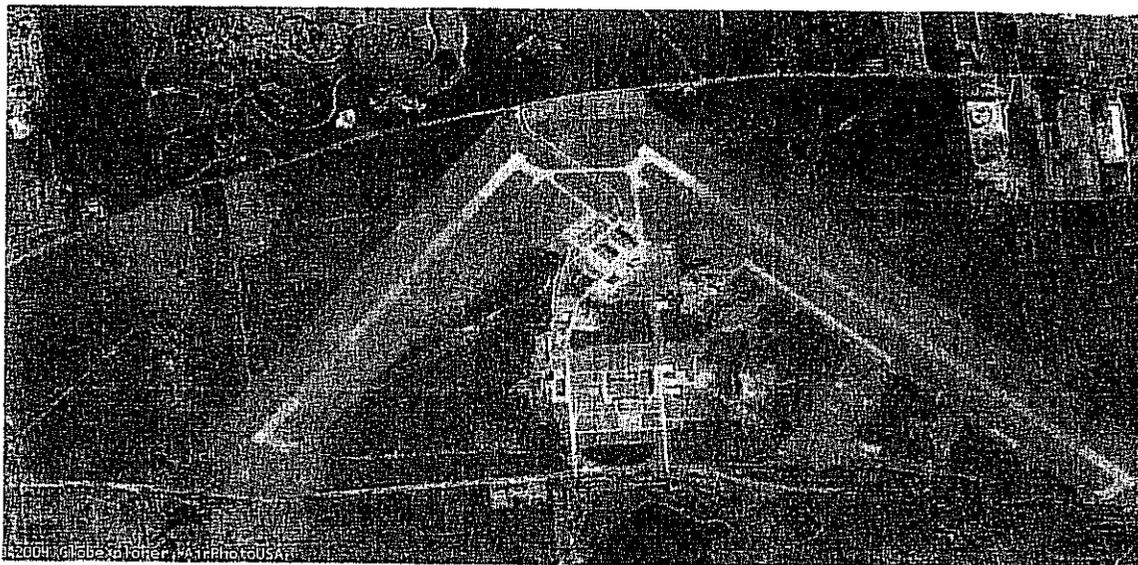
The Calverton Enterprise Park is a planned redevelopment of a 2,900-acre formerly known as the Naval Weapons Industrial Reserve Plant at Calverton. The site was assembled by the Navy in the 1950s and leased to the Grumman Corporation until 1996 for final assembly and flight-testing of military aircraft. In response to defense downsizing by the U.S. Government, the facility was no longer needed by Grumman or the Navy and was transferred to the Town of Riverhead Community Development Agency in September 1998. Planning and redevelopment efforts by the U.S. Navy and the Town of Riverhead began in 1994.

The Town of Riverhead, with a population of approximately 30,000, located on the east end of Long Island (“East End”) in Suffolk County, was founded in 1792. Riverhead lies between the Towns of Brookhaven and Southold and comprises approximately 78 square miles. Located 70 miles from New York City, Riverhead is bounded by the Peconic River and the Great Peconic Bay on the south, and the Long Island Sound on the north.

The objective of the planned redevelopment of the Calverton Enterprise Park is to create a viable mixed-use development to generate jobs and tax base while enhancing the community’s quality of life within the guidelines of being sustainable and sensitive to the surrounding environments. The goals of the redevelopment as established and supported by several Town Boards, are job creation, generation of tax revenues (sales tax, income

tax and property tax), stabilization of local taxes by investment of sales revenues, and preservation of the quality of life for residents of the community. The non-partisan support of local officials, county and state government, and community residents serving as advisors to the town, have resulted in the achievement of consensus on a plan for the reuse of the property.

The property is located between Grumman Boulevard/Swan Road and New York State Route 25 with access off Exit 69 of Long Island Expressway (I-495). The property is also in close proximity to Long Island's North and South ("Hamptons") Fork communities. The site is within sixty miles of to JFK International Airport, LaGuardia Airport, and Islip/MacArthur Airport and transportation is available to the market area by rail as well. An active 10,000-foot runway is an integral part of the Calverton Enterprise Park, serving the industrial park and available to the adjacent 755-acre parcel.



PROJECT REQUEST

FREIGHT RAIL REHABILITATION PROJECT: REQUIREMENTS TO FULFILL TASK

The Request for Proposal seeks creative and qualified consultants to address with detail the following issues:

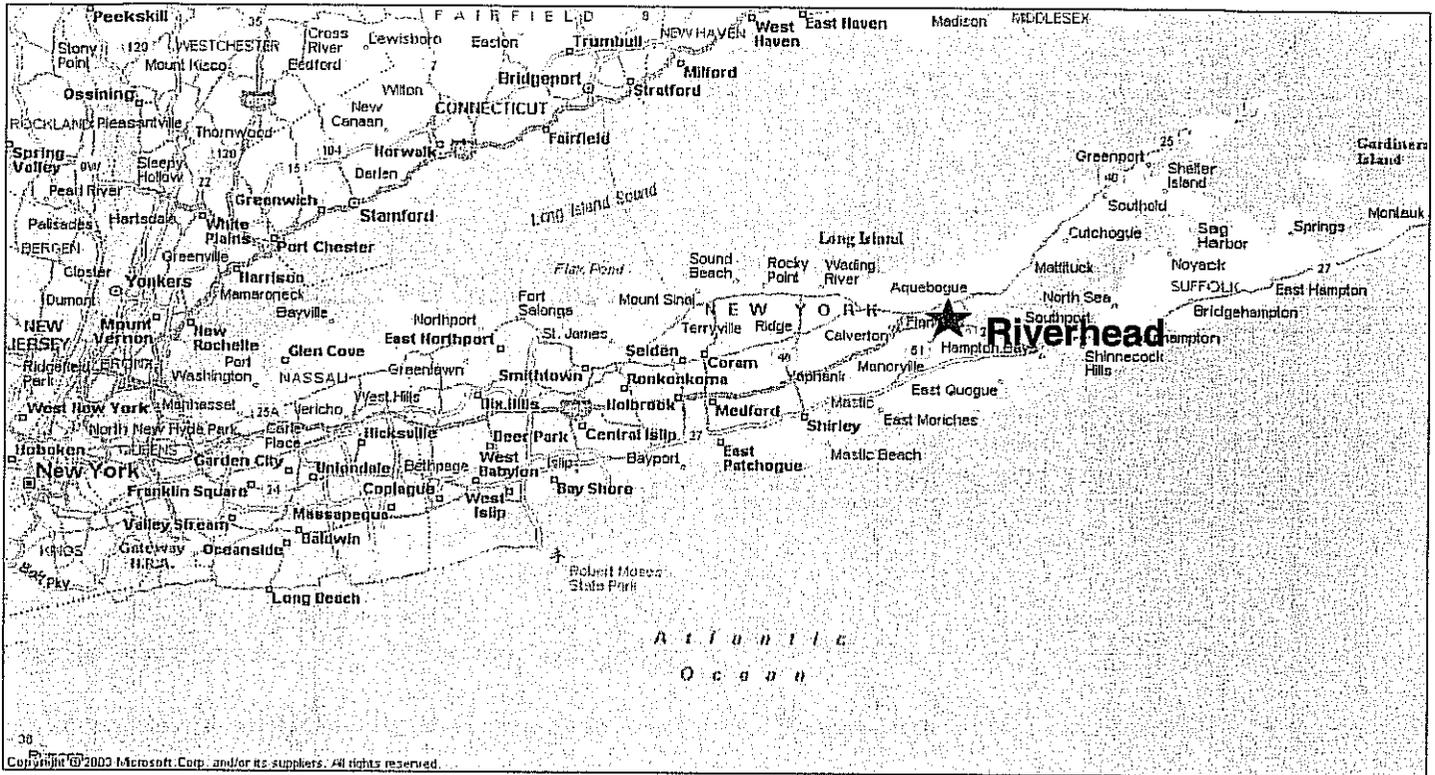
1. **analyze existing freight rail infrastructure** and provide a cost estimate for an engineering report of the rail spur rehabilitation and extension (where applicable) in accordance with DEC requirements (see permit attached as Appendix A; survey available upon request and payment of copy fees);
2. **analyze existing and project future volume of demand** for freight rail service at the Calverton Enterprise Park industrial core. The proximate location of the existing rail spur to the operating industrial core site of approximately 480 acres and pending development of two additional sites (a 300 acre industrial park and a 755 acre commercial-recreational project) will significantly contribute to the growth of freight demand to and from Calverton Enterprise Park. Potentially passenger rail options may be explored at the site;
3. **Propose fee structures and operational system** for the rehabilitated rail access to recoup renovation costs and to account for future maintenance costs.



LOCATION OVERVIEW

LONG ISLAND

The property is located in the eastern portion of Suffolk County which occupies the eastern two thirds of Long Island, New York which extends about 120 miles into the Atlantic Ocean. The county covers roughly a thousand square miles of territory and is 86 miles long and 26 miles wide at its widest point. Three major airports serve the region. Within Suffolk County, the Long Island MacArthur Airport offers service by several regional carriers.



EXISTING SITE ACCESS

Transportation networks of roads and bridges make Suffolk County and Long Island easily accessible by car or truck. Tourism in this region generates over \$2 billion from 25 million visitors annually, and employs more than 90,000 people in sectors that provide these services. The added tourism attraction of rural scenery and vineyards represented in eastern Suffolk's agricultural and farmland acreages provides an escape from the congested areas to the west. Calverton Enterprise Park has convenient access to major markets across the United States, given its location at the easternmost portions of the Long Island Expressway (Interstate 495) and proximity to the Long Island Railroad (LIRR), directly linking Long Island with the Metropolitan New York area.

The Long Island Rail Road (LIRR) is the nation's largest commuter railroad and offers excellent service with regular train service to New York City as well as to Queens, Brooklyn and other destination throughout Long Island. The LIRR transports approximately 80.3 million passengers annually and 276,000 daily in and out of New York City with 735 trains daily stopping at 124 stations.

SUBMISSION GUIDELINES

Proposals received must be presented in the form of the "Terms and Conditions of the Request for Proposal" contained in the following Section no later than August 28, 2008.

A pre-bid meeting will be held at the Calverton Recreational Facility, 4062 Grumman Boulevard, Calverton, New York on Friday, July 11, 2008 at 9:30 a.m. Information regarding businesses located in the Enterprise Park at Calverton will be presented at that time.

The Town of Riverhead is motivated to proceed and offers may be submitted at any time prior to August 28, 2008.

Due diligence review and Property inspections may be arranged by appointment. For additional information, please contact:

Chris Kempner, Director
Town of Riverhead CDA
200 Howell Avenue
Riverhead, NY 11901
Tel. (631) 727-3200 x287
Fax (631) 727-5772
Email: Kempner@riverheadli.com

TERMS AND CONDITIONS

Proposals are to be submitted in compliance with the terms and conditions as set forth herein. Proposals must be submitted, which should be typed (double-spaced), bound (with all required forms), and accompanied by an executed copy of this Request for Proposal (signed by a principal of the submitting Proposal thereby affirming its agreement with the requirements hereof).

1. Required Information Regarding the Proposer

Each submitted Proposal must include, without limitation, the following information to be furnished by the submitting Proposer:

- a. Name of Proposer.
- b. Contact person for the Proposer (must be a principal with name and relevant contact information).
- c. The Proposer's business address (including the address of its primary business operations, and that of its office which will be handling this transaction).
- d. The Proposer's main telephone and facsimile numbers.
- e. A general background of the Proposer, and its business organization, including:
 1. Proven qualifications to carry out a project as outlined in this proposal.
 2. Demonstrated experience in similar rail rehabilitation projects.
 3. Demonstrated experience in design, engineering and environmental sensitivity.
 4. Demonstrated understanding of the Town's vision and goals for the area.
 5. Demonstrated experience of principal project managers.
- f. A description of the Proposer's existing business operations.
- g. At least three (3) project references. Please provide the names, title, company/entity and the address, telephone and other contact information for all references.
- h. A scope of the development of the Project including:
 1. A rehabilitation strategy including timeline and project cost analysis.
 2. A simple site plan that indicates how the developer would propose to situate the transfer station.
 3. A general description of the public improvements which may be required to support the rail access for freight. Potential improvements to consider include landscaping, street crossings, safety mechanisms, etc. The Town understands that engineering has not been initiated and that a



detailed engineering analysis would be undertaken when the project proceeds. However, the Town would appreciate preliminary information about the type of improvements proposed.

4. Proposed fee structure for operating rail access for freight, including market analysis of existing freight demand volume from industrial core site as well as projected demand volume from growth at industrial core, as well as pending developments of two additional sites. (Method for obtaining on-site business info to be discussed with Community Development Agency).
5. Proposed system for operating rehabilitated rail access, including role of Town and potential role of private operator with generalized development pro-forma, detailing sources and uses of funds.
6. A description of the project team.
7. Summary of related rail rehabilitation and development experience, and references from town officials in at least two (2) communities where you have completed similar developments.
8. Any proposed methods of financing operation of the rail rehabilitation and cost of all improvements.
9. Rail rehabilitation schedule.

2. Proposal Delivery Requirements

Submissions must be received on or before the date and time specified above, with eight (8) Proposals, submitted to: Chris Kempner, Director, Community Development Agency, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York 11901. It is the responsibility of each Proposer to insure that its submission reaches the addresses as specified above. Overnight delivery or courier service due for arrival on the morning of the submission deadline will not guaranty its timely receipt.

3. Confidential Information

The New York State "Freedom of Information Law," Public Officers Law, Article 6, permits access to government records. However, Proposals submitted in response to the RFP may contain technical, financial, or other data the public disclosure of what would cause substantial injury to a Proposer's competitive position, or constitute disclosure of a trade secret. To protect this information and data from disclosure under the State Freedom of Information Law, the Proposer should specifically identify the pages of its Proposal that contain such information (by properly marking the applicable pages "confidential" and inserting the following notice in front of its Proposal).

"NOTICE: The data and information on pages _ (please note pages that contain confidential information) of this Proposal, identified by an asterisk (*) marked along the margin with a vertical line, contain technical or financial information which are trade secrets and/or whose disclosure would cause substantial injury to the Proposer's competitive position. The Proposer requests that such data and/or information be used only for the evaluation of the Proposal, but understands that disclosure will be limited to the extent that the CDA shall have the right to use or disclose the data and/or information, as provided for under the terms of the Contract, unless otherwise obligated by law."

The Town of Riverhead Community Development Agency assumes no responsibility for disclosure or use of unmarked data for any purpose. In the event properly marked data is requested pursuant to the Freedom of Information Law, the Proposer will be advised of such request. In response thereto, the Proposer may expeditiously submit to the Town of Riverhead Community Development Agency a detailed statement indicating any and all reason it might have for believing that the marked information is exempt from disclosure under the law. This statement will be used by the Town of Riverhead Community Development Agency in making its determination as to whether or not disclosure is proper under the law, which determination shall be binding on the Proposer.

4. Rights and Options

This RFP constitutes merely an invitation to make Proposals to the Town of Riverhead Community Development Agency. Accordingly, the Town of Riverhead Community Development Agency reserves, holds, and may (in its sole discretion) exercise any or all of the following rights and options with respect to the notice of RFP, this RFP, and the Contract, without any liability therefore to the Town of Riverhead Community Development Agency.

To select and enter into a Contract with the Proposer whose Proposal best satisfies the overall interests of the CDA.

This RFP process is not a strictly competitive "bid" process, and the Proposer submitting the lowest cost Proposal will not be automatically selected. The CDA instead reserves the right to select the Proposal which is believed to be most beneficial to the CDA, without having the amount of financial compensation being the sole determinative factor therefore. The CDA's decision-making/selection process will be discretionary and be based upon a variety of factors stipulated in NYS General Municipal Law Article 15 and the Rules and Regulations of the CDA adopted May 18, 2004. By submission of its Proposal, it is expressly understood, acknowledged, and accepted by submitting Proposer that this is not a bid, and that the CDA is under no obligation to award a contract through competitive bidding (or at all).

- a. The CDA reserves the right to use any criteria it may choose in selecting a successful Proposer, and to give whatever weight it may (in its sole discretion) deem advisable to the various elements of a Proposal and/or elect to accept a Proposal that does not offer the highest monetary consideration to the CDA.
- b. The CDA reserves the right to waive any informalities, requirements, or guidelines set forth in the notice of RFP regarding the deadline for requesting the RFP (if any), or in this RFP regarding the submission or evaluation of Proposals (including postponing the submission deadline).
- c. The CDA reserves the right to reject any and all Proposals at any time, in its sole discretion, for any reason whatsoever.
- d. The CDA reserves the right to accept any Proposal, in part or in whole.
- e. The CDA reserves the right to evaluate any Proposal in a manner different from the procedures outlined and specified in this RFP, in its sole discretion.
- f. The CDA reserves the right to interview any or all Proposers, which interviews may be conducted privately, without the other Proposers being present (thereby excluding from the

presentation/interview process those Proposers whose Proposals are not the subject of the interview).

- g. The CDA reserves the right to conduct investigations with respect to the qualifications of each Proposer; to make field investigations with respect to such Proposals (including visits to the Proposer's business offices or field operations); and, if so decided, to hold public hearings with respect to the merits of each Proposal consistent with Article 15 of the NYS General Municipal Law and the Rules & Regulations of the Riverhead CDA as adopted May 18, 2004 or as further amended.
- h. The CDA reserves the right to request additional information from any Proposer and to rely upon any information obtained through the Town's own investigations.
- i. The CDA reserves the right to cancel this RFP at any time whatsoever, with or without the substitution of another RFP.
- j. The CDA reserves the right to supplement, amend, or otherwise modify this RFP.
- k. The CDA reserves the right to issue additional or subsequent RFPs.
- l. The CDA reserves the right to negotiate with any Proposer, or all, or none of the Proposers, and further reserves the right to discontinue any such negotiations, at any time and in the Town's sole discretion, for any or no reason.
- m. The CDA reserves the right to negotiate with any or all Proposers for amendments or other modifications to their Proposals.
- n. The CDA reserves the right to request new or revised Proposals, including monetary offers from any Proposer at any time.

5. Proposal Procedures and Conditions

- a. **Expenses of Proposal Preparation.** Each Proposal prepared in response to this RFP will be prepared solely at the cost and expense of the Proposer with the express understanding that there will be no claim whatsoever for reimbursement from CDA for any cost or expense incurred in its preparation. Nor will there be any claims whatsoever for reimbursement from the CDA for any other costs or expenses incurred by any Proposer, including, without limitation, the selected Proposer.
- b. **Required Forms.** All Proposals must be typed. Proposers are free to, and are encouraged to, submit supplementary information as attachments. The parties hereto expressly acknowledge, accept, and agree that all documents submitted in response to this RFP will become the property of the Town of Riverhead Community Development Agency and will not be returned.
- c. **Except as hereinafter provided.** No officer, agent, or employee of the Town is authorized to amend any of the provisions or specifications contained in this RFP. Accordingly, all changes, if any, must appear as a written addendum attached to this RFP, and be made under the signature of the Chairman.

- d. **Changes to this RFP.** The CDA reserves the right to make any additions, deletions, corrections, or changes to the RFP package. In addition, the CDA may issue an interpretation or clarification of Proposal submission requirements, or procedures, or of any terms and conditions of any document contained in or required by the RFP package.
- e. **Addenda to this RFP.** Any such addenda by the CDA will be delivered and made in writing to all Proposers who have requested an RFP package and/or returned a completed RFP submission. All such Proposers will be required to acknowledge receipt of any such addenda issued by the CDA, by returning and/or attaching a signed and dated copy of the addenda transmission cover sheet as may be instructed in the addenda transmittal.
- f. **Modifications of Proposals.** A submitted Proposal may be modified by the submitting Proposer, in part or in whole, by a written document executed in the same manner and in the same number as the original, submitted Proposal (i.e., with original verification and original supporting forms), provided such modification is received by the Community Development Agency prior to the stated submission deadline. Such modification must be submitted by such valid means as set forth herein for submission of a Proposal, and which is endorsed on the front thereof with the words "Calverton Enterprise Park Rail Rehabilitation Proposal"
- g. **Withdrawal of Proposals.** A Proposer may, by written request (made with an original stipulation), withdraw its Proposal, provided such request is received by the Community Development Agency prior to the submission deadline. Such request must be submitted in an envelope clearly showing the return address of the submitting Proposer, and which is endorsed on the front thereof with the words "Calverton Enterprise Park Rail Rehabilitation Proposal – Withdrawn".
- h. **Late Filings.** Proposals, modifications of Proposals, and withdrawal requests received by the CDA after the submission deadline will not be considered, and will be returned to the Proposer unopened.
- i. **Proposers' Exceptions to the RFP.** Should a Proposer take exception to any provision of this RFP, such exception must be clearly stated (referencing the affected section, paragraph, and page in this RFP), must set forth the reason(s) for the objection, and indicate what (if any) alternative is being offered by the objecting Proposer to the CDA as to a substitute provision. When exception(s) are taken, the CDA shall determine (in its sole discretion) the acceptability of the proposed exception(s). Exceptions may be accepted or rejected, and the CDA is under no obligation to accept any such exceptions or proposed alternatives. Where exceptions are rejected, the CDA may insist that the Proposer negotiate an acceptable alternative thereto. In the event of an impasse, the CDA may permit a Proposer to withdraw its Proposal; however, in such circumstances, the Proposer will be disqualified from any further proceeding under the instant RFP. If no exceptions are stated, the CDA shall assume that the Proposer has accepted all the terms and conditions of the RFP package.
- j. **Oral Presentations.** The CDA may require Proposers to give oral presentations in support of their Proposals, and to exhibit or otherwise demonstrate the information contained therein. Such presentations will be conducted privately, one Proposer at a time. Non-presenting Proposers will



be excluded from any other Proposer's presentation. No oral presentation will be permitted, unless a Proposer has timely filed a complete written Proposal.

- k. **Negotiations.** The CDA may issue its Notice of Award on the basis of initial Proposals received without discussions or negotiations. Accordingly, the CDA reserves the right to enter into Contract (and/or Contract negotiations) with any selected Proposer. If the CDA and the selected Proposer cannot successfully negotiate a Contract acceptable to the CDA, then the CDA may declare that said negotiations are terminated and begin negotiations with an alternate selected Proposer. No Proposer shall have any rights against the CDA (for purchase of the Property or otherwise) arising from such negotiations or the termination thereof.
- l. **Conflicting Provisions.** The Contract will constitute the entire understanding and agreement between the CDA and the selected Proposer, and shall set forth all the terms and conditions therefore. In the case of a conflict between this RFP and the Contract, the Contract shall control.
- m. **Proposal Award.** The CDA intends to enter into contract negotiations with the Proposer selected by the CDA's RFP evaluation committee including the Economic Development Corp. If the selected Proposer (who shall receive a "Notice of Award" letter from the CDA's RFP evaluation committee) fails to enter into negotiations or fails to execute and return the tendered Contract (together with any necessary documents, attachments, affidavits, and/or deposits) within ten (10) days after the issuance of such Notice of Award letter, then the CDA, at its sole option, may determine and declare that said Proposer has abandoned the Contract and a Notice of Award may be issued to the next most qualified and selected Proposer for the purchase of the Property. Neither the issuance of a Notice of Award nor the negotiation of the Contract with the selected Proposer shall constitute the CDA's acceptance of the Proposal or a binding commitment on behalf of the CDA to enter into a Contract with such Proposer.
- n. **Assignments.** No Proposer who has submitted a Proposal to the CDA pursuant hereto shall have the right to assign its submitted Proposal or, if selected therefore, the Notice of Award or Contract without the prior written consent of the CDA. Any purported assignment by a Proposer in violation of this RFP shall be voidable at the option of the CDA. The CDA's refusal to consent to an assignment shall not entitle the assigning Proposer to cancel the submitted Proposal and/or Contract (if fully executed), or give rise to any claim for damages against the CDA.
- o. **Time Is Of The Essence.** The Contract shall contain a provision that "TIME IS OF THE ESSENCE" as to the Proposer's obligations, and there shall be no extension of the time to Close thereunder except as otherwise provided for in the Contract.
- p. **No Financial Guarantees.** The CDA makes no representations whatsoever regarding the financial viability of any proposed use for the Property made by any submitting Proposer.

6. Further Terms and Conditions

- a. **Legislative Approval Necessary.** The acceptance of any Proposal and the execution of the Contract by the CDA are and shall be expressly subject to the approval thereof by the Town of Riverhead CDA , subject to the provisions of Article 15 of the NYS General Municipal Law and the Rules Regulations of the CDA as adopted May 8, 2004. At any time prior to the CDA Board approval, the CDA reserves the

right, in its sole and absolute discretion, to withdraw this RFP, and/or withdraw any Notice of Award of any Proposal, and upon return of the good faith deposit, without interest, the CDA shall have no further obligation to any Proposer.

b. Due Diligence.

- i. The selected Proposer shall have the right, at its own cost and expense, to conduct an engineering inspection of the physical condition of the existing rail on the Property ("Engineering Inspection") within thirty (30) days of its receipt of the Notice of Award letter. If the engineering inspection discloses material defects that could not have been reasonably discovered during the initial property inspection, prior to submission of the Proposal by the Proposer, then the selected Proposer may elect to withdraw its Proposal by notifying the CDA within forty-five (45) days of the date of the Notice of Award letter, and the CDA shall return the good faith deposit, without interest, and withdraw the Notice of Award, in which case its Proposal shall be deemed void and of no further effect, and said Proposer shall have no claim for costs or damages against the CDA as a result thereof. If the selected Proposer fails to perform inspections or notify the CDA within the specified time periods, it shall be conclusively deemed to have waived any and all rights to utilize the results of any of said inspections to withdraw their Proposal, cancel the Contract, or avoid any duties and obligations hereunder.
 - ii. Upon the receipt of the Notice of Award letter, CDA authorizes Proposer and its agents to enter upon the Property to perform inspections, provided that prior to any such entry, Proposer and each such entering agent shall have (A) delivered to CDA a certificate of insurance indicating Proposer has liability insurance naming the CDA as an additional insured in an amount of \$3,000,000.00 and (B) agreed to indemnify and hold harmless the CDA from all loss, cost, claim or damage caused by Proposer's or agents' due diligence review. All entry shall be during reasonable business hours with reasonable notice to CDA. All entry shall be at the sole risk and expense of Proposer, its employees, agents, servants, representatives and contractors. This provision shall survive the closing.
- c. Disclaimer.** The information provided herein has been secured from sources deemed reliable, but the CDA makes no representations or warranties to Proposer (express or implied) as to the accuracy, comprehensiveness or sufficiency of such information.
- d. No Contract.** Irrespective of any of the other terms hereof, by submission of its Proposal, each and every submitting Proposer thereby expressly understands and agrees that this RFP shall not be construed as an offer to contract.
- e. Proposal Award.** The Town intends to enter into contract negotiations with the Proposer selected by the Town's RFP evaluation committee. If the selected Proposer (who shall receive a "Notice of Award" letter from the Town's RFP evaluation committee) fails to enter into negotiations or fails to execute and return the tendered Contract (together with any necessary documents, attachments, affidavits, and/or deposits) within ten (10) days after the issuance of such Notice of Award letter, then the Town, at its sole option, may determine and declare that said Proposer has abandoned the Contract, and a Notice of Award may be issued to the next most qualified and selected Proposer for the purchase of the Property. Neither the issuance of a Notice of Award nor the negotiation of the Contract with the selected Proposer shall

constitute the Town's acceptance of the Proposal or a binding commitment on behalf of the Town to enter into a Contract with such Proposer.

- f. **Governing Law.** This RFP shall be construed in accordance with and governed by the laws of the State of New York, without regard to New York conflicts of law principles. All actions or proceedings relating, directly or indirectly, to this RFP shall be litigated only in courts located within Suffolk County or, if in the federal courts, in the United States District Court for the Eastern District of New York, and Proposer, its successors and/or assigns (if any), by signing below subject itself to the jurisdiction of any such state or federal court, and PROPOSER HEREBY WAIVES ANY RIGHT TO TRIAL BY JURY.
- g. **Inconsistency.** If there are any inconsistencies between the Terms of the RFP and the Contract, the Terms of the Contract shall prevail.

The CDA thanks you once again for your interest and your acceptance of this RFP. We wish you good luck in the preparation of your Proposal, and looks forward to receipt of your submission thereof.

ACKNOWLEDGEMENT, AGREEMENT AND ACCEPTANCE

I have read the requirements for a selected Proposer, acknowledge, agree and accept the terms and requirements hereof, and will be able to comply with them if selected as the purchasing Proposer.

Signed: _____ Dated: _____

Name: _____ Title: _____

Proposer: _____

Company Name: _____

Address: _____

Telephone: _____ Facsimile: _____ E-mail: _____



June 17, 2008

TOWN OF RIVERHEAD

Adopted

Resolution # 501

RATIFIES TRANSFER OF ORDINANCE INSPECTOR TO THE TOWN ATTORNEY'S OFFICE

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

WHEREAS, a vacancy exists in the Town Attorney's Office for an Ordinance Inspector; and

WHEREAS, the position was duly posted for, posting #13, and

WHEREAS, a candidate who holds the title of Ordinance Inspector has been identified who is willing to transfer from Southampton Township, and Southampton Township has agreed to the transfer, and

WHEREAS, pursuant to a completed background investigation, the recommendations of the Town Attorney and the Personnel Officer have been received.

NOW, THEREFORE, BE IT RESOLVED, that effective June 16, 2008 this Town Board hereby ratifies the transfer of Nicole Buckner to the position of Ordinance Inspector as found on Group 5, Step P of the Administrative Salary Schedule.

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

The Vote

Wooten ~~Yes~~ No Buckley ~~Yes~~ No

Dunleavy ~~Yes~~ No Blass ~~Yes~~ No

Cardinale ~~Yes~~ No

THE RESOLUTION ~~X~~ WAS WAS NOT

THEREFORE DULY ADOPTED

06/17/08

STATUS

Adopted

TOWN OF RIVERHEAD

Resolution # 502

AUTHORIZES ATTENDANCE OF TWO POLICE DEPARTMENT EMPLOYEES TO LPR CONFERENCE

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

WHEREAS, Police Chief Hegermiller has requested authorization from the Riverhead Town Board for the attendance of two police department employees to attend the License Plate Reader Conference in Lake George, New York , and,

WHEREAS, the seminar will be held in Lake George, New York from June 19 – 20, 2008.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the attendance of two police department employees to attend the License Plate Reader Conference.

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes reimbursement of expenses incurred, not to exceed \$350.00 (registration, food, lodging, tolls, fuel & miscellaneous expenses); upon submission of proper receipts; and

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

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

Z: V. Vourakis

June 17, 2008

TOWN OF RIVERHEAD

Adopted

Resolution # 503

AMENDS 2008 SALARY RESOLUTION

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

RESOLVED, THAT IN ADHERENCE TO THE SUFFOLK COUNTY LIVING WAGE LAW, THE HOURLY RATE OF THE FOLLOWING PART-TIME EMPLOYEES OF THE TOWN OF RIVERHEAD BE AMENDED EFFECTIVE July 1, 2008 AS FOLLOWS:

Carolyn Crymer, Homemaker	\$12.17
Sabrina Doctor, Homemaker	\$12.17

The Vote

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

THE RESOLUTION ~~X~~ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

6/17/2008

Adopted

TOWN OF RIVERHEAD

Resolution # 504

APPROVES REQUEST FOR LEAVE OF ABSENCE

COUNCILWOMAN BLASS

offered the following

resolution, which was seconded by

COUNCILMAN DUNLEAVY

WHEREAS, Debra Sorensen, the Payroll Supervisor in the Accounting Department, has requested a 3 month non-paid leave of absence from the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that Debra Sorensen's request for a non-paid leave of absence from June 25, 2008 through September 25, 2008 is hereby approved 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 Debra Sorensen, the Financial Administrator, the Accounting Department and the Personnel Officer.

The Vote

Wooten ~~Yes~~ No

Buckley ~~Yes~~ No

Dunleavy ~~Yes~~ No

Blass ~~Yes~~ No

Cardinale ~~Yes~~ No

THE RESOLUTION ~~X~~ WAS ___ WAS NOT

THEREFORE DULY ADOPTED

June 17, 2008

Adopted

TOWN OF RIVERHEAD

ACCEPTS RESIGNATION OF A CONSERVATION ADVISORY COUNCIL MEMBER

RESOLUTION # 505

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

WHEREAS, the Town has received a letter from Frederick Edel, Conservation Advisory Council Member, indicating his intent to resign effective May 1, 2008.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the resignation of Frederick Edel.

BE IT FURTHER, RESOLVED, that the Town Clerk be, and is hereby, directed to forward a copy of this Resolution to Frederick Edel, Sean McCabe, the Conservation Advisory Council Chairman, and the Accounting Office.

The Vote

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

THE RESOLUTION ~~X~~ WAS WAS NOT

THEREFORE DULY ADOPTED

June 17, 2008

Adopted

TOWN OF RIVERHEAD

Resolution # 506

APPOINTS STUDENT INTERN TO THE OFFICE OF TOWN HALL OPERATIONS

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

WHEREAS, the need for a Student Intern exists in the office of Town Hall Operations, and

WHEREAS, interviews were conducted, and

WHEREAS, the recommendation of the Deputy Town Supervisor and the Personnel Officer has been received.

NOW, THEREFORE, BE IT RESOLVED, that effective June 23, 2008 through September 15, 2008 Kristen Beal is hereby appointed 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 Kristen Beal, the Deputy Town Supervisor, the Accounting Department, and the Personnel Officer.

The Vote

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

THE RESOLUTION WAS WAS NOT

THEREFORE DULY ADOPTED

6/17/08

TOWN OF RIVERHEAD

Adopted

Resolution # 507

RESCINDS RESOLUTION #483
FOR THE RIVERHEAD RECREATION DEPARTMENT

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

WHEREAS, Resolution #483 contains errors, and needs to be corrected;

RESOLVED, that Resolution #483 is rescinded.

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

1

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

¹ Rec. Kelly/ Res. Rescind. Res. /483

6/3/08

Adopted

TOWN OF RIVERHEAD

Resolution # 483

APPOINTS
SUMMER RECREATION AIDES
TO THE
RECREATION DEPARTMENT

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by

COUNCILMAN DUNLEAVY

RESOLVED, that the Town Board appoints the attached list of Summer Recreation Aides to the Recreation Department effective June 4, 2008 to and including August 24¹ 2008 to serve as needed on an at will basis and to serve at the pleasure of the Town Board and

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

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

¹ Rec. Kelly: Res Blanket Sum Rec Aide 08

**RECREATION DEPARTMENT APPOINTMENTS
6/3/08 TOWN BOARD MEETING**

<u>Last</u>	<u>First</u>	<u>Title</u>	<u>Level</u>	<u>Start Date</u>	<u>End Date</u>	<u>Salary</u>
Barrow	Eugene	Sum Rec. Aide (Fill-In)	II	6/6/07	8/24/07	\$9.65
Bates	Santina	Summer Rec. Aide	II	6/6/07	8/24/07	\$9.65
Berry	Lauren	Summer Rec. Aide	I	6/6/07	8/24/07	\$8.75
Bourquin	Allison	Summer Rec. Aide	I	6/6/07	8/24/07	\$8.75
Brown	Jennifer	Summer Rec. Aide	VI	6/6/07	8/24/07	\$10.90
Chizever	Brett	Summer Rec. Aide	IV	6/6/07	8/24/07	\$10.25
DiResta	Vincent	Summer Rec. Aide	III	6/6/07	8/24/07	\$9.95
Duprey	Jennifer	Summer Rec. Aide	I	6/6/07	8/24/07	\$8.75
Flood	Mary	Summer Rec. Aide	I	6/6/07	8/24/07	\$8.75
Harden	Jordan	Summer Rec. Aide	I	6/6/07	8/24/07	\$8.75
Ince	Bailey	Summer Rec. Aide	II	6/6/07	8/24/07	\$9.65
Ince	Parker	Summer Rec. Aide	II	6/6/07	8/24/07	\$9.65
Inzalaco	Robert	Summer Rec. Aide	II	6/6/07	8/24/07	\$9.65
Kirchhoff	Catherine	Summer Rec. Aide	II	6/6/07	8/24/07	\$9.65
Kwasna	Amanda	Summer Rec. Aide	VIII	6/6/07	8/24/07	\$11.60
Miloski	Kelly	Summer Rec. Aide	I	6/6/07	8/24/07	\$8.75
Romano	Nicole	Summer Rec. Aide	II	6/6/07	8/24/07	\$9.65
Stephenson	Kyle	Summer Rec. Aide	II	6/6/07	8/24/07	\$9.65
Young	Krystal	Summer Rec. Aide	IV	6/6/07	8/24/07	\$10.25

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

6/17/08

Adopted

TOWN OF RIVERHEAD

Resolution # 508

**RATIFIES THE APPOINTMENT OF
SUMMER RECREATION AIDES
TO THE
RECREATION DEPARTMENT**

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN DUNLEAVY

RESOLVED, that the Town Board appoints the attached list of Summer Recreation Aides to the Recreation Department effective June 11, 2008 to and including August 22, 2008 to serve as needed on an at will basis and to serve at the pleasure of the Town Board and

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

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

¹ Rec. Kelly: Res Blanket Sum Rec Aide 08

**RECREATION DEPARTMENT RATIFIED APPOINTMENTS
6/17/08 TOWN BOARD MEETING**

<u>Last</u>	<u>First</u>	<u>Title</u>	<u>Level</u>	<u>Start Date</u>	<u>End Date</u>	<u>Salary</u>
Barrow	Eugene	Sum Rec. Aide (Fill-In)	II	6/11/08	8/22/08	\$9.65
Bates	Santina	Summer Rec. Aide w/Cert.	II	6/11/08	8/22/08	\$11.30
Berry	Lauren	Summer Rec. Aide	II	6/11/08	8/22/08	\$9.65
Bourquin	Allison	Summer Rec. Aide	II	6/11/08	8/22/08	\$9.65
Brown	Jennifer	Summer Rec. Aide w/Cert.	V	6/11/08	8/22/08	\$12.30
Chizever	Brett	Summer Rec. Aide	V	6/11/08	8/22/08	\$10.55
DiResta	Vincent	Summer Rec. Aide	III	6/11/08	8/22/08	\$9.95
Duprey	Jennifer	Summer Rec. Aide	II	6/11/08	8/22/08	\$9.65
Flood	Mary	Summer Rec. Aide	II	6/11/08	8/22/08	\$9.65
Goode	Emily	Summer Rec. Aide	I	6/11/08	8/22/08	\$8.75
Haas	Erika	Summer Rec. Aide	I	6/11/08	8/22/08	\$8.75
Harden	Jordan	Summer Rec. Aide	II	6/11/08	8/22/08	\$9.65
Horton	Rosaleigh	Summer Rec. Aide	I	6/11/08	8/22/08	\$8.75
Ince	Bailey	Summer Rec. Aide	III	6/11/08	8/22/08	\$9.95
Ince	Parker	Summer Rec. Aide	III	6/11/08	8/22/08	\$9.95
Inzalaco	Robert	Summer Rec. Aide	III	6/11/08	8/22/08	\$9.95
Kirchhoff	Catherine	Summer Rec. Aide	III	6/11/08	8/22/08	\$9.95
Langhome	Maurice	Summer Rec. Aide	I	6/11/08	8/22/08	\$8.75
McCafferty	Ashley	Summer Rec. Aide w/Cert.	V	6/11/08	8/22/08	\$12.30

<u>Last</u>	<u>First</u>	<u>Title</u>	<u>Level</u>	<u>Start Date</u>	<u>End Date</u>	<u>Salary</u>
Miloski	Kelly	Summer Rec. Aide	II	6/11/08	8/22/08	\$9.65
O'Dowd	John	Summer Rec. Aide	I	6/11/08	8/22/08	\$8.75
Stephenson	Kyle	Summer Rec. Aide	III	6/11/08	8/22/08	\$9.95
Warner	Naomi	Summer Rec. Aide	VI	6/11/08	8/22/08	\$10.90
Young	Krystal	Summer Rec. Aide	V	6/11/08	8/22/08	\$10.55
Zilnicki	Lauren	Summer Rec. Aide	I	6/11/08	8/22/08	\$8.75

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

6/17/08

Adopted

TOWN OF RIVERHEAD

Resolution # 509

AMENDS THE APPOINTMENT OF A LIFEGUARD TO THE RECREATION DEPARTMENT

COUNCILMAN DUNLEAVY

offered the following resolution,

which was seconded by

COUNCILMAN BUCKLEY

RESOLVED, that Deborah Hennenlotter is hereby appointed as a Lifeguard Level X effective, May 24, 2008, to serve as needed on an at will basis to be paid at the rate of \$15.35 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 the Town Board hereby authorizes the Town Clerk to forward a copy of this Resolution to Debbie Hennenlotter.¹

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

¹ Rec. Kelly: Res Debbie Hennenlotter-Lifeguard Amend 08

6/17/08

Adopted

TOWN OF RIVERHEAD

Resolution # 510

**APPOINTS A SEASONAL LIFEGUARD LEVEL V
TO THE
RECREATION DEPARTMENT**

COUNCILMAN BUCKLEY

offered the following resolution,

which was seconded by

COUNCILMAN WOOTEN

RESOLVED, that David Hegermiller is hereby appointed as a Seasonal Lifeguard Level V effective, June 21, 2008, to serve as needed on an at will basis to be paid at the rate of \$13.25 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 hereby authorizes the Town Clerk to forward a copy of this Resolution to David Hegermiller.¹

THE VOTE

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

THE RESOLUTION ~~WAS~~ WAS NOT
THEREFORE DULY ADOPTED

¹ Rec. Kelly: Res David Hegermiller-Lifeguard 08

6/17/08

Adopted

TOWN OF RIVERHEAD

Resolution # 511

AMENDS THE APPOINTMENT OF
A BEACH ATTENDANT/CONCESSION STAND OPERATOR
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN WOOTEN offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

RESOLVED, that Daniel Flood is hereby appointed as a Beach Attendant/Concession Stand Operator Level V effective, May 24, 2008 to serve as needed on an at will basis to be paid at the rate of \$10.50 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; and

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward a copy of this Resolution to Daniel Flood.¹

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

¹ Rec. Kelly/ Resolution. Beach Attend/ Amends- Daniel Flood

6/17/08

Adopted

TOWN OF RIVERHEAD

Resolution # 512

**AMENDS THE APPOINTMENT OF A SCOREKEEPER
TO THE RIVERHEAD RECREATION DEPARTMENT**

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

RESOLVED, that Kenneth Drumm is hereby appointed as a Scorekeeper Level IV effective, June 4, 2008 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 the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department and the Office of Accounting.¹

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

¹ Rec. Kelly/ Resolution. Scorekeeper Ken Drumm Amend

TOWN OF RIVERHEAD

Resolution # 513

Adopted

**DECLARES LEAD AGENCY AND DETERMINES SIGNIFICANCE
OF ACTION: LAND ACQUISITION, ESTATE OF SOPHIE WILSON**

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

WHEREAS, the Town of Riverhead and the Suffolk County Department of Public Works have recognized the intersection of Old Country Rd. (CR58) with Mill Rd. and Pulaski St. to have a complex, poorly arranged and restrictive configuration with a deleterious effect on traffic patterns, and

WHEREAS, Traffic Impact Studies have noted the phenomenon and have recommended various improvements be made to the intersection including a redesign which relocates Pulaski St. east to intersect with CR58 at an existing traffic signal opposite the main entry to the Riverhead Centre shopping center; thereby leaving both locations as traditional four way intersections, and

WHEREAS, the Town and County wish to cooperatively pursue that redesign with the Town acquiring the necessary real property and the County undertaking the construction having identified approximately 0.33ac. as taking and easement areas on a 1.8ac. parcel held by the Estate of Sophie Wilson; such property more particularly described as SCTM 0600-101-2-12.3, and

WHEREAS, the Riverhead Planning Department has reviewed the acquisition as described, has recommended the directly undertaken action be considered Unlisted pursuant to 6NYCRR Part 617; with coordinated review being optional and unnecessary and has further recommended that the action will not have a significant environmental impact, now

THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board declares itself to be the Lead Agency in the condemnation and acquisition of 0.33ac. of a 1.8ac. parcel held by the Estate of Sophie Wilson for the purpose of undertaking renovations to public roads, and

BE IT FURTHER

RESOLVED, that the acquisition be considered an Unlisted action without a significant impact upon the natural and social environment and that an Environmental Impact Statement need not be prepared, and

BE IT FURTHER

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Planning Department and to Frank Isler, special council Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP.

THE VOTE

Wooten ~~Yes~~ No

Buckley ~~Yes~~ No

Dunleavy ~~Yes~~ No

Blass ~~Yes~~ No

Cardinale ~~Yes~~ No

**THE RESOLUTION ~~X~~ WAS ___ WAS NOT
THEREFORE DULY ADOPTED**

Adopted

TOWN OF RIVERHEAD

Resolution # 514

AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT BETWEEN THE RIVERHAD TOWN BOARD AND THE RIVERHEAD FIRE DISTRICT

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

WHEREAS, the Riverhead Fire District has requested permission to host tournaments scheduled to begin on June 15, 2008 at property owned by the Riverhead Water District; and

WHEREAS, the Riverhead Water District wishes to enter into a lease agreement with the Riverhead Fire District for purposes of said tournament, which agreement shall automatically renew for up to twelve additional three month periods unless the Town of Riverhead or the Riverhead Water District notifies the Riverhead Fire District of its intention not to renew said agreement,

NOW, THEREFORE, BE IT RESOLVED that the Supervisor is hereby authorized to execute the attached Agreement with the Riverhead Fire District for a term beginning June 15, 2008 and ending September 15, 2008, which Agreement will automatically renew for up to twelve additional three month periods, and be it further

RESOLVED that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Riverhead Fire District, the Riverhead Water District, the Office of Accounting and the Office of the Town Attorney.

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

THIS AGREEMENT, made the ____ of June, 2008, between the **RIVERHEAD TOWN BOARD**, Riverhead, New York, as Lessor, and the **RIVERHEAD FIRE DISTRICT**, Riverhead, New York, as Lessee:

WITNESSETH:

The Lessor hereby leases to Lessee certain lands, known as the Tournament Area, more particularly described in the attached description setting forth the two parcels, for the term of three months, to commence from the fifteenth day of June, 2008, and to end on the fifteenth day of September, 2008, and shall automatically renew for up to twelve additional terms (three months each term) unless Lessor notifies Lessee of its intention not to renew, in writing by regular mail with service upon the secretary of the Riverhead Fire District, upon 30 days notice prior to commencement of the succeeding renewal term, and upon the considerations and covenants following:

1. That the Lessee shall pay the rent of Twenty Five and 00/100 Dollars (\$25.00) for the term of this lease upon execution of same. Lessee shall pay the sum of Twenty Five dollars for each renewal term and said payment shall be made on the first day of each renewal term.

2. There shall be reserved the right to the Riverhead Water District to lay and maintain water pipes and hydrants on and under the premises.

3. There shall be further reserved and assigned to the Riverhead Water District a right-of-way for ingress and egress from Old Country Road (County Road 58) to and from other lands of the Riverhead Water District over a roadway or track constructed by the Riverhead Fire District.

4. Any hydrants installed on the premises for the benefit of the Riverhead Fire District shall be included in the Town hydrant contract.

5. Lessee, Riverhead Fire District, may construct a pit on the premises and a smoke house and other buildings, provided that all plans for development and use of the property must first be submitted to the Riverhead Town Board for its approval and such other departments as may be required, which shall not be unreasonably withheld. In the event that the Town Board, or any other department of the Town, determines that the proposed activity, alteration or improvement requires formal application and permit prior to commencement of said activity, Lessee shall comply with said determination

and all applicable provisions of the Code of the Town of Riverhead and such other town, county or state regulation deemed applicable to the proposed activity.

6. Lessee, Riverhead Fire District, shall obtain and will maintain in full force a comprehensive liability insurance policy covering all its training operations, events, activities, liabilities, and improvements made on and at the above described premises by the Riverhead Fire District both prior to (under prior leases between the parties to this lease) and during this lease, and obligations on the leased space having limits not less than two million dollars (\$2,000,000.00). The comprehensive liability insurance policy shall name the Riverhead Water District and the Town of Riverhead as additional insureds. The Lessee, Riverhead Fire District, shall obtain extra or additional insurance prior to the use of the premises for a tournament to cover all participants and anticipated attendees and invitees. Lessee shall provide Lessor with a certificate of insurance evidencing that the insurance is in effect on or before the commencement of the lease.

7. Lessor will be held harmless by Lessee and Lessee shall defend and indemnify from and against any and all claims, demands, payments, suits, actions, recoveries, judgments, costs and expenses, including without limitations, attorney's fees in connection therewith, of every nature, including but not limited to claims for bodily injury or death, by any third party, and by or on behalf of the contractors, agents, servants or employees, arising out of or in connection with Lessee, its agents, servants or employees. Lessor will be held harmless by Lessee and Lessee agrees to defend and indemnify Lessor for property damage, including damage to the leased space, unless damages are caused by, or are the result of, the misconduct or negligence of Lessor or any of Lessor's agents, servants, employees, licensees or invitees. Notwithstanding any provisions herein to the contrary, it is understood and agreed that all property kept, installed, stored or maintained in or upon the Leased space by Lessee will be so installed, kept, stored or maintained at the risk of Lessee. Lessor will not be responsible for any loss or damage to equipment owned by Lessee which might result from lightning, wind storms or other Acts of God, provided however, Lessor will be responsible for, and agrees to hold Lessee harmless from any liability (including reimbursement of reasonable legal fees and all costs) for damages to any person or any property in or upon the Leased Space arising out of the misconduct or negligence of

Lessor or any of Lessor's agents, servants, employees, licensees or invitees. Except for willful misconduct, neither Lessor nor Lessee will in any event be liable in damages for each other's business loss, business interruption or other consequential damages of whatever kind or nature, regardless of the cause of the damages, and each party, any anyone claiming by or through them, expressly waives all claims for damages.

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

9. Upon termination of the lease, Lessee will, to the extent reasonable, restore the leased space to its original condition at the commencement of this lease, except for ordinary wear and tear and damages by the elements or damages over which Lessee had to control.

IN WITNESS WHEREOF, the Parties hereto have caused these presents to be signed by their proper officers and caused their proper seals to be hereto affixed the day and year first above written.

THE TOWN BOARD OF THE TOWN
OF RIVERHEAD, GOVERNING BODY
OF RIVERHEAD WATER DISTRICT

By: _____

RIVERHEAD FIRE DISTRICT

By: _____

Chairman
Board of Fire Commissioners

RESOLUTION OF SUPPORT AND CONCURRENCE
WITH THE SUFFOLK COUNTY/TOWN OF RIVERHEAD EMPIRE ZONE
(FORMERLY ECONOMIC DEVELOPMENT ZONE)
REGIONALLY SIGNIFICANT PROJECT APPLICATION

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

WHEREAS, New York State created the Economic Development Zone Program, now known as the Empire Zone Program, to encourage industrial and commercial development in select municipalities across the State; and

WHEREAS, the Town of Riverhead, as an eligible municipality in conjunction with the County of Suffolk, received designation of an Economic Development Zone; and

WHEREAS, said zone currently is comprised of subzones including portions of the Town of Southampton, the Town of Babylon, and the Town of Riverhead; and

WHEREAS, New York State has amended the Zones program to increase benefits and allow additional areas to be deemed as Regionally Significant Projects; and

WHEREAS, the County of Suffolk and the Town of Riverhead intend to augment the Empire Zone boundaries to encourage industrial and commercial development and to allow for the creation of an additional sub-zone area in the Town of Smithtown (approximately 1.73 acres) for a *Regionally Significant Project*; and

WHEREAS, Mini Graphics, Inc located at 140 Commerce Drive, Hauppauge, New York; meets the criteria of 957 (d) of the general municipal law as regionally significant project by creating 50 new manufacturing jobs for inclusion within the Suffolk County/Town of Riverhead Empire Zone in areas outside the separate and distinct contiguous areas which will not effect the current 1280 acres within the zone; and

WHEREAS, the Town of Riverhead wishes to support and concur with the Empire Zone Board of Directors' designation of SCTM #0800-181.00-03.00-001.013 as *Regionally Significant Project*; and

NOW, THEREFORE, be it resolved that the Town Board, in its capacity as governing body of the Town of Riverhead, does hereby support and concur with the Suffolk County/Town of Riverhead Empire Zone Board to include the properties referred to as SCTM#0800-181.00-03.00-001.013;

The Vote

Member Blass <u>✓</u>	Member Wooten <u>✓</u>
Member Buckley <u>✓</u>	Member Dunleavy <u>✓</u>
Supervisor Cardinale <u>✓</u>	

Town of Riverhead

Resolution # 516

Adopted

RESOLUTION OF SUPPORT AND CONCURRENCE
WITH THE SUFFOLK COUNTY/TOWN OF RIVERHEAD EMPIRE ZONE
(FORMERLY ECONOMIC DEVELOPMENT ZONE)
REGIONALLY SIGNIFICANT PROJECT APPLICATION

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

WHEREAS, New York State created the Economic Development Zone Program, now known as the Empire Zone Program, to encourage industrial and commercial development in select municipalities across the State; and

WHEREAS, the Town of Riverhead, as an eligible municipality in conjunction with the County of Suffolk, received designation of an Economic Development Zone; and

WHEREAS, said zone currently is comprised of subzones including portions of the Town of Southampton, the Town of Babylon, and the Town of Riverhead; and

WHEREAS, New York State has amended the Zones program to increase benefits and allow additional areas to be deemed as Regionally Significant Projects; and

WHEREAS, the County of Suffolk and the Town of Riverhead intend to augment the Empire Zone boundaries to encourage industrial and commercial development and to allow for the creation of an additional sub-zone area in the Town of Babylon (approximately 2.21 acres) for a *Regionally Significant Project*; and

WHEREAS, Nanz Custom Hardware, Inc located at 105 Jefryn Boulevard, Deer Park, New York; meets the criteria of 957 (d) of the general municipal law as regionally significant project by creating 50 new manufacturing jobs for inclusion within the Suffolk County/Town of Riverhead Empire Zone in areas outside the separate and distinct contiguous areas which will not effect the current 1280 acres within the zone; and

WHEREAS, the Town of Riverhead wishes to support and concur with the Empire Zone Board of Directors' designation of Nanz Custom Hardware, Inc at SCTM #0100-067.00-01.00-024.091 as *Regionally Significant Project*; and

NOW, THEREFORE, be it resolved that the Town Board, in its capacity as governing body of the Town of Riverhead, does hereby support and concur with the Suffolk County/Town of Riverhead Empire Zone Board to include Nanz Custom Hardware, Inc located at the property referred to as SCTM# 0100-067.00-01.00-024.091;

Empire Zone/TS 06/02/08

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**

June 17, 2008

Adopted

TOWN OF RIVERHEAD

Resolution # 517

AUTHORIZES THE SUBMISSION OF A YOUTH MENTORING GRANT

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

WHEREAS, a Strengthening Youth Mentoring through Community Partnerships Grant exists from the Office of Juvenile Justice and Delinquency Prevention; and

WHEREAS, Donna Lyczkowski, Executive Director of the Riverhead Youth Bureau, has requested authorization from the Town Board to act as the main contact person and submit the grant application on behalf of the Town; and

WHEREAS, since the Riverhead Juvenile Aid Bureau takes a proactive approach in helping the youth and their families within the Town of Riverhead, Chief David J. Hegermiller has expressed willingness to assist in this project.

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby designates Donna Lyczkowski, Executive Director of the Riverhead Youth Bureau, as the contact person for the grant and authorizes the submission of the grant application to the Office of Juvenile Justice and Delinquency Prevention.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Donna Lyczkowski, Police Chief David J. Hegermiller and the Office of Accounting.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

6/17/08

Adopted

TOWN OF RIVERHEAD

Resolution #518

**AUTHORIZES SUPERVISOR TO EXECUTE CHANGE ORDER NO. 1
REPAINTING OF PLANT NOS. 8 & 9 STANDPIPES
RIVERHEAD WATER DISTRICT**

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

RESOLVED, that the Supervisor be and is hereby authorized to execute the attached Change Order No. 1 of the Riverhead Water District for the project known as the Repainting of Plant Nos. 8 & 9 Standpipes, and be it further

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.

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

REPAINTING OF PLANT NOS. 8 & 9 STANDPIPES

H2M PROJECT NO.: RDWD 06-04

CHANGE ORDER NO. 1

May 30, 2008

Owner: RIVERHEAD WATER DISTRICT
1035 Pulaski Street
Riverhead, New York 11901
Contact: Supt. Gary Pendzick (516) 727-3205

Contractor: NUCO PAINTING CORP.
10 Jenna Court
Holbrook, New York 11741
Contact: Steven Jacinto (631) 467-6602

Engineer: HOLZMACHER, McLENDON & MURRELL, P.C.
575 Broad Hollow Road
Melville, New York 11747
Contact: Dennis M. Kelleher, P.E. (516) 756-8000, ext. 1410

Item No. 1: DESCRIPTION OF CHANGE:

For all work associated with the upgrades to the existing cellular equipment previously installed on Plant No. 9 standpipe including miscellaneous welding, grinding, and bracket replacements for four (4) of the five (5) existing cellular carriers and Town equipment.

REASON FOR CHANGE:

Due to time restraints, it was determined that the work would not be performed in a timely fashion by the separate carriers, and would ultimately delay the progress of the exterior tank painting.

COST OF CHANGE:

Material and labor \$ 48,833.33

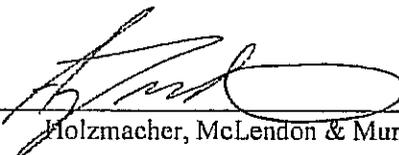
TOTAL COST OF CHANGE ORDER NO. 1: \$48,833.33

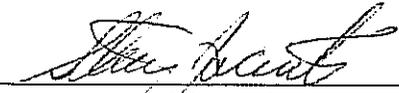
Contract Cost Summary

A.	Original Contract Amount:	\$1,083,000.00
B.	Cost of Change Order No. 1:	<u>48,833.33</u>
C.	Revised Contract Amount:	\$1,131,833.33

H2M GROUP

Riverhead Water District
Change Order No. 1
May 30, 2008
Page Two

Recommended By:  Date: 5/30/08
Holzmacher, McLendon & Murrell, P.C.

Accepted By:  Date: 5-30-08
Nuco Painting Corp.

Approved By: _____ Date: _____
Town of Riverhead/Riverhead Water District

x:\rdwd (riverhead water district) - 10810\rdwd0604 - repainting of plant nos. 8 & 9 standpipes\04_phase constr\change orders and backup\change order 1.doc

NUCO PAINTING CORP.

8 OVAL DRIVE
 ISLANDIA, NY 11749
 TEL: (631) 467-6602 FAX (631)615-2532

Invoice No.

1

INVOICE

Customer

Name H2M Group
 Address 575 Broad Hollow Road
 City Melville State NY ZIP 11747
 Att: ACCTS. PAYABLE

Date 5/30/2008
 Proj. No.: RDWD 06-04
 Location Plant No.9
Wading River

Qty	Description	Unit Price	TOTAL
1	Town of Riverhead Cellular Repairs in Conjunction With Verizon Upgrades at Plant No. 9 Standpipe FOR: Work Completed to Date:	\$17,500.00	\$17,500.00

Payment Details

- Cash
- Check
- Credit Card

SubTotal	\$17,500.00
Net to be Paid	\$17,500.00
Less Previous Paid	
TOTAL DUE	\$17,500.00

Office Use Only

NUCO PAINTING CORP.

8 OVAL DRIVE
ISLANDIA, NY 11749
TEL: (631) 467-6602 FAX (631)615-2532

Invoice No.

1

INVOICE

Customer

Name Town of Riverhead/Riverhead Water Dist.
Address 200 Howell Avenue
City Riverhead State NY ZIP 11901
Att: ACCTS. PAYABLE

Date 5/30/2008
Proj. No.: RDWD 06-04
Location Plant No.9
Wading River

Qty	Description	Unit Price	TOTAL
1	Cellular Repairs in Conjunction With The Rehabilitation of Plant No. 9 Standpipe FOR: Work Completed to Date:	\$48,833.33	\$48,833.33

Payment Details

- Cash
 Check
 Credit Card
- _____

SubTotal **\$48,833.33**

Net to be Paid **\$48,833.33**

Less Previous Paid

TOTAL DUE \$48,833.33

Office Use Only

NUCO PAINTING CORP.

8 OVAL DRIVE
 ISLANDIA, NY 11749
 TEL: (631) 467-6602 FAX (631)615-2532

Invoice No. 1

INVOICE

Customer			
Name	Wading River Fire Department		
Address	1503 N. Country Road		
City	Wading River	State	NY ZIP 11792
Att:	ACCTS. PAYABLE		
Date		5/30/2008	
Proj. No.:		RDWD 06-04	
Location		Plant No.9	
		Wading River	

Qty	Description	Unit Price	TOTAL
1	Fire Department Ugrades at Plant No. 9 Standpipe FOR: Work Completed to Date:	\$4,666.67	\$4,666.67

Payment Details

Cash
 Check
 Credit Card

SubTotal	\$4,666.67
Net to be Paid	\$4,666.67
Less Previous Paid	
TOTAL DUE	\$4,666.67

Office Use Only

June 17, 2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 519

AUTHORIZES PUBLICATION OF NOTICE TO SOLICIT PROPOSALS FOR THE ALTERNATIVE ANALYSIS AND FINAL DESIGN OF FISHWAY AT UPPER MILLS DAM

COUNCILMAN WOOTEN offered the following resolution,

which was seconded by COUNCILWOMAN BLASS:

WHEREAS, the Town of Riverhead through its Community Development Office hereby solicits proposals from a creative and qualified consultant to conduct a feasibility study of the Upper Mills Dam in the Peconic River that examines alternatives for fish passage and develop final engineering design plans for the preferred alternative; and

WHEREAS, the Town of Riverhead has secured funds from American Rivers/NOAA Community Based Habitat Restoration Program Partnership for the development of the Upper Mills Dam Fish Passage Engineering Design through implementation of a feasibility study of the Upper Mills Dam to examine alternatives for fish passage and prepare a design for the preferred alternative.

THEREFORE, BE IT RESOLVED, that Riverhead Town Board authorizes the issuance of the attached Request for Proposals.

THEREFORE, BE FURTHER IT RESOLVED, that the Riverhead Town Board hereby authorizes publishing and posting of the attached public notice in the Thursday, June 26, 2008 issue of the News Review and to post same on the signboard in Town Hall.

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

THE VOTE

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

THE RESOLUTION ~~WAS~~ WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

Please take notice that the Town of Riverhead hereby solicits proposals from a creative and qualified consultant to conduct a feasibility alternative analysis and develop final engineering design plans for a fishway at the Upper Mills Dam.

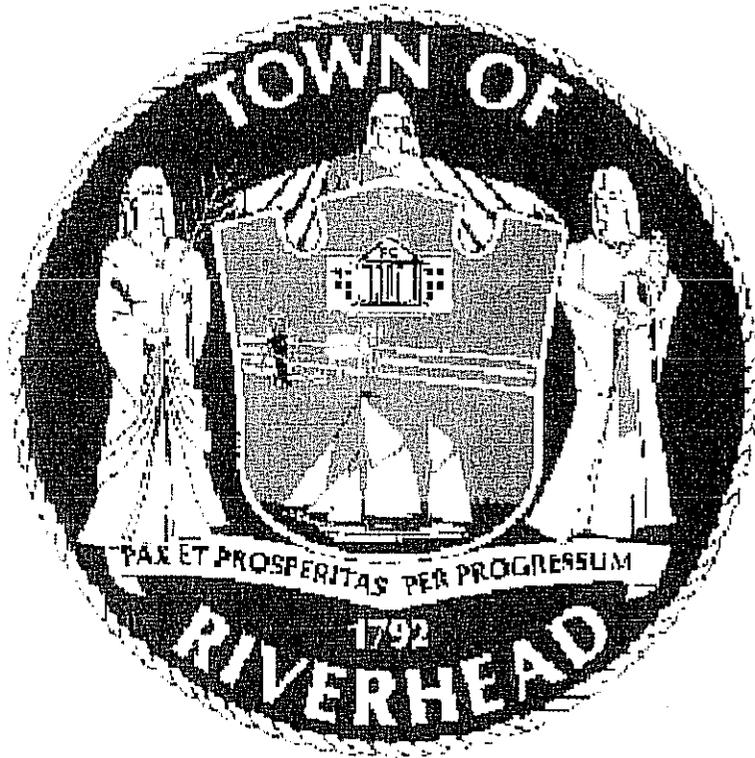
A Request for Proposals has been issued by the Riverhead Town Board to solicit proposals can be obtained at the Community Development Department during business hours or by calling 727-3200 ext. 236

Dated: June 26, 2008

Barbara Grattan
Town Clerk

REQUEST FOR PROPOSALS

**Feasibility Study/Alternative Analysis and
Final Design of Fishway at Upper Mills Dam**



JUNE 26, 2008

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- I. OFFERING SUMMARY1
- II. TERMS AND CONDITIONS OF REQUEST FOR PROPOSALS3
- III. APPENDIX7

A. TOWN BOARD RESOLUTION # _____ DATED 6/17/08

I. OFFERING SUMMARY

Introduction

The Town of Riverhead hereby solicits proposals from a creative and qualified consultant to conduct a feasibility study of the Upper Mills Dam that examines alternatives for fish passage and develop final engineering design plans for the preferred alternative.

Requirements to Fulfill Required Task

- 1. Review of Available Data, Kick Off Meeting, and Site Visit**
- 2. Hydrologic and Hydraulic Analysis**
- 3. Alternative Analysis of Conceptual Fishway Designs**
- 4. Final Report**
- 5. Final Design, Construction Drawings, Technical Specifications, Cost Estimate and Construction Bid Document Review**
- 6. Regulatory Process and Permit Support**
- 7. Project Management and Meetings**

For additional information, please contact:

Chris Kempner
Community Development Department
Town of Riverhead
200 Howell Avenue
Riverhead, NY 11901
(631) 727-3200 x287

Background

The Peconic River flows approximately 17 miles west to east from its headwaters on the Brookhaven National Lab property to its mouth in Flanders Bay. The Peconic river is the longest river on Long Island and the main tributary of the Peconic Estuary, a “nationally significant estuary” as designated by the U.S. Environmental Protection Agency under the Clean

Water Act. There are six major dams along the Peconic River; Grangebel Park North, Grangebel Park South, Upper Mills, Forge Road, Edwards Avenue and Connecticut Avenue.

A steep pass fish ladder has been installed at the North Channel Spillway in Grangebel Park each spring since 2000. Funding for study, design and construction for permanent fish passage at Grangebel South has been secured and construction is planned for summer/fall 2008. The permanent fish passage at Grangebel will open approximately 25 acres of prime spawning and maturation habitat for river herring and American eels, respectively, and will put them at the base of the Upper Mills Dam.

The project as described in this RFP will ultimately provide the Town of Riverhead and partners with final engineering design plans that will be used to guide construction of the most effective and efficient permanent fish passage structure at the Upper Mills Dam. Installing a fish passage structure at Upper Mills would re-open and additional 40 acres of prime river herring spawning habitat and American eel feeding and rearing habitat. This project is the second step upriver in our goal to restore over 300 acres of historic critical fish habitat on the Peconic River. The Town of Riverhead has received over \$700,000 of funding from various sources in an effort to restore diadromous fish passage throughout the Peconic River. The Town of Riverhead has obtained a \$25,000 grant from American Rivers to conduct a feasibility study of the Upper Mills Dam that examines alternatives for fish passage and develop final engineering design plans for the preferred alternative.

Thus far to-date, in order to prepare for this project the following has taken place:

1. Engineers from American Rivers have provided conceptual designs for fish passage alternatives. These can be found in Attachment A.
2. A hydraulic and hydrologic study of the entire Peconic River ("Peconic River Study, Town of Riverhead") was completed September 8, 2005. This will support the necessary NYSDEC Dam Safety permits to construct the fish passage structure designed by this project.
3. There have been numerous meetings with Town of Riverhead staff, the USFWS, NYS Department of Environmental Conservation (NYSDEC), Peconic Estuary Program, (PEP) Peconic River Fish Restoration Commission, the National Oceanic and Atmospheric Administration (NOAA) and other project partners to discuss Upper Mills and fish restoration on the entire Peconic River.
4. Data have been collected, including information on streamflow, the groundwater table, and a site survey of the spillways. A USGS gauge has been collecting data at Upper Mills since June 21, 1942.
5. The Town has secured grant funding (\$240,000) to support construction at Upper Mills through the NYS Clean Water/Clean Water Bond Act and NYSDEC State Wildlife Grants Program.

III. TERMS AND CONDITIONS

Proposals are to be submitted in compliance with the terms and conditions as set forth herein. Proposals should be typed (double-spaced), bound and accompanied by an executed copy of this Request for Proposal signed by a principal of the submitting Proposer thereby affirming its agreement with the requirements hereof.

1. Required Information Regarding the Proposer

Each submitted Proposal must include, without limitation, the following information to be furnished by the submitting Proposer:

- a. Letter of Interest, including overview of firm and officers
- b. Contact person for the Proposer (must be a principal with name and relevant contact information).
- c. The Proposer's business address (including the address of its primary business operations, and that of its office which will be handling this transaction).
- d. The Proposer's main telephone and facsimile numbers.
- e. A general background of the Proposer, and its business organization, including:
 1. Proven qualifications to carry out a project as outlined in this proposal.
 2. Demonstrated experience in similar projects.
 3. Demonstrated understanding of the Town's vision and goals for the area as reflected in the proposed approach to the project.
 4. Provide a list of clients to whom your firm has provided similar services including the names, titles and phone numbers of individuals whom the Town may contact as references.

2. Proposal Delivery Requirements

Submissions must be received on or before 4:30 p.m. on July 31, 2008, with ten (10) copies of the Proposal submitted to: Town Clerk, Riverhead Town Hall, 200 Howell Avenue,

Riverhead, New York 11901. It is the responsibility of each Proposer to insure that its submission reaches the address as specified above. Overnight delivery or courier service due for arrival on the morning of the submission deadline will not guaranty its timely receipt. Please note that the response should be in an 8½” by 11” letter format and bound into one document. Faxed proposals are not acceptable.

3. Proposal Procedures and Conditions

- a. **Expenses of Proposal Preparation.** Each Proposal prepared in response to this RFP will be prepared solely at the cost and expense of the Proposer with the express understanding that there will be no claim whatsoever for reimbursement from Town for any cost or expense incurred in its preparation. Nor will there be any claims whatsoever for reimbursement from the Town for any other costs or expenses incurred by any Proposer, including, without limitation, the selected Proposer.
- b. **Required Forms.** All Proposals must be typed. Proposers are free to, and are encouraged to, submit supplementary information as attachments. The parties hereto expressly acknowledge, accept, and agree that all documents submitted in response to this RFP will become the property of the Town of Riverhead and will not be returned.
- c. **Except as hereinafter provided.** No officer, agent, or employee of the Town is authorized to amend any of the provisions or specifications contained in this RFP. Accordingly, all changes, if any, must appear as a written addenda attached to this RFP, and be made under the signature of the Chairman.
- d. **Changes to this RFP.** The Town reserves the right to make any additions, deletions, corrections, or changes to the RFP package. In addition, the Town may issue an interpretation or clarification of Proposal submission requirements, or procedures, or of any terms and conditions of any document contained in or required by the RFP package.
- e. **Addenda to this RFP.** Any such addenda by the Town will be delivered and made in writing to all Proposers who have requested an RFP package and/or returned a completed RFP submission. All such Proposers will be required to acknowledge receipt of any such addenda issued by the Town, by returning and/or attaching a signed and dated copy of the addenda transmission cover sheet as may be instructed in the addenda transmittal.
- f. **Modifications of Proposals.** A submitted Proposal may be modified by the submitting Proposer, in part or in whole, by a written document executed in the same manner and in the same number as the original, submitted Proposal (i.e., with original

verification and original supporting forms), provided such modification is received by the Town of Riverhead prior to the stated submission deadline. Such modification must be submitted by such valid means as set forth herein for submission of a Proposal, and which is endorsed on the front thereof with the words "Downtown Riverhead Historic District Guidelines -- Proposal Modification."

- g. **Withdrawal of Proposals.** A Proposer may, by written request (made with an original stipulation), withdraw its Proposal, provided such request is received by the Town of Riverhead prior to the submission deadline. Such request must be submitted in an envelope clearly showing the return address of the submitting Proposer, and which is endorsed on the front thereof with the words "Downtown Riverhead Historic District Guidelines -- Proposal Withdrawn".
- h. **Late Filings.** Proposals, modifications of Proposals, and withdrawal requests received by the Town after the submission deadline will not be considered, and will be returned to the Proposer unopened.
- i. **Proposers' Exceptions to the RFP.** Should a Proposer take exception to any provision of this RFP, such exception must be clearly stated (referencing the affected section, paragraph, and page in this RFP), must set forth the reason(s) for the objection, and indicate what (if any) alternative is being offered by the objecting Proposer to the Town as to a substitute provision. When exception(s) are taken, the Town shall determine (in its sole discretion) the acceptability of the proposed exception(s). Exceptions may be accepted or rejected, and the Town is under no obligation to accept any such exceptions or proposed alternatives. Where exceptions are rejected, the Town may insist that the Proposer negotiate an acceptable alternative thereto. In the event of an impasse, the Town may permit a Proposer to withdraw its Proposal; however, in such circumstances, the Proposer will be disqualified from any further proceeding under the instant RFP. If no exceptions are stated, the Town shall assume that the Proposer has accepted all the terms and conditions of the RFP package.
- j. **Oral Presentations.** The Town may require Proposers to give oral presentations in support of their Proposals, and to exhibit or otherwise demonstrate the information contained therein. Such presentations will be conducted privately, one Proposer at a time. Non-presenting Proposers will be excluded from any other Proposer's presentation. No oral presentation will be permitted, unless a Proposer has timely filed a complete written Proposal.

- k. **Negotiations.** The Town may issue its Notice of Award on the basis of initial Proposals received without discussions or negotiations. Accordingly, the Town reserves the right to enter into Contract (and/or Contract negotiations) with any selected Proposer. If the Town and the selected Proposer cannot successfully negotiate a Contract acceptable to the Town, then the Town may declare that said negotiations are terminated and begin negotiations with an alternate selected Proposer. No Proposer shall have any rights against the Town (for purchase of the Property or otherwise) arising from such negotiations or the termination thereof.

- l. **Conflicting Provisions.** The Contract will constitute the entire understanding and agreement between the Town and the selected Proposer, and shall set forth all the terms and conditions therefore. In the case of a conflict between this RFP and the Contract, the Contract shall control.

- m. **Proposal Award.** The Town intends to enter into contract negotiations with the Proposer selected by the Town's RFP evaluation committee. If the selected Proposer (who shall receive a "Notice of Award" letter from the Town's RFP evaluation committee) fails to enter into negotiations or fails to execute and return the tendered Contract (together with any necessary documents, attachments, affidavits, and/or deposits) within ten (10) days after the issuance of such Notice of Award letter, then the Town, at its sole option, may determine and declare that said Proposer has abandoned the Contract, and a Notice of Award may be issued to the next most qualified and selected Proposer for the purchase of the Property. Neither the issuance of a Notice of Award nor the negotiation of the Contract with the selected Proposer shall constitute the Town's acceptance of the Proposal or a binding commitment on behalf of the Town to enter into a Contract with such Proposer.

Dated: _____

I have read the requirements for a selected Proposer, acknowledge, agree and accept the terms and requirements hereof, and will be able to comply with them if selected as the purchasing Proposer.

Proposer: _____

Name: _____

Title: _____

Company Name: _____

June 17, 2008

TOWN OF RIVERHEAD
RESOLUTION # 520

Adopted

**SUPPORTS TOWN OF RIVERHEAD APPLICATION TO NEW YORK STATE
DEPARTMENT OF TRANSPORTATION FOR TRANSPORTATION ENHANCEMENT
REIMBURSEMENT FUNDING TO SUPPORT BICYCLE/PEDESTRIAN PATH**

Councilwoman Blass offered the following resolution, which was seconded by Councilman Dunleavy.

WHEREAS, the New York State Department of Transportation (“NYSDOT”) sponsors the Transportation Enhancement Program (“TEP”) to fund infrastructure and non-infrastructure projects up to \$2,500,000 with a 20% local match that “provide innovative opportunities to improve the transportation system through the implementation of . . . activities intended to benefit the traveling public, to increase transportation choices and access, to enhance the built and natural environment, and to provide a sense of place;” and

WHEREAS, the purpose of TEP is to “offer communities funding opportunities to help expand transportation choices, such as safe bicycle and pedestrian facilities, scenic routes, beautification and other investments that increase recreation, accessibility and safety for everyone beyond traditional highway programs;” and

WHEREAS, eligible TEP projects include the planning, design and construction of facilities for pedestrians and bicycles that will be principally for transportation, rather than recreational purposes, and as such, facilitate trips that could otherwise be made by motor vehicles by connecting “activity centers such as businesses, schools, libraries, shopping areas, recreation areas, etc. and/or provide a link in a continuous system that connects to such destinations;” and

WHEREAS, 2003 Comprehensive Plan visioned goals to “Encourage walking, biking and transit use in downtown and the hamlet centers . . . and ensure that residential neighborhoods are walkable and bikeable;” and

WHEREAS, the Town of Riverhead Board continually strives to improve the quality of life for Riverhead residents and acknowledge that the residents of Riverhead are facing rapidly rising energy costs and therefore, are searching for alternative, less costly and more environmentally friendly means of transportation, including bicycling, walking and use of mass transportation; and

WHEREAS, the pedestrian and bicycle path routes proposed in the application provide a link in a continuous system to connect activity centers in the Town of Riverhead and reflects input obtained from the Departments of Highway, Police, Engineering and Community Development department staff, as well as the Town of Riverhead Highway Safety Committee.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Riverhead Board supports the Town of Riverhead Pedestrian and Bicycle Path project and authorizes the submission of an application seeking TEP funding up to \$2,500,000 to the NYSDOT on or before June 27, 2008 with a 20% match in funds to be provided by in-kind services and materials provided by the Engineering, Buildings and Grounds, and Highway Department, street lighting, donated site furniture, and other Town of Riverhead funded items related to the project such as surveys.

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

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

Z: CDD- Kempner

June 17, 2008

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 521

AUTHORIZES COMMUNITY DEVELOPMENT OFFICE TO SUBMIT APPLICATION FOR FUNDS TO ACQUIRE REAL PROPERTY AT TO DEVELOP THE PECONIC RIVER GREENBELT

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

WHEREAS, Town of Riverhead Comprehensive Plan, Town of Riverhead Local Waterfront Revitalization Plan, the Peconic Estuary Comprehensive Conservation and Management Plan, the New York State Open Space Plan, and the Town of Riverhead Priority Acquisition List for Open Space support acquisition of a permanent easement in or fee title to lands, waters or structures for park, recreation, conservation or preservation purposes along the Peconic River

WHEREAS, the State of New York is soliciting funding applications under the Acquisition Grant Programs provided by the 2008 Environmental Protection Fund and the 2009 Federal Land and Water Conservation Fund for the acquisition of a permanent easement in or fee title to lands, waters or structures for park, recreation, conservation or preservation purposes; and

WHEREAS, the Town of Riverhead is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for a waterfront access through the development of a greenway park project located alongside the Peconic River and potentially the lots identified as 245 West Main Street, Riverhead, NY (SCTM No. 0600-128.00-03.00-051.000), 255 West Main Street, Riverhead, NY (SCTM No. 0600-128.00-03.00-050.000) and _____ West Main Street, Riverhead, NY (SCTM No. 0600-125.00-02.00-028.000); and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes Appraisals and Phase I Environmental studies for the above referenced lots and further authorizes and directs the Community Development Office of the Town of Riverhead to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 or the Federal Land and Water Conservation Fund Act of 1965, in an amount not to exceed \$600,000 per lot not to exceed 50% of project costs with a match to be provided from Community Preservation or other Town funds, and, upon approval of said request, to enter into and execute a project agreements with the State for such financial assistance to the Town of Riverhead for fee title acquisition of the above mentioned parcels and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

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

THE VOTE

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

**THE RESOLUTION ~~X~~ WAS ___ WAS NOT
THEREFORE DULY ADOPTED.**

June 17, 2008

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 522

AUTHORIZES COMMUNITY DEVELOPMENT OFFICE TO SUBMIT APPLICATION FOR FUNDS FOR EDUCATIONAL SIGNAGE FOR PECONIC ESTUARY PROGRAM INVASIVE SPECIES ERADICATION PROGRAM IN THE PECONIC RIVER

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

WHEREAS, the Town of Riverhead is seeking funds for improvements to Peconic River dams and spillways and the creation of fish passage structures to improve the migration of eels and alewives along the Peconic River; and

WHEREAS, the Corporate Wetlands Restoration Project is soliciting funding applications in an amount not to exceed \$8,000 for the design and installation of educational signage for an invasive species (Water Primrose, or *Ludwigia peploides*) eradication project in the Peconic River, as described in attached flier.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Community Development Office of the Town of Riverhead to file an application for funds from the Corporate Wetlands Restoration Project in an amount not to exceed \$8,000 for the design and installation of educational signage regarding eradication of invasive species in the Peconic River, and, upon approval of said request, authorizes the Supervisor to execute project agreements with the funder and directs the Accounting department to create a budget and account for such financial assistance.

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

THE VOTE

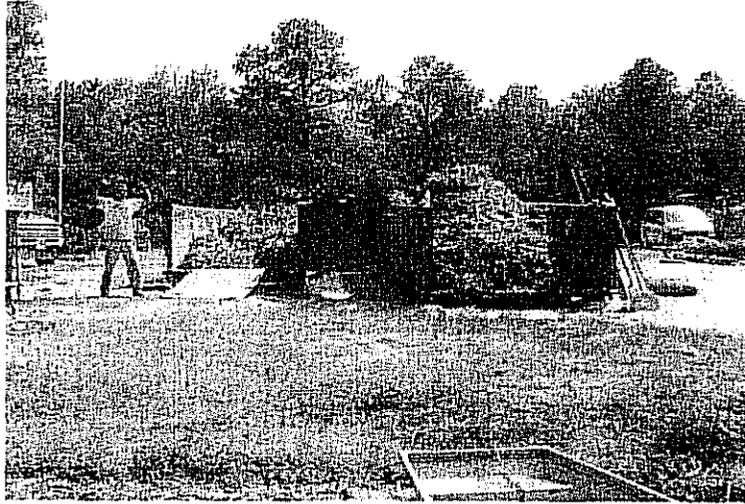
Wooten ~~Yes~~ No Buckley ~~Yes~~ No
Dunleavy ~~Yes~~ No Blass ~~Yes~~ No
Cardinale ~~Yes~~ No

THE RESOLUTION ~~X~~ WAS ___ WAS NOT THEREFORE DULY ADOPTED.

***Ludwigia* Eradication**

Volunteers Needed

June 21st and 22nd



Lend a hand in eradicating this invader that threatens the Peconic River!!!

Who: Anyone! The Peconic Estuary Program, NYS Department of Environmental Conservation, The Nature Conservancy, Fresh Water Anglers of Long Island, Long Island Bassmasters, and Peconic Lake Estates Civic Organization are the main project sponsors.

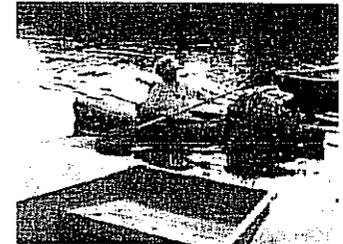
What: Hand removal of invasive aquatic plant from the Peconic River. Pulled plants will be transferred from boats to an onshore dumpster for transport to a composting facility for environmentally sound disposal.

When: **Saturday June 21st, 9am- 3pm &**
Sunday June 22nd, 9am-3pm

Where: **Peconic Lake Estates Civic Organization (PLECO), Calverton, NY.**

Directions: From Western Long Island: Take Long Island Expressway to Exit 71 (Route 24). Go to end of exit ramp and turn right on County Road 24. Make first left onto South River Rd. PLECO property will be on left side after about 1 mile, just west of the intersection with Pinehurst Blvd.

From Eastern Long Island: Go west on Route 25. Turn left at Forge Rd (just east of Tanger Mall). Follow Forge Rd over Peconic River and veer right on South River Rd. PLECO property will be on right side after about 1/2 mile, just west of the intersection with Pinehurst Blvd. *Rain or Shine!*



What to Bring???: Fellow volunteers, waders, gloves, sunscreen, beverages life jackets, canoes, and kayaks.
Lunch WILL be provided!



Sign-Up to Volunteer by contacting Laura Stephenson of the NYSDEC and Peconic Estuary Program at 631.444.0871 or lstephe@gw.dec.state.ny.us.

Please also visit www.peconicestuary.org for more information!

June 17, 2008

Adopted

TOWN OF RIVERHEAD

Resolution # 523

**AUTHORIZES THE TOWN SUPERVISOR TO ENTER INTO A MUNICIPAL
MUTUAL AID AND ASSISTANCE AGREEMENT**

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

WHEREAS, Long Island is vulnerable to a variety of disasters and emergencies so the safety and well being of all the residents of and visitors to the East End Towns and Villages is of the utmost importance for the municipalities within these jurisdictions; and

WHEREAS, it still remains necessary for the East End Towns and Villages to act in a fiscally responsible manner; and

WHEREAS, in an effort to accomplish both objectives, the East End Town and Village Police Departments, namely, Riverhead, Southampton, East Hampton, Southold, Shelter Island, Southampton Village, East Hampton Village, Quogue, Westhampton Beach and Sag Harbor, are entering into a Municipal Aid and Assistance Agreement with each other; and

WHEREAS, pursuant to the Constitution of the State of New York, municipalities are allowed to enter into mutual aid and assistance agreements, which may include provisions for the furnishing and exchanging of supplies, equipment, facilities, personnel and service during an emergency or event.

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor to enter into and affix his signature to the Municipal Mutual Aid and Assistance Agreement on behalf of the Town of Riverhead; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Police Chief David J. Hegermiller.

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

Municipal Mutual Aid and Assistance Agreement

Town of Southampton Police Department, Town of Riverhead Police Department, Town of East Hampton Police Department, Town of Southold Police Department, Town of Shelter Island Police Department and the Village of Southampton Police Department, Village of East Hampton Police Department, Village of Quogue Police Department, Village of Westhampton Beach Police Department and the Village of Sag Harbor Police Department.

This Agreement, made the ____ day of _____, _____, between the municipal corporations of the Town of Southampton, Town of Riverhead, Town of East Hampton, Town of Southold, Town of Shelter Island and the Village of Southampton, Village of East Hampton, Village of Quogue, Village of Westhampton Beach and the Village of Sag Harbor.

Legislative Intent

The safety and well being of all the residents of and visitors to the East End Towns and Villages is of the utmost importance for the municipalities. It remains necessary for the Town and Villages to act in a fiscally responsible manner. As means of accomplishing both objectives, the East End Towns and Villages are entering into a Municipal Aid and Assistance Agreement with each other.

In the advent of a local disaster, civil disturbance or any other event where it may be necessary to have additional resources available, while it is not fiscally sound to stock pile equipment or to hire additional personnel solely for the purposes of assisting at the time of a disaster or event, a Municipal Mutual Aid and Assistance Agreement between _____ the aforementioned municipal corporations will allow them to use their resources at such times. The ability to use those resources only when needed and without financial liability at other times provided an opportunity to the municipalities for better service, while limiting financial impact to only those times of absolute need.

WHEREAS, the State of New York is vulnerable to a variety of disasters and emergencies; and

WHEREAS, in addition to the state, the Federal Emergency Management Agency (FEMA) has recognized the importance of the concept of written mutual aid agreements between all levels of government to facilitate reimbursement; and

WHEREAS, pursuant to the Constitution of the State of New York, municipalities are allowed to enter into mutual aid and assistance agreements, which may include provisions for the furnishing and exchanging of supplies, equipment, facilities, personnel and services during an emergency or event; and

WHEREAS, the municipalities which have chosen to become signatories to this Agreement wish to provide mutual aid and assistance amongst one another; now

THEREFORE, pursuant to Article IX, Section I of the Constitution of the State of New York, these municipalities agree to enter into this Agreement for mutual aid and assistance, with this Agreement embodying the understandings, commitments, terms and conditions for said aid and assistance, as follows:

SECTION I

DEFINITION

- A. "Agreement" shall mean this document, the "Municipal Mutual Aid and Assistance Agreement".
- B. "Aid and Assistance" shall include, but not limited to, personnel, equipment, facilities, services, supplies and other resources.
- C. "Authorized Representative" shall mean a party's employee, who has been authorized in writing by that party, to request, offer or otherwise provide assistance under the terms of this Agreement. The list of authorized representatives for each party executing this Agreement shall be attached to the executed copy of this Agreement. In the event of a change in personnel, unless otherwise notified, the presumption will be that the successor to that position will be the authorized representative. The authorized representative shall have the ability to commit the resources of its municipality without further authorization from any other source.
- D. "Disaster" means occurrence or immanent threat of widespread or severe damage, injury, loss of life or property resulting from any natural or man-made causes, including but not limited to fire, flood, earthquake, hurricane, tornado, high-water, landslide, wind, storm, wave action, volcanic activity, epidemic, air contamination, bridge failure or bridge collapse.
- E. "Event" means any occurrence which would require additional resources.
- F. "Municipality" means a public corporation as defined in Subdivision 1, Section 66 of the General Construction Law and a special district as defined in Subdivision 16 of Section 102 of the Real Property Tax Law.
- G. "Party" means a municipality that has adopted and executed this Agreement.
- H. "Provider" means the party that has received a request to furnish aid and assistance to the party in need (the "Recipient").

- I. "Recipient" means the party setting forth a request for aid and assistance to another party.

SECTION II

INITIAL RECOGNITION OF PRINCIPAL BY ALL PARTIES

- A. As this is a reciprocal contract, it is recognized that any party to this Agreement may be requested by another party to be a Provider. It is mutually understood that each party's foremost responsibility is to its own citizens. The provisions of this Agreement shall not be construed to impose an unconditional obligation on any party to this Agreement to provide aid and assistance pursuant to a request from another party. Accordingly, when aid and assistance have been requested, a party may in good faith withhold resources in order to provide reasonable and adequate protection for its own community, by deeming itself unavailable to respond and so inform the party setting forth the request.
- B. Given the finite resources of any jurisdiction and the potential for each party to be unavailable for aid and assistance at a given point in time, the parties mutually encourage each other to enlist other entities in aid and assistance efforts and to enter into such agreements accordingly. Concomitantly, the parties fully recognize that there is a highly meritorious reason for entering into this Agreement and accordingly shall attempt to render assistance in accordance with the terms of this Agreement to the fullest extent possible.
- C. Pursuant to the Constitution of the State of New York and as elaborated upon in Section IX of this Agreement, all functions and activities performed under this Agreement are carried out for the benefit of the general public and not for the benefit of any specific individual or individuals. Accordingly, this Agreement shall not be construed as or deemed to be an agreement for the benefit of any third parties or persons and no third persons shall have any right of action under this Agreement for any cause whatsoever. All immunities provided by law shall be fully applicable as elaborated upon in Section VII of this Agreement.

SECTION III

PROCEDURES FOR REQUESTING ASSISTANCE

- A. Aid and assistance shall not be requested unless the resources available within the stricken area are deemed inadequate by the Recipient. When Recipient becomes affected by a disaster or an emergency event and deems its resources inadequate, it may request aid and assistance by communicating the request. A verbal request shall be followed as soon as practicable by a written

confirmation of that request. All requests for aid and assistance shall be transmitted by the party's "Authorized Representative" as set forth below.

- B. All communications shall be conducted directly between Recipient and Provider.
- C. Provider's Traveling Employee Needs - Unless otherwise specified by Recipient or agreed to by the parties in writing, it is mutually understood that Recipient will provide for the needs of Provider's traveling employees. Recipient shall pay for all reasonable out-of-pocket costs and expenses of Provider's personnel including, without limitation, transportation expenses for travel to and from the stricken area. Further, Recipient shall house and feed Provider's personnel at its (Recipient's) sole cost and expense. If Recipient cannot provide such food and /or housing at the disaster area, Recipient shall specify in its request for assistance that personnel will be required to service their own needs.

SECTION IV PROVIDERS ASSESSMENT OF AVAILABILITY OF RESOURCES AND ABILITY TO RENDER ASSISTANCE

When contacted by the Recipient, Provider's authorized representative shall assess Provider's own local situation to determine available personnel, equipment and other resources. If Provider's authorized representative determines that Provider has available resources, Provider's authorized representative shall so notify Recipient and as soon as practicable, provide written verification of the response to the request.

SECTION V SUPERVISION AND CONTROL

Provider shall designate supervisory personnel amongst its employees sent to render aid and assistance to Recipient. As soon as practicable, Recipient shall assign work tasks to Provider's supervisory personnel and unless specifically instructed otherwise, Recipient shall have the responsibility for coordination between Provider's supervisory personnel and Recipient. Recipient shall provide necessary credentials to Provider's personnel authorizing them to operate on behalf of the Recipient. Based upon such assignments set forth by Recipient, Provider's supervisory personnel shall:

1. have the authority to assign work and establish work schedules for Provider's personnel;
2. maintain daily personnel time records, material records and a log of equipment hours;

3. report work progress to Recipient at mutually agreed upon intervals.

SECTION VI

LENGTH OF TIME FOR AID AND ASSISTANCE RENEWABILITY – RECALL

- A. Unless otherwise provided, the duration of the Provider's assistance shall be for an initial period of up to twenty-four (24) hours, starting from the time of the call for assistance until the personnel go out of service for the Recipient. Thereafter, assistance may be extended in increments agreed upon by the authorized representatives of the Provider and Recipient.
- B. As noted in Section II of this Agreement, Provider's personnel, equipment and other resources shall remain subject to recall by Provider to provide for its own citizens if circumstances so warrant. Provider shall make a good faith effort to provide at least eight (8) hours advance notification to Recipient of Provider's intent to terminate the assistance, unless such notice is not practicable, in which case as much notice as is reasonable under the circumstances shall be provided.

SECTION VII

RIGHTS AND PRIVILEGES OF PROVIDER'S EMPLOYEES

Whenever Provider's employees are rendering aid and assistance pursuant to this Agreement such employees shall remain the responsibility of the Provider and retain the same powers, duties, immunities and privileges they would ordinarily possess if performing their duties within the geographic limits of Provider.

SECTION VIII

PROVIDER'S EMPLOYEE WORKERS' COMPENSATION

Recipient shall not be responsible for reimbursing any amounts paid or due as benefits to Provider's employees due to personal injury or death occurring during the periods of time such employees are engaged in rendering of aid and assistance under this Agreement. It is mutually understood that Recipient and Provider shall be responsible for payment of such Workers' Compensation benefits only to their own respective employees.

**SECTION IX
HOLD HARMLESS**

Each party (as Indemnitor) agrees to protect, defend, indemnify and hold the other party (as Indemnitee) and its officers, employees and agents, free and harmless from and against any and all losses, penalties, damages, assessments, costs, charges, professional fees and other expenses or liabilities of every kind and arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings or causes of action of every kind in connection with or arising out of Indemnitor's negligent acts, errors and/or omissions. Indemnitor further agrees to investigate, handle, respond to, provide defense for and defend any such claims, etc, at Indemnitor's sole expense and agrees to bear all other costs and expenses related thereto. To the extent that immunity does not apply, each party shall bear the risk of its own actions, as it does with its day to day operations and determine for itself what kinds of insurance and in what amounts it should carry. Each party understands and agrees that any insurance protection obtained shall in no way limit the responsibility to indemnify, keep and hold harmless that other parties to this Agreement.

**SECTION X
AMENDMENTS**

This Agreement may be modified at any time upon the mutual written consent of the parties. Additional municipalities may become parties to this Agreement upon the acceptance and execution of this Agreement.

**SECTION XI
DURATION OF AGREEMENT – RENEWAL – TERMINATION**

This Agreement shall be binding for not less than five (5) years from its effective date; unless terminated upon at least sixty (60) days advance written notice by a party as set forth below. Thereafter, this Agreement shall continue to be binding upon the parties in subsequent years, unless cancelled by written notification served personally or by registered mail to the other parties to the Agreement. The withdrawal shall not be effective until sixty (60) days after notice thereof has been sent. A party's withdrawal from this agreement shall not affect a party's reimbursement obligations or any other liability or obligation under the terms of this agreement incurred hereunder. Once the withdrawal is effective, the withdrawing entity shall no longer be a party to this Agreement but this Agreement shall continue to exist among the remaining parties.

**SECTION XII
HEADINGS**

The headings of various sections and subsections of this Agreement have been inserted for convenient reference only and shall not be construed as

modifying, amending or affecting in any way the express terms and provisions of this Agreement.

**SECTION XIII
SEVERABILITY – EFFECT ON OTHER AGREEMENTS**

- A. Should any clause, sentence, provision, paragraph or other part of this Agreement be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Agreement.

- B. In the event that parties to this Agreement have entered into other aid and assistance agreements, those parties agree that, to the extent a request for aid and assistance is made pursuant to this Agreement, those other aid and assistance agreements are superceded by this Agreement.

**SECTION XIV
EFFECTIVE DATE**

This Agreement shall take effect upon its approval by the entity seeking to become a signatory to this Agreement and upon proper execution hereof.

IN WITNESS WHEREOF, each of the parties have caused this Municipal Mutual Aid and Assistance Agreement to be duly executed in its name and on their behalf by its' Chief Executive Officer, who has signed accordingly, with seals affixed and attested with concurrence of a majority of its governing board, as of the date set forth in this Agreement.

June 17, 2008

Adopted

TOWN OF RIVERHEAD

Resolution # 524

SCHEDULING A PUBLIC HEARING PURSUANT TO ARTICLE 2 OF THE NEW YORK STATE EMINENT DOMAIN PROCEDURE LAW IN CONNECTION WITH THE PARTIAL CONDEMNATION OF 1418 PULASKI STREET, RIVERHEAD, REPUTED OWNER, ESTATE OF SOPHIE WILSON, SUFFOLK COUNTY TAX MAP 0600-101.00-02.00-012.003, RIVERHEAD, NEW YORK

~~COUNCILWOMAN BLASS~~ offered the following resolution, was seconded

by ~~COUNCILMAN DUNLEAVY~~:

BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby determines to hold a public hearing on July 15, 2008 at 7:10 o'clock in the evening of that day pursuant to Article 2 of the New York State Eminent Domain Procedure Law with respect to the proposed partial condemnation of 1418 Pulaski Street, Riverhead, reputed owner, **Estate of Sophie Wilson**, Suffolk County Tax Map 0600-101.00-02.00-012.003, for the purposes of eliminating the existing intersection of Pulaski Street, Mill Road and County Road 58 by reconfiguring Pulaski Street so as to intersect with County Road 58 at the existing traffic controlled intersection with the central entrance to Riverhead Centre.

The proposed acquisition would condemn the fee interest of 12,316 square feet and a permanent grading easement of 2,022 square feet.

This acquisition has been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment, as more fully set forth in the resolution of the Town Board adopted this date; and be it further

RESOLVED, that the Town Clerk is hereby directed to publish the attached notice of public hearing as follows:

a. in two (2) successive issues of the *News Review*, the official newspaper of the Town of Riverhead on Thursday, June 26, 2008, and July 3, 2008;

b. in five (5) successive issues of *Newsday*, a newspaper of general circulation within the Town of Riverhead, commencing June 26, 2008; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution and the attached notice to Smith, Finkelstein, Lundberg, Isler & Yakaboski,

LLP., 456 Griffing Avenue, Riverhead, New York, 11901; and
the Town Attorney.

This resolution was prepared by Frank A. Isler, Special
Counsel.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held before the Town Board of the Town of Riverhead on July 15, 2008 at 7:10 o'clock in the evening of that day at Town Hall, 200 Howell Street, Riverhead, New York, to hear all interested persons with regard to the partial condemnation of property located at 1418 Pulaski Street, Riverhead, reputed owner, Estate of Sophie Wilson, Suffolk County Tax Map 0600-101.00-02.00-012.003.

The proposed acquisition will be for the purposes of eliminating the existing intersection of Pulaski Street, Mill Road and County Road 58 by reconfiguring Pulaski Street so as to intersect with County Road 58 at the existing traffic controlled intersection with the central entrance to Riverhead Centre.

The proposed acquisition would condemn the fee interest of 12,316 square feet and a permanent grading easement of 2,022 square feet.

This acquisition has been determined by the Town Board of the Town of Riverhead, as lead agency, to be an unlisted action without a significant impact on the environment, as more fully set forth in the resolution of the Town Board adopted this date.

Dated: Riverhead, New York
June 17, 2008

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF RIVERHEAD
BARBARA GRATTAN, TOWN CLERK

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

June 17, 2008

TOWN OF RIVERHEAD

Resolution # 525

Adopted

**Authorizes Town Clerk to Publish and Post Notice of Public Hearing
Omnipoint Communications Inc.**

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

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition sought by Omnipoint Communications, Inc. to allow the construction of nine (9) wireless panel antennae and associated equipment cabinets upon an existing sign pylon located at Route 58, Riverhead, New York; such property more particularly described as SCTM 0600-118-3-4, and

WHEREAS, the Riverhead Planning Department has completed an Environmental Review of the special use permit petition and has recommended that a negative declaration be made by the Lead Agency pursuant to 6 NYCRR Part 617, and

WHEREAS, the applicant has appeared before the Town Board, and

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

THEREFORE BE IT

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

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

**TOWN OF RIVERHEAD
NOTICE OF 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 15th Day of July, 2008 at 7:05 o'clock pm, to consider the special permit petition sought by Omnipoint Communications, Inc. to allow the construction of nine (9) wireless panel antennae and associated equipment cabinets upon an existing sign pylon located at Route 58, Riverhead, New York; such property more particularly described as SCTM 0600-118-3-4.

Dated: Riverhead, New York

Date: June 17, 2008

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

6/17/08

TOWN OF RIVERHEAD

Resolution # 526

Adopted

ACCEPTS OFFER OF GIFT FROM P.C. RICHARDS

COUNCILMAN BUCKLEY

offered the following resolution, which was seconded

by COUNCILMAN WOOTEN:

WHEREAS, P.C. Richards has offered to gift or donate a 52 inch television set to the Town of Riverhead; and

WHEREAS, pursuant to Town Law §64(8), the Town Board, on behalf of its residents, may accept a gift for public use or benefit,

NOW THEREFORE BE IT RESOLVED, the Town Board finds that the acceptance of a 52" television set from P.C. Richards at no cost to the Town is in the best interest of the Town of Riverhead; and be it further

RESOLVED, the Riverhead Town Board accepts the gift of a 52 inch television from P.C. Richards; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to P.C. Richards, the Accounting Office and the Office of the Town Attorney.

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

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

June 17, 2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 527

ACCEPTS DONATION FOR LOMBARDI PARK

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

WHEREAS, the Town of Riverhead boasts approximately 100 acres of parkland within the town and continues to maintain and enhance all town parks and recreation facilities; and

WHEREAS, Lombardi Park, named for the late Councilman John Lombardi, is one of the parks located within our Town; and

WHEREAS, the Riverhead Chapter of the Rotary International Club has graciously offered a donation, not to exceed, \$1,500 for Lombardi Park lighting enhancements and the installation of a concrete floor for the Lombardi Park gazebo.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Riverhead be and does hereby accept this generous donation and pledges to continue to maintain Lombardi Park in accordance with Town of Riverhead maintenance practices and procedures; and

BE IT FURTHER RESOLVED, that the Office of Accounting establish the appropriate budget for the installation of park lighting and the gazebo concrete floor; and

BEI IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Riverhead Rotary Club, P.O. Box 518, Riverhead, New York, and a copy to Kenneth Testa, P.E., the Purchasing Department and the Office of Accounting.

THE VOTE

Dunleavy Yes No

Buckley Yes No

Blass Yes No

Wooten Yes No

Cardinale Yes No

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED.

6/17/08

Adopted

TOWN OF RIVERHEAD

Resolution # 528

**AUTHORIZES THE RELEASE OF SECURITY OF OVER IN 2050 LLC
(RIVERHEAD FORD)**

COUNCILWOMAN BLASS offered the following resolution,

COUNCILMAN DUNLEAVY which was seconded by

WHEREAS, Over in 2050 LLC, Riverhead Ford, posted a Letter of Credit (#030612) dated June 12, 2003 in the sum of Ninety One Thousand Eight Hundred Ninety-Two Dollars (\$91,892) for work at Old County Road, Riverhead, New York, Suffolk County Tax Map # 0600-119.00-01-011.00 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 site requirements and a Certificate of Occupancy has been issued for said construction.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the letter of credit (#030612) in the sum of Ninety One Thousand Eight Hundred Ninety-Two Dollars (\$91,892) and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Over In 2050 LLC, 9 Rosita Lane, Port Jefferson, New York, 11777, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Buckley ~~Yes~~ No

Wooten ~~Yes~~ No

Dunleavy ~~Yes~~ No

Blass ~~Yes~~ No

Cardinale ~~Yes~~ No

The Resolution ~~Was~~ Was Not
Therefore Duly Adopted

6/17/08

Adopted

TOWN OF RIVERHEAD

Resolution # 529

AUTHORIZES THE RELEASE OF SECURITY FOR VINLAND COMMONS

COUNCILMAN DUNLEAVY offered the following resolution,

which was seconded by COUNCILMAN BUCKLEY

WHEREAS, Vinland Commons, LLC had posted a Suffolk County National Bank Irrevocable Letter of Credit #080401 in the amount of Twenty-Two Thousand Dollars (\$22,000) in connection with the completion of landscaping at 1116 Main Road, Aquebogue, New York in accordance with their site plan approval (Riverhead Planning Board Resolution #8 dated January 17, 2008) pursuant to Section 108-133(I) of the Riverhead Town Code; and

WHEREAS, pursuant to a memorandum from Vincent Gaudiello, P.E. dated June 10, 2008 and a memorandum from Karin Gluth, Planner, dated June 3, 2008, it has been determined that the landscaping improvements have been substantially completed in a manner that complies with the approved site plan drawings prepared by Martin F. Sendlewski, Architect, last dated December 6, 2007, the Building Department is satisfied with 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 Suffolk County National Bank Irrevocable Letter of Credit #080401 in the amount of Twenty-Two Thousand Dollars (\$22,000); and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Vinland Commons LLC, 29 Edgar Avenue, Riverhead, New York, 11901 and copies to the Building Department, the Accounting Department, and the Town Attorney's Office.

THE VOTE

Dunleavy Yes No

Buckley Yes No

Blass Yes No

Wooten Yes No

Cardinale Yes No

The Resolution Was Was Not
Therefore Duly Adopted

June 17, 2008

Adopted

TOWN OF RIVERHEAD

AWARDS BID FOR WELL & PUMP EMERGENCY SERVICE
RIVERHEAD WATER DISTRICT

RESOLUTION # 530

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

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for well and pump emergency service for the Riverhead Water District; and

WHEREAS, bids were received, opened and read aloud on the 6th day of June, 2008, at 11:00 a.m. at Town Hall, 200 Howell Avenue, Riverhead, New York 11901, the date, time and place given in the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for well and pump emergency service for the Riverhead Water District be and is hereby awarded to Layne Christensen Company.; and be it further

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

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

Adopted

Resolution No. 531

Grants the Special Use Permit Petition of Fastenal Company

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

WHEREAS, the Riverhead Town Board is in receipt of a Special Permit petition of Fastenal Company to allow the wholesale business use of premises located at Kroemer Avenue, Riverhead; such real property more particularly described as SCTM 0600-119-1-28.7, and

WHEREAS, a Full Environmental Assessment Form and supporting documentation was submitted as part of the petition, and

WHEREAS, a public hearing was held before the Town Board of the Town of Riverhead at the 200 Howell Avenue, Riverhead, New York, on the 20th day of May 2008 at 7:15 o'clock pm, to consider the subject special use permit petition, and

WHEREAS, the special use permit has been referred to the Suffolk County Planning Commission for its report and recommendation; such Planning Commission considering to be the matter one of local determination, and

WHEREAS, the Riverhead Town Board has carefully considered the merits of the special use permit petition, the SEQRA record created to date, the report of the Planning Board, the commentary made at the relevant public hearings, as well as all other pertinent planning zoning and environmental information, and

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the special use permit petition of Fastenal Company, the Riverhead Town Board hereby makes the following findings:

- i. That the premise is located within the Industrial A Zoning Use District;
- ii. that the site is particularly suitable for the location of such use in the community;
- iii. that the lot area is appropriate for the proposed use;
- iv. that adequate off-street parking stalls will be provided according to code;
- v. that adequate provisions will be made for the disposal of waste water, now

THEREFORE BE IT

RESOLVED, that in the matter of the special use permit petition of Fastenal Company, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the

subject action to be unlisted without significant impacts on either the natural or social environment and that a Draft Environmental Impact Statement need not be prepared, and

BE IT FURTHER,

RESOLVED, that based upon its findings, the Riverhead Town Board hereby grants the special use permit of Fastenal Company with the condition that accessory retail sales is prohibited, and

BE IT FURTHER,

RESOLVED, that a copy of this resolution be forwarded to Robert J. Kozakiewicz, Attorney at Law as agent for the applicant, Building Department, Town Attorney, Fire Marshal, Planning Department and Accounting Dept. and that a copy be scanned on to the Town Hall Share Drive for future reference.

THE VOTE

DUNLEAVY YES ___ NO BUCKLEY YES ___ NO
BLASS YES ___ NO WOOTEN YES ___ NO
CARDINALE YES ___ NO
THIS RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

6/17/08

Adopted

TOWN OF RIVERHEAD

Resolution # 532

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST
PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER
90 ENTITLED "SPECIAL EVENTS" OF THE RIVERHEAD TOWN CODE**

COUNCILWOMAN BLASS offered the following resolution, was seconded
by

COUNCILMAN DUNLEAVY :

BE IT RESOLVED, that the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 90 entitled "Special Events", § 90-4 entitled "Conditions for granting permit", of the Riverhead Town Code once in the June 26, 2008 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

SMA

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 15th day of July, 2008 at 7:30 o'clock p.m. to consider a local law to amend Chapter 90 entitled "Special Events", §90-4 entitled "Conditions for granting permit" of the Riverhead Town Code as follows:

**Chapter 90
Special Events**

§90-4. Conditions for granting permit.

- C. Where the special event will impact the health, safety and welfare, as a condition of the granting of the permit, the Town Board may require the permittee to reimburse the town for costs of police, ambulance protection and/or other Town services as may be deemed necessary by the Town Board to adequately and safely control and protect the persons attending the event, the event area and traffic in and around the area of the event. In no event, however, will the Town be obligated to provide police and ambulance protection or other Town services. Costs for such police, ambulance protection and/or other services provided by Town employees in processing the permit application shall include those over and above routine staffing, including costs for overtime and for the hiring of special police officers and/or emergency medical services personnel. The estimated costs for services shall be provided to the applicant and the Town Board by written report from the Chief of Police, Ambulance Chief, Fire Marshal or other Town department head prior to the issuance of the permit. Based on the number of people, date of the event, the time of the event and the location of the event, the applicant shall may be required to reimburse the Town for the cost of police to ensure public health and safety through the smooth flow of traffic in and around the area of the event. The applicant may be required to pay these fees prior to the event, but all fees shall be due and payable within 10 days of rendering of an invoice for said expenses by the Town of Riverhead. This section shall not apply to any special event held on public property, open to the public that is free of charge.

* Underline represents addition(s)

*Strikethrough represents deletion(s)

Dated: Riverhead, New York
June 17, 2008

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

BARBARA GRATTAN, Town Clerk

6/17/08

Adopted

TOWN OF RIVERHEAD

Resolution # 533

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

COUNCILMAN DUNLEAVY offered the following resolution, was seconded
by

COUNCILMAN BUCKLEY :

RESOLVED, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning", Article XXVIA entitled "Special Permit", §108-133.1 entitled "Special permit general use requirements" of the Riverhead Town Code once in the June 26, 2008 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 15th day of July, 2008 at 7:25 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning", Article XXVIA entitled "Special Permit", §108-133.1 entitled "Special permit general use requirements" of the Riverhead Town Code as follows:

**ARTICLE XXVIA
Special Permit**

§108-133.1. Special permit general use requirements.

The special uses for which conformance with additional standards is required by this chapter shall be deemed to be special permit uses in their respective districts subject to the satisfaction of the requirements and standards set forth herein, in addition to all other requirements of this chapter, except as set forth in §108-51(A) for pre-existing, non-conforming single family residences. All such uses are declared to possess characteristics of such unique and special forms that each specific use shall be considered as an individual case.

* Underline represents addition(s)

*Strikethrough represents deletion(s)

Dated: Riverhead, New York
June 17, 2008

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

BARBARA GRATTAN, Town Clerk

Adopted

6/17/08

TOWN OF RIVERHEAD

Resolution # 534

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW TO AMEND ARTICLE XIII ENTITLED "SUPPLEMENTARY USE REGULATIONS" OF THE RIVERHEAD TOWN CODE

COUNCILMAN BUCKLEY

_____ offered the following resolution,

which was seconded by COUNCILMAN WOOTEN:

RESOLVED, that the Town Clerk is hereby authorized to post and publish the attached public notice to consider a proposed local law to amend Article XIII entitled "Supplementary Use Regulations", §108-51 entitled "Nonconforming buildings and uses" of the Riverhead Town Code, once in the June 26, 2008 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Building Department, the Planning Department and the Office of the Town Attorney.

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

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 15th day of July, 2008 at 7:20 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Article XIII entitled "Supplementary Use Regulations", §108-51 entitled "Nonconforming buildings and uses" of the Riverhead Town Code as follows:

**ARTICLE XIII
Supplementary Use Regulations
Chapter 108
Zoning**

§ 108-51 Nonconforming buildings and uses

A. Any building, structure or use existing on the effective date of this chapter, or any amendment thereto, may be continued on the same lot held in single and separate ownership, although such building, structure or use does not thereafter conform to the regulations of the district in which it is located, and may thereafter be extended on the same lot by special permit of the Town Board. If the extent of the change is 10% or less, the public hearing requirement may be waived by the Town Board. An application seeking to extend a single family residence shall be exempt from the requirement of a special permit provided that any extension thereof maintains existing residential use, existing lot areas, lot setbacks and lot coverage that were required at the time the residence was issued a certificate of occupancy or letter of pre-existing use.

*Underline indicates addition(s)

Dated: Riverhead, New York
June 17, 2008

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

BARBARA GRATTAN, Town Clerk

TB 6/17/2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 535

AUTHORIZES THE TOWN CLERK TO ADVERTISE FOR BIDS ON PRECAST CONCRETE DRAINAGE RINGS & ASSOCIATED ITEMS

COUNCILMAN WOOTEN

OFFERED THE FOLLOWING

RESOLUTION WHICH WAS SECONDED BY COUNCILWOMAN BLASS.

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids for the purchase of a PRECAST CONCRETE DRAINAGE RINGS and ASSOCIATED ITEMS for the use of the Town of Riverhead Highway Department, AND BE IT,

RESOLVED, that the specifications and forms for bidding be prepared by the Superintendent of Highways, and all bids to be returnable up to 11:15 A.M. on July 7, 2008, AND BE IT FURTHER,

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to open publicly and read aloud on July 7, 2008 at 11:15 A.M. at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation "BID ON PRECAST CONCRETE DRAINAGE RINGS and ASSOCIATED ITEMS".

DUNLEAVY YES ___ NO WOOTEN YES ___ NO

BLASS ___ YES ___ NO BUCKLEY YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT

DECLARED DULY ADOPTED

NOTICE TO BIDDERS

Sealed bids for the purchase of a **“PRECAST CONCRETE DRAINAGE RINGS and ASSOCIATED ITEMS”** for the use of the Riverhead Highway Department will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York 11901 until **11:15 A.M. on July 7, 2008.**

Instructions for bidders, specifications and forms may be obtained on line at www.riverheadli.com or the office of the Town Clerk at the Town Hall Monday through Friday between the hours of 8:30 A.M. and 4:30 P.M.

All bids will be submitted on the bid form provided. Any and all exceptions to the specifications will be listed on a separate sheet of paper bearing the designation **“Exceptions to the Specifications”**, and attached to the bid form.

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

All bids will be submitted in a sealed envelope bearing the designation **“BID on PRECAST CONCRET DRAINAGE RINGS AND ASSOCIATED ITEMS”** and addressed to: TOWN CLERK, TOWN OF RIVERHEAD, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
BARBARA A. GRATTAN, TOWN CLERK

Z: Highway: S.Beal

Adopted

TB 6/17/2008

TOWN OF RIVERHEAD

RESOLUTION # 536

AUTHORIZES THE TOWN CLERK TO ADVERTISE FOR BIDS ON TRAFFIC PAINT

COUNCILWOMAN BLASS OFFERED THE FOLLOWING

RESOLUTION WHICH WAS SECONDED BY COUNCILMAN DUNLEAVY.

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids for the purchase of a TRAFFIC PAINT for the use of the Town of Riverhead Highway Department, AND BE IT,

RESOLVED, that the specifications and forms for bidding be prepared by the Superintendent of Highways, and all bids to be returnable up to 11:00A.M. on July 7, 2008, AND BE IT FURTHER,

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to open publicly and read aloud on July 7, 2008 at 11:00 A.M. at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation "BID ON TRAFFIC PAINT".

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

DECLARED DULY ADOPTED

NOTICE TO BIDDERS

Sealed bids for the purchase of a "TRAFFIC PAINT" for the use of the Riverhead Highway Department will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York 11901 until 11:00 A.M. on July 7, 2008.

Instructions for bidders, specifications and forms may be obtained on line at www.riverheadli.com or the office of the Town Clerk at the Town Hall Monday through Friday between the hours of 8:30 A.M. and 4:30 P.M.

All bids will be submitted on the bid form provided. Any and all exceptions to the specifications will be listed on a separate sheet of paper bearing the designation "Exceptions to the Specifications", and attached to the bid form.

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

All bids will be submitted in a sealed envelope bearing the designation "BID on TRAFFIC PAINT" and addressed to: TOWN CLERK, TOWN OF RIVERHEAD, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
BARBARA A. GRATTAN, TOWN CLERK

Z: Highway: S. Beal

TB 6/17/2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 537

AUTHORIZES THE TOWN CLERK TO ADVERTISE FOR BIDS ON TRAFFIC LINE STRIPING

COUNCILMAN DUNLEAVY OFFERED THE FOLLOWING

RESOLUTION WHICH WAS SECONDED BY COUNCILMAN BUCKLEY.

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids for the purchase of a TRAFFIC LINE STRIPING for the use of the Town of Riverhead Highway Department, AND BE IT,

RESOLVED, that the specifications and forms for bidding be prepared by the Superintendent of Highways, and all bids to be returnable up to 11:05 A.M. on July 7, 2008, AND BE IT FURTHER,

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to open publicly and read aloud on July 7, 2008 at 11:05 A.M. at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation "BID ON TRAFFIC LINE STRIPING".

DUNLEAVY YES ___ NO WOOTEN YES ___ NO

BLOSS YES ___ NO BUCKLEY YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT

DECLARED DULY ADOPTED

NOTICE TO BIDDERS

Sealed bids for the purchase of a "**TRAFFIC LINE STRIPING**" for the use of the Riverhead Highway Department will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York 11901 until **11:05 A.M.** on **July 7, 2008.**

Instructions for bidders, specifications and forms may be obtained on line at www.riverheadli.com or the office of the Town Clerk at the Town Hall Monday through Friday between the hours of 8:30 A.M. and 4:30 P.M.

All bids will be submitted on the bid form provided. Any and all exceptions to the specifications will be listed on a separate sheet of paper bearing the designation "**Exceptions to the Specifications**", and attached to the bid form.

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

All bids will be submitted in a sealed envelope bearing the designation "**BID on TRAFFIC LINE STRIPING**" and addressed to: TOWN CLERK, TOWN OF RIVERHEAD, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
BARBARA A. GRATTAN, TOWN CLERK

Z: Highway: S. Beal

6/17/08

Adopted

TOWN OF RIVERHEAD

Resolution # 538

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT OF CHAPTER 101 ENTITLED, "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE
(§101-3. Stop and yield intersections; railroad crossings; parking fields.)

COUNCILMAN BUCKLEY offered the following resolution,

which was seconded by COUNCILMAN WOOTEN:

RESOLVED, that the Town Clerk is hereby authorized to publish and post the attached public notice to consider a proposed local law to amend Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code, once in the June 26, 2008 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a copy of this resolution to the Highway Department; the Riverhead Police Department and the Office of the Town Attorney.

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

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 1st day of July, 2008 at 2:25 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

Chapter 101
Vehicles and Traffic
Article III
Traffic Regulations

§ 101-3. Stop and yield intersections; railroad crossings; parking fields.

A. Stop intersections. The following intersections are designated as stop intersections, and stop signs shall be erected at such intersections as follows:

Intersection	Stop Sign On	Entrance From
<u>Grumman Boulevard</u>	<u>Burman Boulevard</u>	<u>North</u>

- Underline represents addition(s)

Dated: Riverhead, New York
June 17, 2008

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

BARBARA GRATTAN, Town Clerk

6/17/08

Adopted

TOWN OF RIVERHEAD

Resolution # 539

ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE
(\$108-282. Uses. – Rural Corridor (RLC) Zoning Use District)

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

WHEREAS, a public hearing was held on the 3rd day of June, 2008 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 amending Chapter 108 entitled "Zoning", of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

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

THE VOTE

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

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

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on June 17, 2008. Be it enacted by the Town Board of the Town of Riverhead as follows:

**Chapter 108
Zoning**

**ARTICLE LII
Rural Corridor (RLC) Zoning Use District**

§ 108-282. Uses.

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

- B. Special permit uses:
- (1) Professional offices, provided they are within 1/4 mile of the Hamlet Center (HC) or Village Center (VC) Zoning Use Districts.
 - (2) Country inns, provided they are within 1/4 mile of the HC or VC Zoning Use Districts.
 - (3) Funeral homes, provided they are within 1/4 mile of the HC or VC Zoning Use Districts.
 - (4) Bistros, cafes.
 - (5) Bed-and-breakfast establishments.
 - (6) Professional offices of attorneys, architects, medical doctors, or dentists provided that the subject real property conforms to the following conditions:
 - (a) the property is improved with a single family residence at the time of the adoption of this local law.
 - (b) the professional office use shall be within the building footprint of the existing single family residence.
 - (c) the property has frontage along New York State Route 25 between Route 105 and the town boundary with the Town of Southold.

* Underline represents addition(s)

Dated: Riverhead, New York
June 17, 2008

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

BARBARA GRATTAN, Town Clerk

6/17/08

Tabled

TOWN OF RIVERHEAD

Resolution # 540

ADOPTS A LOCAL LAW AMENDING CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE
(§108-278. Uses. – Industrial C (IC) Zoning Use District)

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

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

WHEREAS, a public hearing was held on the 3rd day of June, 2008 at 2:25 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time, and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 108 entitled "Zoning", of the Riverhead Town Code be and 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 the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Riverhead Planning Board; the Riverhead Planning Department; the Riverhead Zoning Board of Appeals; the Riverhead Building Department and the Office of the Town Attorney.

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

Tabled

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 entitled, "Zoning" of the Riverhead Town Code at its regular meeting held on June 17, 2008. Be it enacted by the Town Board of the Town of Riverhead as follows:

**Chapter 108
Zoning**

**ARTICLE LI
Industrial C (IC) Zoning Use District**

§ 108-278. Uses.

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

A. Permitted uses:

- (1) Offices.
- (2) Warehouses.
- (3) Greenhouses.
- (4) Wholesale businesses.
- (5) Laboratories, including prototype manufacturing.
- (6) Vocational schools.
- (7) Golf courses.
- (8) Parks and playgrounds.
- (9) Equestrian facilities.
- (10) Commercial sports and recreation facilities.
- (11) Dog and horse training and boarding facilities.
- (12) Agricultural production upon real property seven (7) acres or greater lying within Scenic River Areas defined pursuant to the Order of the Commissioner of the New York State Department of Environmental Conservation dated September 18, 1990.
- (13) Dwelling, one family upon real property of four (4) acres or greater within Scenic River Areas defined pursuant to the Order of the Commissioner of the New York State Department of Environmental Conservation dated September 18, 1990.

C. Accessory uses. Accessory uses shall include those uses customarily incidental to any of the above permitted uses or specially permitted uses when located on the same lot. Specifically permitted are the following:

- (1) Cafeteria for an office or other building, when contained within the building or ancillary

- structure on the same parcel, for the purpose of serving employees and their guests.
- (2) Retail uses, as accessory to wholesale business, subject to the following limitations:
- (a) Retail use shall not exceed 10% of the gross floor area of the wholesale business or 3,000 square feet, whichever is less.
 - (b) The parcel shall have frontage on an arterial road.
 - (c) Retail uses shall be located at front of parcel and building.
 - (d) Off-street visitor parking shall be provided.
- (3) Day care, as accessory to an office use.
- (4) Outdoor recreation facilities, as accessory to an office use.
- (5) The sale at retail of homegrown or homemade products upon agriculturally used land provided that all retail uses shall be subject to site plan approval pursuant to Article XXVI of the Riverhead Town Code and the provisions of Chapter 108. The farmer may sell supporting farm products and farm products not grown by the farmer, provided that the area to the sale of said products at no time exceeds 40% of the total merchandising area.

* Underline represents addition(s)

Dated: Riverhead, New York
June 17, 2008

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

BARBARA GRATTAN, Town Clerk

ADOPTS A LOCAL LAW AMENDING CHAPTER 52 ENTITLED "BUILDING CONSTRUCTION" OF THE RIVERHEAD TOWN CODE

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

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 52 entitled "Building construction", § 52-6 entitled "Application for building permit", of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the on the 3rd day of June, 2008 at 2:15 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that a local law amending Chapter 52 entitled "Building construction", § 52-6 entitled "Application for building permit", 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 BUCKLEY 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 52 entitled "Building construction", § 52-6 entitled "Application for building permit", of the Riverhead Town Code at its regular meeting held on June 17, 2008. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

§52-6. Application for building permit.

- J. The Building Department may approve, disapprove or approve with modification the application for a building permit based upon the standards provided for in this chapter.
- (1) In the event that the Building Department determines that the information required pursuant to § 52-6 of the Code of the Town of Riverhead is inadequate to ascertain whether or not the applicant can or will comply or has complied with this chapter, it may require the applicant to submit to the Building Department a topographical survey prepared by a registered land surveyor or registered professional engineer showing the following:
 - (a) The existing topography at two-foot intervals.
 - (b) The proposed regrading plan at two-foot intervals.
 - (c) Test borings.
 - (d) The proposed structure or other on-site improvements in sufficient detail to determine compliance with this chapter.
 - (e) Elevations of the proposed structures.
 - (2) Application for the installation, extension, modification or removal of any electrical systems or parts thereof shall be made to the Electrical Inspector on forms provided by him. Such forms shall contain information as may reasonably be required by the Electrical Inspector to establish compliance with the applicable ordinances and regulations. A fee schedule will be determined by resolution of the Town Board of the Town of Riverhead.
 - (3) Consistent with the provisions of Chapter 86, the Electrical Inspector shall interpret electrical permit applications for single-family dwelling units and/or their accessory structures which propose the installation of more than one electric meter as being in conflict with the provisions of the Town Code of the Town of Riverhead. Therefore, electrical permit applications proposing the installation of two or more electric meters for single-family dwelling units and/or their accessory structures shall be denied by the Electrical Inspector Building Department Administrator or his designee, unless the applicant can demonstrate that the location of the principal structure to the accessory structure is such that the electrical service requires two or more meters, and the

applicant completes an affidavit attesting to single-family use in conformance with the applicable zoning district. Applicants may seek relief from the denial of such applications based upon this interpretation from the Zoning Board of Appeals.

Effective Date:

This Chapter shall take effect after the filing with the Secretary of State.

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

Dated: Riverhead, New York
June 17, 2008

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

ADOPTS A LOCAL LAW AMENDING CHAPTER 86 ENTITLED "RENTAL DWELLING UNITS" OF THE RIVERHEAD TOWN CODE

COUNCILMAN BUCKLEY offered the following resolution, 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 86 entitled "Rental Dwelling Units", § 86-18 entitled "Presumptive evidence of violations of this chapter", of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the on the 3rd day of June, 2008 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 86 entitled "Rental Dwelling Units", § 86-18 entitled "Presumptive evidence of violations of this chapter", 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 BUCKLEY 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 86 entitled "Rental Dwelling Units", § 86-18 entitled "Presumptive evidence of violations of this chapter", of the Riverhead Town Code at its regular meeting held on June 17, 2008. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

§ 86-18. Presumptive evidence of violations of this chapter.

- A. It shall be presumed that a single or one-family dwelling unit is occupied by more than one family if any two or more of the following features are found to exist on the premises by the Code Enforcement Official authorized to enforce or investigate violations of Chapter 86 of the Code of the Town of Riverhead or any laws, codes, rules and regulations of the State of New York:
- (1) More than one mailbox, mail slot or post office address;
 - (2) More than one doorbell or doorway on the same side of the dwelling unit;
 - (3) More than one gas meter;
 - (4) More than one electric meter; except as may be permitted by the Building Department Administrator or his designee as set forth in §52(6)(J)(3) of the Code of the Town of Riverhead.
 - (5) More than one connecting line for cable television service;
 - (6) More than one antenna, dish antenna or related receiving equipment;
 - (7) Separate entrances for segregated parts of the dwelling unit, including but not limited to bedrooms;
 - (8) Partitions or internal doors with locks which may serve to bar access between segregated portions of the dwelling unit, including but not limited to bedrooms;
 - (9) Separate written or oral leases or rental arrangements, payments or agreements for portions of the dwelling unit among its owner(s) and occupants;
 - (10) The inability of any occupant to have lawful access to all parts of the dwelling unit; or
 - (11) Two or more kitchens, each containing one or more of the following: a range, oven, hotplate, microwave or other similar device customarily used for cooking or the preparation of food, refrigerator and/or a sink.

Effective Date:

This Chapter shall take effect after the filing with the Secretary of State.

- Underline represents addition(s)

Dated: Riverhead, New York
June 17, 2008

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

TOWN OF RIVERHEAD

Adopted

Resolution # 543

**APPROVES CHAPTER 90 APPLICATION OF
EAST END ARTS & HUMANITIES COUNCIL, INC.
(YARD SALE)**

COUNCILMAN WOOTEN offered the following resolution, was seconded by

COUNCILWOMAN BLASS:

WHEREAS, on May 6, 2008, the East End Arts & Humanities Council Inc. ("EEAC") had submitted a Chapter 90 application for the purpose of conducting a public Yard Sale to be held on their property at 133 East Main Street, Riverhead, New York on Saturday, June 28, 2008 having a rain date of Sunday, June 29, 2008 between the hours of 9:00 a.m. through 3:00 p.m.; and

WHEREAS, East End Arts & Humanities Council, Inc. 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, due to its not-for-profit status, the applicant has requested the Chapter 90 application fee 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 application of the East End Arts & Humanity Council, Inc. for the purpose of conducting a public Yard Sale to be held on their property at 133 East Main Street, Riverhead, New York on Saturday, June 28, 2008 having a rain date of Sunday, June 29, 2008 between the hours of 9:00 a.m. through 3:00 p.m. is hereby approved; and be it further

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

RESOLVED, that the Town Board of the Town of Riverhead hereby waives the Chapter 90 application fee; and be it further

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

RESOLVED, that this approval is subject to the provisions of Riverhead Town Code Chapter 81 - "Noise Control", Chapter 108-56 - "Signs" and any other section of the Riverhead Town Code that may pertain to this event; and be 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 (631) 727-3200 extension 601, for the purpose of arranging the "pre-opening" inspection appointment at least three days in advance; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the East End Arts & Humanities Council, Inc., 133 East Main Street, Riverhead, New York, 11901 and copies to the Fire Marshal; Ken Testa, P.E.; the Riverhead Police Department and the Office of the Town Attorney.

6/17/08

Adopted

TOWN OF RIVERHEAD

Resolution # 544

APPROVES CHAPTER 90 APPLICATION OF PECONIC BAY MEDICAL CENTER

COUNCILWOMAN BLASS

offered the following resolution, was seconded by

COUNCILMAN DUNLEAVY :

WHEREAS, on May 27, 2008, the Peconic Bay Medical Center had submitted a Chapter 90 Application for the purpose of conducting a Family Festival having all proceeds to be used for the enhancement of overall patient care services provided at the Peconic Bay Medical Center. This event is to be held on property owned by Kenney Barra of East Wind Caterers at 6164 Route 25A, Wading River, New York on July 3, 2008 through July 6, 2008 between the hours of 6:00 p.m. and 11:00 p.m.; and

WHEREAS, Peconic Bay Medical Center 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, Kenney Barra of East Wind Caterers has given written consent to hold this event on his property; 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 Peconic Bay Medical Center for the purpose of conducting a Family Festival having all proceeds to be used for the enhancement of overall patient care services provided at the Peconic Bay Medical Center on the aforementioned dates and times is hereby approved; and be it further

Z:\Laura Calamita\chap90\PecBayMedCenter3.res.doc

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

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

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

RESOLVED, that 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);

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 all vendors shall be ready for a fire-safety inspection no later than 10:00 a.m. on Thursday; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Peconic Bay Medical Center, Attn: Maureen Brady, 1300 Roanoke Avenue, Riverhead, New York, 11901 and copies to the Riverhead Fire Marshal and the Riverhead Police Department and the Office of the Town Attorney.

TOWN OF RIVERHEAD

Adopted

Resolution # 545

APPROVES CHAPTER 90 APPLICATION OF EAST END ARTS & HUMANITIES COUNCIL, INC.

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

WHEREAS, on May 21, 2008, the East End Arts & Humanities Council Inc. ("EEAC") had submitted a Chapter 90 application for the purpose of conducting three (3) Wine Press Concerts to be at the following dates, location and times:

Saturday, July 5, 2008	6:00 p.m. to 8:00 p.m.	Martha Clara Vineyards Sound Avenue, Riverhead
Saturday, July 12, 2008	6:00 p.m. to 8:00 p.m.	Paumanok Vineyards Aquebogue, NY
Saturday, August 9, 2008	6:00 p.m. to 8:00 p.m.	Palmer Vineyards Aquebogue, NY; and

WHEREAS, East End Arts & Humanities Council, Inc. 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, due to its not-for-profit status, the applicant has requested the Chapter 90 application fee be waived; and

WHEREAS, a certificate of insurance has not 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

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

RESOLVED, that the application of the East End Arts & Humanity Council, Inc. for the purpose of conducting three Wine Press Concerts to be held on the aforementioned dates, times and locations, is hereby approved; and be it further

RESOLVED, that a Certificate of Insurance naming the Town of Riverhead as an additional insured must be submitted to the Town Clerk no later than July 1, 2008; and be it further

RESOLVED, that the Town Board of the Town of Riverhead hereby waives the Chapter 90 application fee; and be it further

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

RESOLVED, that this approval is subject to the provisions of Riverhead Town Code Chapter 81 - "Noise Control", Chapter 108-56 - "Signs" and any other section of the Riverhead Town Code that may pertain to this event; and be 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 (631) 727-3200 extension 601, for the purpose of arranging the "pre-opening" inspection appointment at least three days in advance; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the East End Arts & Humanities Council, Inc., 133 East Main Street, Riverhead, New York, 11901 and copies to the Fire Marshal; Ken Testa, P.E.; the Riverhead Police Department and the Office of the Town Attorney.

6/17/08

TOWN OF RIVERHEAD
Resolution # 546

Adopted

APPROVES THE CHAPTER 90 APPLICATION OF RIVERHEAD ELKS LODGE #2044

COUNCILMAN BUCKLEY offered the following resolution, was seconded by

COUNCILMAN WOOTEN:

WHEREAS, on May 5, 2008, the Riverhead Elks Lodge #2044 (Elks) had submitted a Chapter 90 Application for the purpose of conducting a Lawn Mower Race, Kids Bicycle Race and a kick ball event to be held at the Riverhead Elks Lodge located at 1239 East Main Street, Riverhead, New York, on June 22, 2008, having a rain date of June 29, 2008, to be held between the hours of 12:00 noon and 4:00 p.m.; and

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

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

WHEREAS, a certificate of insurance has been received; and

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

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

RESOLVED that the Chapter 90 Application of the Riverhead Elks Lodge #2044 for the purpose of conducting a Lawn Mower Race, Kids Bicycle Race and a kick ball event to be held at the Riverhead Elks Lodge located at 1239 East Main Street, Riverhead, New York, on June 22, 2008, having a rain date of June 29, 2008, to be held between the hours of 12:00 noon and 4:00 p.m., is hereby approved subject to the conditions set forth herein; and be it further

RESOLVED, that the applicant shall be required to stage the arrival and departure of vehicles in such a way as to minimize to the greatest extent possible the noise impacts to surrounding neighbors; and be it further

THE VOTE					
Buckley	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Wooten	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Dunleavy	<input type="checkbox"/> yes	<input type="checkbox"/> no	Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
	Cardinale		<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	
THE RESOLUTION <input checked="" type="checkbox"/> WAS <input type="checkbox"/> WAS NOT					
THEREFORE DULY ADOPTED					

abstain

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

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

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

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

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

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

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

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

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

6/17/08

Adopted

TOWN OF RIVERHEAD

Resolution # 547

**APPROVES CHAPTER 90 APPLICATION OF CHURCH OF THE HARVEST
(COMMUNITY APPRECIATION DAY)**

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

WHEREAS, on May 13, 2008, Church of the Harvest had submitted a Chapter 90 Application for the purpose of conducting a "Community Appreciation Day", to include food, music, special speakers, and puppets, to take place on the grounds of the East End Arts Council at 133 East Main Street, Riverhead, New York on July 26, 2008 between the hours of 12:00 noon and 5:00 p.m.; and

WHEREAS, Church of the Harvest has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

WHEREAS, the applicant has requested the Chapter 90 Application fee be waived due to its not-for-profit status; 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 Church of the Harvest to conduct a "Community Appreciation Day", to include food, music, special speakers, and puppets, to take place on the grounds of the East End Arts Council at 133 East Main Street, Riverhead, New York on July 26, 2008 between the hours of 12:00 noon and 5:00 p.m., is hereby approved; and be it further

Z:\Laura Calamita\chap90\ChurchHarvest.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

RESOLVED, that the Town Board hereby waives the Chapter 90 Application fee in connection with this event; and be it further

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

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

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Church of the Harvest, P.O. Box 1086, Riverhead, New York, 11901 and copies to the Riverhead Fire Marshal; Chief Hegermiller, Riverhead Police Department and the Office of the Town Attorney.

6/17/08

Adopted

TOWN OF RIVERHEAD

Resolution # 548

**APPROVES CHAPTER 90 APPLICATION OF
OLD STEEPLE COMMUNITY CHURCH**

COUNCILWOMAN BLASS offered the following resolution, was seconded by

COUNCILMAN DUNLEAVY:

WHEREAS, on May 21, 2008, Old Steeple Community Church had submitted a Chapter 90 Application for the purpose of conducting an Annual Antique Fair to be located on their property located at 656 Main Road, Aquebogue, New York, to be held on Saturday, August 23, 2008, between the hours of 8:00 a.m. and 5:00 p.m., having a rain date of September 1, 2008; and

WHEREAS, Old Steeple Community Church has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

WHEREAS, the applicant has requested the Chapter 90 Application fee be waived due to their not-for-profit status; 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 application of Old Steeple Community Church for the purpose of conducting an Annual Antique Fair to be located on their property located at 656 Main Road, Aquebogue, New York, to be held on August 23, 2008, between the hours of 8:00 a.m. and 5:00 p.m., having a rain date of September 1, 2008, is hereby approved; and be it further

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

RESOLVED, that the Town Board of the Town of Riverhead hereby waives the Chapter 90 Application fee; and be it further

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

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

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

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Old Steeple Community Church, P.O. Box 154, Aquebogue, New York, 11931 and copies to the Riverhead Fire Marshal; the Riverhead Police Department and the Office of the Town Attorney.

6/17/08

TOWN OF RIVERHEAD

Adopted

Resolution # 549

APPROVES CHAPTER 90 APPLICATION OF POLISH TOWN CIVIC ASSOCIATION

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

WHEREAS, on April 3, 2008, the Polish Town Civic Association had submitted a Chapter 90 Application for the purpose of conducting their annual Polish Town Street Fair and Festival to be held on Pulaski Street, Osborne Avenue and Lincoln Street, Riverhead, New York, on August 16th and 17th, 2008 between the hours of 10:00 a.m. and 6:00 p.m.; and

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

WHEREAS, Polish Town Civic Association has requested this event be exempt from Chapter 46 (Alcoholic Beverages) of the Riverhead Town Code; 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 application of the Polish Town Civic Association for the purpose of conducting their annual Polish Town Street Fair and Festival to be held on Pulaski Street, Osborne Avenue and Lincoln Street, Riverhead, New York, on August 16th and 17th, 2008 between the hours of 10:00 a.m. and 6:00 p.m., is hereby approved; and be it further

Z:\Laura Calamita\chap90\Polish.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

RESOLVED, that the Town Board exempts this event from Chapter 46 (Alcoholic Beverages) of the Riverhead Town Code; and be it further

RESOLVED, that the Town Board hereby waives the Chapter 90 Application fee in connection with this event; and be it further

RESOLVED, that any tent installations and any and all electric shall comply with the applicable provisions of the Building and Fire Code of New York State, including any necessary tent permits, 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 arranging the "pre-opening" inspection appointment; and be it further

RESOLVED, that employees of the Riverhead Buildings and Grounds Department, the Riverhead Police Department, the Riverhead Highway Department and the Riverhead Fire Marshal 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 be and is hereby authorized to forward a certified copy of this resolution to Polish Town Civic Association, 300 Lincoln Street, Riverhead, New York, 11901; the Riverhead Fire Marshal; Kenneth Testa, P.E.; the Riverhead Police Department and the Office of the Town Attorney.

6/17/08

TOWN OF RIVERHEAD

Adopted

Resolution # 550

APPROVES CHAPTER 90 APPLICATION OF POLISH TOWN CIVIC ASSOCIATION (DOWOP - 50'S NIGHT)

COUNCILMAN BUCKLEY offered the following resolution, was seconded by

_____:

COUNCILMAN WOOTEN

WHEREAS, on June 12, 2008, the Polish Town Civic Association had submitted a Chapter 90 Application for the purpose of conducting a "DoWop - 50's Night" to be held in their pavilion at 300 Lincoln Street, Riverhead, New York, on Saturday, June 21, 2008, between the hours of 5:00 p.m. and 12:00 a.m. midnight; and

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

WHEREAS, Polish Town Civic Association has requested this event be exempt from Chapter 46 (Alcoholic Beverages) of the Riverhead Town Code; 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 application of the Polish Town Civic Association for the purpose of conducting a "DoWop - 50's Night" to be held in their pavilion at 300 Lincoln Street, Riverhead, New York, on Saturday, June 21, 2008, between the hours of 5:00 p.m. and 12:00 a.m. midnight is hereby approved; and be it further

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

RESOLVED, that this approval is subject to Riverhead Town Code Chapter 81 entitled, “Noise Control” and that applicant shall not exceed the noise limits as defined in Section 81-5 Prohibited Acts., Chapter 108-56 - “Signs”, and any other section of the Riverhead Town Code that may pertain to this event; and be further; and be it further

RESOLVED, that the Town Board exempts this event from Chapter 46 (Alcoholic Beverages) of the Riverhead Town Code; and be it further

RESOLVED, that the Town Board hereby waives the Chapter 90 Application fee in connection with this event; and be it further

RESOLVED, that any tent installations and any and all electric shall comply with the applicable provisions of the Building and Fire Code of New York State, including any necessary tent permits, 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 arranging the “pre-opening” inspection appointment; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Polish Town Civic Association, 300 Lincoln Street, Riverhead, New York, 11901 and copies to the Riverhead Fire Marshal, Kenneth Testa, P.E., the Riverhead Police Department, and the Office of the Town Attorney.

Adopted

6/17/08

TOWN OF RIVERHEAD

Resolution # 551

APPROVES CHAPTER 90 APPLICATION OF THE IRISH CENTRE OF L.I. D/B/A LONG ISLAND IRISH FESTIVAL

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

WHEREAS, on May 23, 2008, the Irish Cultural Centre of L.I., had submitted a Chapter 90 Application for the purpose of conducting an event referred to as the "Long Island Irish Festival" to include Irish music, crafts, arts and merchandise, to be held on the Abbess Farm located at 3581 Middle Country Road, Calverton, New York, on July 18th, 19th, and 20th, 2008 between the hours of 11:00 a.m. and 11:00 p.m.; and

WHEREAS, the Irish Cultural Centre of L.I. has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

WHEREAS, a certificate of insurance has been received naming the Town of Riverhead as an additional insured; and

WHEREAS, the Town Attorney of the Town of Riverhead has reviewed all documents 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 the Irish Cultural Centre of L.I. for the purpose of conducting an event referred to as the "Long Island Irish Festival" to include Irish music, crafts, arts and merchandise, to be held on the Abbess Farm located at 3581 Middle Country Road, Calverton, New York, on July 18th, 19th, and 20th, 2008 between the hours of 11:00 a.m. and 11:00 p.m. is hereby approved; and be it further

Z:\Laura Calamita\chap90\IrishFestival.res.doc

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

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

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

RESOLVED, that approval for this event shall be subject to the receipt of required Suffolk County Department of Health permit(s), including the food handling permit(s); 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 so that an outdoor place of assembly permit can be issued. 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 required inspection appointment; and be it further

RESOLVED, that prior to the fire safety inspection, the applicant shall have the property staked by a licensed surveyor to designate the areas upon which development rights are intact; and be it further

RESOLVED, that use of the property outside of the staked area, property upon which the development rights have been sold to the County of Suffolk, will result in the immediate revocation of this permit and may be further subject to fines and penalties; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Irish Cultural Centre of L.I., 4 Marie Tooker, Abbess Farm, 3581 Middle Country Road, Calverton, New York, 11933; the Riverhead Fire Marshal; Chief Hegermiller, Riverhead Police Department; the Riverhead Fire Department and the Office of the Town Attorney.

6/17/08

Adopted

TOWN OF RIVERHEAD

Resolution # 552

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT TO CHAPTER 95 ENTITLED "TAXATION" OF THE RIVERHEAD TOWN CODE (Exemption For Cold War Veterans)

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN DUNLEAVY:

RESOLVED, that the Town Clerk is hereby authorized to publish and post the attached public notice to consider a proposed local law for an amendment to Chapter 95 entitled "Taxation" of the Riverhead Town Code, once in the June 12, 2008 issue of the News Review, the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a copy of this resolution to the Assessor's Office and the Town Attorney's Office.

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

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 17th day of June, 2008 at 7:40 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 95 of the Riverhead Town Code entitled "Taxation" as follows:

ARTICLE IX
Exemption for Cold War Veterans

§ 95-42. Definitions.

As used in this article, the following terms shall have the meanings indicated:

COLD WAR VETERAN - A person, male or female, who served on active duty ~~for a period of more than three hundred sixty-five days~~ in the United States armed forces, during the time period from September second, nineteen hundred forty-five to December twenty-sixth, nineteen hundred ninety-one, and was discharged or released there from under honorable conditions. ~~and has been awarded the Cold War recognition certificate as authorized under Public Law 105-85, the 1998 National Defense Authorization Act.~~

QUALIFIED RESIDENTIAL REAL PROPERTY - Property owned by a qualified owner which is used exclusively for residential purposes; provided, however, that in the event that any portion of such property is not used exclusively for residential purposes, but is used for other purposes, such portion shall be subject to taxation and only the remaining portion used exclusively for residential purposes shall be subject to the exemption provided by this article. Such property shall be the primary residence of the Cold War veteran or the un-remarried surviving spouse of a Cold War veteran, unless the Cold War veteran or un-remarried surviving spouse is absent from the property due to medical reasons or institutionalization. ~~for up to five years.~~

§ 95-44. Limitations.

- B. If a Cold War veteran receives the exemption under section four hundred fifty-eight-a or four hundred fifty-eight-b of the Real Property Tax Law, the Cold War veteran shall not be eligible to receive the exemption under this article.

- C. The exemption provided by this article shall be granted for a period of ten years. The commencement of such ten year period shall be governed pursuant to this subparagraph. Where a qualified owner owns qualifying residential real property on the effective date of ~~this section~~ the local law providing for such exemption, such ten year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring on or after the effective date of ~~this section~~ the local law providing for such exemption. Where a qualified owner does not own qualifying residential real property on the effective date of ~~this section~~ the local law providing for such exemption, such ten year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring at least sixty days after the date of purchase of qualifying residential real property; provided, however, that should the veteran apply for and be granted an exemption on the assessment roll prepared pursuant to a taxable status date occurring within sixty days after the date of purchase of residential real property, such ten year period shall be measured from the first assessment roll in which the exemption occurs. If, before the expiration of such ten year period, such exempt property is sold and replaced with other residential real property, such exemption may be granted pursuant to this subparagraph for the unexpired portion of the ten year exemption period.
- E. Application for exemption shall be made by the owner, or all of the owners, of the property on a form prescribed by the state board. The owner or owners shall file the completed form in the assessor's office on or before the first appropriate taxable status date. ~~The owner or owners of the property shall be required to re-file each year. Applicants shall re-file on or before the appropriate taxable status date.~~ The exemption shall continue in full force and effect for all appropriate subsequent tax years and the owner or owners of the property shall not be required to refile each year. Applicants shall be required to refile on or before the appropriate taxable status date if the percentage of disability percentage increases or decreases or may refile if other changes have occurred which affect qualification for an increased or decreased amount of exemption. Any applicant convicted of willfully making any false statement in the application for such exemption shall be subject to the penalties prescribed in the penal law.
- F. Notwithstanding the provisions of this article or any other provision of law, in a city having a population of one million or more, applications for the exemption authorized pursuant to this article shall be considered timely filed if they are filed on or before the fifteenth day of March of the appropriate year.

F. G. A local law adopted pursuant to this article may be repealed by the governing body of the town. Such repeal shall occur at least ninety days prior to the taxable status date of such town.

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

Dated: Riverhead, New York
June 17, 2008

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

BARBARA GRATTAN, Town Clerk

TOWN OF RIVERHEAD

Resolution # 553

Adopted

Authorizes Town Clerk to Publish and Post Notice of Public Hearing For New York SMSA, Limited Partnership d/b/a Verizon Wireless

COUNCILMAN DUNLEAVY offered the following resolution,

which was seconded by COUNCILMAN BUCKLEY

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from New York SMSA, Limited Partnership d/b/a Verizon Wireless pursuant to Article XXVIA and Article XLI, Section 108-216 of the Town Code to attach twelve nine wireless panel antennas in three sector clusters onto an existing retail building and to locate associated equipment on the building's roof and inside the building on a 13.5 acre parcel zoned Business CR; such property more particularly described as SCTM 0600-75-3-3.7, and

WHEREAS, the Riverhead Planning Department has completed an Environmental Review of the special use permit petition and has recommended that a negative declaration be made by the Lead Agency pursuant to 6 NYCRR Part 617, and

WHEREAS, the applicant has appeared before the Town Board, and

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

THEREFORE BE IT

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

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

**TOWN OF RIVERHEAD
NOTICE OF 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 5th Day of August, 2008 at 2:10 o'clock pm, to consider the special permit petition of New York SMSA, Limited Partnership d/b/a Verizon Wireless to attach twelve nine wireless panel antennas in three sector clusters onto an existing retail building and to locate associated equipment on the building's roof and inside the building on a 13.5 acre parcel zoned Business CR; such property more particularly described as SCTM 0600-75-3-3.7.

Dated: Riverhead, New York

Date: June 17, 2008

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

TOWN OF RIVERHEAD

Resolution # 554

Adopted

**Authorizes Town Clerk to Publish and Post Notice of Public Hearing
Special Use Permit of Atlantis Marine World**

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

WHEREAS, the Riverhead Town Board is in receipt of a special permit petition from Atlantis Marine World to allow the construction of a hotel on premises located at Main Street Riverhead, New York; such property more particularly described as Suffolk County Tax Lot Number 0600-129-4-20, 0600-129-4-21.1 and 0600-4-21.2, and

WHEREAS, the applicant has appeared before the Town Board with respect to the special use permit petition, and

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

THEREFORE BE IT

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

THE VOTE

DUNLEAVY YES ___ NO BUCKLEY YES ___ NO

BLASS YES ___ NO WOOTEN YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 5th Day of August, 2008 at 2:05 o'clock pm, to consider the special use permit petition of Atlantis Marine World to allow the construction of a hotel on premises located at Main Street Riverhead, New York; such property more particularly described as Suffolk County Tax Lot Number 0600-129-4-20, 0600-129-4-21.1 and 0600-4-21.2.

Dated: Riverhead, New York

Date: June 17, 2008

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

June 17, 2008

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 555

DECLARES SIGNIFICANCE OF ACTION ON RENOVATION OF GRANGEBEL PARK COMFORT STATION

COUNCILMAN WOOTEN

_____ offered the following resolution,

which was seconded by COUNCILWOMAN BLASS _____:

WHEREAS, the Town of Riverhead wishes to conduct renovations of the public comfort station located in Grangebel Park by renovation of the existing building, plumbing and electric at the subject 3.3 ac. Parcel; such property more particularly described as SCTM 0600-128-3-72.1; and

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

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

THEREFORE, BE IT RESOLVED, that Riverhead Town Board declares the renovations of the public comfort station located in Grangebel Park more particularly described as SCTM 0600-128-3-72.1 to be a Type II action pursuant to 6NYCRR Part 617.5(c)(2) for the purposes of compliance with State Environmental Quality Review, and

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide notification of this resolution to the Community Development Department and a certified copy to Ms. Carolyn Fahey, Intergovernmental Relations Coordinator, Suffolk County Department of Economic Development and Workforce Housing, H. Lee Dennison Building, 2nd floor, Hauppauge, NY 11788-0099.

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

Z:CDD-Kempner

Adopted

TOWN OF RIVERHEAD

Resolution # 556

AUTHORIZES THE SUPERVISOR TO EXECUTE AN AMENDMENT OF THE CONTRACT BETWEEN THE TOWN OF RIVERHEAD AND THE NATURE CONSERVANCY, INC. FOR PIPING PLOVER MANAGEMENT

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

WHEREAS, the Town of Riverhead entered into a contract with the Nature Conservancy for piping plover management for a term commencing May 4, 2005 and ending March 1, 2008; and

WHEREAS, it is in the best interest of the Town of Riverhead and the residents of the Town of Riverhead to allow the Nature Conservancy to continue their efforts until the work has been satisfactorily completed,

NOW, THEREFORE, BE IT RESOLVED that the Supervisor is hereby authorized to execute the attached Amendment of a Contract for Services with the Nature Conservancy, Inc. to set forth an new ending term of November 15, 2008, and be it further

RESOLVED that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Nature Conservancy, Inc., Conservancy Office/Department: Long Island Chapter, 250 Lawrence Hill Road, Cold Spring Harbor, New York 11724, the Office of Accounting and the Office of the Town Attorney.

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

AMENDMENT OF A CONTRACT FOR SERVICES# LIC 2005 05-04-05 B
AGREEMENT DATED June 10, 2008
BETWEEN the Town of Riverhead, NY, CONTRACTOR, AND
THE NATURE CONSERVANCY, INC.

THE ABOVE REFERENCED AGREEMENT SHALL BE MODIFIED AS FOLLOWS:

Paragraph Number "A. Compensation" of said Agreement is modified as follows:

4 th payment:	\$3,500.00	at start of season, March 1, 2008
5 th payment:	\$3,500.00	upon receipt and acceptance of mid-season report due June 15, 2008
6 th and Final payment:	\$1,000.00	upon receipt and acceptance of end-of-season report due September 15, 2008

Paragraph Number " 3. Term of Contract" of said Agreement is modified as follows:

This contract shall begin on May 4, 2005 ("Commencement Date") and shall remain in effect until November 15, 2008 ("Expiration Date"), or until the work required is satisfactorily completed, whichever comes first. Any extension beyond the Expiration Date must be in writing and signed by the Conservancy.

Other than the above modifications, the remainder of the terms of the above referenced Agreement remain in full force and effect.

Contractor:

The Nature Conservancy, Inc.

By: _____

6/17/08

Adopted

TOWN OF RIVERHEAD

Resolution # 557

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT OF CHAPTER 101 (VEHICLES & TRAFFIC) OF THE RIVERHEAD TOWN CODE (§101-7. Turns.)

COUNCILMAN DUNLEAVY

offered the following resolution,

which was seconded by COUNCILMAN BUCKLEY:

RESOLVED, that the Town Clerk is hereby authorized to post and publish the attached public notice to consider a proposed local law to consider the amendment of Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code, once in the June 26, 2008 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Riverhead Police Chief David Hegermiller, the Riverhead Highway Department and the Office of the Town Attorney.

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

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 1st day of July, 2008 at 2:30 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

**Chapter 101
Vehicles and Traffic
Article III
Traffic Regulations**

§ 101-7. Turns.

- B. Pursuant to the authority granted by § 1660 of the New York State Vehicle and Traffic Law, the areas designated below restrict turns such that a right turn on red is prohibited at said location and a sign "no turn on red" shall be posted at the location:

Location

Griffing Avenue northbound at Pulaski Street

Harrison Avenue southbound at Osborne Avenue

Middle Road eastbound and westbound at Northville Turnpike

North Griffing Avenue southbound at Pulaski Street

Northville Turnpike northbound and southbound at Middle Road

Osborne Avenue north- and southbound at Pulaski Street

Pulaski Street westbound at Griffing Avenue

Pulaski Street eastbound at North Griffing Avenue

Pulaski Street east- and westbound at Osborne Avenue

Underline represents addition(s)

Dated: Riverhead, New York
June 17, 2008

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

BARBARA GRATTAN, Town Clerk

Adopted

TOWN OF RIVERHEAD

Resolution # 558

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE FOR A LOCAL LAW TO CONSIDER AMENDMENTS TO CHAPTER 18 ENTITLED "CODE OF ETHICS OF THE RIVERHEAD TOWN CODE

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached public notice once in the _____ 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 18 entitled "Code of Ethics" §18-10 to be posted on the sign board of the Town, and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the members of the Riverhead Town Board, Chairman of the Ethics Board, Director of Personnel, Office of the Town Attorney and the Town Clerk.

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

**TOWN OF RIVERHEAD
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 day of at o'clock p.m. to consider a local law amending Chapter 18 entitled "Code of Ethics", §18-10 of the Riverhead Town Code as follows:

§ 18-10. Annual financial disclosure and conflict statement.

- A. Town officers and employees required to file an annual financial and conflict disclosure statement. All elected officials, all Town Department Heads, Planning Board members, Zoning Board of Appeals members, Deputy Town Supervisor, Town Attorney, Deputy Town Attorneys, persons who are certified as Code Enforcement Officials as provided by Title 19 of the New York Code of Rules and Regulations Part 434, Building Inspectors, the Ethics Board, the Industrial Development Agency, the Farmland Preservation Committee, the Open Space/Park Preserve Committee, Accessory Apartment Review Board members, and certain Town officers and employees and members of appointed boards and committees, as determined by the Town Board by resolution, are required to file a signed annual financial disclosure and conflict statement, which must be signed by the individual Town officer or employee.

- Underline represents addition(s)

Dated: Riverhead, New York
 June 17, 2008

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

RESOLUTION # 559 ABSTRACT #08-24 June 12, 2008 (TBM 6/17/08)			
COUNCILMAN WOOTE offered the following Resolution which was seconded by			
COUNCILWOMAN BLASS			
FUND NAME		CD-5/30/08	GRAND TOTALS
GENERAL FUND	1	592,311.60	592,311.60
RECREATION PROGRAM FUND	6	5,769.01	5,769.01
CHILD CARE CENTER BUILDING FUN	9	49.17	49.17
ECONOMIC DEVELOPMENT ZONE FUND	30	51.16	51.16
HIGHWAY FUND	111	9,049.40	9,049.40
WATER DISTRICT	112	59,157.69	59,157.69
RIVERHEAD SEWER DISTRICT	114	40,026.19	40,026.19
REFUSE & GARBAGE COLLECTION DI	115	333,315.82	333,315.82
STREET LIGHTING DISTRICT	116	33,137.25	33,137.25
PUBLIC PARKING DISTRICT	117	2,899.53	2,899.53
BUSINESS IMPROVEMENT DISTRICT	118	63.47	63.47
AMBULANCE DISTRICT	120	1,369.79	1,369.79
EAST CREEK DOCKING FACILITY FU	122	810.75	810.75
CALVERTON SEWER DISTRICT	124	28,832.96	28,832.96
RIVERHEAD SCAVANGER WASTE DIST	128	17,718.71	17,718.71
CDBG CONSORTIUM ACOUNT	181	104	104
SEWER DISTRICTS DEBT SERVICE	382	6,894.38	6,894.38
WATER DISTRICT DEBT SERVICE	383	383,821.22	383,821.22
GENERAL FUND DEBT SERVICE	384	372,914.15	372,914.15
COMMUNITY DEVELOPMENT AGENCY C	405	31,227.79	31,227.79
TOWN HALL CAPITAL PROJECTS	406	1,388,408.20	1,388,408.20
LOCAL ST & HIGHWAY CAP PROJECT	451	1,429.18	1,429.18
SENIORS HELP SENIORS CAP PROJE	453	42.42	42.42
EISEP CAP PROJECT	454	97.97	97.97

Syes

RESOLUTION # <u>559</u> ABSTRACT #08-23 June 5, 2008 (TBM 6/17/08)				
COUNCILMAN WOOTEN introduced the following Resolution which was seconded by				
COUNCILWOMAN BLASS				
	FUND NAME	CD-5/30/08	CHECKRUN TOTALS	GRAND TOTALS
	GENERAL FUND	1	757,259.91	757,259.91
	RECREATION PROGRAM FUND	6	1,199.60	1,199.60
	ECONOMIC DEVELOPMENT ZONE FUND	30	2,861.93	2,861.93
	HIGHWAY FUND	111	97,910.87	97,910.87
	WATER DISTRICT	112	64,565.77	64,565.77
	RIVERHEAD SEWER DISTRICT	114	31,217.61	31,217.61
	REFUSE & GARBAGE COLLECTION DI	115	8,875.96	8,875.96
	STREET LIGHTING DISTRICT	116	11,604.62	11,604.62
	BUSINESS IMPROVEMENT DISTRICT	118	400	400
	AMBULANCE DISTRICT	120	4,329.35	4,329.35
	EAST CREEK DOCKING FACILITY FU	122	118.15	118.15
	CALVERTON SEWER DISTRICT	124	769.42	769.42
	RIVERHEAD SCAVANGER WASTE DIST	128	10,094.62	10,094.62
	WORKERS' COMPENSATION FUND	173	12,249.19	12,249.19
	CDBG CONSORTIUM ACOUNT	181	1,397.55	1,397.55
	COMMUNITY DEVELOPMENT AGENCY C	405	2,844.80	2,844.80
	TOWN HALL CAPITAL PROJECTS	406	28,848,000.00	29,300,209.12
	YOUTH SERVICES CAP PROJECT	452	4,571.71	4,571.71
	SENIORS HELP SENIORS CAP PROJE	453	3,055.31	3,055.31
	MUNICIPAL FUEL FUND	625	21,463.77	21,463.77
	MUNICIPAL GARAGE FUND	626	14,157.29	14,157.29
	TRUST & AGENCY	735	29,878,738.12	29,878,738.12
	TOTAL ALL FUNDS		28,848,000.00	31,381,894.67
				60,229,894.67