

PUBLIC COMMENT ON ANY CDA RESOLUTION LISTED BELOW:

CDA #17 A Resolution Amending CDA Resolution #9 of 2008

PUBLIC COMMENT ON ANY REGULAR TOWN BOARD RESOLUTION LISTED BELOW:

- Res. #472 2008 Recreation Parks Capital Improvement Project
- Res. #473 Joan Caffrey Subdivision Budget Adoption
- Res. #474 Ratifies the Appointment of a Beach Attendant/Concession Stand Operator Level IV to the Riverhead Recreation Department (Daniel Flood)
- Res. #475 Ratifies the Appointment of a Seasonal Clerk to the Riverhead Recreation Department (Mary Beth Vail)
- Res. #476 Ratifies the Appointment of a Park Attendant III, Level I to the Riverhead Recreation Department (Michael Rodriquez)
- Res. #477 Appoints Marriage Officer (Supervisor Philip J. Cardinale)
- Res. #478 Ratifies the Appointment of a Seasonal Scorekeeper Level III to the Riverhead Recreation Department (Sarah Heins)
- Res. #479 Ratifies the Appointment of a Seasonal Scorekeeper Level II to the Riverhead Recreation Department (Stephanie Heins)
- Res. #480 Appoints a Seasonal Scorekeeper Level III to the Riverhead Recreation Department (Kenneth Drumm)
- Res. #481 Appoints a Seasonal Scorekeeper Level III to the Riverhead Recreation Department (Christopher Barker)
- Res. #482 Ratifies the Appointment of a Summer Recreation Aide Level III to the Riverhead Recreation Department (Nicole Romano)
- Res. #483 Appoints Summer Recreation Aides to the Recreation Department
- Res. #484 Grants the Special Use Permit Petition of 400 Restoration Realty, LLC (Jedediah Hawkins Country Inn)

- Res. #485 Authorizes the Supervisor to Execute an Agreement with the Riverhead Business Improvement District Management Association, Inc. Regarding Co-Sponsored Special Events
- Res. #486 Authorizes the Riverhead Business Improvement District Management Association, Inc., to Expend Business Improvement District Funds as Herein Delineated
- Res. #487 Authorizes Town Clerk to Publish and Post Public Notice to Consider a Local Law to Repeal Article XXV Entitled, “Recreational District” in Chapter 108 Entitled, “Zoning” of the Riverhead Town Code (§108-124., §108-125., §108-126. and §108-127)
- Res. #488 Authorizes Town Clerk to Publish and Post Notice of Public Hearing Change of Zone Petition of Peconic Iron Works
- Res. #489 Authorizes Town Clerk to Advertise for Bids Generator ATS Emergency Replacement for Riverhead Scavenger Waste Facility
- Res. #490 Appoints a Fill-In Summer Recreation Aide Level I to the Riverhead Recreation Department (Samantha DiResta)
- Res. #491 Awards Bid for Corrosion Control Chemical
- Res. #492 Resolution in Support of legislative Update to New York State Bottle Bill
- Res. #493 Authorizes the Supervisor to Execute an Application for Grant Funds from FM Global
- Res. #494 Amends Resolution #465 of 2008 Approves Chapter 90 Application of Martha Clara Vineyards, LLC
- Res. #495 Approves Chapter 90 Application of Larry’s Lighthouse Marina (Boat Show)
- Res. #496 Authorizes the Supervisor to execute an Amended Agreement Authorizing the Town to Accept Funds from Suffolk County-Office for the Aging for the Purpose of Supplementing the Budget of the Town’s Supplemental Nutrition Assistance Program

Res. #497 Authorizes Town Clerk to Republish & Repost Notice to Bidders for Calcium Hypochlorite Tabs for Use by the Riverhead Water District

Res. #498 Pays Bills

June 3, 2008

Adopted

TOWN OF RIVERHEAD

CDA RESOLUTION # 17

A RESOLUTION AMENDING CDA RESOLUTION #9 OF 2008.

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

WHEREAS the Community Development Agency (the "Agency") adopted Resolution #9 of 2008 determining Vintage Square Properties, L.L.C. to be a Qualified and Eligible Sponsor, which resolution is to expire and be of no force and effect unless an Agreement of Sale is fully executed by June 15, 2008; and

WHEREAS Vintage Square Properties, L.L.C. has requested additional time for an Agreement of Sale to be fully executed, without any changes to the substantive terms of the draft Agreement of Sale on file with the Town Clerk; and

WHEREAS, the Agency has agreed to grant this request of Vintage Square Properties, L.L.C.

NOW, THEREFORE BE IT RESOLVED, by the Members of the Agency, as follows:

1. Paragraph 3 of CDA Resolution #9 of 2008 is hereby amended by amending the date the designation of Vintage Square Properties, L.L.C. as a Qualified and Eligible Sponsor will expire and be of no force and effect unless an Agreement of Sale is fully executed from June 15, 2008, to December 15, 2008.

2. That the Town Clerk is hereby directed to forward a certified copy of this resolution to Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP, 456 Griffing Avenue, Riverhead, New York 11901; Forchelli, Curto, Schwartz, Mineo, Carlino & Cohn, LLP, 330 Old Country Road, Suite 301, Mineola, New York 11501; Chris Kempner, Director of the Community Development Agency; Richard Hanley, Director of Planning; and Dawn C. Thomas, Esq., Town Attorney.

THIS RESOLUTION HAS BEEN PREPARED BY FRANK A. ISLER, SPECIAL COUNSEL.

Adopted

June 3, 2008

TOWN OF RIVERHEAD
2008 RECREATION PARKS
CAPITAL IMPROVEMENT PROJECT
BUDGET ADJUSTMENT
RESOLUTION # 472

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

BE IT RESOLVED, that the Supervisor be, and hereby authorize, the following budget adjustment:

	<u>FROM</u>	<u>TO</u>
406.095031.481900.70800 Special Trust Transfers	8,000	
406.071100.523011.70800 Horton Ave Park – Playground		8,000

THE VOTE

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

June 3, 2008

Adopted

TOWN OF RIVERHEAD

Joan Caffrey Subdivision

BUDGET ADOPTION

RESOLUTION # 473

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

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

		<u>FROM</u>	<u>TO</u>
406.092705.421050.60183	Developer Fees	\$3,500	
406.083200.543501.60183	Engineering Expenses		\$3,500

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

06/03/08

Adopted

TOWN OF RIVERHEAD

Resolution # 474

**RATIFIES THE APPOINTMENT OF
A BEACH ATTENDANT/CONCESSION STAND OPERATOR LEVEL IV
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 IV effective, May 24, 2008 to serve as needed on an at will basis to be paid at the rate of \$10.15 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 yes ___ no Wooten yes ___ no
Dunleavy yes ___ no Blass yes ___ no
Cardinale yes ___ no

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

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

06/03/08

Adopted

TOWN OF RIVERHEAD

Resolution # 476

**RATIFIES THE APPOINTMENT OF A PARK ATTENDANT III, LEVEL I
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILMAN DUNLEAVY offered the following resolution,

which was seconded by COUNCILMAN BUCKLEY

RESOLVED, that Michael Rodriquez is hereby appointed as a Park Attendant III, Level I effective, May 24, 2008 to and including September 15, 2008 and to serve as needed on an at will basis to be paid at the rate of \$10.25 per hour, and to serve at the pleasure of the Town Board; and

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

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

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to Michael Rodriquez.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. Colleen/ Resolution. Park Attend III Level I- Michael Rodriquez

TOWN OF RIVERHEAD
Resolution # 477
APPOINTS MARRIAGE OFFICER

Adopted

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

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

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

WHEREAS, the Town Board, adopted Resolution #1198 on December 27, 2007 appointing the Town Clerk to act as Marriage Officer for the Town of Riverhead and set the term of appointment; and

WHEREAS, the Town Board seeks to appoint a second Marriage Officer who shall have the authority to solemnize a marriage; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Riverhead hereby appoints the Supervisor of the Town of Riverhead, Philip J. Cardinale, as a Marriage Officer for the Town of Riverhead for a term beginning June 3, 2008 and ending December 31, 2009.

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

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

Adopted

12/27/07

TOWN OF RIVERHEAD

Resolution # 1198

APPOINTS MARRIAGE OFFICER

COUNCILMAN BARTUNEK

_____ offered the following resolution, which was

seconded by COUNCILWOMAN BLASS

RESOLVED, that the Town Board of the Town of Riverhead, hereby appoints Town Clerk, Barbara Grattan, as Marriage Officer for the Town of Riverhead. She is to serve in said position from January 1, 2008 to December 31, 2011.

THE VOTE

Dunleavy yes ___ no Bartunek yes ___ no
Blass yes ___ no Deniaski yes ___ no
Cardinale yes ___ no

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

06/03/08

Adopted

TOWN OF RIVERHEAD

Resolution # 478

**RATIFIES THE APPOINTMENT OF
A SEASONAL SCOREKEEPER LEVEL III
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILMAN WOOTEN offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

RESOLVED, that Sarah Heins is hereby appointed as a Seasonal Scorekeeper Level III effective, May 28, 2008 to serve as needed on an at will basis to be paid at the rate of \$9.35 per hour, and to serve at the pleasure of the Town Board; and

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

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

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward a copy of this Resolution to Sarah Heins.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. Colleen/ Resolution. Scorekeeper Level III- Sarah Heins

06/03/08

Adopted

TOWN OF RIVERHEAD

Resolution # 479

RATIFIES THE APPOINTMENT OF
A SEASONAL SCOREKEEPER LEVEL II
TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN DUNLEAVY

RESOLVED, that Stephanie Heins is hereby appointed as a Seasonal Scorekeeper Level II effective, May 28, 2008 to serve as needed on an at will basis to be paid at the rate of \$9.10 per hour, and to serve at the pleasure of the Town Board; and

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

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

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward a copy of this Resolution to Stephanie Heins.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. Colleen/ Resolution. Scorekeeper Level II- Stephanie Heins

6/03/08

Adopted

TOWN OF RIVERHEAD

Resolution # 480

APPOINTS A SEASONAL SCOREKEEPER LEVEL III TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN DUNLEAVY offered the following resolution,

which was seconded by COUNCILMAN BUCKLEY

RESOLVED, that Kenneth Drumm is hereby appointed as a Seasonal Scorekeeper Level III effective, June 4, 2008 to serve as needed on an at will basis to be paid at the rate of \$9.35 per hour, and to serve at the pleasure of the Town Board; and

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

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

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to Kenneth Drumm.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. Colleen/ Resolution. Scorekeeper Kenneth Drumm

6/03/08

Adopted

TOWN OF RIVERHEAD

Resolution # 481

APPOINTS A SEASONAL SCOREKEEPER LEVEL III TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN BUCKLEY offered the following resolution,

which was seconded by COUNCILMAN WOOTEN

RESOLVED, that Christopher Barker is hereby appointed as a Seasonal Scorekeeper Level III effective, June 4, 2008 to serve as needed on an at will basis to be paid at the rate of \$9.35 per hour, and to serve at the pleasure of the Town Board; and

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

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

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to Christopher Barker.

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. Colleen/ Resolution. Scorekeeper Christopher Barker

06/03/08

Adopted

TOWN OF RIVERHEAD

Resolution # 482

**RATIFIES THE APPOINTMENT OF
A SUMMER RECREATION AIDE LEVEL III
TO THE RIVERHEAD RECREATION DEPARTMENT**

COUNCILMAN WOOTEN offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

RESOLVED, that Nicole Romano is hereby appointed as a Summer Recreation Aide Level III effective, May 23, 2008 to serve as needed on an at will basis to be paid at the rate of \$9.95 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 Nicole Romano.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. Recreation Aide.- Nicole Romano

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 August²⁴ 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.

**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.

June 3, 2008

TOWN OF RIVERHEAD

Adopted

Resolution No. 484

Grants the Special Use Permit Petition of 400 Restoration Realty, LLC
(Jedediah Hawkins Country Inn)

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 Jeffrey Hallock pursuant to Article XXVIA of the Riverhead Town Code for the use of the renovated third floor of an existing Country Inn as habitable space for overnight occupancy on a 2.9 acre parcel zoned Rural Corridor (RLC); such property more particularly described as SCTM 0600-69-2-10, and

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

WHEREAS, by Resolution No. 359 of 2007, the Riverhead Town Board did determine the action to be Type II pursuant to 6NYCRR Part 617, and

WHEREAS, the Special Use Permit Petition has been referred to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending the granting of the subject Special Use Permit subject to and in accordance with its findings and recommendations; 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, a public hearing was held before the Town Board of the Town of Riverhead at the Senior Citizen/Human Resource Center at 60 Shade Tree Lane, Aquebogue, New York, on the 20th day of May 2008 at 7:10 o'clock pm, to consider the subject special use permit petition, 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

WHEREAS, the Riverhead Town Board is presently litigating with 400 Restoration Realty, LLC regarding issues unrelated to the instant application.

NOW, THEREFORE, BE IT

RESOLVED, that in the matter of the special use permit petition of 400 Restoration Realty, LLC, the Riverhead Town Board hereby makes the following findings:

- i. That the premise is located within the Rural Corridor (RLC) Zoning Use District;
- ii. That the third floor is an existing condition which has been granted relief from the strict application of the Riverhead Zoning Ordinance;
- iii. that the site is particularly suitable for the location of such use in the community;
- iv. that the lot area is appropriate for the proposed use; and

BE IT FURTHER,

RESOLVED, the Special Permit application is hereby granted subject to the following conditions:

- i. that adequate off-street parking stalls shall be provided according to code;
- ii. that adequate provisions shall be made for the disposal of waste water;
- iii. that a second egress from the third floor shall be constructed pursuant to all applicable provisions of the New York State Building & Fire Code, Riverhead Town Code and any and all requirements of the Suffolk County Department of Health Services and New York State Sanitary Code prior to occupancy, and
- iv. That the applicant, his agent, employee or any successor in interest shall maintain 24 hour per day service staff to operate the special permit use; and

BE IT FURTHER,

RESOLVED, that a copy of this resolution be forwarded to Charles R. Cuddy, 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

6/3/08

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 485

AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH THE RIVERHEAD BUSINESS IMPROVEMENT DISTRICT MANAGEMENT ASSOCIATION, INC. REGARDING CO-SPONSORED SPECIAL EVENTS

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

WHEREAS, the Town of Riverhead enacted a local law pursuant to Town Board Resolution no. 222 of 1991 thereby establishing the Riverhead Business Improvement District; and

WHEREAS, the Riverhead Business Improvement District is administered by the Riverhead Business Improvement District Management Association, Inc., pursuant to the District Plan enacted in 1991; and

WHEREAS, the Town of Riverhead executed an agreement with the Riverhead Business Improvement District Management Association, Inc. on May 13, 2008, to continue to administer the Riverhead Business Improvement District pursuant to Town Board resolution number 367.

WHEREAS, the May 13, 2008, agreement between the Riverhead Business Improvement District and the Riverhead Business Improvement District Management Association authorizes the Riverhead Business Improvement District to co-sponsor special events with the Riverhead Business Improvement District Management Association as therein defined and that such co-sponsored special events shall be insured by the Riverhead Business Improvement District.

WHEREAS, the Riverhead Business Improvement District wishes to co-sponsor the following special events and provide liability insurance for same.

1. June 15, 2008, car show
2. July 5, 2008, fireworks show in honor of Independence Day
3. December 20, 2008 (on or about), Christmas bonfire and Parade of Lights
4. ~~December 31, 2008, New Year's Eve fireworks show~~

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute an Agreement on behalf of the Riverhead Business Improvement District with the Riverhead Business Improvement District Management Association, Inc., to co-

sponsor the above-referenced special events and provide liability insurance for same; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this Resolution to: the Office of the Supervisor; the Accounting Department; Riverhead Business Improvement District Management Association, Inc., 21 West Second Street, Riverhead, New York, 11901 and the Office of the Town Attorney.

THE VOTE

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

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

CO-SPONSOR
AGREEMENT

BETWEEN

THE RIVERHEAD BUSINESS IMPROVEMENT DISTRICT

AND

THE RIVERHEAD BUSINESS IMPROVEMENT DISTRICT MANAGEMENT
ASSOCIATION, INC.,

WHEREAS, the Town of Riverhead enacted a local law pursuant to Town Board Resolution no. 222 of 1991 thereby establishing the Riverhead Business Improvement District; and

WHEREAS, the Riverhead Business Improvement District is administered by the Riverhead Business Improvement District Management Association, Inc., pursuant to the District Plan enacted in 1991; and

WHEREAS, the Town of Riverhead executed an agreement with the Riverhead Business Improvement District Management Association, Inc. on May 13, 2008, to continue to administer the Riverhead Business Improvement District pursuant to Town Board resolution number 367.

WHEREAS, the May 13, 2008, agreement between the Riverhead Business Improvement District and the Riverhead Business Improvement District Management Association authorizes the Riverhead Business Improvement District to co-sponsor special events with the Riverhead Business Improvement District Management Association as therein defined and that such co-sponsored special events shall be insured by the Riverhead Business Improvement District.

WHEREAS, the Riverhead Business Improvement District wishes to co-sponsor the following special events with the Riverhead Business Improvement District Management Association, Inc., and provide liability insurance for same.

1. June 15, 2008, car show
2. July 5, 2008, fireworks show in honor of Independence Day
3. December 20, 2008 (on or about), Christmas bonfire and Parade of Lights
4. December 31, 2008, New Year's Eve fireworks show

Now therefore the below-named parties hereby agree that the Riverhead Business Improvement District and the Riverhead Business Improvement District Management

Association, Inc., shall co-sponsor the above-referenced special events and the Riverhead Business Improvement District shall provide liability insurance for same.

Phil Cardinale
On behalf of the
Riverhead Business Improvement District

Dated: June , 2008

William London
President,
Riverhead Business Improvement District Management Association, Inc.,

Dated: June , 2008

6/3/08

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 486

AUTHORIZES THE RIVERHEAD BUSINESS IMPROVEMENT DISTRICT MANAGEMENT ASSOCIATION, INC., TO EXPEND BUSINESS IMPROVEMENT DISTRICT FUNDS AS HEREIN DELINEATED

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

WHEREAS, the Town of Riverhead enacted a local law pursuant to Town Board Resolution no. 222 of 1991 thereby establishing the Riverhead Business Improvement District; and

WHEREAS, the Riverhead Business Improvement District is administered by the Riverhead Business Improvement District Management Association, Inc., pursuant to the District Plan enacted in 1991; and

WHEREAS, the Town of Riverhead executed an agreement with the Riverhead Business Improvement District Management Association, Inc. on May 13, 2008, to continue to administer the Riverhead Business Improvement District pursuant to Town Board resolution number 367.

WHEREAS, the Riverhead Business Improvement District Management Association wishes to unilaterally sponsor the following special events and procure liability insurance on its own with the expenditure of funds as herein delineated pursuant to and in conformity with District Plan requirements and the requirements of the May 13, 2008, agreement between the Riverhead Business Improvement District and the Riverhead Business Improvement District Management Association:

- | | |
|--|-------------|
| 1. Long Island Science Center | \$400.00* |
| 2. May/June sidewalk mosaic | \$750.00* |
| 3. July Blues Fest | \$5,000.00* |
| 4. Summer Concert series | \$1,000.00* |
| 5. Rotary Fest | \$5,000.00* |
| 6. Boat Show | \$2,500.00* |
| 7. August Train Fair | \$1,000.00* |
| 8. September "Anything That Floats Race" | \$2,500.00* |
| 9. October Country Fair | \$3,000.00* |
| 10. Newsday Interactive | \$6,600.00* |
| 11. Community Cleaning | \$4,000.00* |

(*denotes approximate expenditure)

TOTAL

\$31,750.00 *

NOW THEREFORE BE IT RESOLVED, that the Riverhead Business Improvement District Management Association, Inc., on behalf of the Riverhead Business Improvement District, is authorized to unilaterally expend Business Improvement District funds as delineated above pursuant to and in conformity with District Plan requirements and the May 13, 2008, agreement between the Riverhead Business Improvement District and the Riverhead Business Improvement District Management Association, Inc., and provide liability insurance for same; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this Resolution to: the Office of the Supervisor; the Accounting Department; Riverhead Business Improvement District Management Association, Inc., 21 West Second Street, Riverhead, New York, 11901 and the Office of the Town Attorney.

THE VOTE

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

The Resolution Was Was Not
Thereupon Duly Declared Adopted

6/3/08

Adopted

TOWN OF RIVERHEAD

Resolution # 487

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO REPEAL ARTICLE XXV ENTITLED, "RECREATIONAL DISTRICT" IN CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (\$108-124., \$108-125., \$108-126. and \$108-127.)

COUNCILWOMAN BLASS offered the following resolution, was seconded

by COUNCILMAN DUNLEAVY :

RESOLVED, the Town Clerk is hereby authorized to publish the attached public notice to consider a local law to repeal Article XXV entitled, "Recreational District" in Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the June 12, 2008 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law to be posted on the sign board of the Town; and be it further

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

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

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 1st day of July, 2008 at 2:20 o'clock p.m. to consider a local law to repeal Article XXV entitled, "Recreational District" in Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

**Chapter 108
Zoning**

**ARTICLE XXV
Recreational District**

~~§ 108-124. Purpose.~~

~~It is the purpose of this Article to implement the recommendations of the Master Plan by permitting the construction, reconstruction and renovation of dwellings and structures for residential and recreational uses within a Recreational District in the Town of Riverhead. This use district designation is to be applied to properties so located that recreational and resort uses would be appropriate. This use district designation may be imposed by the Town Board in conjunction with or to the exclusion of all other use districts shown upon the Official Map of the Town of Riverhead.~~

~~§ 108-125. Uses.~~

~~A. — In the Recreational District, no building, structure or premises shall be used or arranged or designated to be used, and no building or structure shall be erected, reconstructed, altered or occupied, unless otherwise provided in this chapter, except for one or more of the following permitted uses:~~

- ~~(1) — One family dwellings.~~
- ~~(2) — Two family dwellings.~~
- ~~(3) — Beach clubs.~~
- ~~(4) — Golf clubs.~~
- ~~(5) — Tennis, handball and racquetball courts and clubs.~~
- ~~(6) — Yacht clubs.~~
- ~~(7) — Marinas and resorts.~~
- ~~(8) — Parks and playgrounds.~~

~~B. — Special permit uses. Special permit uses set forth herein shall be subject to the approval of the Town Board pursuant to the definition of "special permit" specified in § 108-3 of this chapter.~~

- (1) ~~Multiple family dwellings, condominiums, apartment houses and garden apartments, designed so as to provide both residential and recreational facilities.~~
- (2) ~~Motels and boatels.~~
- (3) ~~Any other recreational use, by special permit of the Town Board.~~
- (4) ~~Day care centers or nursery schools, by special permit of the Town Board.~~
- (5) ~~Country inns.~~

C. ~~Properties within the Recreational District must meet at least one of the following criteria, in addition to having a minimum area of 15 acres:~~

- (1) ~~The proposed Recreational District site must have no less than 500 feet of frontage on Long Island Sound, Peconic Bay, Flanders Bay, Peconic River or a tidal creek; or~~
- (2) ~~The nearest portion of the proposed Recreational District site is located within 1,000 feet of an existing public beach, public park, public campground, public marina or public golf course.~~

D. ~~The following accessory uses shall be allowed by special permit of the Town Board as uses customarily incident to any of the above permitted uses. Such accessory uses shall be permitted only as incidental to one of the above primary uses:~~

- (1) ~~Health spas.~~
- (2) ~~Taverns.~~
- (3) ~~Restaurants.~~
- (4) ~~Retail stores.~~

§ 108-126. General lot, yard, height and building requirements.

~~No building shall be erected nor any lot or land area utilized in the Recreational District, unless previously approved by the Town Board after site plan review under the following sections of the Riverhead Town Code: §§ 108-31.1, 108-38, 108-41.1 and 108-44.1. The Recreational District Zone shall, to the extent possible, provide flexibility in construction of buildings and structures.~~

A. ~~One family and two family dwellings shall have a minimum living area of 750 square feet, if kitchen facilities are included, and 400 square feet if no kitchen facilities are included. No property shall be improved with an overall density of more than one residential unit for each 20,000 square feet of land area within the proposed site, unless both public water and sewer facilities are provided.~~

B. ~~Condominium dwellings shall comply with the requirements of § 108-92B of the Riverhead Town Code.~~

C. ~~Cluster dwellings shall comply with the requirements of Article XIX of this chapter.~~

~~D. Lot widths, side yards, front yards and rear yards may be reduced to zero by the Board of Appeals and granted simultaneously with site plan review as provided above.~~

~~§ 108-127. Additional requirements.~~

~~A. Where uses are proposed for other than one or two family residences, there shall be a protective planting strip or buffer, not less than 10 feet in width, along any lot line abutting a residential district or use. No structure, storage or parking shall be permitted within this strip or buffer. Said buffer or strip will be planted with evergreens or similar vegetation which, when planted, shall be at least six feet tall and, when mature, shall be maintained at a height of not less than eight feet, so as to provide an effective natural screen between districts. The maintenance of this strip or buffer, any parking area or any green area shown on a site plan submitted as a part of an application for a permitted use under this article, during the continuance of said use, is hereby a condition of said special use, and the failure to maintain said areas shall operate to revoke said special permit in addition to all other penalties provided by this chapter.~~

~~B. The site plan shall show, in addition to all other requirements of this chapter, the following:~~

- ~~(1) The proposed method of collection and disposal of stormwater, which shall be designed so as to cause minimal interference with adjoining properties and to create minimal burdens on public facilities.~~
- ~~(2) The proposed lighting facilities for the safety of pedestrian and vehicular traffic and exterior spotlighting of buildings or grounds shall be from shaded sources and so located that light beams are not directed toward any lot in a residential district or toward a public highway.~~
- ~~(3) Water supply and sewage disposal facilities shall conform to Suffolk County Health Department requirements.~~

~~C. Parking shall be provided in conformity with the Parking Schedule and § 108-60 of this chapter. For each parking space required, other than for single and two-family residences, there shall be provided 30 square feet of landscaped island or green area.~~

* Overstrike represents deletion(s)

Dated: Riverhead, New York
June 3, 2008

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

BARBARA GRATTAN, Town Clerk

June 3, 2008

TOWN OF RIVERHEAD

Adopted

Resolution No. 488

**Authorizes Town Clerk to Publish and Post Notice of Public Hearing
Change of Zone Petition of Peconic Iron Works**

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

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a change of zone petition from Peter Danowski, Esq. on behalf of Peconic Holdings, LLC to amend the Zoning Use District Map of the Town of Riverhead to provide for the Industrial A Zoning Use District to the exclusion of the existing Destination Retail Zoning Use District upon the property more particularly known as SCTM 0600-119-1-28.2, and

WHEREAS, the Town Board has referred the petition to the Riverhead Planning Board for its report and recommendation, such Planning Board recommending the granting of the Change of Zone Petition, and

WHEREAS, the Town Board has referred the petition to the Suffolk County Planning Commission for its report and recommendation; such Planning Commission determining the petition not to be within the jurisdiction of the Planning Commission, and

WHEREAS, the Riverhead Town Board desires to conduct a public hearing on the matter 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 1st of July, 2008 at 2:15 o'clock pm, to consider the Change of Zone petition from Peter Danowski, Esq. on behalf of Peconic Holdings, LLC to amend the Zoning Use District Map of the Town of Riverhead to provide for the Industrial A Zoning Use District to the exclusion of the existing Destination Retail Zoning Use District upon the real property located at Kroemer Avenue, Riverhead, New York, such real property more particularly known as SCTM 0600-119-1-28.2 and 0600-119-27.1, and

Dated: Riverhead, New York

Date: June 3, 2008

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



**TOWN OF RIVERHEAD
PLANNING BOARD**

200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901-2596
(631) 727-3200, EXT. 240, FAX (631) 727-9101

April 17, 2008

Peter S. Danowski
Attorney at Law
P.O. Box 779
Riverhead, NY 11901

Re: Change of Zone – Peconic Iron Works

Resolution # 32

Dear Mr. Danowski;

The following resolution was duly adopted by the Town of Riverhead Planning Board at a meeting held on April 17, 2008:

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a change of zone petition from Peter Danowski, Esq. on behalf of Peconic Holdings, LLC to amend the Zoning Use District Map of the Town of Riverhead to provide for the Industrial A Zoning Use District to the exclusion of the existing Destination Retail Zoning Use District upon the property more particularly known as SCTM 0600-119-1-28.2, and

WHEREAS, the Town Board has declared itself Lead Agency for the review of the petition and has determined that the application is an Unlisted Action that will not have a significant impact on the environment and that an Environmental Impact Statement need not be prepared, and

WHEREAS, the Town Board has referred the petition to the Planning Board for its report and recommendations, and

WHEREAS, this Planning Board has carefully considered the merits of the petition, the SEQRA record created to date, the report of the Planning Department, the commentary offered at appearances before this Board as well as all other relevant planning, zoning and environmental information, now

THEREFORE BE IT

RESOLVED, that in the matter of the change of zone petition Peconic Holdings, LLC, the Riverhead Planning Board hereby makes the following findings:

FIRST: That the property currently lies within the Destination Retail Zoning Use District;

SECOND: That the parcel numbers 0600-119-1-40; 26.1; 27.1; 28.2 were zoned Destination Retail Center to allow for the assemblage of a corner lot to further allow for the development of a Destination Retail Use of significant floor area;

THIRD: That the property is currently improved with industrial land use intended to be expanded;

FOURTH: That the contiguous property to the north is currently improved with an industrial land use intended to be expanded;

FIFTH: That the parcel numbers 0600-119-1-40 and 26.1 are of adequate area to support a Destination Retail building of a minimum of 10,000 sq. ft. in floor area, and;

BE IT FURTHER

RESOLVED; that based upon its findings, the Riverhead Planning Board recommends that the subject change of zone petition be granted and further recommends that parcel number 0600-119-1-27.1 also lies within the Industrial A Zoning Use District.

BE IT FURTHER

RESOLVED, that copies of this resolution be forwarded to the Town Board of the Town of Riverhead, the Town Attorney and Peconic Holdings, LLC or their agent.

Very truly yours,
PLANNING BOARD



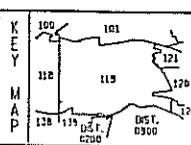
Richard O'Dea,
Chairman



NOTICE
 MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE SUFFOLK COUNTY TAX MAP IS PROHIBITED WITHOUT WRITTEN PERMISSION OF THE REAL PROPERTY TAX SERVICE AGENCY.



COUNTY OF SUFFOLK ©
Real Property Tax Service Agency
 County Center Riverhead, N.Y. 11901
 SCALE IN FEET:
 0 250 500



TOWN OF RIVERHEAD
 VILLAGE OF
 DISTRICT NO 0600

SECTION NO
119
 PROPERTY MAP

6/3/08

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 489

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS
GENERATOR ATS EMERGENCY REPLACEMENT
FOR RIVERHEAD SCAVENGER WASTE FACILITY

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

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby
authorized to publish the attached notice to bidders for sealed bids for Generator ATS
Emergency Replacement for the Riverhead Scavenger Waste Facility in the June 12,
2008 edition of The News Review as the official newspaper of the Town of Riverhead;
and

BE IT FURTHER RESOLVED, that the specifications and forms for bidding be
prepared by H2M as consulting engineers to the Riverhead Sewer District, with all bids
to be returnable up to 11:00 A.M. on June 23, 2008; and

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead
be and is hereby authorized to open and publicly read aloud on June 23, 2008 at 11:00
A.M. at the Town Clerk's office, Riverhead Town Hall, 200 Howell Avenue, Riverhead,
New York all sealed bids received.

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

Z: Dick Ehlers

H2M
NOTICE TO BIDDERS

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

**GENERATOR ATS EMERGENCY REPLACEMENT
CONTRACT NO.: RSDS 08-02**

FOR THE RIVERHEAD SCAVENGER WASTE FACILITY AT THE TOWN CLERK'S OFFICE, TOWN HALL, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901, AT 11:00 AM PREVAILING TIME, ON MONDAY, JUNE 23, 2008 AT WHICH TIME AND PLACE THE BIDS WILL BE PUBLICLY OPENED AND READ.

Plans and specifications may be examined on or after June 12, 2008 at the Office of the Town Clerk between the hours of 8:30 A.M. and 4:30 P.M. weekdays, except holidays or by visiting the Town of Riverhead website: www.riverheadli.com and click on "Bid Requests".

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

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

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

ACTING AS THE GOVERNING BODY
OF THE RIVERHEAD SEWER DISTRICT

BARBARA GRATTAN, TOWN CLERK

6/3/08

Adopted

TOWN OF RIVERHEAD

Resolution # 490

APPOINTS A FILL-IN SUMMER RECREATION AIDE LEVEL I TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN WOOTEN offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

RESOLVED, that Samantha DiResta is hereby appointed to serve as a Fill-in Summer Recreation Aide Level I effective June 4th, 2008 to and including August 22nd, 2008, to serve as needed on an at-will basis and to be paid at the rate of \$8.75 per hour, and to serve at the pleasure of the Town Board; and

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

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

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward this Resolution to the Recreation Department, Samantha DiResta, 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. Doris/ Res FI SummerRec Aide DiResta

June 3, 2008

Adopted

TOWN OF RIVERHEAD

AWARDS BID FOR CORROSION CONTROL CHEMICAL

RESOLUTION # 491

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

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for Corrosion Control Chemical; and

WHEREAS, bids were received, opened and read aloud on the 27th day of May, 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 after reviewing all bids submitted, the bid for Corrosion Control Chemical be and is hereby awarded to Carus Phospates, Inc., at the cost on file in the Town Clerk's Office; and be it further

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

THE VOTE

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

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

June 3, 2008

Adopted

Town of Riverhead

Resolution No. 492

**RESOLUTION IN SUPPORT OF LEGISLATIVE UPDATE TO NEW YORK STATE
BOTTLE BILL**

Councilwoman Barbara Blass offered the following resolution which was seconded by COUNCILMAN BUCKLEY

WHEREAS, New York's Returnable Beverage Container Act, known as the "bottle bill," is New York's most effective recycling and litter prevention program; and

WHEREAS, after the original bottle bill went into effect in 1982, litter volume in New York declined by 30% and our streets, parks, beaches, farms, and communities were noticeably cleaner; and

WHEREAS, recent litter surveys conducted in New York by coastal cleanup volunteers found that nearly two-thirds of the bottles and cans now polluting New York's rivers and beaches are non-carbonated beverages such as water and iced tea bottles that do not have a deposit, and these containers make up approximately 20% of the total litter volume; and

WHEREAS, the original bottle bill did not include bottled water, iced teas, sports drinks, and other non-carbonated beverages; and

WHEREAS, legislation known as the "Bigger Better Bottle Bill" has been introduced in the New York State Legislature that would update New York's bottle bill to include non-carbonated beverages such as water, iced tea, juice, and sports drinks; and

WHEREAS, the "Bigger Better Bottle Bill" would also require beverage companies to return unclaimed bottle deposits to the State Environmental Protection Fund, a dedicated trust fund for New York's environment that supports local recycling programs, parks, waterfront revitalization, open space, farmland preservation, and other programs to protect our land, air, and water; and

WHEREAS, the Division of Budget estimates that the unclaimed deposits from the updated bottle bill could generate more than \$100 million each year for the Environment Protection Fund.

NOW THEREFORE BE IT RESOLVED, that the Town of Riverhead does hereby urge state lawmakers to support cleaner communities, a healthier environment, and increased funding for environmental programs by passing the "Bigger Better Bottle Bill."

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward copies of this resolution to Governor David Paterson, Senate Majority Leader Joseph L. Bruno, Assembly Speaker Sheldon Silver, Assemblyman Marc Alessi, State Senator Kenneth LaValle, and the New York Public Interest Research Group.

THE VOTE

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

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

June 3, 2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 493

AUTHORIZES THE SUPERVISOR TO EXECUTE AN APPLICATION FOR GRANT FUNDS FROM FM GLOBAL

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

WHEREAS, FM Global, a provider of comprehensive property insurance, offers grant funding for fire prevention purposes; and

WHEREAS, the Town of Riverhead, through its Fire Marshal's Office, is eligible to receive \$10,540.80 to fund a direct access system for fire and code enforcement personnel to access the Town computer information system from official vehicles; and

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby authorizes the Town Supervisor to execute a grant application in the amount of \$10,540.80 from FM Global.

THE VOTE

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

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED.

6/3/08

Adopted

TOWN OF RIVERHEAD

Resolution # 494

AMENDS RESOLUTION #465 OF 2008
(APPROVES CHAPTER 90 APPLICATION OF
MARTHA CLARA VINEYARDS, LLC)

COUNCILMAN BUCKLEY

offered the following resolution, was seconded by

COUNCILMAN WOOTEN :

WHEREAS, Resolution #465 adopted by the Riverhead Town Board on May 20, 2008, approved a Chapter 90 Application for the purpose of conducting public charity events, public fund raisers, and accommodating the tasting room overflow to be held under a tent to be held at 6025 Sound Avenue, Jamesport, New York, on May 24, 2008 through July 19, 2008 between the hours of 10:00 a.m. and 9:00 p.m.; and

WHEREAS, the first "RESOLVED" paragraph of said resolution incorrectly referred to the dates of the event to be held on June 1, 2008 through July 27, 2008.

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby amends Resolution #465, to reflect the correct dates of said event to May 24, 2008 through July 19, 2008; and be it further

RESOLVED, that all other terms and conditions of Resolution #465 shall remain in full force and effect; and be it further

RESOLVED, Martha Clara Vineyards, LLC, Attn: Nancy Bartow, 6025 Sound Avenue, Riverhead, New York, 11901 and copies to the Riverhead Fire Marshal; Chief David Hegermiller, Riverhead Police Department and the Office of the Town Attorney.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

6/3/08

Adopted

TOWN OF RIVERHEAD

Resolution # 495

**APPROVES CHAPTER 90 APPLICATION OF LARRY'S LIGHTHOUSE MARINA
(BOAT SHOW)**

COUNCILMAN WOOTEN offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

WHEREAS, on May 21, 2008, Larry's Lighthouse Marina had submitted a Chapter 90 Application for the purpose of conducting a Boat Show, to be held in the Vinland Commons parking lot located on the corner of Tuthill Lane and Main Road, Aquebogue, New York, on June 6th, 7th, and 8th, 2008 between the hours of 10:00 a.m. and 6:00 p.m.; and

WHEREAS, Larry's Lighthouse Marina has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

WHEREAS, Larry's Lighthouse Marina has paid the required Chapter 90 Application fee for this event; and

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

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

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 Larry's Lighthouse Marina for the purpose of conducting a Boat Show, to be held in the Vinland Commons parking lot located on the corner of Tuthill Lane and Main Road, Aquebogue, New York, on June 6th, 7th, and 8th, 2008, between the hours of 10:00 a.m. and 6:00 p.m., is hereby approved; and be it further

RESOLVED, that this approval is subject to the provisions of Riverhead Town Code, 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 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 Larry's Lighthouse Marina, Meetinghouse Creek Road, P.O. Box 1250, Aquebogue, New York, 11931; the Riverhead Fire Marshal; the Riverhead Police Department and the Office of the Town Attorney.

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

6/3/08

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 496

AUTHORIZES THE SUPERVISOR TO EXECUTE AN AMENDED AGREEMENT AUTHORIZING THE TOWN TO ACCEPT FUNDS FROM SUFFOLK COUNTY-OFFICE FOR THE AGING FOR THE PURPOSE OF SUPPLEMENTING THE BUDGET OF THE TOWN'S SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

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

WHEREAS, the Senior Citizen Department offers a wide variety of programs, activities and support services including meals for the older residents of the Riverhead community; and

WHEREAS, Suffolk County-Office for the Aging is interested in defraying in part the costs for meals incurred by the Senior Citizen Department; and

WHEREAS, the Senior Citizen Department is interested in supplementing its budget regarding the costs for meals incurred by the Senior Citizen Department.

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute the attached amended agreement authorizing the Town of Riverhead to accept funds from Suffolk County-Office for the Aging for the purpose of supplementing the budget of the Town's supplemental nutrition assistance program.

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Leonor Hunter, Fiscal Administrator II, Suffolk County Office For The Aging, H. Lee Dennison Building, 100 Veterans Memorial Highway, PO Box 6100, Hauppauge, New York 11788; the Office of the Supervisor; Senior Citizen Department and the Office of the Town Attorney.

THE VOTE

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

The Resolution Was Was Not Thereupon Duly Declared Adopted

Amendment of Agreement

This is the First Amendment of an Agreement (Agreement), last dated August 15, 2007 is between the County of Suffolk (County), a municipal corporation of the State of New York, having its principal office at the County Center, Riverhead, New York 11901, acting through its duly constituted Office for the Aging (Aging), having its principal office at the H. Lee Dennison Building – 3rd Floor, 100 Veterans Memorial Highway, Hauppauge, New York (Mailing address: P.O. Box 6100, Hauppauge, New York 11788-0099), and the Town of Riverhead (Contractor), a New York municipal corporation, having its principal place of business at 200 Howell Avenue, Riverhead, New York 11901.

The parties hereto desire to modify the Agreement to extend the term of the Agreement from April 1, 2008 through March 31, 2009 (the period April 1, 2008 through March 31, 2009 being hereinafter called the "2008/2009 Extension Period") and to add and amend other contract provisions to comply with current County Standards, as set forth herein.

- Term of Agreement:** Shall be April 1, 2007 through March 31, 2009 with three one-year extensions at the County's option.
- Total Meals:** **Daily Congregate Meals: 67**
Daily Home-Delivered Meals: 96
- Total Cost of Agreement:** Shall be on a fee-for- service basis, not to exceed \$449,659 (with \$228,169 for the 2008/2009 Extension Period), as set forth in Exhibits A-2008/2009, and C-2008/2009 attached.
- Terms and Conditions:** Shall be as set forth in Exhibits A-2008/2009, C-2008/2009, and the Exhibit entitled "Suffolk County Legislative Requirements" revised 12/07 attached.

In Witness Whereof, the parties hereto have executed this First Amendment of Agreement as of the latest date written below.

Town of Riverhead

County of Suffolk

By: _____
Philip Cardinale
Supervisor

By: _____
Jeffrey W. Szabo
Deputy County Executive and Chief of Staff

Fed. Taxpayer ID #: 11-6001935

Date: _____

Date: _____

Approved:

Approved as to Legality:

By: _____
Holly S. Rhodes-Teague
Director, Office for the Aging
Date

Christine Malafi
Suffolk County Attorney

Recommended:

By: _____
Jacqueline Caputi
Assistant County Attorney
Date

By: _____
Anna Prencipe
Food Service Supervisor
Date

Exhibit A-2008/2009

Whereas, the County and Contractor have entered into an Agreement (Law No. AG004M/0021-12R), last dated August 15, 2007, for a term from April 1, 2007 through March 31, 2008 for a senior citizen supplemental nutrition assistance program at a Total Cost of \$221,490; and

Whereas, the parties hereto desire to modify the Agreement, extending the term from April 1, 2008 through March 31, 2009 and (at an additional cost of \$228,169) increasing the Total Cost of the Agreement to \$449,659, and adding and amending certain contract provisions to comply with current County Standards, as set forth below, and;

Now, therefore, in consideration of the covenants, promises and consent herein contained, the parties hereto agree as follows:

1. Term of Agreement:

The Term of Agreement paragraph on page 1 of the Agreement is amended to read April 1, 2007 through March 31, 2009 as set forth on the page 1 of this First Amendment of Agreement.

2. Meals:

Effective as of the beginning of the Extension Period, the approximate daily number, and the maximum annual number, if any, of Congregate and/or Home-Delivered Meals included in the Program shall be as set forth on the cover page of this First Amendment of Agreement.

3. Payment for Services:

The Total Cost of Agreement \$449,659 is comprised as follows:

- (a) \$221,490 for the 2007/2008 contract term;
- (b) \$228,169 for the 2008/2009 Extension Period;

4. Rate Page:

The rate at which the Contractor shall be paid for this Extension Period is set forth in Exhibit C-2008/2009, which is attached and made part of the Agreement.

5. Poverty Threshold

Paragraph 8 (3) of Exhibit B to the Agreement entitled "Reporting Requirements, Demographics", referring to the Poverty Threshold, is amended to read as follows:

Size of Family Unit	100 % of Poverty Threshold (for IIC Nutrition program(s))	150% of Poverty Threshold (for SNAP Program(s))
1	\$10,400/year	\$15,600/year
2	\$14,000/year	\$21,000/year

- 6.** Paragraph 5 of Exhibit A to the Agreement entitled "Insurance" contains a reference to "subparagraph 13 (a) (i) of Exhibit A1": the reference is amended to read "subparagraph 15 (a) (i) of Exhibit A1."

The Contractor shall comply with the following amended provisions in conformance with current County Standards.

7. **Notices and Contact Persons**

Paragraph 8 of Exhibit A1 to the Agreement, entitled "Addresses for Notices, Claims and Reports", is deleted in its entirety and replaced with the following:

Notices and Contact Persons

1. **Notices Relating to Payments, Reports, Insurance, or Other Submissions**

Any communication, notice, claim for payment, report, insurance, or other submission necessary or required to be made by the parties regarding this Agreement shall be in writing and shall be given to the County or the Contractor or their designated representative at the following addresses or at such other address that may be specified in writing by the parties and must be delivered as follows:

For the Department:

By First Class and Certified Mail, Return Receipt Requested in Postpaid Envelope or by Courier Service or by Fax or by Email

Holly S. Rhodes-Teague, Director
Suffolk County Office for the Aging
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, New York 11788

For the Contractor:

By First Class and Certified Mail, Return Receipt Requested in Postpaid Envelope or by Courier Service or by Fax or by Email

At the address set forth on page one of this Agreement, attention of the person who executed this Agreement or such other designee as the parties may agree in writing.

2. **Notices Relating to Termination and/or Litigation**

In the event the Contractor receives a notice or claim or becomes a party (plaintiff, petitioner, defendant, respondent, third party complainant, third party defendant) to a lawsuit or any legal proceeding related to this Agreement, the Contractor shall immediately deliver to the County Attorney, at the address set forth below, copies of all papers filed by or against the Contractor.

Any communication or notice regarding termination shall be in writing and shall be given to the County or the Contractor or their designated representative at the following addresses or at such other addresses that may be specified in writing by the parties and must be delivered as follows:

For the County:

By First Class and Certified Mail, Return Receipt Requested in Postpaid Envelope or by Nationally Recognized Courier Service or Personally and by First-Class Mail

Holly S. Rhodes-Teague, Director
Suffolk County Office for the Aging
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, New York 11788
and

Christine Malafi, County Attorney
Suffolk County Department of Law
H. Lee Dennison Building
100 Veterans Memorial Highway
Hauppauge, New York 11788

For Contractor:

**By First Class and Certified Mail in Postpaid Envelope or by
Nationally Recognized Courier Service or Personally and by First Class Mail**

At the address set forth on page one of this Agreement, attention to the person who executed this Agreement or such other designee as the parties may agree in writing.

3. Notices shall be deemed to have been duly delivered (i) if mailed, upon the seventh business day after the mailing thereof; or (ii) if by nationally recognized overnight courier service, upon the first business day subsequent to the transmittal thereof; or (iii) if personally, pursuant to New York Civil Practice Law and Rules Section 311; or (iv) if by fax or email, upon the transmittal thereof. "Business Day" shall be defined as any day except a Saturday, a Sunday, or any day in which commercial banks are required or authorized to close in Suffolk County, New York.
4. Each party shall give prompt written notice to the other party of the appointment of successor(s) to the designated contact person(s) or his or her designated successor(s).

8. Indemnification

Paragraph No. 15 (g) of Exhibit A1 to the Agreement entitled "Insurance and Indemnification" is deleted in its entirety and replaced with the following:

Indemnification

a. General

The Contractor agrees that it shall protect, indemnify and hold harmless the County and its officers, officials, employees, contractors, agents and other persons from and against all liabilities, fines, penalties, actions, damages, claims, demands, judgments, losses, costs, expenses, suits or actions and reasonable attorneys' fees, arising out of the acts or omissions or the negligence of the Contractor in connection with the services described or referred to in this Agreement. The Contractor shall defend the County and its officers, officials, employees, contractors, agents and other persons in any suit, including appeals, or at the County's option, pay reasonable attorney's fees for defense of any such suit arising out of the acts or omissions or negligence of the Contractor, ~~its officers, officials, employees, subcontractors or agents, if any,~~ in connection with the services described or referred to in this Agreement.

b. Federal Copyright Act

The Contractor hereby represents and warrants the Contractor, will not infringe upon any copyrighted work or material in accordance with the Federal Copyright Act during the performance of this Contract. Furthermore, the Contractor agrees that it shall protect, indemnify and hold harmless the County and its officers, officials, employees, contractors, agents and other persons from and against all liabilities, fines, penalties,

actions, damages, claims, demands, judgments, losses, costs, expenses, suits or actions and reasonable attorney's fees, arising out of the acts or omissions or the negligence of the Contractor in connection with the services described or referred to in this Agreement. The Contractor shall defend the County and its officers, officials, employees, contractors, agents and other persons in any suit, including appeals, or, at the County's option, pay reasonable attorney's fees for defense of any such suit arising out of the acts or omissions or negligence of the Contractor, its officers, officials, employees, subcontractors, lessees, licensees, invitees or agents, if any, in connection with the services described or referred to in this Agreement.

9. Cooperation on Claims

Paragraph No. 33 of Exhibit A1 to the Agreement entitled "Cooperation on Claims" is deleted in its entirety and replaced with the following:

Cooperation on Claims

The Contractor hereto agrees to render diligently to the County, without additional compensation, any and all cooperation, that may be required to defend the County, its employees and designated representatives against any claim, demand or action that may be brought against the County, its employees or designated representatives in connection with this Agreement.

10. Term and Termination

Paragraph No. 35 of Exhibit A1 to the Agreement entitled "Termination" is deleted in its entirety and replaced with the following:

Term and Termination

a. Term

This Agreement shall cover the period set forth on page one of this Agreement, unless sooner terminated as provided below. Upon receipt of a Termination Notice, as that term is defined below, the Contractor shall promptly discontinue all Services affected, unless otherwise directed by the Termination Notice.

b. Termination for Cause

- i.** A failure to maintain the amount and types of insurance required by this Agreement may result in immediate termination of this Agreement, in the sole discretion of the County.
- ii.** Failure to comply with federal, state or local laws, rules, regulations, or County policies or directives, may result in immediate termination of this Agreement, in the sole discretion of the County.
- iii.** ~~If the Contractor becomes bankrupt or insolvent or falsifies its records or reports, or misuses its funds from whatever source, the County may terminate this Agreement in whole or with respect to any identifiable part of the program, effective immediately, or, at its option, effective at a later date specified in the notice of such termination to the Contractor.~~
- iv.** In the event of a failure on the part of Contractor to observe any of the other terms and conditions of this Agreement, this Agreement may be terminated in whole or in part in writing by the County provided that no such termination shall

be effective unless Contractor is given five (5) calendar days' (or longer, at the County's option) written notice of intent to terminate ("Notice of Intent to Terminate"), delivered in accordance with the Exhibit entitled "Notices and Contact Persons." During such five (5) day period, (or longer, at the County's option) the Contractor will be given an opportunity for consultation with the County and an opportunity to cure all failures of its obligations prior to termination by the County. In the event that the Contractor has not cured all its failures to fulfill its obligations to the satisfaction of the County by the end of the (5) day period (or longer, at the County's option), the County may issue a written termination notice ("Termination Notice"), effective immediately.

c. Termination for Emergencies

An emergency or other condition involving possible loss of life, threat to health and safety, destruction of property or other condition deemed to be dangerous, in the sole discretion of the County, may result in immediate termination of this Agreement, in whole or with respect to any identifiable part of the program, in the sole discretion of the County.

d. Termination for Convenience

The County shall have the right to terminate this Agreement at any time and for any reason deemed to be in its best interest, provided that no such termination shall be effective unless the Contractor is given thirty (30) calendar days' prior written notice termination notice ("Termination Notice"). In such event of termination, the County shall pay the Contractor for the services rendered through the date of termination.

e. Payments upon Termination

- i. Upon receiving a Termination Notice, the Contractor shall promptly discontinue all services affected unless otherwise directed by the Termination Notice.
- ii. The County shall be released from any and all responsibilities and obligations arising from the services provided in accordance with by this Agreement, effective as of the date of termination, but the County shall be responsible for payment of all claims for services provided and costs incurred by the Contractor prior to termination of this Agreement, that are pursuant to, and after the Contractor's compliance with, the terms and conditions of this Agreement.
- iii. Upon termination, the Contractor agrees to promptly reimburse to the County, by check payable to the Suffolk County Treasurer, the balance of any funds advanced to the Contractor by the County. Upon termination, any funds paid to the Contractor by the County which were used by the Contractor in a manner that failed to comply with the terms and conditions of this Agreement must be promptly reimbursed. If there is no response or if satisfactory repayments are not made, the County may recoup such payments from any amounts due or becoming due to the Contractor from the County under this Agreement or otherwise. The provisions of this subparagraph shall survive the expiration or termination of the Agreement.

The Contractor will comply with the following added provisions in conformance with current County requirements

11. Conflicts of Interest

- a. The Contractor agrees that it will not during the term of this Agreement engage in any activity that is contrary to and/or in conflict with the goals and purposes of the County.
- b. The Contractor is charged with the duty to disclose to the County the existence of any such adverse interests, whether existing or potential. This duty shall continue so long as the Contractor is retained on behalf of the County. The determination as to whether or when a conflict exists or may potentially exist shall ultimately be made by the County Attorney after full disclosure is obtained.

12. No Intended Third Party Beneficiaries

This Agreement is entered into solely for the benefit of County and Contractor. No third party shall be deemed a beneficiary of this Agreement, and no third party shall have the right to make any claim or assert any right under this Agreement.

13. Non Responsible Bidder

The Contractor represents and warrants that it has read and is familiar with the provisions of Suffolk County Code Chapter 143, Article II, §§143-5 through 143-9. Upon signing this Agreement the Contractor certifies that he, she, it, or they have not been convicted of a criminal offense within the last ten (10) years. The term "conviction" shall mean a finding of guilty after a trial or a plea of guilty to an offense covered under the provision of Section 143-5 of the Suffolk County Code under "Nonresponsible Bidder."

14. Gratuities

The Contractor represents and warrants that it has not offered or given any gratuity to any official, employee or agent of Suffolk County or New York State or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or the making of any determinations with respect to the performance of an agreement, and that the signer of this Agreement has read and is familiar with the provisions of Local Law No. 32-1980 of Suffolk County (Chapter 386 of the Suffolk County Code).

15. Full Force and Effect

Except as herein amended, all other representations, terms and conditions of said Agreement, including any and all amendments or budget modifications executed prior to the date hereof, are hereby ratified and confirmed to be in full force and effect.

— End of Text of Exhibit —

June 3, 2008

Adopted

TOWN OF RIVERHEAD

AUTHORIZES TOWN CLERK TO REPUBLISH & REPOST
NOTICE TO BIDDERS FOR CALCIUM HYPOCHLORITE TABS
FOR USE BY THE RIVERHEAD WATER DISTRICT

RESOLUTION # 497

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the
attached Notice to Bidders for calcium hypochlorite tablets to be used by the Riverhead Water
District in the June 12, 2008, issue of *The News-Review*.

THE VOTE

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

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

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **CALCIUM HYPOCHLORITE TABLETS** for use by the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, on **June 23, 2008** until **11:15 a.m.**

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

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

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

All bids are to be submitted in a sealed envelope addressed to: **TOWN CLERK, TOWN OF RIVERHEAD, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK, 11901**, and bear the designation **BIDS FOR CALCIUM HYPOCHLORITE TABLETS – BID #08-21RWD.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

Adopted

RESOLUTION # 498 ABSTRACT #08-22 May 29, 2008 (TBM 6/3/08)				
COUNCILMAN BUCKLEY offered the following Resolution which was seconded by				
COUNCILMAN WOOTEN				
FUND NAME		CD-5/27/08	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1	6,000,000.00	58,340.55	6,058,340.55
POLICE ATHLETIC LEAGUE	4	24,500.00	5,272.50	29,772.50
TEEN CENTER	5	10,000.00		10,000.00
RECREATION PROGRAM FUND	6	43,000.00	5,955.00	48,955.00
CHILD CARE CENTER BUILDING FUN	9	33,000.00	194.40	33,194.40
TOWN BOARD SPECIAL PROJ	24	4,500.00		4,500.00
YOUTH COURT SCHOLARSHIP	25	2,000.00		2,000.00
SRS DAYCARE CENTER FUND	27	5,000.00		5,000.00
HIGHWAY DISTRICT FUND	111	1,250,000.00		1,250,000.00
WATER DISTRICT	112		4,700.12	4,700.12
REPAIR & MAINTENANCE	113	230,000.00		230,000.00
RIVERHEAD SEWER DISTRICT	114	2,450,000.00	59.70	2,450,059.70
REFUSE & GARBAGE DIST	115	800,000.00		800,000.00
STREET LIGHTING DISTRICT	116	150,000.00	391.20	150,391.20
PUBLIC PARKING DISTRICT	117	95,000.00	19.90	95,019.90
BUSINESS IMPROVEMENT DIST	118	100,000.00		100,000.00
AMBULANCE DISTRICT	120	300,000.00		300,000.00
EAST CREEK DOCKING FACILITY	122		50.92	50.92
CALVERTON SEWER DISTRICT	124	150,000.00	192.30	150,192.30
RIVERHEAD SCAVANGER WASTE DIST	128	20,000.00	1,596.07	21,596.07
SEWER DISTRICT FUND	130	250,000.00		250,000.00
WORKERS' COMPENSATION FUND	173	1,450,000.00	26,051.44	1,476,051.44
RISK RETENTION FUND	175	375,000.00	1,158.00	376,158.00
UNEMPLOYMENT	176	40,000.00		40,000.00
REV LOAN PROGRAM FUND	178	20,000.00		20,000.00
RESIDENTAL REHAB PROGRAM	179	15,000.00		15,000.00
CDBG	181	160,000.00		160,000.00
UDC WORKING	182	6,000.00		6,000.00
RESTORE	184	6,000.00		6,000.00
PUBLIC PARKING DEBT SERVICE	381	30,000.00		30,000.00
SEWER DISTRICTS DEBT SERVICE	382	100,000.00	1,218.77	101,218.77
WATER DISTRICT DEBT SERVICE	383		27,539.33	27,539.33
GENERAL FUND DEBT SERVICE	384	3,500,000.00	3,152,125.11	6,652,125.11
SCAVANGER WASTE DISTRICT DEBT	385	95,000.00	3,597.52	98,597.52
SUFFOLK THEATER DEBT	386	80,000.00		80,000.00
CDA CAPITAL PROJECTS	405	150,000.00		150,000.00
TOWN HALL CAPITAL PROJECTS	406		827,867.59	827,867.59
800 SERIES	408	17,000.00		17,000.00
TWO BEARS CAPITAL PROJECTS	440	35,000.00		35,000.00
YOUTH SERVICES FUND	453	37,000.00		37,000.00
EISEP	454	145,000.00		145,000.00
MUNICIPAL FUEL FUND	625		27,486.32	27,486.32
MUNICIPAL GARAGE FUND	626		1,221.43	1,221.43
TRUST & AGENCY	735		4,450,490.23	4,450,490.23
SPECIAL TRUST	736	2,600,000.00	255,000.00	2,855,000.00
COMMUNITY PRESERVATION FUND	737	6,670,000.00		6,670,000.00
CDA CALVERTON	914	178,000.00		178,000.00
TOTAL ALL FUNDS		27,626,000.00	8,850,528.40	36,476,528.40

RESOLUTION # 498		ABSTRACT #08-21 May 22, 2008 (TBM 6/3/08)			
<p style="text-align: center;">COUNCILMAN BUCKLEY offered the following Resolution which was seconded by COUNCILMAN WOOTEN</p>					
FUND NAME		CD-5/16/08	CHECKRUN TOTALS	GRAND TOTALS	
GENERAL FUND	1	7,400,000.00	1,271,994.47	8,671,994.47	
POLICE ATHLETIC LEAGUE	4	31,000.00	492.00	31,492.00	
TEEN CENTER	5	10,000.00		10,000.00	
RECREATION PROGRAM FUND	6	250,000.00	8,586.74	258,586.74	
SITE COUNCIL	7	2,000.00		2,000.00	
DARE PROGRAM	8	3,000.00		3,000.00	
CHILD CARE BUILDING FUND	9	145,000.00		145,000.00	
TOWN BOARD SPECIAL PROGRAM	24	108,000.00		108,000.00	
YOUTH COURT SCHOLARSHIP FUND	25		100.00	100.00	
SENIOR DAYCARE	27	40,000.00		40,000.00	
ECONOMIC DEVELOPMENT ZONE FUND	30	56,000.00	2,861.93	58,861.93	
HIGHWAY FUND	111	1,900,000.00	76,307.54	1,976,307.54	
WATER DISTRICT	112	1,160,000.00	78,553.78	1,238,553.78	
REPAIR & MAINTENANCE	113	80,000.00		80,000.00	
RIVERHEAD SEWER DISTRICT	114	2,290,000.00	37,496.27	2,327,496.27	
REFUSE & GARBAGE COLLECTION	115	500,000.00	5,478.82	505,478.82	
STREET LIGHTING DISTRICT	116	415,000.00	10,056.14	425,056.14	
PUBLIC PARKING DISTRICT	117	125,000.00	580.00	125,580.00	
BUSINESS IMPROVEMENT DIST	118	68,000.00		68,000.00	
AMBULANCE DISTRICT	120	68,000.00		68,000.00	
EAST CREEK DOCKING FACILITY	122		269,946.68	269,946.68	
CALVERTON SEWER DISTRICT	124	395,000.00	1,027.38	396,027.38	
RIVERHEAD SCAVANGER WASTE DIST	128	1,610,000.00	14,725.73	1,624,725.73	
SEWER DISTRICT FUND	130	400,000.00		400,000.00	
WORKERS' COMPENSATION FUND	173	2,115,000.00	31,885.62	2,146,885.62	
RISK RETENTION FUND	175	560,000.00	24,311.08	584,311.08	
REVOLVING LOAN PROGRAM	178	9,000.00		9,000.00	
RESIDENTAL REHAB LOAN PROGRAM	179	5,000.00		5,000.00	
CDBG CONSORTIUM ACOUNT	181	120,000.00	567.30	120,567.30	
PUBLIC PARKING DEBT SERVICE	381	5,000.00		5,000.00	
SEWER DEBT SERVICE	382	500,000.00		500,000.00	
WATER DEBT SERVICE	383	95,000.00		95,000.00	
GENERAL FUND DEBT SERVICE	384	8,800,000.00		8,800,000.00	
SCAVENGER WASTE DEBT SERVICE	385	18,000.00		18,000.00	
SUFFOLK THEATER DEBT SERVICE	386	537,000.00		537,000.00	
TOWN HALL CAPITAL PROJECTS	406		3,071,789.92	3,071,789.92	
TWO BEARS CAPITAL PROJECT	440	3,000.00		3,000.00	
YOUTH SERVICES CAP PROJECT	452	94,000.00	4,562.67	98,562.67	
SENIORS-HELP-SENIORS-CAP-PROJE	453		2,881.92	2,881.92	
EISEP	454	38,000.00		38,000.00	
MUNICIPAL GARAGE FUND	626		14,865.89	14,865.89	
TRUST & AGENCY	735		3,708,859.89	3,708,859.89	
COMMUNITY PRESERVATION FUND	737	2,720,000.00	226.20	2,720,226.20	
CALVERTON PARK - C.D.A.	914	178,000.00	35.01	178,035.01	
TOTAL ALL FUNDS		32,853,000.00	8,638,192.98	41,491,192.98	

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

June 3, 2008

TOWN OF RIVERHEAD

Adopted

Resolution # 499

AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE FOR PUBLIC HEARING REGARDING A LOCAL LAW TO CREATE CHAPTER OF THE RIVERHEAD TOWN CODE (Zero Tolerance Zones)

COUNCILMAN BUCKLEY

offered the following resolution,

which was seconded by **COUNCILMAN DUNLEAVY**:

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a local law to create Chapter entitled, "Zero Tolerance Zones " of the Riverhead Town Code once in the June 12th issue of the News Review Newspaper, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Building Department, Planning Department, Code Enforcement, and 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
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held on the 17th day of June 2008 at 7:35 o'clock p.m., at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider a local law to amend Chapter 108 entitled "Zoning " of the Riverhead Town Code as follows:

CHAPTER 8
ZERO TOLERANCE ZONES

§ 8.1 Intent

a. The intent of this chapter is to decrease quality of life violations within the Town's the Business Improvement District by creating "zero tolerance zones" such that these blighted areas will become more desirable for residents, business owners and shoppers and, in turn, eliminate blight.

§. 8.2 Establishment of Zero Tolerance Zone

The following areas are hereby designated to be "zero tolerance" zones within the Town of Riverhead:

a) the entirety of the Business Improvement District

§ 8.3 Fines doubled.

The fines and/or penalties imposed for violations of the following chapters of the Town Code of the Town of Riverhead shall be doubled in the Zero Tolerance Zones.

Chapter 46 ALCOHOLIC BEVERAGES

Chapter 49 BICYCLES

Chapter 58 DOGS

Chapter 63A, GRAFFITI

Chapter 76, LOITERING

Chapter 81, NOISE CONTROL

Chapter 96, TRASH, RUBBISH and REFUSE CONTROL

Chapter 98 LITTERING

§ 8.4 Effective date

This local law shall become effective 30 days following its filing with the Secretary of State.

URBAN
RESIDENTIAL
AREAS →

§ 8.5 Severability

The invalidity of any section, subsection or provision of this chapter shall not invalidate any other section, subsection or provision thereof.