

**TOWN BOARD MEETING  
AGENDA  
PHILIP CARDINALE, Supervisor**

**October 3, 2006**

**Edward Densieski, Councilman  
George Bartunek, Councilman**

**Barbara Blass, Councilwoman  
John Dunleavy, Councilman**

**Barbara Grattan, Town Clerk  
Dawn Thomas, Town Attorney**

**ELECTED OFFICIALS**

**Laverne Tennenberg  
Madelyn Sendlewski  
Paul Leszczynski  
Mark Kwasna  
Maryann Wowak Heilbrunn  
Richard Ehlers  
Allen M. Smith**

**Chairwoman Board of Assessors  
Board of Assessors  
Board of Assessors  
Highway Superintendent  
Receiver of Taxes  
Town Justice  
Town Justice**

**DEPARTMENT HEADS**

**William J. Rothaar  
Leroy E. Barnes, Jr.  
Andrea Lohneiss  
Ken Testa  
Richard Hanley  
Chief David Hegermiller  
Ray Coyne  
Judy Doll  
John Reeve  
Michael Reichel  
Gary Pendzick**

**(Interim) Accounting Department  
Building Department  
Community Development  
Engineering Department  
Planning Department  
Police Department  
Recreation Department  
Senior Services  
Sanitation Department  
Sewer District  
Water Department**

**PUBLIC COMMENT ON ANY RESOLUTIONS LISTED BELOW:**  
**COMMUNITY DEVELOPMENT AGENCY MEETING:**

- #11 Authorizes Town Clerk to Publish and Post Notice of Scoping Hearing Upon the Draft Environmental Impact Statement in Support of the Update of the Town of Riverhead East Main Street Urban Renewal Plan (1993)
- #12 Authorizes Issuance of Request for Proposals (RFP) to develop a 600-acre Site at the Calverton Enterprise Park and Publication of Notice
- #13 Authorizes Submission of Grant Application to NYS Office of Parks, Recreation and Historic Preservation for Funding under the Recreational Trails Program
- #14 Authorizes Chairman to Execute Lease for Park and recreation Facilities

**REGULAR TOWN BOARD MEETING:**

- #885 Ratifies Maurice Goldman Open Space Budget Adoption
- #886 307 Griffing Avenue-Chapter 96 Budget Adoption
- #887 Residential Elderly Emergency Home Repair Fund Budget Adjustment
- #888 Business Improvement District Budget Adjustment
- #889 Water District Budget Adjustment
- #890 Authorizes Supervisor to Enter into an Agreement with the Riverhead Business Improvement District Management Association, Inc.
- #891 Ratifies the Supervisor's Execution of an Agreement with the New York State Energy Research and Development Authority

- #892 Authority Attendance of one Police Officer to the 113<sup>th</sup> Annual IACP Conference
- #893 Ratifies the Attendance of One Police Officer to the Colonel Henry F. Williams Homicide Seminar
- #894 Authorizes the Publication of a Help Wanted Ad for Part Time Sign Inspector
- #895 Authorizes the Publication of a Help Wanted Ad for an Account Clerk Typist
- #896 Authorizes the Publication of a Help Wanted Ad for Community Development Administrator
- #897 Ratifies the Provisional Appointments of Water Treatment Plant Operator IIB in the Water Department (P. Lennon, B. Gablenz, J. Kellar)
- #898 Appoints Automotive Equipment Operator in the Highway Department (H. Downs)
- #899 Accepts Resignation of an Account Clerk Typist (J. Seus)
- #900 Appoints Member to the Riverhead Open Space/Park Preserve Committee
- #901 Appoints Member to the Riverhead Conservation Advisory Council (M. Lamont)
- #902 Appoints Member to the Industrial Development Agency
- #903 Designates October 21, 2006 Riverhead Stop Day
- #904 Authorizes the Town Supervisor to Execute the Attached Memorandum of Understanding with Riverhead Central School District for the Purpose of Administration of the Grant Awarded by the New York State Division of Criminal Justice Services
- #905 Authorizes Town Clerk to Publish and Post Notice of Public hearing-Special Permit of James Blakeney

- #906 Accepts Cash Security of McGann-Mercy Diocesan High School
- #907 Waives the Performance Bond Requirement Pursuant to 108-133(I)
- #908 Awards Bid for Sewer District Generator Removal Contract
- #909 Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law to Amend Chapter 108 Entitled, "Zoning" (Handicapped Access Ramp Permit Fees) of the Riverhead Town Code
- #910 Awards Portion of Bid for Water Service Materials for Use by the Riverhead Water District and Authorizes Town Clerk to Publish and Post Notice to Bidders
- #911 Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law to Amend Chapter 12 Entitled, "Coastal Erosion Hazard Areas" of the Riverhead Town Code
- #912 Order Calling Public Hearing-Extension No. 71-RWD-Country Trails Subdivision
- #913 Awards Bid-Splish Splash Water Park-RWD
- #914 Authorization to Publish Advertisement for Two Kiosk Interactive Computer Terminals
- #915 Authorizes Chairman to Negotiate Contracts with Long Island Housing Partnership and New Age Builders, Inc.
- #916 Adopts a Local Law to Amend Chapter 101 Entitled, "Vehicles and Traffic" of the Riverhead Town Code (101-10; Parking Prohibited)
- #917 Adopts a Local Law Amending Chapter 58 Entitled, "Dogs" of the Riverhead Town Code

- #918 Ratifies Approval of Chapter 90 Application of Darkside Productions, Inc. (Haunted House)
- #919 Approves the Application of Fireworks Permit of Barone-Visco Fireworks (Fox Hill Country Club)
- #920 Authorizes and Endorses Submission of a Grant Application to the New York State Environmental Facilities Corporation
- #921 Authorizes Supervisor to Execute Lease for Park and Recreation Facilities
- #922 Pays Bills

October 3, 2006

**Adopted**

TOWN OF RIVERHEAD  
Community Development Agency

Resolution # 11

**Authorizes Town Clerk to Publish and Post Notice of Scoping Hearing Upon the Draft Generic Environmental Impact Statement in Support of Update of the Town of Riverhead East Main Street Urban Renewal Plan (1993)**

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

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

WHEREAS, by Resolution dated 19 September 2006, the CDA further declared itself to be the lead agency in the aforementioned Urban Renewal Plan update and determined that such action, together with existing development petitions, create potentially significant adverse impact upon either the natural or social environment and that a Draft Environmental Impact Statement need be prepared; and

WHEREAS, the CDA has prepared a draft scope of issues pursuant to NYCRR Part 617.8 (b); and

WHEREAS, the CDA desires to hold a Scoping Hearing pursuant to NYCRR Part 617.8,

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk be authorized to publish and post the attached notice of Scoping Hearing in the October 5, 2006 edition of the official newspaper of the Town of Riverhead.

**THE VOTE**

DUNLEAVY ~~Yes~~ No

BARTUNEK ~~Yes~~ No

Blass ~~Yes~~ No

Densieski ~~Yes~~ No

Cardinale ~~Yes~~ No

TOWN OF RIVERHEAD  
Community Development Agency

NOTICE OF SCOPING HEARING

PLEASE TAKE NOTICE, that a Scoping Hearing, pursuant to the New York State Environmental Conservation Law and its attending regulations, will take place on the 25<sup>th</sup> day of October, 2006, at 3:00 pm at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider the environmental impacts to be assessed in the preparation of a Draft Generic Environmental Impact Statement to be prepared in support of the update of the Town of Riverhead East Main Street Urban Renewal Plan, adopted by the Town of Riverhead Community Development Agency on October 19, 1993 encompassing public and private real property located within the Riverhead Central Business District.

A draft scope of issues, as prepared by the Town of Riverhead Community Development Agency, will be available for public review and inspection in the Office of the Town Clerk, Monday through Friday, from 8:30am to 4:30pm, beginning on the 11<sup>th</sup> day of October, 2006.

10/3/06

Town of Riverhead  
CDA

**Adopted**

Resolution #\_\_12

Authorizes Issuance of Request for Proposals (RFP) to develop a 600-acre Site at Calverton Enterprise Park and Publication of Notice

**COUNCILMAN BARTUNEK**

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

which was seconded by **COUNCILWOMAN BLASS** \_\_\_\_\_:

**WHEREAS**, the Community Development Agency (CDA) received title to the Naval Weapons Industrial Reserve Plant (NWIRP) site from the U.S. Navy on September 10, 1998 at no cost for the purposes of economic redevelopment; and

**WHEREAS**, the Town Board retained the services of Jack O'Connor, Principal at Newmark Knight Frank, as the exclusive real estate broker for the site; and

**WHEREAS**, the CDA wishes to seek proposals from developers with experience in developing office/industrial facilities, with the financial resources and capabilities to fund all or part of a 600-acre development project, as well as having a general development approach and concept for the site that best meets the Town's economic development objectives; and

**WHEREAS**, the Town recently rezoned the 600-acre site under consideration; and

**WHEREAS**, approximately 460 acres are now zoned for light industrial use and approximately 145 acres are zoned for office use.

**WHEREAS**, the terms of the RFP include a full cash payment at closing that would provide significant income to the Town of Riverhead; and

**WHEREAS**, the sale of a portion of the property to a developer will further provide additional revenue to the Town of Riverhead through the payment of real property taxes levied upon the land improvements;

**THEREFORE, BE IT RESOLVED**, that the CDA hereby authorizes the issuance of a Request for Proposals to be available on October 4 from the Office of the Town Clerk; and

**THEREFORE, BE IT RESOLVED**, that the Riverhead Town Board hereby authorizes publication of the attached public notice in the October 5 issue of the News-Review; and

**THEREFORE, BE IT RESOLVED**, that the CDA Board hereby authorizes the firm of Newmark Knight Flight to advertise the RFP as deemed necessary and at its sole cost.

**AND BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to Community Development Agency Director Andrea Lohneiss and Jack O'Connor, Newmark Knight Flight.

DUNLEAVY  YES \_\_\_ NO    BARTUNEK  YES \_\_\_ NO

BLASS  YES \_\_\_ NO    DENSIESKI  YES \_\_\_ NO

CARDINALE  YES \_\_\_ NO

THIS RESOLUTION  IS \_\_\_ IS NOT  
DECLARED DULY ADOPTED

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**Please take notice that** the Town of Riverhead hereby solicits proposals from qualified developers for projects involving a 600-acre site at the former Grumman site in Calverton, now referred to as Calverton Enterprise Park. The site was recently rezoned as follows:

- approximately 460 acres are now zoned for Light Industrial Use.
- approximately 145 acres are zoned for Office Use.

The Request for Proposals can be acquired from the Office of the Riverhead Town Clerk.

For further information contact:

Andrea Lohneiss, Community Development Agency Director  
Town of Riverhead  
200 Howell Avenue  
Riverhead, NY 11901  
(631) 727-3200 x287

Dated: October 3, 2006

Barbara Grattan  
Town Clerk

10/3/06

Town of Riverhead  
Community Development Agency  
Resolution # 13

**Adopted**

AUTHORIZES SUBMISSION OF GRANT APPLICATION TO NYS OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION FOR FUNDING UNDER THE RECREATIONAL TRAILS PROGRAM

**COUNCILWOMAN BLASS**

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

which was seconded by **COUNCILMAN DENSIESKI** \_\_\_\_\_.

**WHEREAS**, the Town of Riverhead Community Development Agency took title to approximately 2023 acres of property from the United States Navy in 1998; and

**WHEREAS**, the Town of Riverhead Community Development Agency has procured grant funds from the New York State Office of Parks, Recreation and Historic Preservation for the development of recreational facilities on a 65 acre portion of the property for public park and recreation use; and

**WHEREAS**, the town has developed a plan for a non-motorized diverse use recreational trail to run approximately the circumference of the overall EPCAL property pursuant to the attached map; and

**WHEREAS**, the State of New York Office of Parks, Recreation and Historic Preservation is administering a federal USDOT/FHWA program funded by SAFETEA-LU called the Recreational Trails Program to provide and/or maintain recreational trails for both motorized and non-motorized recreational trail use.

**THEREFORE, BE IT RESOLVED**, that the CDA Board hereby authorizes and directs the Supervisor of the Town of Riverhead (municipal entity) in his capacity as the Chairman of the Community Development Agency (property owner) to submit a grant application for a non-motorized diverse use project to be located at the EPCAL site along the former perimeter roadway to the NYS Office of Parks, Recreation and Historic Preservation in accordance with the provisions of the Recreational Trails Program in an amount not to exceed \$100,000 and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Riverhead or CDA as appropriate for the recreational trails project and, if required, a conservation easement to the deed of the assisted property.

10/3/06

Town of Riverhead  
Community Development Agency  
Resolution # 14

# Adopted

**AUTHORIZES CHAIRMAN TO EXECUTE LEASE FOR PARK AND RECREATION FACILITIES**

COUNCILMAN DENSIESKI offered the following resolution, which was

seconded by COUNCILMAN DUNLEAVY.

**WHEREAS**, the Community Development Agency received approximately 2023 acres of property then known as the Naval Weapons Industrial Reserve Plant and now known as the Enterprise Park at Calverton from the US Navy in 1998; and

**WHEREAS**, the CDA has procured grant funds totaling \$600,000 for the development of town recreational facilities at the site for the benefit of residents; and

**WHEREAS**, the Town Board has authorized a project to be developed and funded by the issuance of bonds pursuant to Resolutions #839 of 9/7/05 and #340 of 4/18/06 to be supported by recreation development fees.

**THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the Chairman to execute attached lease agreement for the lease of 65 acres from the Town of Riverhead Community Development Agency for the development of public park and recreational facilities to be paid for in part by the issuance of bonds by the Town of Riverhead.

**BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a copy of this resolution to Andrea Lohneiss, CDA Director, Ray Coyne, Recreation Supervisor, Dawn Thomas, Town Attorney, and the Recreation Advisory Committee.

DUNLEAVY	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	BARTUNEK	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
BLASS	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	DENSIESKI	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
CARDINALE	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO					

THIS RESOLUTION  IS  IS NOT  
DECLARED DULY ADOPTED

**BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to Andrea Lohneiss, CDA Director, and to the Town of Riverhead Recreation Advisory Committee and Ray Coyne, Recreation Superintendent.

DUNLEAVY  YES \_\_\_ NO    BARTUNEK  YES \_\_\_ NO

BLASS  YES \_\_\_ NO    DENSIESKI  YES \_\_\_ NO

CARDINALE  YES \_\_\_ NO

THIS RESOLUTION  IS \_\_\_ IS NOT  
DECLARED DULY ADOPTED

## LEASE AGREEMENT

THIS LEASE, made the \_\_\_\_ day of October, 2006, between THE RIVERHEAD COMMUNITY DEVELOPMENT AGENCY, with offices at 200 Howell Avenue, Riverhead, New York, hereinafter referred to as "Landlord", and THE TOWN OF RIVERHEAD, a municipal corporation with offices at 200 Howell Avenue, Riverhead, New York, hereinafter jointly, severally and collectively referred to as "Tenant".

WITNESSETH, that the Landlord hereby leases to the Tenant, and the Tenant hereby hires and takes from the landlord a certain parcel of land, with the buildings and improvements thereon situated, located at EPCAL, more commonly referred to as the "Calverton Recreational Facility", and more specifically described as 65.83 acres as depicted upon Exhibit A attached hereto, to be used and occupied by the Tenant, TOWN OF RIVERHEAD, as a community recreational facility, to be known as THE CALVERTON RECREATIONAL FACILITY, for an initial term of twenty years, to commence on October 1, 2006, and to end on September 30, 2026, and to be renewed and extended by agreement of the parties at the end of said twenty-year term for successive additional ten-year terms, but not to exceed a fifty-year term, or unless sooner terminated as hereinafter provided.

### IT IS MUTUALLY COVENANTED AND AGREED THAT:

1. **Rent.** As consideration or rent for the subject premises, the Tenant, Town of Riverhead, shall bear the cost of the capital improvements to be constructed at the subject premises, with no further rental payments to be made to the Community Development Agency by the Tenant as rent during the term of the lease.
2. **Insurance.** Tenant, Town of Riverhead shall keep the premises properly insured and shall provide the Landlord with proof of coverage during the term of this lease.
3. **Repairs, Maintenance, Utilities.** Tenant, Town of Riverhead, shall be responsible for all repairs, maintenance, and utility payments covering any buildings and premises without contribution from the Landlord.
4. Any and all financial obligations and debt service necessitated by the bonds issued to complete the capital improvements as depicted upon Exhibit B, attached hereto and made a part hereof, shall be borne by the Town of Riverhead.

5. **Special District Levies.** Tenant, Town of Riverhead, shall pay the cost of any special district charges as levied.

6. **Vacate Premises.** If for any reason the Town of Riverhead discontinues the use of the premises as a community recreational facility and vacates the premises, this lease shall be considered terminated and become null and void.

IN WITNESS WHEREOF, the Landlord and Tenant have respectively signed and sealed these presents the day and year first above written.

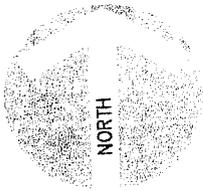
RIVERHEAD COMMUNITY DEVELOPMENT AGENCY

By: \_\_\_\_\_  
PHILIP J. CARDINALE, Chairman

TOWN OF RIVERHEAD

By: \_\_\_\_\_  
CHRISTOPHER E. KENT, Deputy Supervisor

# Exhibit A



SCALE: 1" = 300'



SCALE: 1" = 300'

SURVEY PREPARED BY  
JOHN EHLERS, LAND SURVEYOR  
6 E. MAIN STREET  
RIVERHEAD, NY 11901

Exhibit B  
(1)

**Adopted**

Resolution #839

72113-3209P

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Wading River Congregational Church, North Country Road Wading River, New York, in said Town, on September 7, 2005, at 7:00 o'clock        P        M., Prevailing Time.

The meeting was called to order by Supervisor Cardinale, and upon roll being called, the following were

PRESENT:           Supervisor Philip Cardinale  
                      Councilman George Bartunek  
                      Councilwoman Rose Sanders  
                      Councilwoman Barbara Blass  
                      Councilman Edward Densieski

ALSO PRESENT:     Town Clerk Barbara Grattan  
                      Town Attorney, Sean Walter

ABSENT:

The following resolution was offered by Councilman COUNCILMAN BARTUNEK, who moved its adoption, seconded by Councilman COUNCILWOMAN SANDERS, to-wit:

BOND RESOLUTION DATED SEPTEMBER 7, 2005.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$4,395,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE ESTABLISHMENT OF A NEW PARK AND RECREATIONAL FACILITY AT EPCAL IN AND FOR SAID TOWN.

WHEREAS, the capital project hereinafter described has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which, as proposed, the Town Board has determined will not result in any significant environmental effects; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE, BE IT

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

Section 1. For the specific object or purpose of paying the cost of the establishment of a new park and recreational facility in excess of fifty acres at EPCAL, including original furnishings, equipment, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, in and for the Town of Riverhead, Suffolk County, New York, there are hereby authorized to be issued \$4,395,000 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$4,395,000, and the plan for the financing thereof shall be by the issuance of the \$4,395,000 serial bonds authorized pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 19(a) of paragraph a of

Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. It is hereby determined that it is the intention of this Town Board that debt service on obligations issued pursuant to this bond resolution shall be paid from park and recreation fees collected at the park specified in Section 1 hereof; but to the extent that such park and recreation fees are not sufficient for such purposes, there shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable. The faith and credit of The Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Riverhead, Suffolk County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the

Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Sections 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. Upon this resolution taking effect, the same shall be published in full in The News Review, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 12. This resolution is adopted subject to permissive referendum in accordance with Section 35.00 of the Local Finance Law.

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

_____	VOTING	_____

The resolution was thereupon declared duly adopted.

\* \* \* \*

THE VOTE

Bartunek ✓	yes	no	Sanders ✓	yes	no
Blass ✓	yes	no	Densieski ✓	yes	no
Cardinale ✓	yes	no			

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

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO  
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board  
of said Town, including the resolution contained therein, held on September 7, 2005, with the  
original thereof on file in my office, and that the same is a true and correct transcript therefrom and  
of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open  
Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public  
notice of the time and place of said meeting to be given to the following newspapers and/or other  
news media as follows:

Newspaper and/or Other News Media

Date Given

Traveler-Watchman  
||    ||

September 8, 2005

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

<u>Designated Location(s) of posted notice</u>	<u>Date of Posting</u>
Town Clerk's Bulletin Board	September 8, 2005

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on September \_\_\_\_, 2005.

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

**BOND RESOLUTION – ADDITIONAL MONEY**

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, in said Town, on April 18, 2006, at \_\_\_\_\_ o'clock P.M., Prevailing Time.

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

PRESENT:

ABSENT:

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

BOND RESOLUTION DATED APRIL 18, 2006.

A RESOLUTION SUPPLEMENTING THE BOND RESOLUTION DATED SEPTEMBER 7, 2005, TO AUTHORIZE, **SUBJECT TO PERMISSIVE REFERENDUM**, THE ISSUANCE OF AN ADDITIONAL \$1,100,000 BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY A PORTION OF THE COST OF THE ESTABLISHMENT OF A NEW PARK AND RECREATIONAL FACILITY AT EPCAL, IN AND FOR SAID TOWN.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, by a bond resolution dated September 7, 2005, the Town Board of the Town of Riverhead, Suffolk County, New York, authorized the issuance of \$4,395,000 bonds of said Town to pay the cost of the establishment of a new park and recreational facility in excess of fifty acres at EPCAL, including original furnishings, equipment, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, in and for said Town; and

WHEREAS, it has now been determined that the maximum estimated cost of such specific object or purpose is \$5,495,000, constituting an increase of \$1,100,000 over that previously authorized; and

WHEREAS, it is now desired to authorize, **SUBJECT TO PERMISSIVE REFERENDUM**, the issuance of an additional \$1,100,000 bonds of said Town for such specific object or purpose; NOW, THEREFORE,

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

Section 1. For the specific object or purpose of paying an additional \$1,100,000 cost of the establishment of a new park and recreational facility in excess of fifty acres at EPCAL, including original furnishings, equipment, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, in and for the Town of Riverhead, Suffolk County, New York, there are hereby authorized to be issued, **SUBJECT TO PERMISSIVE REFERENDUM**, an additional \$1,100,000 bonds of said Town, pursuant to the provisions of the Local Finance Law.

Section 2. -It is hereby determined that the maximum estimated cost of such specific object or purpose is now \$5,495,000, and that the plan for the financing thereof is as follows:

- a) By the issuance of the \$4,395,000 bonds of said Town authorized to be issued pursuant to the aforesaid bond resolution dated and duly adopted on September 7, 2005;
- b) By the issuance of the additional \$1,100,000 bonds of said Town herein authorized to be issued pursuant to this bond resolution, **SUBJECT TO PERMISSIVE REFERENDUM.**

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 19(a) of paragraph a of Section 11.00 of the Local Finance Law, calculated from the date of issuance of the first bond anticipation note therefor. It is hereby further determined that the maximum maturity of the serial bonds herein authorized **will exceed five years.**

Section 4. It is hereby determined that it is the intention of this Town Board that debt service on obligations issued pursuant to this bond resolution shall be paid from park and recreation fees collected at the park specified in Section 1 hereof; but to the extent that such park

and recreation fees are not sufficient for such purposes, there shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable. The faith and credit of the Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year.

Section 5. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

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

only if:

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

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

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

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

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

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

\* \* \* \* \*

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

\_\_\_\_\_ VOTING \_\_\_\_\_  
\_\_\_\_\_ VOTING \_\_\_\_\_  
\_\_\_\_\_ VOTING \_\_\_\_\_  
\_\_\_\_\_ VOTING \_\_\_\_\_  
\_\_\_\_\_ VOTING \_\_\_\_\_

The resolution was thereupon declared duly adopted.

\* \* \* \* \*

**THE VOTE**

Dunleavy \_\_\_ yes \_\_\_ no    Bartunek \_\_\_ yes \_\_\_ no  
Blass \_\_\_ yes \_\_\_ no    Densieski \_\_\_ yes \_\_\_ no  
Cardinale \_\_\_ yes \_\_\_ no

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

**CERTIFICATION**

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

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

- 1) That a meeting of the Issuer was duly called, held and conducted on the 18th day of April, 2006.
- 2) That such meeting was a special regular (circle one) meeting.
- 3) That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
- 4) That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
- 5) That all members of the Board of the Issuer had due notice of said meeting.
- 6) That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
- 7) That notice of said meeting (the meeting at which the proceeding was adopted) was given PRIOR THERETO in the following manner:

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this \_\_\_\_\_ day of April, 2006.

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

(CORPORATE SEAL)

NOTICE OF ADOPTION OF RESOLUTION

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, at a meeting held on the 18th day of April, 2006, duly adopted the resolution published herewith **subject to a permissive referendum.**

Dated: Riverhead, New York,  
\_\_\_\_\_, 2006.

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

Resolution # \_\_\_\_\_

BOND RESOLUTION DATED APRIL 18, 2006.

A RESOLUTION SUPPLEMENTING THE BOND RESOLUTION DATED SEPTEMBER 7, 2005, TO AUTHORIZE, **SUBJECT TO PERMISSIVE REFERENDUM**, THE ISSUANCE OF AN ADDITIONAL \$1,100,000 BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY A PORTION OF THE COST OF THE ESTABLISHMENT OF A NEW PARK AND RECREATIONAL FACILITY AT EPCAL, IN AND FOR SAID TOWN.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, by a bond resolution dated September 7, 2005, the Town Board of the Town of Riverhead, Suffolk County, New York, authorized the issuance of \$4,395,000 bonds of said Town to pay the cost of the establishment of a new park and recreational facility in excess of fifty acres at EPCAL, including original furnishings, equipment, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, in and for said Town; and

WHEREAS, it has now been determined that the maximum estimated cost of such specific object or purpose is \$5,495,000, constituting an increase of \$1,100,000 over that previously authorized; and

WHEREAS, it is now desired to authorize, **SUBJECT TO PERMISSIVE REFERENDUM**, the issuance of an additional \$1,100,000 bonds of said Town for such specific object or purpose; NOW, THEREFORE,

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

Section 1. For the specific object or purpose of paying an additional \$1,100,000 cost of the establishment of a new park and recreational facility in excess of fifty acres at EPCAL, including original furnishings, equipment, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, in and for the Town of Riverhead, Suffolk County, New York, there are hereby authorized to be issued, **SUBJECT TO PERMISSIVE REFERENDUM**, an additional \$1,100,000 bonds of said Town, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose is now \$5,495,000, and that the plan for the financing thereof is as follows:

- a) By the issuance of the \$4,395,000 bonds of said Town authorized to be issued pursuant to the aforesaid bond resolution dated and duly adopted on September 7, 2005;
- b) By the issuance of the additional \$1,100,000 bonds of said Town herein authorized to be issued pursuant to this bond resolution, **SUBJECT TO PERMISSIVE REFERENDUM**.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 19(a) of paragraph a of Section 11.00 of the Local Finance Law, calculated from the date of issuance of the first bond anticipation note therefor. It is hereby further determined that the maximum maturity of the serial bonds herein authorized **will exceed five years.**

Section 4. It is hereby determined that it is the intention of this Town Board that debt service on obligations issued pursuant to this bond resolution shall be paid from park and recreation fees collected at the park specified in Section 1 hereof; but to the extent that such park and recreation fees are not sufficient for such purposes, there shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable. The faith and credit of the Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year.

Section 5. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such

recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

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

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

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

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

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

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

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

CERTIFICATION OF POSTING

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO  
HEREBY CERTIFY:

That on the \_\_\_\_\_ day of April, 2006, I caused to be posted on the official signboard  
maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of \_\_\_\_\_  
Adoption of a bond resolution adopted by the Town Board of said Town on the 18th day of \_\_\_\_\_  
April, 2006.

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

IN WITNESS WHEREOF, I have set my hand and affixed the seal of said Town this  
\_\_\_\_\_ day of April, 2006.

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

October 3, 2006

Adopted

TOWN OF RIVERHEAD

RATIFIES MAURICE GOLDMAN OPEN SPACE

BUDGET ADOPTION

RESOLUTION # 885

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

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

		<u>FROM</u>	<u>TO</u>
406.019400.494200.42051	Serial Bond Proceeds	\$255,000	
406.019400.521000.42051	Land Acquisition		\$247,000
406.019400.543000.42051	Professional Services		8,000

**THE VOTE**

Bartunek  Yes  No      Dunleavy  Yes  No  
 Blass  Yes  No      Densieski  Yes  No  
 Cardinale  Yes  No

OCTOBER 3, 2006

Adopted

TOWN OF RIVERHEAD

307 Griffing Ave - Chapter 96

BUDGET ADOPTION

RESOLUTION # 886

COUNCILMAN BARTUNEK

\_\_\_\_\_ offered the following resolution,  
which was seconded by \_\_\_\_\_ COUNCILWOMAN BLASS

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

		<u>FROM</u>	<u>TO</u>
406.010010.411000.41057	Real Property Taxes	5,740	
406.086660.540000.41057	Contractual Expense		5,000
406.086660.549001.41057	Administrative Fee		740

**THE VOTE**

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

# Adopted

10/3/06

TOWN OF RIVERHEAD

RESIDENTIAL ELDERLY EMERGENCY HOME REPAIR FUND

BUDGET ADJUSTMENT

RESOLUTION # 887

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

BE IT RESOLVED, that the Supervisor is authorized to establish the following budget adjustment:

	FROM:	TO:
184.086860.492700 NYS DIVISION OF HOUSING AND COMMUNITY RENEWAL TRUST FUND	\$36,250	
184.086860.549500 CONSTRUCTION REHAB		\$36,250

DUNLEAVY  YES \_\_\_ NO    BARTUNEK  YES \_\_\_ NO  
BLASS  YES \_\_\_ NO    DENSIESKI  YES \_\_\_ NO  
CARDINALE  YES \_\_\_ NO

THIS RESOLUTION  IS \_\_\_ IS NOT  
DECLARED DULY ADOPTED

Adopted

October 3, 2006

TOWN OF RIVERHEAD

BUSINESS IMPROVEMENT DISTRICT

BUDGET ADJUSTMENT

RESOLUTION # 888

COUNCILMAN DENSIESKI \_\_\_\_\_ offered the following resolution,  
which was seconded by COUNCILMAN DUNLEAVY \_\_\_\_\_.

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

		<u>FROM</u>	<u>TO</u>
118.064100.542609	Special Projects	5,000	
118.064100.543925	BIDMA		5,000

**THE VOTE**

Dunleavy  Yes  No      Bartunek  Yes  No  
 Blass  Yes  No      Densieski  Yes  No  
 Cardinale  Yes  No

# Adopted

October 3, 2006

**TOWN OF RIVERHEAD**

**WATER DISTRICT**

**BUDGET ADJUSTMENT**

**RESOLUTION # 889**

COUNCILMAN DUNLEAVY \_\_\_\_\_ offered the following resolution,  
which was seconded by \_\_\_\_\_ COUNCILMAN BARTUNEK \_\_\_\_\_.

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

		<u>FROM</u>	<u>TO</u>
112.000000.390599	Appropriated Fund Balance	30,000	
112.083200.542503	Chemicals		30,000

**THE VOTE**

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

10/3/06

# Adopted

## TOWN OF RIVERHEAD

Resolution # 890

**AUTHORIZES SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE RIVERHEAD BUSINESS IMPROVEMENT DISTRICT MANAGEMENT ASSOCIATION, INC.**

COUNCILMAN BARTUNEK

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

which was seconded by COUNCILWOMAN BLASS \_\_\_\_\_:

**WHEREAS**, the Town wishes to enter into an Agreement with the Riverhead Business Improvement District Management Association, Inc. for the calendar year 2006.

**NOW THEREFORE BE IT RESOLVED**, that the Supervisor be, and hereby authorized to enter into an agreement (copy attached) with the Riverhead Business Improvement District Management Association, Inc.; and be it further

**RESOLVED**, that the Town Clerk be, and is hereby directed to forward a Certified Copy of this Resolution to the Riverhead Business Improvement District Management Association, Inc. and the Office of Accounting.

DUNLEAVY  YES \_\_\_ NO    BARTUNEK  YES \_\_\_ NO  
 BLASS  YES \_\_\_ NO    DENSIESKI  YES \_\_\_ NO  
 CARDINALE  YES \_\_\_ NO  
 THIS RESOLUTION  IS \_\_\_ IS NOT  
 DECLARED DULY ADOPTED

AGREEMENT

-made between-

TOWN OF RIVERHEAD  
(Business Improvement District)  
-and-

RIVERHEAD BUSINESS IMPROVEMENT DISTRICT  
MANAGEMENT ASSOCIATION, INC.

This agreement, made the \_\_\_\_\_ day of October, 2006, between the Town of Riverhead Business Improvement District, with principal offices located at 200 Howell Avenue, Riverhead, New York, 11901 and the Riverhead Business Improvement District Management Association, Inc. ("BIDMA"), a not for profit corporation organized under the laws of the State of New York, having its principal offices at 112 West Main Street, Riverhead, New York, 11901.

WHEREAS, the parties hereto entered into an Agreement dated December 21, 1999, wherein the Town of Riverhead and the BIDMA agreed that the BIDMA would provide the administrative services necessary to carry out the Business Improvement District Plan; and

WHEREAS, the parties hereto wish to enter into a new Agreement;

WHEREAS, the RDMA has requested that the Town of Riverhead Community Development Department has agreed administer the NYMS program on its behalf; and

Now therefore, the parties mutually agree that:

1. The BIDMA shall act as administrator of the Business Improvement District. BIDMA shall provide all administrative services necessary to carry out the District Plan as adopted by the Town of Riverhead pursuant to Local Law #2 of 1991. Administrative services as specified herein include, but are not limited to, payment of employee salaries and the associated payroll expenses, and the purchases of incidental office supplies.
2. In consideration of the foregoing, the Business Improvement District shall make payments to the BIDMA in the following schedule of monthly amounts included herein, subject to the terms and conditions enumerated herein.

3. The BIDMA agrees that the purchase of incidental supplies in carrying out its obligations under this contract shall be made in accordance with the Town's procurement policy as may be amended from time to time.
4. The BIDMA agrees that funds transferred to it by the Town together with any interest earned and realized thereon by the BIDMA, shall not be used for any purpose other than those enumerated in the District Plan, and further agrees to maintain, and upon request, make available to the Town's Financial Administrator and/or Chief Fiscal Officer, its accounting, financial and other records regarding the funds received from and the services performed on behalf of the District.
5. The BIDMA agrees to account for the expenditure of funds and to furnish verified accounts of any disbursements made hereunder, together with certified or verified invoices attached thereto, at such times and in such form and detail as may be required by the Town's Chief Fiscal Officer. The BIDMA further agrees to furnish the Town's Financial Administrator a final accounting of the BIDMA's disbursements hereunder within one hundred twenty (120) days after the close of the BIDMA's fiscal year. The BIDMA agrees to fulfill its obligations to any governmental agency governing a not-for-profit corporation and to furnish the Town's Financial Administrator with a copy of any of its findings.
6. The parties hereby agree that any special events sponsored by the District and administered by the BIDMA on behalf of the District shall be insured by the Town of Riverhead and a final accounting of said event and proceeds from said special event shall be delivered to the Town's Financial Administrator within sixty (60) days of the close of said special event. Any events sponsored by the BIDMA for the benefit of the BIDMA or its members shall be insured by the BIDMA by a separate policy of insurance which shall be procured by the BIDMA and which shall name the Town of Riverhead as an additional insured
7. This Agreement may not assigned by the BIDMA without the express written consent of the Town of Riverhead Business Improvement District.
8. The schedule of payments to the BIDMA from the Town of Riverhead Business Improvement District shall be \$1,666.66 per month from January through December, 2006, payable for 2006 in one lump sum of (\$20,000) upon execution of this agreement.
9. This Agreement shall expire on December 31<sup>st</sup>, 2006

IN WITNESS HEREOF, this agreement has been duly executed by the respective parties on the date herein set forth.

RIVERHEAD BUSINESS IMPROVEMENT  
DISTRICT MANAGEMENT ASSOCIATION, INC.

---

By: Bill London, President

TOWN OF RIVERHEAD

---

BY: Philip J. Cardinale, Supervisor

10/03/06

# Adopted

TOWN OF RIVERHEAD

Resolution # 891

**RATIFIES THE SUPERVISOR'S EXECUTION OF AN AGREEMENT WITH THE NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY**

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

**WHEREAS**, the Town received a proposed agreement from the New York State Energy Research and Development Authority to provide \$400,000.00 of funding to the Town for the advance treatment of 385,000 gallons per day of the Town Sewer District's wastewater effluent for use in the irrigation of the Suffolk County owned Indian Island Golf Course and at the treatment facility, and to process water for cleaning and wash water at the treatment facility; and

**WHEREAS**, the Town of Riverhead has worked with the New York State Energy Research and Development Authority in the past to acquire funding; and

**WHEREAS**, the funding can be utilized to offset the entire cost of the Town project;

**NOW, THEREFORE, it is hereby**

**RESOLVED**, that the Supervisor's execution of the attached Agreement with the New York State Energy Research and Development Authority to provide \$400,000.00 of funding to the Town is ratified; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to the Riverhead Sewer District, Town Engineer, the Office of the Town Attorney and the Office of Accounting.

**THE VOTE**

Dunleavy  yes \_\_\_ no Bartunek  yes \_\_\_ no  
Blass  yes \_\_\_ no Densieski  yes \_\_\_ no  
Cardinale  yes \_\_\_ no

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

# ATTACHMENT A - PON No. 1040 PROPOSAL CHECKLIST (MANDATORY)

Proposal Title <b>Wastewater Reuse - Golf Course Irrigation</b>		Due Date <b>October 3, 2006</b>	
Primary Contact (Prime Contractor) <b>Phil Cardinale</b>		Title <b>Supervisor</b>	
Company <b>Town of Riverhead - Riverhead Sewer District</b>		Phone <b>631-727-3200</b>	Fax <b>631-727-6712</b>
Address <b>200 Howell Avenue</b>	City <b>Riverhead</b>	State or Province <b>NY</b>	Zip <b>11901</b>
Secondary Contact <b>Frank M. Russo, P.E.</b>		Title <b>Vice President</b>	
Company <b>H2M Group</b>		Phone <b>631-756-8000</b>	Fax <b>631-694-4122</b>
Address <b>575 Broad Hollow Road</b>	City <b>Melville</b>	State or Province <b>NY</b>	Zip <b>11747</b>

**THE PRIME CONTRACTOR MUST SIGN THIS FORM BELOW and ANSWER THE FOLLOWING QUESTIONS:**

Do you accept all Terms & Conditions in the Sample Agreement? (if no, explain on separate pg)  Yes  No

Have you been indicted/convicted for a felony within the past 5 years? (if yes, explain on separate pg)  Yes  No

Are you a Minority or Women-Owned Business Enterprise?  Yes  No

Does your proposal contain Minority or Women-Owned Business enterprises as subcontractors?  Yes  No

Are you submitting the required number of copies of Part I and Part II? (See proposal instructions.)  Yes  No

Is other public funding pending/awarded on this and/or very similar topic (prior and/or competing proposals)? (if yes, explain on separate page)  Yes  No

Which Category of the PON are you proposing under? (See proposal instructions.)

Category 1  Category 2  Category 3  Category 4

**ON WHAT PAGE IN YOUR PROPOSAL CAN THESE ITEMS BE FOUND?**

<p><b>PART I</b></p> <p>Project Description <u>2</u></p> <p>Project Benefits <u>7</u></p> <p>Statement of Work (with Schedule) <u>9</u></p> <p>Marketing Plan or Dissemination of Project Results Plan or Commercialization Plan <u>13</u></p> <p>Proposers Qualifications <u>14</u></p> <p>Budget <u>C</u></p> <p>Cost-sharing Summary <u>15</u></p> <p>Letters of Commitment <u>15</u></p>	<p><b>PART I, Continued</b></p> <p>Indictment/Conviction of Felony (if applicable) <u>N/A</u></p> <p>NYSERDA Contracts Awarded (if applicable) <u>N/A</u></p> <p>Prior and/or Competing Proposals (if applicable) <u>N/A</u></p> <p><b>PART II</b></p> <p><del>Exceptions to Terms &amp; Conditions (if applicable)</del> <u>19</u></p> <p>Completed and Signed Contract Pricing Proposal Form(s)</p> <p>Disclosure of Prior Findings of Non-responsibility Form <u>21</u></p>
--	--

**AUTHORIZED SIGNATURE & CERTIFICATION**

I certify that the above information, and all information submitted in connection with State Finance Law §139-j and §139-k, is complete, true, and accurate, and that the proposal requirements noted have been completed and are enclosed. I affirm that I understand and will comply with NYSERDA's procedures under §139-j(3) and §139-j(6)(b) of the State Finance Law. I understand that this proposal may be disqualified if the solicitation requirements are not met. I the undersigned am authorized to commit my organization to Part I and Part II of this proposal.

Signature	Name <b>Phil Cardinale</b>
Title <b>Supervisor</b>	Organization <b>Town of Riverhead</b>
Phone <b>631-727-3200</b>	Date

**NOTE:** This completed form **MUST** be signed and attached to the front of all copies of Part I of your proposal.

**TOWN OF RIVERHEAD  
WASTEWATER REUSE – GOLF COURSE IRRIGATION  
NYSERDA - PROGRAM OPPORTUNITY NOTICE (PON) 1040**

**A. PROJECT DESCRIPTION**

The Riverhead Sewer District is planning to reuse approximately 350,000 GPD of effluent from the combined Riverhead Advanced Wastewater Treatment Facility (RAWTF) and the pre-existing Scavenger Waste Treatment Plant to irrigate the adjacent Suffolk County owned Indian Island Golf Course. There are at least four (4) other golf courses in New York State that take advantage of reclaimed water for irrigation. The other New York state reuse projects cannot be used solely as the basis to accept this project because of Long Island's unique reliance on a sole source aquifer for water supply, and because of the Town's and Suffolk County's concerns regarding the potential public health issues. As the project must readily gain public acceptance for the project to be implemented on a full scale basis, it was determined that a demonstration pilot study was prudent considering the pioneering nature of such a project on Long Island.

A pilot project was undertaken to study the treatment processes necessary to develop a viable design for obtaining quality water and that would also satisfy one of the major recommendations of the *Peconic Estuary Comprehensive Conservation and Management Plan* (PECCMP): to reduce the annual mass loading of nitrogen to the Peconic Estuary. The wastewater that is normally discharged to the Peconic Estuary contains nutrients that can deplete the oxygen content of the receiving waters. This depletion in oxygen causes hypoxia that degrades the waters ability to sustain aquatic life. Over time, the water continues to degrade, the qualities of the water that makes it desirable for recreational purposes becomes affected. **In Suffolk County, this is the first proposed water reclamation project.**

Based on the results of the pilot study, and an extensive literature and operational systems investigation, the wastewater will be reclaimed for reuse by incorporating supplemental treatment systems consisting of advanced filtration equipment and a high dose ultraviolet (UV) disinfection step for inactivation of microbiological pollutants. The associated reduction in the volume of discharge via the outfall sewer will result in the removal of approximately 25% (at full flow capacity) of the mass loading of nitrogen during the irrigating season. This reduction is beyond the limits currently achievable through wastewater treatment technological means. The Town is not required to undertake this project. The RAWTF currently achieves all discharge limitations specified in the SPDES permit.

As part of the pilot study, a model golf course (fairway, tee and green) was constructed on the Riverhead treatment plant site. A side-stream portion of the RAWTF effluent was diverted to the pilot plant via existing and new piping and pumps. The pilot system processed up to 36 gallons per minute (gpm) of existing RAWTF effluent that was tested to insure a total nitrogen concentration of 10 mg/l or less. Current drinking water standards restrict the allowable total nitrogen concentration in the water to 10 mg/l prior to discharge to groundwater. The process that treated the RAWTF's effluent to the quality required for irrigation incorporated three (3) different stages.

The first stage of the treatment system was an Aqua-Disk Cloth Media Filter manufactured by Aqua-Aerobic Systems, Inc of Rockford, Illinois. The disk filter removes particles above 10 microns (1/1,000 mm) in size and functions to protect downstream treatment units from fouling. The second stage of the pilot treatment train filters the wastewater again using an Aqua-MB membrane system, marketed by Aqua-Aerobic Systems, Inc. and manufactured by Pall Water Processing of East Hills, New York. The pilot equipment was operated in successive tests as both a microfiltration system and an ultrafiltration system by changing the membrane material. The third and last stage of processing was a second disinfection step.

The high quality of the existing AWTF effluent makes measurement and evaluation of advanced filtration systems inaccurate. To increase the accuracy of the testing, evaluation and measurements, challenge testing using coliphage MS-2 bacteria, to simulate the behavior of various viruses and other pathogenic bacteria were laboratory grown and systematically injected into the side-stream test water upstream of

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each individual test process. A nationally recognized microbiologist was hired by the Town to perform this challenge testing.

Treated water from the pilot system was stored in the two (2) existing abandoned trickling filter tanks and in seven (7) temporary storage tanks (swimming pools) purchased and installed by the Town. The total storage volume was 300,775 gallons. All tanks were covered to prevent algae growth, evaporation and air contamination.

The irrigation system was designed, installed and operated to mimic the performance of the system used by Suffolk County on the Indian Island Golf Course. As the water was depleted from the trickling filter tanks, a submersible pump was used to transfer water from the temporary storage tanks to the trickling filter tanks. A water booster pump was installed and connected to the sprinkler system supply pipe for the model golf course. Suffolk County Cornell Cooperative Extension Services provided the testing and evaluations of the irrigated model golf course plantings.

*To place the results of the pilot plant's treatment efficiency into context, the USEPA currently requires drinking water treatment plants relying upon surface water to demonstrate a total of 4.0 log<sub>10</sub> virus reduction, where the expectation is that for each 10,000 viruses present, 1 or less is expected to escape inactivation or removal. This water reuse project demonstrated microbial reductions that far exceeded this requirement, and produced a high quality effluent under all configurations evaluated. Both membrane filtration configurations (ultrafiltration and microfiltration) resulted in reductions that exceeded six logs, or 99.9999%, for each of the test microorganisms studied.*

The water that was treated for this study was applied to the model golf course commencing on May 18, 2004 and ending on September 21, 2004. All of the 300,000 gallons of treated and stored water had been depleted by the September date. Soil tests and visual observations of the irrigated turf and plantings were conducted. The irrigation of the model area with the treated water was done using the installed irrigation system on the same schedule as used at the Indian Island Golf Course. The soils and plantings were tested and evaluated by the Suffolk County Cornell Cooperative Extension Service. The Suffolk County Department of Parks cared for the pilot test area as they care for the golf course. The pilot area was cut and fertilized on the same schedule, using the same equipment, with the same staff, as the golf course. The maintenance regime was the same as they currently perform for the 18-hole course.

Mr. A. Martin Petrovic, Professor of Turfgrass Science, Cornell University College of Agriculture and Life Sciences reviewed the data reports and stated; *"Based on what information I have seen from this demonstration and my experience at Lake Placid, I urge that wastewater irrigation be considered for the Indian Island golf course."*

A Pilot Study Technical Report was prepared and submitted to the Suffolk County Department of Health Services at the completion of the irrigation evaluation period. The project was accepted with approval being granted to proceed with the planning and construction of the full-scale facility.

Superintendent Michael P. Reichel of the Riverhead Sewer District has solicited the input from East End Long Island environmental groups. Every group supports the project since it is the beginning as a means to comply with the recommendations of the PECCMP. The efforts of Mr. Reichel and his outreach endeavors have benefited the project in that to date, negative public perceptions have not arose because of the support of the environmental groups and their community recognized leaders.

The staff of the Suffolk County Indian Island Golf Course uses 350,000 gallons per day of clean ground water (on-site wells or purchased city water) to irrigate the turf and plantings of the 18-hole golf facility. Being "County" Park personnel, the operations staff is well aware of the environmental issues with regard to using large quantities of drinking water for irrigation purposes. During the development of this project,

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the Parks Department staff cooperated fully with the Town, their consultants and other County Departments in promoting and assisting to make this Pilot Study a successful venture. They partnered with the Town on the Pilot Study with the intention of continued full-scale implementation if the project proved viable. The Parks Department provided detailed irrigation system information, maintained the study's model areas and advised on various maintenance matters. They participated as such because they understand the importance to them of having a cheap, reliable source of water and an environmental concern for the condition of the surrounding areas that make their facility a desirable recreation area. This partnership will continue when the full-scale 350,000 gpd plant is constructed because the Town can then provide sufficient irrigation water from wastewater that would normally be wasted. The use of large quantities of city or well water cannot be depended upon and the possibility of salt-water intrusion into on-site wells is very possible. Both the Town and the Suffolk County Parks Department benefit from wastewater reuse partnering. The benefits to the golf course are evident but the benefits to the Town are less tangible because they cannot be immediately seen.

The specific filtration/disinfection equipment system applications that were developed from this study proved to be an innovative method to treat wastewater to quality levels that provide a product that is acceptable for human contact, establishes a system that allows for diversion of nutrient laden effluent from direct discharge to the surface waters and provides water with nutrients to be consumed by golf course turf. Another environmental benefit from wastewater irrigation is that the wastewater provides nutrients that allow for a decrease in the use of added chemicals to the turf areas.

The Town of Riverhead initiated this project at their sole cost. The initial budget for both the pilot phase and the full implementation of a permanent system was \$1,500,000. During the research activities, it was decided to make application to the New York State Department of Environmental Conservation (NYSDEC) for grant financing under the NYS Water Quality Improvement Project Bond Act. An estimate of the Pilot Project total cost was developed with the amount being \$268,000. The Town was awarded a grant in the amount of \$148,750 representing 85% of the estimated construction portion cost of the pilot systems. Based upon the eligible expenditures, the actual grant funding amount will be approximately \$89,000.

Based upon the results of the Pilot Study, literature reviews and facility research, cost opinions were developed for construction of a full-scale facility to provide the 350,000 gallons per day (GPD) to the golf course irrigation system. Using today's cost information, the estimate escalated to \$2,910,000. Application was made to the NYSDEC for grant funding from the NYS Clean Water /Clean Air Bond Act in the amount of \$2,095,250. This grant was awarded to the Town in November 1995 and they have decided to proceed with the design and construction of the full scale facility. A work plan will be prepared and submitted to the NYSDEC for development of the funding contract, SEQRA action will be initiated by the Town of Riverhead who will assume the role of Lead Agency and conduct a Coordinated Review.

The treatment process recommendations presented in the *Technical Report for the Phase 1 – On-Site Implementation (Pilot Study)* report were to side-stream 350,000 gallons per day (gpd) of treatment plant effluent for advanced filtration and disinfection using cloth media filtration (AquaDisk Package Model 54, Aqua Aerobics, Rockford, IL), followed by membrane microfiltration (Model AP4 Microfilters, Pall Corporation, East Hills, NY) and UV disinfection (Model 3600K-PTP, Trojan Technologies, London, Ontario). The H2M/SMI January 2006 literature research memorandum indicated that a number of municipalities in the United States have irrigated or currently irrigate using treated effluent produced from similar treatment process schemes. Because of local precedent-setting concerns relating to the implementation of the recommended membrane microfiltration for the operational scale system, the research team was asked to reconsider the need for membranes as part of the recommended treatment system.

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Although the 2004 pilot study *Technical Report* did not evaluate wastewater treatment in the absence of membrane microfiltration, the research team concluded that based upon the raw data obtained from the pilot study, as well as state requirements from some of the most stringent reuse programs in the country, it would be technologically reasonable to produce treated effluent that would meet USEPA water reuse guidelines without the use of the microfiltration component. The modified treatment scheme would include cloth media filtration followed by enhanced UV disinfection based upon the justification that effective solids removal would occur through the cloth filtration process and that the remaining infectious biosolids could be inactivated through UV disinfection. The pilot study showed that cloth media filtration alone was capable of producing approximately 40-50% removals for both viruses and bacteria, and UV alone was capable of inactivating at least 99.97% of both microorganisms. These data support the contention that cloth media and UV disinfection can be effectively combined for use at the Riverhead facility to produce an effluent that will meet the reuse water quality expectations for unrestricted irrigation at the Indian Island Golf Course.

The capital cost savings associated with not using the membrane microfiltration system is significant compared to the \$3.3 million estimated total project cost when using the microfiltration step. UV disinfection design considerations will somewhat offset the removal of the microfilters since more stringent UV transmittance values will be used. Consequently, the design dose of UV radiation would be increased from approximately 80 $\mu$ J/cm<sup>2</sup> to >100 $\mu$ J/cm<sup>2</sup>, to compensate for elevated turbidity levels that could impede the performance of the UV disinfection system. Also, auxiliary equipment would be installed for polymer coagulation prior to cloth media filtration to give the operator an additional tool in the case that effluent quality deteriorates and requires additional treatment prior to use as an irrigant.

The Town of Riverhead's Advanced Wastewater Treatment Facility (RAWTF) operates by authorization of the New York State Department of Environmental Conservation (NYSDEC) under SPDES Permit No. NY 002 0061. The RAWTF currently achieves all discharge limitations specified in the SPDES permit. Some of the permit limits are as follows:

Flow – 1.3 MGD  
CBOD – 271 lbs/day (25 mg/l)  
Suspended Solids – 325 lbs/day (30 mg/l)  
Total Nitrogen – 170 lbs/day (15.7 mg/l)  
Fecal Coliform – 200/100 ml  
Total Coliform – 700/100 ml

The diversion of 350,000 gallons per day of effluent to golf course irrigation means a reduction in the volume of discharge via the outfall sewer to the Peconic River and will result in the removal of approximately 25% (at full flow capacity) of the mass loadings of permitted wastewater constituents during the irrigating season. This reduction is beyond the limits currently achievable through wastewater treatment technological means. The Town is not required to undertake this project.

Based upon test reports during the Pilot Study, the average concentration of constituents of the irrigation water that was treated were as follows:

CBOD – 2 mg/l  
Suspended Solids – 5 mg/l  
Total Nitrogen – 6 mg/l  
Fecal Coliform – < 2/100 ml  
Total Coliform – < 2/100 ml

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In addition to the existing SPDES Permit required monitoring, daily fecal coliform tests and continuous turbidity monitoring will be performed on the processed water diverted to the stored water tanks for irrigation usage.

Because the recommended treatment process train is expected to produce a high quality effluent that is essentially free of detectable levels of human enteric viruses, pathogenic bacteria and parasitic protozoa, routine monitoring of aerosols produced during irrigation practice is not recommended. Because the removal of the membrane component of the system evaluated during the pilot study could have an indirect impact on the pathogen removal efficiency of the operational scale system, monitoring of the treated effluent from the aerosol spray of the sprinklers flanking the residences west of fairway number eleven during the irrigation season may be of value in confirming the effectiveness of the treatment system. However, rather than relying upon costly and perhaps unnecessary tests for human enteric viruses, the research team recommends the more economical alternative of coliphage monitoring. Because coliphages are small, bacterial viruses that are morphologically similar to disease-causing viruses such as hepatitis A virus, and because they can be found in high densities in raw sewage as well as inadequately treated effluent, coliphage monitoring would provide an ongoing measure of the effectiveness of the treatment scheme during the irrigation season. Weekly monitoring of coliphage levels in both the raw sewage and in the treated effluent is recommended for the initial season, followed by monthly monitoring thereafter. Although the research team does not anticipate that measurable levels of viruses or viral indicators will be present in the sprinkler spray, initial coliphage screening of the bioaerosols from the sprinklers serving the one green flanked by residences is recommended when the system is brought on-line.

Based upon the information gathered in the various research projects; the data obtained from the pilot study; the regulations of the States of California, Arizona and Florida; the USEPA Guidelines; and, the actual in-service treatment systems studied, the following reuse water quality standards are recommended for this irrigation project:

- Total Suspended Solids: 5 mg/L
- Turbidity: 2 NTU daily average / 10 NTU max. limit
- Fecal Coliform: non-detectable in 4 of 7 days and 23/100 mL max.

There are no houses bordering the golf course that are on private wells and there are no public water supply wells in the vicinity of the golf course. There are houses located within 100 feet from the west edge of fairway No. 11. As per the California Title 22, Article 4 (f) requirements: *“No spray irrigation of any recycled water, other than disinfected tertiary recycled water, shall take place within 100 feet of a residence or a place where public exposure could be similar to that of a park, playground, or school yard”*.

Based upon the above and the reuse classification being “Unrestricted”, no setback distances will be necessary.

In addition to the above 350,000 gpd for irrigation of the golf course, approximately 35,000 gallons per day will also be processed and used by the Sewer District for the on-site grounds irrigation system, in-plant cleaning and for the gravity belt thickener washwater system. This removes an additional quantity of effluent from the outfall discharge and decreases the volume of potable water required from the water district for use at the treatment facility.

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**B. PROJECT BENEFITS**

Table 1: Host Site Benefits

Estimated Reduction in Power Demand (kW)	Estimated Annual Energy Usage Change (kWh)	Estimated Annual Energy Usage Change (MMBTU)	Estimated Annual Energy Usage Change (\$)	Other Anticipated Benefits (e.g., Improved environmental quality, reduced chemical requirements, optimized capacity, etc.)
				<b><u>IMPROVED ENVIRONMENTAL QUALITY:</u></b> Less pumping of groundwater near the fresh/salt water barrier reduces the likelihood of salt water intrusion at the irrigation wells; At full capacity, a 25 % reduction in discharge of nitrogen going to the Peconic Estuary will also result in this nitrogen being added to the turf uptake zone on the golf course, thereby reducing the quantity of chemical fertilizer usage. The decrease in the quantity of potable water used for process water and irrigation will increase supplies for other users.

Of the 1,357,506,000 km<sup>3</sup> of water on the planet, only 0.65% (8,506,000 km<sup>3</sup>) is available as fresh water on land or in the air. The remainder is either frozen or in the oceans. Approximately 97.5 % of the available fresh water is trapped below ground.<sup>1</sup> The need to reuse water for beneficial purposes has been adopted throughout the world. Water must not be wasted!

In the warmer climates of the United States, fresh water is becoming very scarce. Water managers in 36 states are expecting water shortages in localities, regions, or statewide within the next ten (10) years.<sup>2</sup>

Water shortages make direct impacts on the economy, environment and society. Many areas of the continental United States have severe water shortage problems. Population growth is straining already limited facilities and availability. By the year 2025, eleven geographical areas have been identified as being highly likely to have conflicts over water. In fact, it is predicted that New York State will be among eighteen (18) states that will experience local water shortages within the next ten (10) years.<sup>3</sup>

Wastewater reclamation projects have been undertaken in many states. California, Florida, Texas, Arizona and South Carolina have the most projects. California is leading the way with wastewater reclamation. They have been involved in water conservation for the past 50 years.

1 Doxiadis, CA, 1967, Water and Environment, International Conference on Water for Peace, Washington, DC

2 United States General Accounting Office, July 2003, Freshwater Supply – State’s Views of How Federal Agencies Could Help Them Meet the Challenges of Expected Shortages

3 Ibid

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In 1969, the Porter-Cologne Act passed by the California Legislature declared its intent to “undertake all possible steps to encourage development of water recycling facilities”. The California Department of Health Services established water quality standards and treatment reliability criteria for water recycling under Title 22, Chapter 4, of the California Code of Regulations. With the adoption of a support resolution from the United States Environmental Protection Agency (EPA), Region 9; the California Water Resources Control Board; the California Department of Water Resources; the California Department of Health Services; the California Conference of Directors of Environmental Health; the United States Bureau of Reclamation; and the Water Reuse Association of California in 1994, these agencies affirmed their support for the pursuit and development of federal, state and local water reclamation policies and regulations that will reduce constraints and promote water reclamation projects in California. Water reuse in California is projected to achieve a level of production of 1,300,000 acre-feet by the year 2010.<sup>4</sup>

In Suffolk County, this is the first proposed water reclamation project. It is initiated by the conditions of the Peconic Estuary Program, rather than by a lack of water. However, the benefits from this program extend well beyond nitrogen loading within the Peconic Estuary. As noted above, severe water shortages may change the water supply conditions that we now take for granted. At the present time, the Suffolk County’s Indian Island Golf Course is irrigated from on-site wells. This procedure is bound to affect the salt water/clean water boundary. Over time, intrusion of salt water will be a problem. Irrigation with potable water from the local municipal systems is already too expensive and puts a stress on the existing facilities. Projected population increases throughout Suffolk County will make potable water supplies an issue. It is the Town of Riverhead’s belief that now is the time for the community to take the lead in water conservation to plan and be prepared before it becomes critical. This project will be a model for other areas when the time for action comes.

**Table 2: Statewide Benefits**

Estimated Reduction in Power Demand (kW)	Estimated Annual Energy Usage Change (kWh)	Estimated Annual Energy Usage Change (MMBTU)	Estimated Annual Energy Usage Change (\$)	Other Anticipated Benefits (e.g., improved environmental quality, reduced chemical requirements, optimized capacity, etc.)
				<p><b><u>IMPROVED ENVIRONMENTAL QUALITY:</u></b> In coastal areas, less pumping of groundwater near the fresh/salt water barrier reduces the likelihood of salt water intrusion at the irrigation wells and a reduction in discharge of nitrogen going to the surface waters; nitrogen added to the turf uptake zone on land application projects reduces the quantity of chemical fertilizer usage. In typical recharge basins used for wastewater recharge, there is no vegetation and no uptake of nitrogen; it ends up in the groundwater. Less pumping of groundwater for irrigation, decreasing potable water usage.</p>

4 WateReuse Association – Statement of Support for Water Reclamation

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Wastewater effluent throughout New York State is discharged either to groundwater or to the surface waters. The quality of this used water is generally not capable of reuse for various environmental reasons. The discharge of this water degrades either the groundwater or the surface waters where it is disposed. As usable water quantities are depleting, it is time to reclaim this valuable resource for beneficial purposes. The proposed system for the Riverhead Sewer District does just that. The quality of effluent to be used for irrigation will be such that no restrictions for use will need to be imposed. Also, by irrigating with this water, nitrogen will be removed from the surface waters and it will be used as required by the golf course plantings. There are currently around eight municipal sewer districts, right here in Suffolk County, that have wastewater treatment facilities located adjacent to golf courses. There are others that are adjacent to large land areas of developed open space. The effluent is dumped into surface waters or recharged to groundwater. This project will lay the cornerstone for an environmentally beneficial change in procedures.

**C. STATEMENT OF WORK AND SCHEDULE**

1) DESIGN

The current task is the development of the Engineering Report for submittal to both the New York State Department of Environmental Conservation (NYSDEC) and the Suffolk County Department of Health Services (SCDHS). At the time of approval, we can initiate the final design stage. This report will be prepared by Holzmacher, McLendon & Murrell, P.C. (H2M), in consultation with Scientific Methods, Inc. (SMI). As part of the report stage, a preliminary design will be proposed. This design will layout the site and building requirements, hydraulic requirements, pump selections, piping systems, equipment selections, control parameters, control systems, electrical requirements and project coordination specifics.

It is planned that H2M will be finished with the report by October 15, 2006 for submittal to the review agencies. It is anticipated that regulatory reviews and comment responses will be completed prior to January 1, 2007. At this time, final design with the development of the Plans and Specifications can go forward. The design documents will be refined from preliminary stages with specific detail requirements being added. Project equipment will be designed and plan sheets developed with all of the elements of the equipment, connections and locations indicated thereon. A set of specifications will be written for the project to include: Town of Riverhead "Boiler Plate" requirements (Notice to Bidders, Instructions to Bidders, Proposal Forms, Contract Specimen, General Conditions, Supplemental Conditions and General Requirements); and Technical Specifications for each item of the work to be performed by the construction contractors.

These documents should be published by April 1, 2007. These documents will then be submitted to the regulatory agencies for review and comment with the bidding process taking place during July, 2007.

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2) BID SERVICES

Once bids are received, they will be reviewed by the design engineer for procedural and specification compliance. A determination of the lowest responsible bidder will be made and a recommendation of award will be made to the Town.

3) CONSTRUCTION ADMINISTRATION

Once contract award is made (Approx. August 15, 2007), the engineer will begin processing shop drawings, insurance documents, payment breakdowns and working on site mobilization.

4) CONSTRUCTION INSPECTION

Commencement of construction is anticipated by September 15, 2007. Site clearing will be the first activity with the installation of underground utilities to follow before the winter weather sets in. A foundation will be poured for the Filter Building and then assembly of the structure can proceed. Concurrently with this construction, installation of the underground piping and valves can take place. At the completion of the building assembly, the filter and disinfection equipment can be installed. The final stages will be the equipment piping and electrical connections for the equipment and control systems. It is anticipated that the system will be available for use by mid 2008.

5) SAMPLING AND ANALYSIS

The reclaimed water quality will meet the following standards:

- Total Suspended Solids: 5 mg/L
- Turbidity: 2 NTU daily average / 10 NTU max. limit
- Fecal Coliform: non-detectable in 4 of 7 days and 23/100 mL max.

To verify system performance, daily fecal coliform tests and continuous turbidity monitoring will be performed on the processed water diverted to the stored water tanks for irrigation usage.

Because the recommended treatment process train is expected to produce a high quality effluent that is essentially free of detectable levels of human enteric viruses, pathogenic bacteria and parasitic protozoa, routine monitoring of aerosols produced during irrigation practice is not recommended. Because the removal of the membrane component of the system evaluated during the pilot study could have an indirect impact on the pathogen removal efficiency of the operational scale system, monitoring of the treated effluent from the aerosol spray of the sprinklers flanking the residences west of fairway number eleven during the irrigation season may be of value in confirming the effectiveness of the treatment system. However, rather than relying upon costly and perhaps unnecessary tests for human enteric viruses, the research team recommends the more economical alternative of coliphage monitoring. Because coliphages are small, bacterial viruses that are morphologically similar to disease-causing viruses such as hepatitis A virus, and because they can be found in high densities in raw sewage as well as inadequately treated effluent, coliphage monitoring would

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provide an ongoing measure of the effectiveness of the treatment scheme during the irrigation season. Weekly monitoring of coliphage levels in both the raw sewage and in the treated effluent is recommended for the initial season, followed by monthly monitoring thereafter. Although the research team does not anticipate that measurable levels of viruses or viral indicators will be present in the sprinkler spray, initial coliphage screening of the bioaerosols from the sprinklers serving the one green flanked by residences is recommended when the system is brought on-line.

**6) PROJECT MANAGEMENT**

Project management will be provided by the design engineers at H2M. They will manage the submittal of documents to the regulatory agencies and provide for modifications required by review comments. The project will be brought to the bidding stage for the Town to conduct the bid and award process. After contract award, H2M will be responsible for contract administration, construction coordination between the various contracts required by the “Wick’s Law” provisions of New York State, and construction inspection. H2M will also manage the contract payment process and will make recommendations to the Town for processing payments to the contractors.

As part of the coordination process, H2M will conduct monthly progress/coordination meetings. Participation at these meetings will be required of the contractors. Regulatory agencies, funding participants, environmental consultants, local and Town officials will be invited to attend. At these meetings, construction progress, project scheduling, coordination, changes and problems will be discussed.

After commencement of operations, several meetings with the regulatory agencies, funding participants, environmental consultants, local and Town officials will be conducted to discuss process performance, testing requirements and overall performance issues. Operational modifications may be accommodated at this time. Testing will continue throughout the first irrigation season with operational performance being discussed at these meetings.

**7) REPORTS**

At the conclusion of the first irrigation season, H2M and Scientific Methods will collect the data on the operations of the system and issue a final report of the overall system characteristics and performance. This report will be used by the regulatory agencies and funding participants as a reference for technical information on wastewater reuse on Long Island and possibly throughout New York State.

For the next five (5) years, the Town will report to NYSERDA on the project metrics as required.

**8) SCHEDULE**

A project schedule is included on the following page:

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**PROJECT SCHEDULE**

TASK	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
<b>YEAR 2006</b>												
a. Supplemental Report												
b. Map & Plan (Engr. Report)												
c. Regulatory Reviews												
<b>YEAR 2007</b>												
d. Plans & Specifications												
e. Regulatory Reviews												
f. Bidding and Award												
g. Construction Administration												
h. Construction												
1) Site Clearing												
2) Building & PS Excavation												
3) Building Foundation & Slab												
4) Pump Station Construction												
5) Site Piping												
6) Force Main construction												
<b>YEAR 2008</b>												
Construction (Continued)												
7) Building Assembly												
8) Equipment Installation												
9) Pump & Valve Installation												
10) Control System Installation												
11) Site & Building Electrical												
12) Startup & Testing												
i. System Activation												
j. Performance Testing												
k. Prepare Final Report												
<b>YEAR 2009 - 3013</b>												
l. Metrics Reports (As Required)												

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**D. MARKETING PLAN**

The Town of Riverhead is conducting this project as an environmental benefit for the Town and the Peconic Estuary. There were never any intentions to market any technology that may be developed in conducting this program. It is expected that new technology will be advanced, and that advanced processing of wastewater will provide significant environmental benefits to the area because of the application of treatment processes not commonly incorporated in New York State. The involvement of the Suffolk County Department of Health Services (SCDHS) not only provided regulatory approval but their expertise and advice were invaluable. They will use the study results for development of standards for future projects in Suffolk County. The SCDHS – Division of Environmental Quality regulates over 200 wastewater treatment facilities in Suffolk County. The potential demand for reuse is only a matter of time. It is anticipated that because of this project, Suffolk County and other wastewater treatment operators will use this system to solve many of the issues related to effluent disposal and at the same time, conserve the natural resources for future generations.

Convincing the local environmental groups of the safety and benefits of reused water is critical to the success of our project. “*Unrestricted use*” quality water provides many application alternatives to the communities so that reuse can be viable. It makes effluent available for irrigation of parks, playgrounds, school yards, roadway grasses, golf courses and crops. Irrigation not only keeps the nutrients out of the surface waters, it allows for the removal of nitrogen from the water through plant uptake as fertilizer. The Peconic Estuary is not the only surface water system in New York State degraded by wastewater effluent. Reuse of water because of development of viable advanced treatment systems is a logical approach to solving both advancing problems of insufficient quantities of usable water availability and surface water quality.

The involvement of the Cornell Cooperative of Suffolk County in the testing and monitoring of the model golf course turf and plantings provided another avenue for technology transfer. This Agency not only used their local resources, but also utilized a Professor of Turfgrass Science from their Ithaca, New York campus to provide analysis and opinion.

Other environmental groups and agencies were invited to observe the workings of the Pilot Facility. This project exposure made public the efforts of the Town. Among those who visited were representatives of the Suffolk County Department of Public Works - Division of Sanitation. This agency operates and maintains approximately 25 sewer districts within Suffolk County. Effluent disposal is always an issue for their department and several of their treatment facilities are located adjacent to golf courses. As Long Island development grows and clean water becomes more of an issue, the technology developed as a result of this project will be available.

The equipment that was incorporated into the Pilot Plant was researched prior to selection. Performance characteristics were of major concern but availability was also a consideration. The equipment manufacturers had to provide a reliable product with a track record of specific performance. Other potential users can use the Pilot Study information as a basis to design systems for their particular project with the knowledge that a reliable process is possible.

**TOWN OF RIVERHEAD  
WASTEWATER REUSE – GOLF COURSE IRRIGATION  
NYSERDA - PROGRAM OPPORTUNITY NOTICE (PON) 1040**

A public wastewater treatment education program was started by the Riverhead Sewer District Superintendent and a Riverhead Middle School teacher in 1998. This program's initial development began as a classroom presentation by the teacher and the Superintendent with basic handouts and an informational session at the school. The handouts developed into process schematics, flow diagrams, flow charts, process information and a study book. A site tour was developed and now each year the Middle School class has both the tour and the classroom program presentations. The tour availability has been opened up to adjacent school districts and to local community environmental groups. The Sewer District Superintendent develops and prepares all presentation handouts for this program. This educational program is a marketing tool that will expose the future leaders to the environmental benefits and technologies available for water reuse in New York State.

**E. PROPOSER QUALIFICATIONS**

Michael P. Reichel - Mr. Reichel is the Superintendent of the Riverhead Sewer District. He is a licensed Wastewater Treatment Plant Operator. He has extensive experience with both the Riverhead and Calverton Sewer District wastewater treatment and collection facilities. He is the Project Manager for the Town of Riverhead and was involved in both the conception and planning of the project. Mr. Reichel coordinated the installation and connection of the pilot plant's mechanical and electrical systems, including the various pieces of equipment, the construction of the model golf course, the water storage tanks and the irrigation pumps. As a result of Mr. Reichel's expertise, the Riverhead Sewer District was recently awarded the prestigious *Andrew M. Weist O&M Excellence Award* by the New York State Department of Environmental Conservation.

Frank M. Russo, P.E. – Mr. Russo is the Project Manager for the Town's consulting engineer, H2M Group. He is a Vice President at H2M and is Director of the Wastewater Engineering Department. Mr. Russo has over 27 years experience with design and construction of wastewater treatment facilities and is also a licensed operator. He directed the research and report tasks for the Pilot Study and worked with the Town and the County to establish the goals of the project. He coordinated the project with Suffolk County Department of Health Services, NYSDEC, Riverhead and Suffolk County Department of Parks and Recreation.

David A. Battigelli, PhD. – Mr. Battagelli is an environmental microbiologist with the firm of Scientific Methods, Inc. He was hired by the Town to develop and conduct the testing program for the pilot study. He supplied the surrogate microorganisms, developed the testing protocol, designed and calibrated the organism feed system and ran the test program. He is also involved in the research and preliminary designs for development of the Engineering Report. His expertise will be necessary for the conclusion of this project.

Various sub-contractors will be required for the construction of the full scale facilities. These contractors will be selected based upon the municipal bidding procedures required by New York State Municipal Law. Their performance will be monitored by the Town and H2M for quality assurance and performance progress. Coordination between contractors will be provided by H2M for the Town in accordance with the New York State "Wick's Law".

**TOWN OF RIVERHEAD  
WASTEWATER REUSE – GOLF COURSE IRRIGATION  
NYSERDA - PROGRAM OPPORTUNITY NOTICE (PON) 1040**

**F. BUDGET**

*See Attachment "C"*

**G. COST-SHARING SUMMARY/RECOUPMENT**

Source	Cash	In-Kind Contributions	Total
NYSERDA	\$ 400,000		\$ 400,000
Town of Riverhead	\$ 414,750		\$ 414,750
NYSDEC Clean Air/Water Grant	\$ 2,095,250		\$ 2,095,250
Total	\$ 2,910,000		\$ 2,910,000

**H. LETTERS OF COMMITMENT OR SUPPORT**

See attached Cornell University letter dated December 16, 2004

See attached Suffolk County Department of Health Services letter dated March 3, 2005



Cornell University  
College of Agriculture  
and Life Sciences

Department of Horticulture  
134 A Plant Science Building  
Ithaca, New York 14853-5904  
Telephone 607.255.4568 / 1789  
Fax 607.255.0599 / 9998  
Email hort@cornell.edu  
www.hort.cornell.edu

December 16, 2004

Ms. Joyce Rodler  
Resource Educator  
Cornell Cooperative Extension of Suffolk County  
Extension Education Center  
423 Griffing Avenue, Suite 100  
Riverhead, NY 11901

Dear Ms. Rodler,

I am responding to your letter of December 8, 2004 requesting my professional opinion on demonstration wastewater irrigation project for the Riverhead Sewer District conducted on the mini-course located at the Riverhead AWTF adjacent to the Indian Island Golf Course. I reviewed the observations from scouting forms, soil pH and soluble salts data. The following are my observations:

- Soil pH, measured in  $\text{CaCl}_2$ , was found to be in a range acceptable for golf turf growth, ranging from a low of 5.4 to a high of 6.4, and appears to be un-affected by waste-water irrigation.
- Soluble salt levels, ranging from 45 to 120  $\mu\text{S}/\text{cm}$ , are about ten times lower than the level considered hazardous to turf growth.
- General observations were that the mini-course had good turf and any poor turf was unrelated to wastewater irrigation.

The mini-course would be expected to have less traffic stress than the regular Indian Island golf course. I believe, however, that the wastewater irrigation on the Indian Island golf course would not cause additional stress by adding the small amount of salts found in the wastewater. I have studied and have first hand experience with the use of wastewater irrigation on one (Lake Placid Resort Club) of the two golf courses in NY that I am aware of that use wastewater for irrigation. We studied the impact of irrigation on turfgrass quality, salt accumulation in the soil, soil phosphorus levels and stream water quality near the golf course. We concluded after two years of irrigation that: the quality of the golf course was improved with wastewater irrigation. Salts and phosphorus were not building up in the soil and the stream did not have higher levels of phosphorus as a result of wastewater irrigation.

Based on what information I have seen from this demonstration and my experience at Lake Placid, I urge that wastewater irrigation be considered for the Indian Island golf course.

Please feel free to contact me directly if you are in need of any additional information. I can be reached at 607-255-1796 or by email at [amp4@cornell.edu](mailto:amp4@cornell.edu).

Sincerely,



A. Martin Petrovic  
Professor of Turfgrass Science

## COUNTY OF SUFFOLK



Steve Levy  
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF HEALTH SERVICES

BRIAN L. HARPER, M.D., M.P.H.  
COMMISSIONER

March 3, 2005

Frank M. Russo, P.E.  
H2M Group  
575 Broad Hollow Road  
Melville NY 11747

Dear Mr. Russo:

Subject: Riverhead STP Effluent Reuse

Thank you for sharing the above-referenced report with the Suffolk County Department of Health Services (SCDHS). The SCDHS is pleased with the pilot project, and the results do, indeed, substantiate the viability of the technology. From SCDHS's perspective, the town should proceed with the planning and construction of the full-scale facility. However, prior to the facility's going on-line, the SCDHS and the New York State Department of Environmental Conservation (NYSDEC) must approve monitoring and exposure control protocol. These protocols should be proposed by the town's consultant, after a survey of regulatory requirements and guidelines used by other states for similar projects.

If you have any questions, please do not hesitate to call me at 853-3082.

Very truly yours,

Vito Minei, P.E., Director  
Division of Environmental Quality

VM/lr

cc Walter Dawydiak, Jr., P.E., SCDHS  
Walter Hilbert, P.E., SCDHS  
Amy Juchatz, SCDHS  
William Spitz, NYSDEC

OFFICE OF THE DIRECTOR  
♦ DIVISION OF ENVIRONMENTAL QUALITY ♦ 220 RABRO DRIVE ♦ HAUPPAUGE NY 11788-4232 ♦  
Phone (631) 853-3082 Fax (631) 853-3075

Contractor: **Town of Riverhead**

Name of Proposed Project:  
**Wastewater Reuse  
 Golf Course Irrigation**

Address: **200 Howell Avenue, Riverhead NY 11901**

Location (where work is to be performed):  
**Riverhead Advanced Wastewater Treatment Facility**

NYSERDA funding:  
 Total Project Cost:

Cost Element	Total Project Cost	Funding & Co-funding via NYSERDA	Cost-sharing & Other Co-funding
1. Direct Materials			
a. Purchased Parts		WORK	
b. Other			
Total Direct Materials			

2. Materials Overhead Rate:

3. Direct Labor (specify names/titles)	Hours	Rate/hr		
<b>Total Direct Labor</b>				

4. Labor Overhead	Rate %	\$ Base		
<b>Total Labor Overhead</b>				

5. Outside Special Testing

6. Equipment

7. Travel

8. Other Direct Costs

9. Subcontractors/Consultants			
General & Mechanical Construction	1,810,000	250,000	1,560,000
Electrical Construction	650,000	90,000	560,000
Engineering & Miscellaneous Costs	450,000	60,000	390,000
<b>Total Subcontractors/Consultants</b>	<b>2,910,000</b>	<b>400,000</b>	<b>2,510,000</b>

10. General & Administrative Expense	Rate %	Element(s)		

11. Fee or Profit (0 for cost-sharing agreements) Rate:

12. Total Estimated Project Cost			
	2,910,000	400,000	2,510,000

This proposal reflects our best estimates as of this date, in accordance with the instructions to proposers.

Typed Name and Title: **Phil Cardinale, Supervisor**      Signature: \_\_\_\_\_      Date: \_\_\_\_\_

Has any executive agency of the U.S. government performed any review of your records in connection with any prime contract or subcontract within the past twelve months?      \_\_\_ Yes       No

If yes, identify: \_\_\_\_\_

Supporting Schedule - Contract Pricing Proposal Form

Element No.	Item Description	Amount
<b>9</b>	<b>A GENERAL &amp; MECHANICAL CONSTRUCTION</b>	<b>1,810,000</b>
	Includes: Building (40'x60'); force main construction; pump stations; cloth media filter; coagulation system; ultraviolet disinfection equipemnt; piping; valves; meters and controls; and all equipment/systems installations.	
	<b>B ELECTRICAL CONSTRUCTION</b>	<b>650,000</b>
	Includes: Power supply; power panels; motor control panels; local disconnect, VFD controls; site electric; building electric; building heaters; conduit; wiring; equipment connections; control wiring and interconnections.	
	<b>C ENGINEERING &amp; MISCELLANEOUS</b>	<b>446,000</b>
	Includes: Design documents; construction administration; construction inspection; topographical survey; soil investigations; printing services; and microbiological consultant and testing services.	
	<b>A &amp; B</b> NYS Municipal law requires the public bidding of these services. As such, the costs will be based upon the lowest responsible bid amount. These contracts will incorporate M/WBE requirements of NYS. Labor rates will be as required by the NYS Department of Labor. The duration of the construction contracts is estimated at 365 days. The normal work day by trade ranges between 7 and 8 hours.	
	<b>C</b> The Engineering and Miscellaneous Costs are based upon:	
	1.) ASCE Manual of Practice No. 45, Page 44 for engineering services and is typically used for all municipal projects on Long Island;	
	2.) construction inspection and topographical survey is based upon the estimated duration percent of time utilized, wage rate of individual required and a typical overhead factor between 3.0 and 3.5;	
	3.) soil investigation costs are based upon the current rate typically charged by the local soil boring companies per linear feet of depth and number of sites required;	
	4.) printing costs are based upon the local rates for services, the number of pages and number of copies required for bidding and contract administration;	
	5.) microbiological consultant/testing services will be required for system design and performance approvals. Contract costs established based upon previous billings and estimate of time and materials required. Firm is located in Indiana and several overnight trips by an expert environmental microbiologist for coordination/consultation and testing will be required.	
	The contemplated consultants are:	
	H2M Group, Melville NY - Engineering, Design/Contract Administration, Inspection Services; Topographical Surveys and Printing.	
	Soil Mechanics Drilling Corp., Seaford, NY - Soil Borings and Evaluations	
	Scientific Methods, Inc., Granger, IN - Microbiological Consultation, Design Evaluations, System Performance and Field Testing.	

**Attachment B**

**Disclosure of Prior Findings of Non-responsibility Form**

**(Mandatory)**

Name of Individual or Entity seeking to enter the procurement contract: <b>Town of Riverhead</b>		
Address: <b>200 Howell Avenue, Riverhead, New York 11901</b>		
Date:		
Solicitation or Agreement Number:		
Name and Title of Person Submitting this Form: <b>Phil Cardinale, Supervisor</b>		
Has any Governmental Entity made a finding of non-responsibility regarding the Individual or Entity seeking to enter the Procurement Contract in the last four years? (Please indicate with an "X")	<input type="checkbox"/>	Yes
	<input checked="" type="checkbox"/>	No
Was the basis for the finding of non-responsibility due to due to a violation of §139-j of the State Finance Law? (Please indicate with an "X")	<input type="checkbox"/>	Yes
	<input checked="" type="checkbox"/>	No
Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please indicate with an "X")	<input type="checkbox"/>	Yes
	<input checked="" type="checkbox"/>	No
If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below.		
Government Agency or Authority:		
Date of Finding of Non-responsibility:		
Basis of Finding of Non-responsibility: (Add additional pages as necessary)		

Has any Government al Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named Individual or Entity due to the intentional provision of false or incomplete information ?		Yes
	<input checked="" type="checkbox"/>	No

(Please indicate with an "X")  
If you answered yes, please provide details below.

Government Agency or Authority:

Date of Termination or Withholding of Contract:

Basis of Termination or Withholding: (Add additional pages as necessary)

Offerer certifies that all information provided to NYSERDA with respect to State Finance Law §139-k is complete, true, and accurate.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Signature

Name: Phil Cardinale Title: Supervisor

10/03/06

STATUS Adopted

**TOWN OF RIVERHEAD**

Resolution # 892

AUTHORIZES ATTENDANCE OF ONE POLICE OFFICER TO THE 113<sup>th</sup> ANNUAL IACP CONFERENCE

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

**WHEREAS**, Police Chief Hegermiller has requested authorization from the Riverhead Town Board for the attendance of one Police Officer to attend the 113<sup>th</sup> Annual IACP Conference; and,

**WHEREAS**, the seminar will be held in Boston, Massachusetts from Saturday, October 14, 2006 – Wednesday, October 18, 2006.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the attendance of one police officer to attend the 113<sup>th</sup> Annual IACP Conference.

**BE IT FURTHER RESOLVED**, that the Town Board hereby authorizes reimbursement of expenses incurred, not to exceed \$1,200.00 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

DUNLEAVY  YES \_\_\_ NO BARTUNEK  YES \_\_\_ NO

BLASS  YES \_\_\_ NO DENSIESKI  YES \_\_\_ NO

CARDINALE  YES \_\_\_ NO

THIS RESOLUTION  IS \_\_\_ IS NOT DECLARED DULY ADOPTED

10/03/06

STATUS **Adopted**

**TOWN OF RIVERHEAD**

Resolution # 893

RATIFIES THE ATTENDANCE OF ONE POLICE OFFICER TO THE COLONEL HENRY F. WILLIAMS HOMICIDE SEMINAR

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

**WHEREAS**, Police Chief Hegermiller has requested authorization from the Riverhead Town Board for the attendance of one police officer to attend the Colonel Henry F. Williams Homicide Seminar; and,

**WHEREAS**, the seminar will be held at the New York State Police Academy in Albany, New York, September 16, 2006 – September 21, 2006.

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the attendance of one police officer at the aforementioned seminar; and,

**BE IT FURTHER RESOLVED**, that the Town Board hereby authorizes reimbursement of expenses, not to exceed \$700.00 (includes registration, lodging, meals, tolls & miscellaneous expenses); 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

DUNLEAVY  YES \_\_\_ NO BARTUNEK  YES \_\_\_ NO  
BLASS  YES \_\_\_ NO DENSIESKI  YES \_\_\_ NO  
CARDINALE  YES \_\_\_ NO

THIS RESOLUTION  IS \_\_\_ IS NOT  
DECLARED DULY ADOPTED

October 3, 2006

TOWN OF RIVERHEAD

Adopted

Resolution # 894

**AUTHORIZES THE PUBLICATION OF A HELP WANTED AD FOR  
PART TIME SIGN INSPECTOR**

COUNCILMAN DUNLEAVY

\_\_\_\_\_ offered the following

resolution, which was seconded by \_\_\_\_\_

COUNCILMAN BARTUNEK

**BE IT RESOLVED**, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Advertisement in the October 5, 2006 issue of The News Review.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Accounting Department.

**THE VOTE**

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

## **HELP WANTED**

PLEASE TAKE NOTICE that the Town of Riverhead is seeking a qualified individual with one year experience in sign or building construction work and clean valid driver's license to serve as a Part Time Sign Inspector. Applications can be downloaded at [www.Riverheadli.com](http://www.Riverheadli.com) and submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY. No applications will be accepted after 4:30pm on October 13, 2006. EOE.

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

October 3, 2006

TOWN OF RIVERHEAD

Adopted

Resolution # 895

**AUTHORIZES THE PUBLICATION OF A HELP WANTED AD  
FOR AN ACCOUNT CLERK TYPIST**

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

**BE IT RESOLVED**, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Advertisement in the October 5, 2006 issue of The News Review.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Accounting Department.

**THE VOTE**

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

## HELP WANTED

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking a qualified individual to serve in the position of Account Clerk Typist. Requires 2yrs bookkeeping experience and skilled typing. Applications can be downloaded at [www.Riverheadli.com](http://www.Riverheadli.com) and submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY. No applications will be accepted after 4:30pm on October 13, 2006. EOE

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

October 3, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 896

**AUTHORIZES THE PUBLICATION OF A HELP WANTED AD  
FOR COMMUNITY DEVELOPMENT ADMINISTRATOR**

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

**BE IT RESOLVED**, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Advertisement in the October 5, 2006 issue of The News Review and Sunday Newsday.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Accounting Department.

**THE VOTE**

Dunleavy <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Bartunek <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Blass <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Densieski <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Cardinale <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

## **HELP WANTED**

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking a qualified individual to serve in the position of Community Development Administrator. Bachelors Degree and Grant writing exp. required. Applications can be downloaded at [www.Riverheadli.com](http://www.Riverheadli.com) and submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY. No applications will be accepted after 4:30pm on October 13, 2006. EOE

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

10/03/06

Adopted

TOWN OF RIVERHEAD

**RATIFIES THE PROVISIONAL APPOINTMENTS OF  
WATER TREATMENT PLANT OPERATOR IIB  
IN THE WATER DEPARTMENT**

RESOLUTION# 897

COUNCILMAN BARTUNEK

\_\_\_\_\_ offered the following resolution  
resolution, which was seconded by \_\_\_\_\_  
COUNCILMAN DENSIESKI

**WHEREAS**, a Stipulation was entered into and approved May 17, 2005 agreed to by the CSEA, Patrick Lennon, Brian Gablenz, John Kellar, and the Town; and

**NOW, THEREFORE, BE IT RESOLVED**, the terms of the Stipulation are hereby modified as follows: There is no current Civil Service list for Water Treatment Plant Operator IIB. The requirement of appearance on such a list within the stipulation is hereby deleted.

**BE IT FURTHER RESOLVED**, The Town Board hereby ratifies the provisional appointments of Patrick Lennon, Brian Gablenz and John Kellar to the position of Water Treatment Plant Operator IIB effective September 29, 2006 to Group 13 Step 3A of the Salary Administration Schedule; and

**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Patrick Lennon, Brian Gablenz, John Kellar, the Water District Superintendent and the Office of Accounting.

THE VOTE

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

October 3, 2006

TOWN OF RIVERHEAD

Adopted

Resolution # 898

**APPOINTS AUTOMOTIVE EQUIPMENT OPERATOR  
IN THE HIGHWAY DEPARTMENT**

COUNCILMAN DENSIESKI

\_\_\_\_\_ offered the following

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

**WHEREAS**, a vacancy exists in the Highway Department, and

**WHEREAS**, this position was duly posted, posting #14, advertised and interviews were conducted, and

**WHEREAS**, the recommendation of the Highway Department and the Town Board has been received.

**NOW, THEREFORE, BE IT RESOLVED**, that effective October 10, 2006 Henry Downs is hereby appointed to the position of Automotive Equipment Operator as found on Group 6 Step P of the Salary Administration Schedule.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Henry Downs, the Highway Department, and the Office of Accounting.

**THE VOTE**

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

OCTOBER 3, 2006

Adopted

TOWN OF RIVERHEAD

ACCEPTS RESIGNATION OF AN ACCOUNT CLERK TYPIST

RESOLUTION # 899

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

**WHEREAS**, the Town has received a letter of resignation from Janice Seus, an Account Clerk Typist in the Police Department, effective September 30, 2006.

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board hereby accepts the resignation of Janice Seus.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be, and is hereby, directed to forward a certified copy of this Resolution to Janice Seus, the Police Department and the Office of Accounting.

THE VOTE

Dunleavy  Yes  No      Bartunek  Yes  No  
Blass  Yes  No      Densieski  Yes  No  
Cardinale  Yes  No

THIS RESOLUTION  IS  IS NOT  
DECLARED DULY ADOPTED

October 3, 2006

TOWN OF RIVERHEAD

Adopted

Resolution # 900

**APPOINTS MEMBER TO THE RIVERHEAD  
OPEN SPACE/PARK PRESERVE COMMITTEE**

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

**WHEREAS**, Chapter 14-40 of the Riverhead Town Code entitled "Open Space/Park Preserve Committee" causes the establishment of an advisory body to the Town Board known as the Open Space/Park Preserve Committee consisting of (7) members; and

**WHEREAS**, one vacancy presently exists on the committee; and

**WHEREAS**, the Riverhead Town Board has reviewed resumes submitted for consideration.

**NOW THEREFORE, BE IT**

**RESOLVED**, that the Riverhead Town Board hereby appoints Charles Cetas to the Open Space/Park Preserve Committee for a two-year term expiring October, 2008.

**BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Charles Cetas and members of the Open Space/Park Preserve Committee.

**THE VOTE**

DUNLEAVY	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	BARTUNEK	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
BLASS	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	DENSIESKI	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
CARDINALE	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO					

**THIS RESOLUTION  IS  IS NOT  
DECLARED DULY ADOPTED**

TOWN OF RIVERHEAD

Resolution #901

Adopted

**APPOINTS MEMBER TO THE RIVERHEAD  
CONSERVATION ADVISORY COUNCIL**

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

**WHEREAS**, Chapter 13 of the Riverhead Town Code entitled "Conservation Advisory Council" causes the establishment of an advisory body to the Town Board known as the Conservation Advisory Council consisting of (7) members; and

**WHEREAS**, one vacancy presently exists on the committee; and

**WHEREAS**, the Riverhead Town Board has reviewed resumes submitted for consideration.

**NOW THEREFORE, BE IT**

**RESOLVED**, that the Riverhead Town Board hereby appoints Mary Laura Lamont to the Conservation Advisory Council for a two-year term expiring October, 2008.

**BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Mary Laura Lamont and members of the Conservation Advisory Council.

**THE VOTE**

DUNLEAVY	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	BARTUNEK	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
BLASS	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	DENSIESKI	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
CARDINALE	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO					

**THIS RESOLUTION  IS  IS NOT  
DECLARED DULY ADOPTED**

10/3/06

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 902

APPOINTS MEMBER TO THE INDUSTRIAL DEVELOPMENT AGENCY

COUNCILMAN DUNLEAVY offered the following resolutions, which was seconded  
by COUNCILMAN DENSIESKI.

WHEREAS, the Industrial Development Agency currently has a vacancy.

RESOLVED, effective October 4, 2006, James Csorny be and is hereby appointed  
a member of the Town of Riverhead Industrial Development Agency to serve at the  
pleasure of the Riverhead Town Board.; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to  
forward a certified copy of this resolution to James Csorny, the Industrial Development  
Agency, and the Office of Accounting.

THE VOTE  
Dunleavy  yes \_\_\_ no Bartunek  yes \_\_\_ no  
Blass  yes \_\_\_ no Densieski  yes \_\_\_ no  
Cardinale  yes \_\_\_ no  
THE RESOLUTION  WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED

TOWN OF RIVERHEAD

Adopted

Resolution # 903

**DESIGNATES OCTOBER 21, 2006 RIVERHEAD STOP LITTER DAY**

Councilman Bartunek offered the following resolution, which was seconded by, COUNCILWOMAN BLASS

**WHEREAS**, the Riverhead Town Board has found that litter carelessly deposited in the Town of Riverhead is the cause of civic disgrace and that litter is a health, fire and safety hazard; and

**WHEREAS**, an all-out litter control campaign can result in substantial savings to taxpayers of the Town of Riverhead; and

**WHEREAS**, the Town of Riverhead Anti-Litter Advisory Committee has recognized a need to increase awareness of litter cleanup as part of improving the appearance of the Town; and

**WHEREAS**, a litter awareness and cleanup day will help increase this awareness throughout the Town of Riverhead;

**NOW THEREFORE, BE IT**

**RESOLVED**, that the Riverhead Town Board designates October 21, 2006 "Riverhead Stop Litter Day" throughout the Town of Riverhead; and

**BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this Resolution to all Town departments and members of the Anti-Litter Advisory Committee.

**THE VOTE**

DUNLEAVY	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	BARTUNEK	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
BLASS	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	DENSIESKI	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
CARDINALE	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO					

THIS RESOLUTION  IS  IS NOT  
DECLARED DULY ADOPTED

10/3/06

TOWN OF RIVERHEAD

RESOLUTION # 904

Adopted

**AUTHORIZES THE TOWN SUPERVISOR TO EXECUTE THE ATTACHED MEMORANDUM OF UNDERSTANDING WITH RIVERHEAD CENTRAL SCHOOL DISTRICT FOR THE PURPOSE OF ADMINISTRATION OF THE GRANT AWARDED BY THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES**

COUNCILMAN BARTUNEK, offered the following resolution, which was seconded by COUNCILMAN DENSIESKI.

**RESOLVED**, that the Supervisor is hereby authorized to execute the attached memorandum of understanding with Riverhead Central School District; and

**BE IT FURTHER RESOLVED**, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Riverhead Central School District, Riverhead Middle School, the Community Development Department, the Town Attorney and the Office of Accounting.

THE VOTE

Bartunek	<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	Densieski	<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

**MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF RIVERHEAD AND THE RIVERHEAD CENTRAL SCHOOL DISTRICT FOR THE PURPOSE OF ADMINISTRATION OF THE GRANT AWARDED BY THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES**

**WHEREAS**, municipal corporations are authorized, pursuant to Article 9 § 1 of the New York State Constitution and General Municipal Law Article 5(g) to enter into intergovernmental agreements; and

**WHEREAS**, General Municipal Law Article 5 (g) promotes and encourages municipal corporations to enter into agreements with other municipal corporations for promotion and implementation of programs designed to foster unity, safety and achievement within the community; and

**WHEREAS**, the Riverhead Central School District was awarded \$11,000.00 from the New York State Division of Criminal Justice Services to expand the Council for Unity Anti-Gang Program to the Riverhead Middle School; and

**WHEREAS**, the New York State Division of Criminal Justice Services is permitted to make grant awards to local governments, only, and consequently the Town of Riverhead was designated as Grantee and the Riverhead Central School District as the Implementating Agency; and

**WHEREAS**, the funds of the grant will be transferred from the Town of Riverhead to Riverhead Central School District to expand the Council for Unity Anti-Gang Program to the Riverhead Middle School; and

**WHEREAS**, the grant agreement requires creation, completion, and maintenance of Program Workplans, Payment and Reporting Schedules, Personnel Service Expenditures and Riverhead Central School District, as Implementing Agency, agrees to prepare the above and all necessary documentation required under the grant; and

**WHEREAS**, the Supervisor has determined that the Community Development Department will coordinate efforts with the Riverhead Central School District and Riverhead Middle School to timely submit all reports and vouchers required to receive the funds awarded in the grant.

**THEREFORE BE IT RESOLVED**, that the Town of Riverhead and Riverhead Central School District agree to accept this grant, that the RCSD agrees to expand the Council for Unity Anti-Gang Program and complete and file all necessary forms and documents to receive the funding awarded in the grant; and

**IN WITNESS WHEREOF**, the following municipal corporations have caused its corporate seal to be affixed hereto and to be attested to by the day and year written below.

TOWN OF RIVERHEAD

BY: \_\_\_\_\_  
PHILIP J. CARDINALE, SUPERVISOR

RIVERHEAD CENTRAL SCHOOL DISTRICT

BY: \_\_\_\_\_  
LYNN KOBELINSKI, ASSISTANT SUPERINTENDENT OF BUSINESS

Dated:  
Riverhead, NY

October 3, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 905

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING - SPECIAL PERMIT OF JAMES BLAKENEY**

COUNCILMAN DENSIESKI offered the following resolution

which was seconded by COUNCILWOMAN BLASS

**WHEREAS**, the Town Board of the Town of Riverhead is in receipt of a special permit petition from James Blakeney to allow a two family dwelling on real property located at Middle Country Road, Calverton, New York; such property more particularly described as Suffolk County Tax Map Number 0600-097.00-02.00-027.000, and

**WHEREAS**, by resolution number 788, adopted on August 15, 2006, the Riverhead Town Board did determine the action to be Type II pursuant to 6NYCRR Part 617 without requiring a report and recommendation on the petition from the Riverhead Planning Board for, and

**WHEREAS**, the petition was referred to the Suffolk County Planning Commission pursuant to Section A 14-14 to 23 of the Suffolk County Administrative Code, and

**WHEREAS**, by correspondence dated August 22, 2006, the Suffolk County Planning Commission determined that the petition be considered a matter for local determination, and

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

**THEREFORE BE IT**

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

**THE VOTE**

Dunleavy	<input checked="" type="checkbox"/>	yes	<input type="checkbox"/>	no	Bartunek	<input checked="" type="checkbox"/>	yes	<input type="checkbox"/>	no
Blass	<input checked="" type="checkbox"/>	yes	<input type="checkbox"/>	no	Densieski	<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 17<sup>th</sup> day of October, 2006 at 7:20 o'clock p.m. at Riverhead Town Hall, Town Board Meeting Room, 200 Howell Avenue, Riverhead, New York to consider the special permit petition of James Blakeney to allow a two family dwelling upon real property located at Middle Country Road, Calverton, New York; such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-097-2-27.

Dated: October 3, 2006  
Riverhead, New York

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

# Adopted

10/03/06

## TOWN OF RIVERHEAD

Resolution # 906

### ACCEPTS CASH SECURITY OF MCGANN-MERCY DIOCESAN HIGH SCHOOL

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN DUNLEAVY

WHEREAS, McGann-Mercy Diocesan High School has posted a cash surety (check #4320 dated September 18, 2006) in the sum of Nine Hundred Twenty Five Dollars (\$925) representing the 5% site plan security as noted in the approved site plan dated September 6, 2006 Resolution # 815 for reconstruction of an existing parking area and construction of tennis courts with fencing and lighting located at 1225 Ostrander Avenue, Riverhead, New York 1190 known and designated as Suffolk County Tax Map # 600- 82.-3-6, pursuant to Section 108-133 (I) of the Riverhead Town Code;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% cash surety in the sum of Nine Hundred Twenty Five Dollars (\$925); and,

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to McGann-Mercy Diocesan High School, 1225 Ostrander Avenue, Riverhead, New York 11901, the Building Department; the Planning Department and the Town Attorney's Office.

### THE VOTE

Dunleavy  Yes  No

Bartunek  Yes  No

Blass  Yes  No

Densieski  Yes  No

Cardinale  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

10/03/06

# Adopted

TOWN OF RIVERHEAD  
Resolution # 907

Waives the Performance Bond Requirement Pursuant to 108-133 (I)

COUNCILMAN DUNLEAVY offered the following resolution was  
seconded by COUNCILMAN BARTUNEK:

WHEREAS, the Central Suffolk Hospital formerly Riverhead Hospital Association, d/b/a Peconic Bay Medical Center, received site plan approval pursuant to resolution 509-06 for an expansion of the hospital emergency room on premises located at 0600-108-3-22.1, and

WHEREAS, the Board of Trustees of Central Suffolk Hospital has petitioned the Town Board for a waiver of the site plan bond required by 108-133 (I), and

WHEREAS, the Town Board has determined that it is appropriate to waive the requirement of site plan bond, and

Now, therefore, it is

RESOLVED, that pursuant to section 108-133(I), the Town Board of the Town of Riverhead hereby waives the requirement that Central Suffolk Hospital, formerly Riverhead Hospital Association d/b/a Peconic Bay Medical Center post a performance bond in connection with their site plan approval.

**THE VOTE**

Dunleavy  yes  no    Bartunek  yes  no  
 Blass  yes  no    Densieski  yes  no  
 Cardinale  yes  no

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

October 3, 2006

# Adopted

TOWN OF RIVERHEAD

RESOLUTION # 908

AWARDS BID FOR SEWER DISTRICT GENERATOR REMOVAL CONTRACT

~~COUNCILMAN BARTUNEK~~ offered the following resolution which was  
seconded by COUNCILMAN DENSIESKI.

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for the Sewer District Generator Removal Contract; and

WHEREAS, one (1) bid was received, opened and read aloud on the 5<sup>th</sup> day of September, 2006 at 11:00 am in the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the Sewer District Removal Contract be and is hereby awarded to Brad Reeve, Jr. and the Town of Riverhead will accept \$2,550.00 from Brad Reeve, Jr. for compensation of one Allis-Chalmers Synchronous Generator; and

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

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Brad Reeve, Jr., P.O. Box 623, Aquebogue, NY 11931, Michael Reichel, Christine Fetten and the Office of Accounting.

THE VOTE

Dunleavy <input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Bartunek <input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Blass <input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Densieski <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

# Adopted

10/03/06

## TOWN OF RIVERHEAD

Resolution # 909

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW TO AMEND CHAPTER 108 ENTITLED "Zoning" (Handicapped Permit Fees) OF THE RIVERHEAD TOWN CODE**

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

**RESOLVED**, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a proposed local law to amend Chapter 108 entitled, "Zoning" (Handicapped Permit Fees) of the Riverhead Town Code, once in the October 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, the Handicapped Advisory Committee, Ed Densieski, Councilman, Division of Code Enforcement and the Office of the Town Attorney.

THE VOTE  
Dunleavy  yes \_\_\_ no Bartunek  yes \_\_\_ no  
Blass  yes \_\_\_ no Densieski  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 November 8, 2006 at 2:10 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 108 of the Riverhead Town Code entitled, "Zoning " (Handicapped Permit Fees) as follows:

**§ 108-51.1. Handicapped access ramps. [Added 11-20-1990]**

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

**(1) The handicapped access ramp is no longer necessary.**

**(2) The property is transferred.**

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

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

Adopted

October 3, 2006

**TOWN OF RIVERHEAD**

**AWARDS PORTION OF BID FOR WATER SERVICE  
MATERIALS FOR USE BY THE RIVERHEAD WATER DISTRICT  
AND AUTHORIZES TOWN CLERK TO PUBLISH AND  
POST NOTICE TO BIDDERS**

**RESOLUTION # 910**

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 water service materials for use by the Riverhead Water District; and

**WHEREAS**, bids were received, opened and read aloud on the 9th day of June, 2006, 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; and

**WHEREAS**, it has been determined that the award of the following items be made; and

**WHEREAS**, after reviewing the remaining bids, it was determined that it would be in the best interest of the Town of Riverhead to reject the remaining bids received and to publish and post the attached notice to bidders for these water service materials.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the bid for water service materials for use by the Riverhead Water District be and is hereby awarded as follows:

**BIDDER**

Friendly Bytes Software, Inc.

**BID ITEM NUMBERS**

81, 82, 83, 84 and 85

and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Mr. Richard Baldwin, Friendly Bytes Software, Inc., 300 Rabro Drive, Suite 148, Hauppauge, New York, 11788, the Riverhead Water District and the Purchasing Department; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders for Water Service Materials.

DUNLEAVY  YES \_\_\_ NO    BARTUNEK  YES \_\_\_ NO

BLASS  YES \_\_\_ NO    DENSIESKI  YES \_\_\_ NO

CARDINALE  YES \_\_\_ NO

THIS RESOLUTION  IS \_\_\_ IS NOT  
DECLARED DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of **WATER SERVICE MATERIALS** for use by the Town of Riverhead, will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:00 a.m. on **October 24, 2006**.

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".

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: **BID FOR WATER SERVICE MATERIALS.**

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

October 3, 2006

TOWN OF RIVERHEAD

Adopted

Resolution # 911

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW TO AMEND CHAPTER 12 ENTITLED "Coastal Erosion Hazard Areas" OF THE RIVERHEAD TOWN CODE

Councilman Bartunek offered the following resolution, which was seconded by COUNCILWOMAN BLASS

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a proposed local law to amend Chapter 12 entitled, "Coastal Erosion Hazard Areas" of the Riverhead Town Code, once in the October 12, 2006 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, the Riverhead Police Department; Conservation Advisory Council, Division of Code Enforcement and the Office of the Town Attorney.

THE VOTE  
Dunleavy  yes \_\_\_ no \_\_\_ Bartunek  yes \_\_\_ no \_\_\_  
Blass  yes \_\_\_ no \_\_\_ Densieski  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 October at 7:20 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 12 of the Riverhead Town Code entitled, "Coastal Erosion Hazard Areas" as follows:

§ 12-6 Definitions.

GROSS FLOOR AREA – The sum of the horizontal areas of all floors of a building including interior and exterior balconies, mezzanines and attached decks and porches. Horizontal floor dimensions are to be measured from the exterior faces of the walls of each such floor or from the center line of party walls with any adjoining building.

GROUND AREA COVERAGE – The horizontal area of a structure's footprint.

~~MAJOR ADDITION — An addition to a structure resulting in an increase of 25% or greater in the ground area coverage of the structure, other than an erosion protection structure or a pier, dock or wharf. The increase will be calculated as the ground area coverage to be added, including any additions previously constructed under a coastal erosion management permit, divided by the ground area coverage of the existing structure, as defined in "existing structure."~~

MEAN HIGH WATER – The approximate average high water level for a given body of water at a given location, determined by reference to hydrological information concerning water levels or other appropriate tests.

~~REGULATED ACTIVITY — The construction, modification, restoration or placement of a structure or major addition to a structure or any action or use of land which materially alters the condition of land, including grading, excavating, dumping, mining, dredging, filling or other disturbance of soil or any activity which alters or disturbs the existing natural protective features, which includes trimming and clearing of vegetation.~~

RESTORATION — The in kind in place reconstruction of a structure without modification, of a structure, the cost of which equals or exceeds 50% of the estimated full replacement cost of the structure at the time of restoration. Without modification shall mean reconstruction to pre-existing dimensions of gross floor area and ground area coverage. Modifications may be allowed, however, if they do not exceed those preexisting dimensions and are intended to mitigate impacts to natural protective features and other natural resources. Modifications,

~~however, may be allowed if they do not exceed preexisting size limits and are intended to mitigate impacts to natural protective features and other natural resources.~~

§ 12-13 Dune Area Restrictions.

A.

- (5) ~~Nonmajor additions to existing structures are allowed on primary dunes pursuant to a coastal erosion management permit and subject to permit conditions concerning the location, design and potential impact of the structure on the primary dune.~~ New construction, modification or restoration of walkways or stairways done in accordance with conditions of a coastal erosion management permit.

B.

- (3) ~~Nonmajor additions to existing structures are allowed on secondary dunes pursuant to a coastal erosion management permit.~~ New construction, modification or restoration of walkways or stairways done in accordance with conditions of a coastal erosion management permit.

§ 12-14 Bluff Area Restrictions.

B.

- (4) ~~Nonmajor additions to existing structures pursuant to a coastal erosion management permit.~~ Restoration, as defined herein, of pre-existing structures pursuant to a coastal erosion management permit provided the cost of the restoration is less than 50% of the estimated full replacement cost of the structure at the time of restoration.

§ 12-27 Fees for permits and appeals.

A. ~~\$90.~~ 100.

D. Construction or modification of docks, piers or wharves:

(1) ~~\$70.~~ 100.

(2) ~~\$100.~~ 200.

(3) ~~\$50.~~ 100.

Dated: Riverhead, New York  
October 3, 2006

BY ORDER OF THE BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

THE VOTE

DUNLEAVY \_\_\_ YES \_\_\_ NO    BARTUNEK \_\_\_ YES \_\_\_ NO

BLASS \_\_\_ YES \_\_\_ NO    DENSIESKI \_\_\_ YES \_\_\_ NO

CARDINALE \_\_\_ YES \_\_\_ NO

THIS RESOLUTION \_\_\_ IS \_\_\_ IS NOT  
DECLARED DULY ADOPTED

10/3/06

# Adopted

TOWN OF RIVERHEAD

ORDER CALLING PUBLIC HEARING - EXTENSION NO. 71  
RIVERHEAD WATER DISTRICT  
COUNTRY TRAILS SUBDIVISION

Resolution # 912  
Adopted \_\_\_\_\_

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

WHEREAS, a petition has been filed by the developer of the proposed subdivision to be known as Country Trails located at the southeasterly corner of the intersection of Mill Road and Osborne Avenue, to allow public water to be provided to the proposed subdivision, which property is located just outside the boundaries of the existing water district, and

WHEREAS, a map and plan detailing the proposed extension has been prepared by H2M, consulting engineers to the Riverhead Water District, which report specifically outlines the installation, which is currently on file with the Riverhead Town Clerk, and

WHEREAS, a public hearing was held by this Board in 2002 and a final order adopted establishing Extension No. 71 to the Riverhead Water District, and

WHEREAS, it was estimated that the cost of the proposed extension would be \$148,500 and key money would be paid in the amount of \$65,000, and

WHEREAS, this Town Board did advertise for bids for said extension, which bids were opened and read aloud on August 21, 2006, and

WHEREAS, by letter dated August 23, 2006, and revised September 14, 2006, from H2M consulting engineers to the Riverhead Water District, the total project cost has now been revised and estimated to be \$182,500, and the 26 home subdivision has been reduced to 14 homes thus reducing the key money to \$35,000, and

WHEREAS, the boundary of said extension is set forth fully in the attached Exhibit A, and

WHEREAS, it is necessary for the Town Board to hold a public hearing to hear all persons wishing to be heard with regard to the increase in cost of the proposed extension,

NOW, THEREFORE, BE IT :

RESOLVED, that the Town Board will hold a public hearing on the 8th day of November, 2006, at 2:15 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, NY, to hear all interested persons with regard to the extension to the Riverhead Water District to be known as Extension 71, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to publish and post a copy of this resolution in full in the October 26, 2006, edition of The News Review, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Gary Pendzick, Frank Isler, Esq., the developer, and H2M.

BY ORDER OF THE RIVERHEAD  
TOWN BOARD  
BARBARA GRATTAN  
TOWN CLERK

Dated: October 3, 2006  
Riverhead, NY 11901

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

THE VOTE  
Dunleavy  yes \_\_\_ no \_\_\_ Bartunek  yes \_\_\_ no \_\_\_  
Blass  yes \_\_\_ no \_\_\_ Densieski  yes \_\_\_ no \_\_\_  
Cardinale  yes \_\_\_ no \_\_\_  
THE RESOLUTION  WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED

**EXHIBIT "A"**

**RIVERHEAD WATER DISTRICT  
PROPOSED EXTENSION NO. 71  
COUNTRY TRAILS SUBDIVISION  
DESCRIPTION OF EXTENSION**

**MARCH 2002**

All this certain lot, parcel of land, said property being known as Section 081, Block 01, Lot 017, situated and lying and being at Riverhead, Town of Riverhead, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at a point formed by the easterly right-of-way of Mill Road and the westerly right-of-way of Osborn Avenue.

Traveling southerly along the westerly right-of-way of Osborn Avenue a distance of approximately 290 feet to a POINT OF BEGINNING.

Said POINT OF BEGINNING described herein being a point formed by the westerly right-of-way line Osborn Avenue and the southerly property line of Section 081, Block 01, Lot 016.

From said POINT OF BEGINNING running easterly a distance of approximately 50 feet to a point formed by the southerly property line of Section 080, Block 02, Lot 015.2 and the easterly right-of-way line of Osborn Avenue.

THENCE running southerly along the easterly right-of-way line of Osborn Avenue the following two (2) bearings and distances:

1. South 51° - 20' - 50" East; approximately 1,590 feet

2. South 45° - 01' - 00" East; approximately 336.5 feet

to a point formed by a line perpendicular to a point formed by the northerly property line of Section 081, Block 01, Lot 022 and the westerly right-of-way of Osborn Avenue.

THENCE running westerly perpendicular to the easterly right-of-way of Osborn Avenue a distance of approximately 50 feet to a point formed by the northerly property line of Section 81, Block 1, Lot 22 and the westerly right-of-way line of Osborn Avenue.

THENCE running westerly along the northerly property line of Section 81, Block 1, Lot 22 the following bearing and distance:

South 82° - 21' - 00" West; 186.30 feet

to a point known as the northwesterly property corner of Section 81, Block 1, Lot 22.

THENCE running southerly along the westerly property line of Section 81, Block 1, Lots 22, 21.8, 21.9 and 21.10 the following two (2) bearings and distances:

1. South 8° - 29' - 00" East; 97.2 feet
2. South 8° - 20' - 00" East; 351.79 feet

to a point formed by the northeasterly property corner of Section 81, Block 1, Lot 20.1 and the southeasterly property corner of Section 81, Lot 1, Block 17.

THENCE running westerly along the southerly property line of Section 81, Block 1, Lot 17 the following bearing and distance:

South 83° - 46' - 40" West; approximately 328 feet;

to a point formed by the southerly property line of Section 81, Block 1, Lot 17 and a line running parallel to the easterly right-of-way line of Mill Road. The said herein line being a parallel distance of 500 feet from the easterly right-of-way line of Mill Road.

THENCE running northerly along the aforementioned parallel line the following bearing and distance:

North 19° - 33' - 50" West; approximately 1,347 feet;

to a point formed by the aforementioned parallel line and the westerly right-of-way line of Osborn Avenue.

THENCE running northerly along the westerly right-of-way line of Osborn Avenue the following bearing and distance:

North 51° - 20' - 50" West; approximately 751 feet;

to the said POINT OF BEGINNING.

END OF DESCRIPTION

10/3/06

**Adopted**

**AWARDS BID  
SPLISH SPLASH WATER PARK  
RIVERHEAD WATER DISTRICT**

Resolution # 913

**Adopted** \_\_\_\_\_

**Councilperson** COUNCILMAN DENSIESKI **offered the following**  
**resolution which was seconded by Councilperson** COUNCILMAN DUNLEAVY

**WHEREAS, this Town Board did authorize the advertisement for bids for the installation of water mains and appurtenances for Splish Splash Water Park for the Riverhead Water District, and**

**WHEREAS, the Town Clerk was authorized to advertise for such bids, and**

**WHEREAS, all bids received were opened and read aloud on the date and time advertised in the notice, and**

**WHEREAS, by letter dated September 26, 2006, H2M, consulting engineers to the Riverhead Water District, did recommend that the bid be awarded as follows:**

**Alessio Pipe & Construction Co.  
Of Huntington, New York  
\$51,570.00**

**NOW, THEREFORE, BE IT**

**RESOLVED, that the bid for the installation of water mains and appurtenances for Splish Splash Water park for the Riverhead Water District be and is hereby awarded to:**

**Alessio Pipe & Construction Co.  
Of Huntington, New York  
\$51,575.00**

**And be it further**

**RESOLVED, that the town clerk forward certified copies of this resolution to the above named contractor, Frank A. Isler, Esq., H2M, Riverhead Water District and the Accounting Department, and be it further**

**RESOLVED, that the Town Clerk is hereby authorized to return to all the unsuccessful original bidders their respective bid security, and be it further**

**RESOLVED, that upon completion of fully executed contracts and the filing of said contract with the town Clerk, the town clerk is hereby authorized to release to the successful bidder the bidder's bid security.**

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

**THE VOTE**  
Dunleavy  yes \_\_\_ no Bartunek  yes \_\_\_ no  
Blass \_\_\_ yes \_\_\_ no Densieski  yes \_\_\_ no  
Cardinale  yes \_\_\_ no  
THE RESOLUTION  WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED

OCTOBER 3, 2006

Adopted

TOWN OF RIVERHEAD

Resolution # 914

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR TWO KIOSK INTERACTIVE COMPUTER TERMINALS

COUNCILMAN DUNLEAVY offered the following resolution,

which was seconded by COUNCILMAN DENSIESKI

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for proposals for 2 KIOSK INTERACTIVE COMPUTER TERMINALS and;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the OCTOBER 12<sup>TH</sup>, 2006 issue of the News Review and;

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

THE VOTE

Dunleavy <del>Yes</del> No	Bartunek <del>Yes</del> No
Blass <del>Yes</del> No	Densieski <del>Yes</del> No
Cardinale <del>Yes</del> No	

The Resolution ~~Was~~ Was Not Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for **2-KIOSK INTERACTIVE COMPUTER TERMINALS** for public use in the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m. on OCTOBER 20<sup>TH</sup>, , 2006.**

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

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

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

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BIDS FOR KIOSK INTERACTIVE COMPUTER TERMINAL FOR PUBLIC USE IN THE TOWN OF RIVERHEAD.**

BY ORDER OF THE TOWN  
BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

10/3/06

# Adopted

Town of Riverhead

Resolution # 915

Authorizes Chairman to Negotiate Contracts with Long Island Housing Partnership and New Age Builders, Inc.

COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by ~~COUNCILWOMAN~~ BLASS

**WHEREAS**, the Town of Riverhead has received title to the following parcels from Suffolk County in order to develop workforce housing for those presently living or working within the Town of Riverhead; and

**WHEREAS**, the specific workforce housing sites are as follows:

	SCTM #	ADDRESS	PARCEL SIZE
A	0600-81-2-14	207 Horton Avenue	.18 acres
B	0600-65-1-11	54 Oak Drive	.25 acres
C	0600-65-1-17	26 Oak Drive	.11 acres
D	0600-105-2-75	74 Lewis Street	.21 acres
E	0600-105-2-74	88 Lewis Street	.21 acres
F	0600-105-2-14	18 Melene Street	.21 acres
G	0600-105-2-6	23 Melene Street	.22 acres
H	0600-105-2-26	59 Sigal Avenue	.21 acres
I	0600-105-2-36	23 Lewis Street	.25 acres

**WHEREAS**, in June 2006 the Town of Riverhead issued a Request for Proposals (RFP) to solicit written proposals for construction of nine (9) single family workforce homes on various sites throughout the Town of Riverhead as identified above; and

**WHEREAS**, four responses to the RFP were received by the Town of Riverhead; and

**WHEREAS**, an adhoc committee was established to review said proposals; and

**WHEREAS**, houses must sell at prices affordable for households with incomes at or below 80% of the Suffolk County median income adjusted by family size, as follows:

Income % Median	Household Size							
	1	2	3	4	5	6	7	8
80%	\$50,950	\$58,250	\$65,500	\$72,800	\$78,600	\$84,450	\$90,250	\$96,100

**WHEREAS**, the committee conducted interviews with two firms based on the experience of the firms and proposed selling prices of the homes; and

**WHEREAS**, the Long Island Partnership / Daytree Builders has proposed a selling price of \$165,805 for a 1,600 square foot single family home based on specifications in the Town of Riverhead's RFP; and

**WHEREAS**, New Age Builders, Inc. has proposed a selling price of \$145,450 to \$155,950 for four models between 1,378 square feet and 1,700 square feet based on specifications in the Town of Riverhead's RFP; and

**WHEREAS**, upon diligent review of the proposals the committee recommends selection of the Long Island Partnership / Daytree Builders as the developer most suited to build six workforce homes on lots in the Millbrook Gables and New Age Builders, Inc. to build three workforce homes on lots on Horton Avenue and Oak Drive; and

**THEREFORE, BE IT RESOLVED**, that the Riverhead Town Board hereby authorizes the Supervisor to negotiate contracts with the Long Island Housing Partnership and New Age Builders, Inc. to construct homes at the addresses identified in this resolution.

**AND BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to Community Development Director Andrea Lohneiss.

**The Vote:**

DUNLEAVY  YES \_\_\_ NO    BARTUNEK  YES \_\_\_ NO  
BLASS  YES \_\_\_ NO    DENSIESKI  YES \_\_\_ NO  
CARDINALE  YES \_\_\_ NO

THIS RESOLUTION  IS \_\_\_ IS NOT  
DECLARED DULY ADOPTED

10/3/06

# Adopted

TOWN OF RIVERHEAD

Resolution # 916

**ADOPTS A LOCAL LAW TO AMEND CHAPTER 101 ENTITLED "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE**  
**(101-10 – Parking Prohibited)**

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

**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 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code; and

**WHEREAS**, a public hearing was held on the 19th day of September, 2006 at 7:05 o'clock p.m. at the Wading River Congregational Church, North Country Road, Wading River, 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 the local law amending Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code is hereby adopted as specified in the attached notice of adoption; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to publish the attached notice of adoption once in the News Review 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 Highway Department; the Police Department; Code Enforcement and the Office of the Town Attorney.

THE VOTE  
Dunleavy  yes \_\_\_ no Bartunek  yes \_\_\_ no  
Blass  yes \_\_\_ no Densieski  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 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code at its regular meeting held on October 3, 2006. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

Chapter 101  
**Vehicles and Traffic**  
ARTICLE VII

**§ 101-10. Parking prohibited.**

The parking of vehicles is hereby prohibited in the locations as follows:

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Long View Drive	<del>Both</del> <u>South</u>	From its northerly intersection with Park Road extending 200 feet easterly
<u>Long View Drive</u>	<u>Both</u>	<u>Extending north and south parallel to Town park property</u>

Dated: Riverhead, New York  
October 3, 2006

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

**BARBARA GRATTAN, Town Clerk**

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

10/3/06

TOWN OF RIVERHEAD

Adopted

Resolution # 917

**ADOPTS A LOCAL LAW AMENDING CHAPTER 58 ENTITLED "DOGS" OF THE RIVERHEAD TOWN CODE**

COUNCILMAN BARTUNEK 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 58 entitled, "Dogs" of the Riverhead Town Code; and

**WHEREAS**, a public hearing was held on the 19th day of September, 2006 at 7:25 o'clock p.m. at Wading River Congressional Church, North Wading River Road, Wading River, 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 the local law amending Chapter 58 entitled, "Dogs" of the Riverhead Town Code is hereby adopted as specified in the attached notice of adoption; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the News Review 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 Police Chief Hegermiller and the Office of the Town Attorney.

THE VOTE  
Dunleavy  yes \_\_\_ no Bartunek  yes \_\_\_ no  
Blass  yes \_\_\_ no Densieski  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 58 entitled, " Dogs" of the Riverhead Town Code at its regular meeting held on October 3, 2006. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**Chapter 58  
VEHICLES AND TRAFFIC**

**Chapter 58  
DOGS  
ARTICLE I**

**§ 58-4. Redemption of impounded dogs.**

D. A fee shall be paid to the Town Clerk for the adoption of an impounded dog. No redemption fee shall be charged in addition to such adoption fee. There shall be an adoption fee of \$10 ~~\$50~~. ~~An additional fee of \$15 shall be charged if the dog does not have an active rabies vaccination.~~ Said fees shall be established annually by resolution of the Town Board.

Dated: Riverhead, New York  
October 3, 2006

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

**BARBARA GRATTAN, Town Clerk**

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

10/3/06

# Adopted

TOWN OF RIVERHEAD

Resolution # 918

**RATIFIES APPROVAL OF CHAPTER 90 APPLICATION OF DARKSIDE  
PRODUCTIONS INC.  
(HAUNTED HOUSE)**

COUNCILMAN DUNLEAVY \_\_\_\_\_ offered the following resolution, was seconded by  
COUNCILMAN DENSIESKI \_\_\_\_\_:

**WHEREAS**, on June 29, 2006, Darkside Productions Inc. had submitted a Chapter 90 Application for the purpose of conducting a haunted house walk-through to be held at 5184 Rte. 25A, Wading River, New York, on September 29, 2006 through November 6, 2006, between the hours of 12:00 noon and 12:00 midnight; and

**WHEREAS**, Darkside Productions Inc. completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617.6(b); and

**WHEREAS**, the Town Board of the Town of Riverhead has declared itself "Lead Agency" in accordance with 6 NYCRR 617; and

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

**WHEREAS**, the applicable Chapter 90 Application fee has been paid; 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 Darkside Productions Inc. for the purpose of conducting a haunted house walk-through to be held at 5184 Rte. 25A, Wading River, New York, on September 29, 2006 through November 6, 2006, between the hours of 12:00 noon and 12:00 midnight, is hereby approved subject to the following conditions:

- 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 209 for the purpose of scheduling the “pre-opening” inspection appointment;
- Issuance of Town of Riverhead Place of Assembly permit prior to opening to public;
- Approval from New York State Department of Labor prior to opening to public;
- Approval of parking plan, traffic and security by Riverhead Police Department; and be it further

**RESOLVED**, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Darkside Productions Inc., 4 Olive Street, Rocky Point, New York, 11778; the Riverhead Fire Marshal; Chief Hegermiller, Riverhead Police Department and the Office of the Town Attorney.

**THE VOTE**

Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Densieski	<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**

Resolution # 919

**APPROVES THE APPLICATION FOR FIREWORKS PERMIT OF  
BARONE-VISCO FIREWORKS  
(FOX HILL COUNTRY CLUB)**

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

**WHEREAS**, on August 21, 2006, Barone-Visco Fireworks had submitted a Fireworks Permit Application for the purpose of conducting a fireworks display to be held at the Fox Hill Country Club, 100 Fox Hill Drive, Baiting Hollow, New York, on October 8, 2006 at approximately 8:30 p.m.; and

**WHEREAS**, the Town Attorney is in receipt of a completed Fireworks Application executed by the Chief of the Riverhead Fire Department and the Riverhead Fire Marshal and a certificate of insurance from the fireworks company (Fireworks by Grucci, Inc.) naming the Town of Riverhead as an additional insured and has determined that same is satisfactory as to their form.

**NOW THEREFORE BE IT RESOLVED**, that the Fireworks Permit Application of Barone-Visco Fireworks, for the purpose of conducting a fireworks display to be held at the Fox Hill Country Club, 100 Fox Hill Drive, Baiting Hollow, New York, on October 8, 2006 at approximately 8:30 p.m., is hereby approved with the following conditions:

- The required fire suppression equipment and personnel shall be provided by the Riverhead Fire Department.
- Scheduling a pre-event inspection between 12:00 noon and 2:00 p.m. on the day of the event having the Fireworks technician(s), the Riverhead Fire Marshal and the Riverhead Fire Chief in attendance.
- Fireworks and technicians must arrive at the Fox Hill Country Club no later than 2:00 p.m. on the day of the event.
- Fire Marshal to be present 30 minutes prior to commencement of show for purpose of final inspection and safety review.
- The show shall be limited to firework shells not larger than 4" in diameter.
- The Fire Marshal shall have the final authorization to allow the show to proceed or cancel the show if there are unsafe conditions, lighting and/or wind in excess of 30 miles per hour; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Barone-Visco Fireworks, 182 Woodlawn Avenue, Ronkonkoma, New York, 11779; Fireworks by Grucci, Inc., One Grucci Lane, Brookhaven, New York, 11719; the Riverhead Fire Department Chief; Bruce Johnson, Riverhead Fire Marshal; Chief Hegermiller, Riverhead Police Department and the Office of the Town Attorney.

Z:\Laura Calamita\Fireworksapps\Barone-Viscofireworks.res.doc

**THE VOTE**

Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Bartunek	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Densieski	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
			Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no

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

October 3, 2006

# Adopted

## TOWN OF RIVERHEAD

RESOLUTION # 920

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

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

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

WHEREAS, the current boater pump out station is no longer functioning and is in need of replacement; and

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

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

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

BE IT FURTHER RESOLVED, that the Town Board of the Town of Riverhead is committed to the 25% matching portion of the grant in the amount of \$2,392; and

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

**THE VOTE**

Dunleavy	<input checked="" type="checkbox"/>	yes	<input type="checkbox"/>	no	Bartunek	<input checked="" type="checkbox"/>	yes	<input type="checkbox"/>	no
Blass	<input checked="" type="checkbox"/>	yes	<input type="checkbox"/>	no	Densieski	<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

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

DUNLEAVY \_\_\_ YES \_\_\_ NO    BARTUNEK \_\_\_ YES \_\_\_ NO

BLASS \_\_\_ YES \_\_\_ NO    DENSIESKI \_\_\_ YES \_\_\_ NO

CARDINALE \_\_\_ YES \_\_\_ NO

THIS RESOLUTION \_\_\_ IS \_\_\_ IS NOT  
DECLARED DULY ADOPTED

10/3/06

Town of Riverhead

Resolution # 921

**Adopted**

**AUTHORIZES SUPERVISOR TO EXECUTE LEASE FOR PARK AND RECREATION FACILITIES**

**COUNCILMAN DUNLEAVY**

\_\_\_\_\_ offered the following resolution, which was

seconded by ~~\_\_\_\_\_ COUNCILMAN BARTUNEK \_\_\_\_\_~~

**WHEREAS**, the Community Development Agency received approximately 2023 acres of property then known as the Naval Weapons Industrial Reserve Plant and now known as the Enterprise Park at Calverton from the US Navy in 1998; and

**WHEREAS**, the CDA has procured grant funds totaling \$600,000 for the development of town recreational facilities at the site for the benefit of residents; and

**WHEREAS**, the Town Board has authorized a project to be developed and funded by the issuance of bonds pursuant to Resolutions #839 of 9/7/05 and #340 of 4/18/06 to be supported by recreation development fees.

**THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the Supervisor or Deputy Supervisor to execute attached lease agreement for the lease of 65 acres from the Town of Riverhead Community Development Agency for the development of public park and recreational facilities to be paid for in part by the issuance of bonds by the Town of Riverhead.

**BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a copy of this resolution to Andrea Lohneiss, CDA Director, Ray Coyne, Recreation Supervisor, Dawn Thomas, Town Attorney.

DUNLEAVY  YES \_\_\_ NO    BARTUNEK  YES \_\_\_ NO

BLASS  YES \_\_\_ NO    DENSIESKI  YES \_\_\_ NO

CARDINALE  YES \_\_\_ NO

THIS RESOLUTION  IS \_\_\_ IS NOT  
DECLARED DULY ADOPTED

## LEASE AGREEMENT

THIS LEASE, made the \_\_\_\_ day of October, 2006, between THE RIVERHEAD COMMUNITY DEVELOPMENT AGENCY, with offices at 200 Howell Avenue, Riverhead, New York, hereinafter referred to as "Landlord", and THE TOWN OF RIVERHEAD, a municipal corporation with offices at 200 Howell Avenue, Riverhead, New York, hereinafter jointly, severally and collectively referred to as "Tenant".

WITNESSETH, that the Landlord hereby leases to the Tenant, and the Tenant hereby hires and takes from the landlord a certain parcel of land, with the buildings and improvements thereon situated, located at EPCAL, more commonly referred to as the "Calverton Recreational Facility", and more specifically described as 65.83 acres as depicted upon Exhibit A attached hereto, to be used and occupied by the Tenant, TOWN OF RIVERHEAD, as a community recreational facility, to be known as THE CALVERTON RECREATIONAL FACILITY, for an initial term of twenty years, to commence on October 1, 2006, and to end on September 30, 2026, and to be renewed and extended by agreement of the parties at the end of said twenty-year term for successive additional ten-year terms, but not to exceed a fifty-year term, or unless sooner terminated as hereinafter provided.

### IT IS MUTUALLY COVENANTED AND AGREED THAT:

1. **Rent.** As consideration or rent for the subject premises, the Tenant, Town of Riverhead, shall bear the cost of the capital improvements to be constructed at the subject premises, with no further rental payments to be made to the Community Development Agency by the Tenant as rent during the term of the lease.
2. **Insurance.** Tenant, Town of Riverhead shall keep the premises properly insured and shall provide the Landlord with proof of coverage during the term of this lease.
3. **Repairs, Maintenance, Utilities.** Tenant, Town of Riverhead, shall be responsible for all repairs, maintenance, and utility payments covering any buildings and premises without contribution from the Landlord.
4. Any and all financial obligations and debt service necessitated by the bonds issued to complete the capital improvements as depicted upon Exhibit B, attached hereto and made a part hereof, shall be borne by the Town of Riverhead.

5. **Special District Levies.** Tenant, Town of Riverhead, shall pay the cost of any special district charges as levied.

6. **Vacate Premises.** If for any reason the Town of Riverhead discontinues the use of the premises as a community recreational facility and vacates the premises, this lease shall be considered terminated and become null and void.

IN WITNESS WHEREOF, the Landlord and Tenant have respectively signed and sealed these presents the day and year first above written.

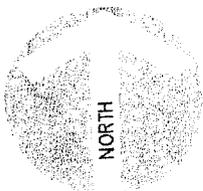
RIVERHEAD COMMUNITY DEVELOPMENT AGENCY

By: \_\_\_\_\_  
PHILIP J. CARDINALE, Chairman

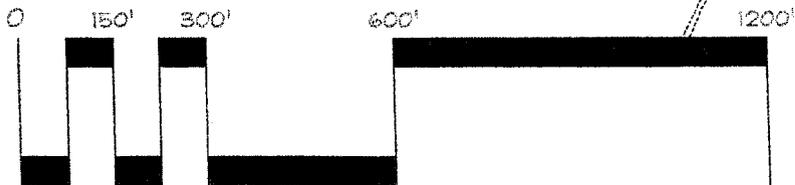
TOWN OF RIVERHEAD

By: \_\_\_\_\_  
CHRISTOPHER E. KENT, Deputy Supervisor

Exhibit A



SCALE: 1"=300'



SURVEY PREPARED BY  
JOHN EHLERS, LAND SURVEYOR  
6 E. MAIN STREET  
RIVERHEAD, NY 11901

Exhibit B  
(1)

# Adopted

Resolution #839

72113-3209P

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Wading River Congregational Church, North Country Road Wading River, New York, in said Town, on September 7, 2005, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Cardinale and upon roll being called, the following were

PRESENT: Supervisor Philip Cardinale  
Councilman George Bartunek  
Councilwoman Rose Sanders  
Councilwoman Barbara Blass  
Councilman Edward Densieski

ALSO PRESENT: Town Clerk Barbara Grattan  
Town Attorney, Sean Walter

ABSENT:

The following resolution was offered by Councilman COUNCILMAN BARTUNEK, who moved its adoption, seconded by Councilman COUNCILWOMAN SANDERS, to-wit:

BOND RESOLUTION DATED SEPTEMBER 7, 2005.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$4,395,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE ESTABLISHMENT OF A NEW PARK AND RECREATIONAL FACILITY AT EPCAL IN AND FOR SAID TOWN.

WHEREAS, the capital project hereinafter described has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which, as proposed, the Town Board has determined will not result in any significant environmental effects; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE, BE IT

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

Section 1. For the specific object or purpose of paying the cost of the establishment of a new park and recreational facility in excess of fifty acres at EPCAL, including original furnishings, equipment, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, in and for the Town of Riverhead, Suffolk County, New York, there are hereby authorized to be issued \$4,395,000 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$4,395,000, and the plan for the financing thereof shall be by the issuance of the \$4,395,000 serial bonds authorized pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 19(a) of paragraph a of

Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. It is hereby determined that it is the intention of this Town Board that debt service on obligations issued pursuant to this bond resolution shall be paid from park and recreation fees collected at the park specified in Section 1 hereof; but to the extent that such park and recreation fees are not sufficient for such purposes, there shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable. The faith and credit of The Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Riverhead, Suffolk County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the

Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Sections 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. Upon this resolution taking effect, the same shall be published in full in The News Review, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 12. This resolution is adopted subject to permissive referendum in accordance with Section 35.00 of the Local Finance Law.

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

_____	VOTING	_____

The resolution was thereupon declared duly adopted.

\* \* \* \*

THE VOTE

Bartunek ✓	yes	no	Sanders ✓	yes	no
Blass ✓	yes	no	Densieski ✓	yes	no
Cardinale ✓	yes	no			

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

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO  
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board  
of said Town, including the resolution contained therein, held on September 7, 2005, with the  
original thereof on file in my office, and that the same is a true and correct transcript therefrom and  
of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open  
Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public  
notice of the time and place of said meeting to be given to the following newspapers and/or other  
news media as follows:

Newspaper and/or Other News Media

Date Given

Traveler-Watchman  
||    ||

September 8, 2005

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)  
of posted notice \_\_\_\_\_

Date of Posting

**Town Clerk's Bulletin Board**

**September 8, 2005**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on September \_\_\_\_, 2005.

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

**BOND RESOLUTION – ADDITIONAL MONEY**

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, in said Town, on April 18, 2006, at \_\_\_\_\_ o'clock P.M., Prevailing Time.

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

PRESENT:

ABSENT:

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

BOND RESOLUTION DATED APRIL 18, 2006.

A RESOLUTION SUPPLEMENTING THE BOND RESOLUTION DATED SEPTEMBER 7, 2005, TO AUTHORIZE, **SUBJECT TO PERMISSIVE REFERENDUM**, THE ISSUANCE OF AN ADDITIONAL \$1,100,000 BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY A PORTION OF THE COST OF THE ESTABLISHMENT OF A NEW PARK AND RECREATIONAL FACILITY AT EPCAL, IN AND FOR SAID TOWN.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, by a bond resolution dated September 7, 2005, the Town Board of the Town of Riverhead, Suffolk County, New York, authorized the issuance of \$4,395,000 bonds of said Town to pay the cost of the establishment of a new park and recreational facility in excess of fifty acres at EPCAL, including original furnishings, equipment, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, in and for said Town; and

WHEREAS, it has now been determined that the maximum estimated cost of such specific object or purpose is \$5,495,000, constituting an increase of \$1,100,000 over that previously authorized; and

WHEREAS, it is now desired to authorize, **SUBJECT TO PERMISSIVE REFERENDUM**, the issuance of an additional \$1,100,000 bonds of said Town for such specific object or purpose; NOW, THEREFORE,

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

Section 1. For the specific object or purpose of paying an additional \$1,100,000 cost of the establishment of a new park and recreational facility in excess of fifty acres at EPCAL, including original furnishings, equipment, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, in and for the Town of Riverhead, Suffolk County, New York, there are hereby authorized to be issued, **SUBJECT TO PERMISSIVE REFERENDUM**, an additional \$1,100,000 bonds of said Town, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose is now \$5,495,000, and that the plan for the financing thereof is as follows:

- a) By the issuance of the \$4,395,000 bonds of said Town authorized to be issued pursuant to the aforesaid bond resolution dated and duly adopted on September 7, 2005;
- b) By the issuance of the additional \$1,100,000 bonds of said Town herein authorized to be issued pursuant to this bond resolution, **SUBJECT TO PERMISSIVE REFERENDUM.**

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 19(a) of paragraph a of Section 11.00 of the Local Finance Law, calculated from the date of issuance of the first bond anticipation note therefor. It is hereby further determined that the maximum maturity of the serial bonds herein authorized **will exceed five years.**

Section 4. It is hereby determined that it is the intention of this Town Board that debt service on obligations issued pursuant to this bond resolution shall be paid from park and recreation fees collected at the park specified in Section 1 hereof; but to the extent that such park

and recreation fees are not sufficient for such purposes, there shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable. The faith and credit of the Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year.

Section 5. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

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

only if:

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

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

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

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

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

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

\* \* \* \* \*

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

\_\_\_\_\_ VOTING \_\_\_\_\_  
\_\_\_\_\_ VOTING \_\_\_\_\_  
\_\_\_\_\_ VOTING \_\_\_\_\_  
\_\_\_\_\_ VOTING \_\_\_\_\_  
\_\_\_\_\_ VOTING \_\_\_\_\_

The resolution was thereupon declared duly adopted.

\* \* \* \* \*

**THE VOTE**

Dunleavy \_\_\_ yes \_\_\_ no    Bartunek \_\_\_ yes \_\_\_ no  
Blass \_\_\_ yes \_\_\_ no    Densieski \_\_\_ yes \_\_\_ no  
Cardinale \_\_\_ yes \_\_\_ no  
THE RESOLUTION \_\_\_ WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED

**CERTIFICATION**

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

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

- 1) That a meeting of the Issuer was duly called, held and conducted on the 18th day of April, 2006.
- 2) That such meeting was a special regular (circle one) meeting.
- 3) That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
- 4) That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
- 5) That all members of the Board of the Issuer had due notice of said meeting.
- 6) That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
- 7) That notice of said meeting (the meeting at which the proceeding was adopted) was given PRIOR THERETO in the following manner:

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer  
this \_\_\_\_\_ day of April, 2006.

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

(CORPORATE SEAL)

NOTICE OF ADOPTION OF RESOLUTION

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, at a meeting held on the 18th day of April, 2006, duly adopted the resolution published herewith **subject to a permissive referendum.**

Dated: Riverhead, New York,  
\_\_\_\_\_, 2006.

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

Resolution # \_\_\_\_\_

BOND RESOLUTION DATED APRIL 18, 2006.

A RESOLUTION SUPPLEMENTING THE BOND RESOLUTION DATED SEPTEMBER 7, 2005, TO AUTHORIZE, **SUBJECT TO PERMISSIVE REFERENDUM**, THE ISSUANCE OF AN ADDITIONAL \$1,100,000 BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY A PORTION OF THE COST OF THE ESTABLISHMENT OF A NEW PARK AND RECREATIONAL FACILITY AT EPCAL, IN AND FOR SAID TOWN.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, by a bond resolution dated September 7, 2005, the Town Board of the Town of Riverhead, Suffolk County, New York, authorized the issuance of \$4,395,000 bonds of said Town to pay the cost of the establishment of a new park and recreational facility in excess of fifty acres at EPCAL, including original furnishings, equipment, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, in and for said Town; and

WHEREAS, it has now been determined that the maximum estimated cost of such specific object or purpose is \$5,495,000, constituting an increase of \$1,100,000 over that previously authorized; and

WHEREAS, it is now desired to authorize, **SUBJECT TO PERMISSIVE REFERENDUM**, the issuance of an additional \$1,100,000 bonds of said Town for such specific object or purpose; NOW, THEREFORE,

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

Section 1. For the specific object or purpose of paying an additional \$1,100,000 cost of the establishment of a new park and recreational facility in excess of fifty acres at EPCAL, including original furnishings, equipment, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, in and for the Town of Riverhead, Suffolk County, New York, there are hereby authorized to be issued, **SUBJECT TO PERMISSIVE REFERENDUM**, an additional \$1,100,000 bonds of said Town, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose is now \$5,495,000, and that the plan for the financing thereof is as follows:

- a) By the issuance of the \$4,395,000 bonds of said Town authorized to be issued pursuant to the aforesaid bond resolution dated and duly adopted on September 7, 2005;
- b) By the issuance of the additional \$1,100,000 bonds of said Town herein authorized to be issued pursuant to this bond resolution, **SUBJECT TO PERMISSIVE REFERENDUM**.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 19(a) of paragraph a of Section 11.00 of the Local Finance Law, calculated from the date of issuance of the first bond anticipation note therefor. It is hereby further determined that the maximum maturity of the serial bonds herein authorized **will exceed five years.**

Section 4. It is hereby determined that it is the intention of this Town Board that debt service on obligations issued pursuant to this bond resolution shall be paid from park and recreation fees collected at the park specified in Section 1 hereof; but to the extent that such park and recreation fees are not sufficient for such purposes, there shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable. The faith and credit of the Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year.

Section 5. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such

recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

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

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

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

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

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

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

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

CERTIFICATION OF POSTING

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO  
HEREBY CERTIFY:

That on the \_\_\_\_\_ day of April, 2006, I caused to be posted on the official signboard  
maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of  
Adoption of a bond resolution adopted by the Town Board of said Town on the 18th day of  
April, 2006.

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

IN WITNESS WHEREOF, I have set my hand and affixed the seal of said Town this  
\_\_\_\_\_ day of April, 2006.

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

# Adopted

RESOLUTION # 922 ABSTRACT #06-37 September 21, 2006 (TBM 10/3/06)			
Councilman Denisinski offered the following Resolution which was seconded by Bart			
FUND NAME		CD - None	CHECKRUN TOTALS GRAND TOTALS
GENERAL FUND	1		149,984.50 149,984.50
RECREATION PROGRAM FUND	6		2,325.00 2,325.00
CHILD CARE CENTER BUILDING FUN	9		48.69 48.69
ECONOMIC DEVELOPMENT ZONE FUND	30		51.10 51.10
HIGHWAY FUND	111		139,461.43 139,461.43
WATER DISTRICT	112		94,259.02 94,259.02
RIVERHEAD SEWER DISTRICT	114		43,407.89 43,407.89
REFUSE & GARBAGE COLLECTION DI	115		309,065.94 309,065.94
STREET LIGHTING DISTRICT	116		32,240.82 32,240.82
PUBLIC PARKING DISTRICT	117		1,944.70 1,944.70
BUSINESS IMPROVEMENT DISTRICT	118		116.59 116.59
AMBULANCE DISTRICT	120		4,588.98 4,588.98
EAST CREEK DOCKING FACILITY FU	122		2,125.26 2,125.26
CALVERTON SEWER DISTRICT	124		4,439.84 4,439.84
RIVERHEAD SCAVANGER WASTE DIST	128		8,492.66 8,492.66
WORKERS' COMPENSATION FUND	173		11,096.36 11,096.36
RISK RETENTION FUND	175		27,975.91 27,975.91
CDBG CONSORTIUM ACOUNT	181		121.85 121.85
SEWER DISTRICTS DEBT SERVICE	382		68,579.85 68,579.85
GENERAL FUND DEBT SERVICE	384		6,115.67 6,115.67
TOWN HALL CAPITAL PROJECTS	406		45,021.91 45,021.91
YOUTH SERVICES CAP PROJECT	452		6.60 6.60
MUNICIPAL FUEL FUND	625		10,552.18 10,552.18
MUNICIPAL GARAGE FUND	626		17,303.70 17,303.70
TRUST & AGENCY	735		97.28 97.28
COMMUNITY PRESERVATION FUND	737		300.00 300.00
CALVERTON PARK - C.D.A.	914		52.76 52.76
<b>TOTAL ALL FUNDS</b>			<b>979,776.49 979,776.49</b>

**THE VOTE**

Dunleavy  yes  no    Bartunek  yes  no  
 Blass  yes  no    Denisinski  yes  no  
 Cardinale  yes  no

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

# Adopted

RESOLUTION # 922		ABSTRACT #06-38 September 28, 2006 (TBM 10/3/06)			
Councilman [Signature] offered the following Resolution which was seconded by					
FUND NAME		CD - None	CHECKRUN TOTALS	GRAND TOTALS	
GENERAL FUND	1		675,663.86	675,663.86	
POLICE ATHLETIC LEAGUE	4		30.00	30.00	
RECREATION PROGRAM FUND	6		501.43	501.43	
CHILD CARE CENTER BUILDING FUN	9		18.72	18.72	
SENIOR CITIZEN DAY CARE CENTER	27		305.73	305.73	
ECONOMIC DEVELOPMENT ZONE FUND	30		2,734.61	2,734.61	
HIGHWAY FUND	111		93,227.23	93,227.23	
WATER DISTRICT	112		51,266.69	51,266.69	
RIVER HEAD SEWER DISTRICT	114		45,268.38	45,268.38	
REFUSE & GARBAGE COLLECTION DI	115		4,962.19	4,962.19	
STREET LIGHTING DISTRICT	116		7,950.43	7,950.43	
PUBLIC PARKING DISTRICT	117		995.03	995.03	
CALVERTON SEWER DISTRICT	124		851.40	851.40	
RIVER HEAD SCAVANGER WASTE DIST	128		27,065.56	27,065.56	
WORKERS' COMPENSATION FUND	173		9,088.10	9,088.10	
RISK RETENTION FUND	175		5,000.00	5,000.00	
CDBG CONSORTIUM ACOUNT	181		568.78	568.78	
RESTORE GRANT PROGRAM	184		5,000.00	5,000.00	
TOWN HALL CAPITAL PROJECTS	406		1,513,317.84	1,513,317.84	
LOCAL ST & HIGHWAY CAP PROJECT	451		75,000.00	75,000.00	
YOUTH SERVICES CAP PROJECT	452		2,431.80	2,431.80	
SENIORS HELP SENIORS CAP PROJE	453		3,132.71	3,132.71	
MUNICIPAL GARAGE FUND	626		24,656.73	24,656.73	
TRUST & AGENCY	735		838,897.68	838,897.68	
COMMUNITY PRESERVATION FUND	737		372.77	372.77	
CALVERTON PARK - C.D.A.	914		511.62	511.62	
<b>TOTAL ALL FUNDS</b>			<b>3,388,819.29</b>	<b>3,388,819.29</b>	

TOWN OF RIVERHEAD

Adopted

Resolution # 923

ADVANCE OF DEPOSIT FOR PURCHASE OF DEVELOPMENT RIGHTS FROM SHIRLEY EDWARDS TO THE TOWN OF RIVERHEAD

COUNCILWOMAN BLASS

offered the following resolution, which was seconded

by ~~COUNCILMAN DUNLEAVY~~:

WHEREAS, on March 1, 2006, the Town of Riverhead has entered into a Development Rights Purchase Agreement ("Agreement") with Shirley Edwards for the purchase of development rights of approximately 61 acres of agricultural lands located on the Westerly Side of Edwards Avenue, Calverton, New York, at \$75,000.00 per acre, further described as Suffolk County Tax Map #0600-79-1-p/o 3; and

WHEREAS, the "Agreement" provided for a closing date on or about April 29, 2006; and

WHEREAS, the New York State Department of Agriculture and Markets awarded a grant to the Town of Riverhead and said grant money is to be used for the purchase of the above referenced Development Rights; and

WHEREAS, the Town of Riverhead has not yet received the grant money from New York State Department of Agriculture and Markets and is therefore not able to close on the Development Rights in accordance with the terms of the "Agreement."

NOW THEREFORE BE IT RESOLVED, that the Riverhead Town Board hereby agrees to advance to Shirley Edwards, Two Million, Nine Hundred Ninety Eight Thousand, One Hundred Eighty Five Dollars (\$2,998,185.00), as a deposit to be credited toward the purchase price; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a Amendment to the Development Rights Purchase Agreement authorizing the Town of Riverhead to advance Two Million, Nine Hundred Ninety Eight Thousand, One Hundred Eighty Five Dollars (\$2,998,185.00) as a deposit to be credited toward the purchase price; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Charles R. Cuddy, Esq., 445 Griffing Avenue, Riverhead, New York 11901; the Farmland Preservation Committee; Peconic Land Trust, Attn: Marian Sumner, 296 Hampton Road, P.O. Box 1776, Southampton, New York, 11968; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office and the Office of the Town Attorney.

THE VOTE  
Dunleavy  yes  no Bartunek  yes  no  
Blass  yes  no Densieski  yes  no  
Cardinale  yes  no  
THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED