

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

- Res. #76** Acquisition of Land and Building 1295 Pulaski Street (RBS)
- Res. #77** Authorization to Discard Fixed Assets
- Res. #78** Authorizes Attendance at the 2009 Training School and Annual Meeting Held by the Association of Towns
- Res. #79** Accepts Resignation of a Part-Time Site Plan Reviewer (Bruno Semon)
- Res. #80** Appoints a Cultural Affairs Supervisor (Danielle Doll)
- Res. #81** Amends 2009 Salary Resolution
- Res. #82** Promotion to Senior Account Clerk Typist in the Accounting Office (Joan Mottern)
- Res. #83** Extends Terms of Resolution #996
- Res. #84** Accepts the Retirement of a Part-Time Senior Aide (Regina Rywelski)
- Res. #85** Appoints a Part-Time Senior Citizen Aide to the Riverhead Senior Programs (Regina Rywelski)
- Res. #86** Amends 2009 Salary Resolution
- Res. #87** Sets Salaries of Various Recreation Employees for the Year 2009
- Res. #88** Sets Salaries for 2009 Part-Time/Call-In Recreation Positions for the Recreation Department
- Res. #89** Resolution to Correct the Terms and Conditions of Employment for Daniel P. McCormick, Deputy Town Attorney
- Res. #90** Appoints Members to the Handicapped Advisory Committee

- Res. #91** Authorizes the Town Clerk to Post and Publish a Notice to Bidders for Fertilizer and Lawn Chemicals
- Res. #92** Authorization to Publish Advertisement for Food & Meat Products for the Town of Riverhead
- Res. #93** Authorization to Publish Advertisement for Diesel Fuel for the Town of Riverhead
- Res. #94** Extends Bid Contract for Removal of Household Hazardous Waste
- Res. #95** Extends Bid Contract for Disposal of Demolition and Construction Debris
- Res. #96** Extends Bid Contract for Disposal of Municipal Solid Waste
- Res. #97** Authorizes Legal Action Against the Owner, Tenants, Occupants and Mortgagee of the Property Located at 806 Osborne Avenue, Riverhead, New York
- Res. #98** Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagee of the Property Located at 2939 North Wading River Road, Wading River, New York
- Res. #99** Authorizes Release of Developer Money PBL Estates
- Res. #100** Authorizes the Supervisor to Execute a License Agreement with Southampton Oyster Company to Allow the Installation of a Floating Upweller System (FLUPSY) in East Creek
- Res. #101** Authorizes the Supervisor to Execute a License Agreement with Aeros Cultured Oyster Company to Allow the Installation of Floating Upweller Systems (FLUPSY) in East Creek
- Res. #102** Authorizes the Supervisor to Execute a License Agreement with East End Oysters to Allow the Installation of Floating Upweller Systems (FLUPSY) in East Creek

- Res. #103** Authorizes Town Clerk to Publish and Post a Public Notice for a Local Law to Consider Amendments to Chapter 101 of the Code of the Town of Riverhead Entitled, “Vehicles and Traffic”
- Res. #104** Authorizes Town Clerk to Publish and Post a Public Notice for a Local Law to Consider Amendments to Chapter 101 of the Code of the Town of Riverhead, Entitled, “Vehicles and Traffic”
- Res. #105** Authorizes Town Clerk to Publish and Post a Public Notice for a Local Law to Consider Amendments to Chapter 108 Entitled “Zoning” of the Riverhead Town Code (Article VIII – Accessory Apartments)
- Res. #106** Authorizes the Supervisor to Execute an Agreement (Thomas Parris)
- Res. #107** Authorizes the Adoption of the Suffolk County Multi-Jurisdictional Multi-Hazard Mitigation Plan
- Res. #108** Resolution Authorizing Supervisor to Execute Agreement to Resolve Action with Contractor Retained to Perform Work at Calverton Enterprise Park
- Res. #109** Ratifies the Supervisor’s Execution of a Lease with Peconic Bay Medical Center for Lease of Park Benches
- Res. #110** Declares Significance of Action on Renovation of East End Arts Council Greenspace Walkway
- Res. #111** Determining that the County of Suffolk’s Installation of Safety Netting Along the North Side of the Driving Range Located at Indian Island Golf Course, Located on Riverside Drive, Riverhead, New York, will not be Subjected to the Zoning Requirements of the Town of Riverhead
- Res. #112** Adopts a Local Law to Amend Chapter 101 Entitled, “Vehicles and Traffic” Article VIII, Parking Permits for Handicapped Persons (§101-33. Expiration and Renewal of Permits)
- Res. #113** Awards Bid Construction of Plant No. 15 Contract F – Fence Installation Riverhead Water District

- Res. #114 Awards Bid Construction of Plant No. 15 Contract WM – Water Main Installation Riverhead Water District**
- Res. #115 Awards Bid Construction of Plant No. 15 Contract W – Well Construction Riverhead Water District**
- Res. #116 Accepts the Resignation of Kim Hasty, Senior Park Attendant in the Recreation Department**
- Res. #117 Pays Bills**
- Res. #118 Authorizes the Filing of an Application for New York State Assistance from the Household Hazardous Waste (HHW) State Assistance Program and Signing of the Associated State Contract, Under the Appropriate Laws of New York State**

February 3, 2009

Adopted

TOWN OF RIVERHEAD

ACQUISITION OF LAND AND BUILDING
1295 PULASKI STREET (RBS)

BUDGET ADOPTION

RESOLUTION # 76

COUNCILWOMAN BLASS 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 adoption:

		<u>FROM</u>	<u>TO</u>
406.095710.494200.40198	Serial Bond Proceeds	2,620,000	
406.019400.522150.40198	Land and Building Acquisition		2,500,000
406.016240.523000.40198	Infrastructure Improvements		120,000

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

TOWN OF RIVERHEAD

AUTHORIZATION TO DISCARD FIXED ASSETS

RESOLUTION # 77

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

WHEREAS, broken equipment that has been salvaged for parts and is no longer usable; and

WHEREAS, after careful consideration the following departments have made recommendations to the Accounting Department that this equipment has no residual value and should be discarded. The Accounting Department hereby requests that the Town Board excess this property so that it may be removed from the records.

WHEREAS, unless the Sanitation Supervisor determines the item can be disposed of through the STOP Program.

NOW, THEREFORE BE IT RESOLVED that the Accounting Department is hereby authorized to discard the following items:

<u>Department</u>	<u>Tag #</u>	<u>Description</u>
Town Clerk	20587	Time/Date Stamp
Town Clerk	21733	Brother Label Maker
Town Clerk	26302	Lexmark Printer
Sewer	10963	Dryer
Fire/Code	20426	File Cabinet
Fire/Code	4291	File Cabinet
Fire/Code	4882	File Cabinet
Fire/Code	9297	File Cabinet
Town Hall Misc.	1502	Blue Vinyl Chair
Town Clerk	7032	2-Drawer File Cabinet
Town Clerk	7016	2-Drawer File Cabinet
Town Engineer	1193	File Cabinet
Planning	25811	Fax Machine
Town Hall Misc.	417	Blue Vinyl Chair
Supervisor	1215	Blue Guest chair
Town Hall Misc.	1505	Blue Vinyl Chair
Accounting	24234	Blue Guest Chair
Assessors	22290	Gray Cabinet
Assessors	104	File Cabinet
Assessors	486	File Cabinet
Building	218	File Cabinet
B&G	28326	Vacuum

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

Adopted

2/3/09

TOWN OF RIVERHEAD

Resolution # 78

AUTHORIZES ATTENDANCE AT THE 2009 TRAINING SCHOOL AND ANNUAL MEETING HELD BY THE ASSOCIATION OF TOWNS

COUNCILMAN BUCKLEY

_____ offered the following resolution, was seconded by

COUNCILMAN WOOTEN

_____ :

WHEREAS, the Association of Towns is hosting their 2009 Training School and Annual Meeting at the Hilton Hotel, New York City, on February 15th through February 18th, 2009; and

WHEREAS, it is the desire of George Woodson, Highway Superintendent to attend such course.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the aforementioned individual to attend the Association of Towns 2009 Training School and Annual Meeting to be held at the Hilton Hotel, New York City on February 15th through February 18th, 2009; and be it further

RESOLVED, that all related expenses incurred by the employee will be reimbursed upon proper submission of receipts; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to George Woodson, Highway Superintendent; the Office of the Town Attorney and the Office of Accounting.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
 THEREFORE DULY ADOPTED

February 3, 2009

Adopted

TOWN OF RIVERHEAD

ACCEPTS RESIGNATION OF A PART-TIME SITE PLAN REVIEWER

RESOLUTION # 79

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

WHEREAS, the Town has received a letter from Bruno Semon, a part-time Site Plan Reviewer in the Planning Department, indicating his intent to resign effective January 26, 2009.

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

BE IT FURTHER, RESOLVED, that the Town Clerk be, and is hereby, directed to forward a copy of this Resolution to Bruno Semon, the Planning Director, the Accounting Office, and the Personnel Officer.

The Vote

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

THE RESOLUTION WAS WAS NOT

THEREFORE DULY ADOPTED

February 3, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 80

APPOINTS A CULTURAL AFFAIRS SUPERVISOR

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

WHEREAS, Danielle Doll has been serving as a provisional appointment in the position of Cultural Affairs Supervisor; and

WHEREAS, Civil Service has established a Certified List of Eligibles, list # 08-4035-344 for the position of Cultural Affairs Supervisor, and Danielle Doll is reachable on that list.

NOW, THEREFORE, BE IT RESOLVED, that effective today, February 3, 2009, this Town Board hereby removes the provisional status of Danielle Doll and appoints her to the position of Cultural Affairs Supervisor at no change in salary.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Danielle Doll, the Superintendent of Recreation, the Accounting Office, and the Personnel Officer.

The Vote

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

THE RESOLUTION WAS WAS NOT

THEREFORE DULY ADOPTED

February 3, 2009

TOWN OF RIVERHEAD

Resolution # 81

Adopted

AMENDS 2009 SALARY RESOLUTION

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

**RESOLVED, THAT THE 2009 SALARIES OF THE FOLLOWING
EMPLOYEES OF THE TOWN OF RIVERHEAD BE CORRECTED AS
FOLLOWS:**

John Reeve, Sanitation Supervisor	\$ 87, 658.93
John Wherry, PT Building Inspector	\$29.5699 Per Hour

The Vote

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

THE RESOLUTION WAS WAS NOT

THEREFORE DULY ADOPTED

Adopted

February 3, 2009

TOWN OF RIVERHEAD

Resolution # 82

**PROMOTION TO SENIOR ACCOUNT CLERK TYPIST
IN THE ACCOUNTING OFFICE**

COUNCILMAN BUCKLEY

offered the following resolution,

which was seconded by _____

COUNCILMAN WOOTEN

WHEREAS, the Financial Administrator has requested a promotion of an Account Clerk Typist to the position of Senior Account Clerk Typist; and

WHEREAS, the Suffolk County Department of Civil Service has certified both a promotional and an open-competitive List of Eligibles for the title of Senior Account Clerk Typist, the lists were canvassed, and the candidate is found to be reachable on the open-competitive list; and

WHEREAS, as per the CSEA contract, the position was also duly posted for (Job Posting #1).

NOW, THEREFORE, BE IT RESOLVED, that Joan Mottern is hereby promoted to the position of Senior Account Clerk Typist effective March 1, 2009 as found on Group 11 Step 5A of the Clerical and Supervisory Salary Schedule.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Joan Mottern, the Financial Administrator and the Personnel Officer.

The Vote

Wooten **Yes** No

Buckley **Yes** No

Dunleavy **Yes** No

Blass **Yes** No

Cardinale **Yes** No

THE RESOLUTION WAS WAS NOT

THEREFORE DULY ADOPTED

February 3, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 83

EXTENDS TERMS OF RESOLUTION #996

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

WHEREAS, Resolution #996 was adopted appointing a temporary clerk in the Tax Receiver's office from December 18, 2008 through January 20, 2009; and

WHEREAS, the Tax Receiver has requested that the length of this temporary appointment be extended through January 28, 2009.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby extends the terms of Resolution #996 appointing Cori Koroleski as Temporary Clerk up to and including January 28, 2009.

BE IT FURTHER, RESOLVED that the Town Clerk be and is hereby directed to forward a copy of this resolution to Cori Koroleski, the Tax Receiver, the Accounting Office and the Personnel Officer.

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

THE RESOLUTION WAS WAS NOT

THEREFORE DULY ADOPTED

February 3, 2009

Adopted

TOWN OF RIVERHEAD

ACCEPTS THE RETIREMENT OF A PART-TIME SENIOR CITIZEN AIDE

RESOLUTION # 84

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

WHEREAS, the Town has received a letter from Regina Rywelski, a part-time Senior Citizen Aide in the Riverhead Senior Programs, indicating her intent to retire effective January 31,2009.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby accepts the retirement of Regina Rywelski.

BE IT FURTHER, RESOLVED, that the Town Clerk be, and is hereby, directed to send notification of this Resolution to Regina Rywelski, the Riverhead Senior Programs Director, the Accounting Office and the Personnel Officer.

The Vote

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

THE RESOLUTION WAS WAS NOT

THEREFORE DULY ADOPTED

February 3, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 85

APPOINTS A PART-TIME SENIOR CITIZEN AIDE TO THE RIVERHEAD SENIOR PROGRAMS

COUNCILMAN DUNLEAVY

_____ offered the following

COUNCILMAN BUCKLEY

resolution, which was seconded by _____

WHEREAS, the need for a Part-time Senior Citizen Aide exists in the Riverhead Senior Programs; and

WHEREAS, a recommendation has been made by the Senior Programs Director and the Personnel Officer to appoint Regina Rywelski to this part-time position.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby appoints Regina Rywelski to the part-time position of Senior Citizen Aide at an hourly rate of \$15.8189 effective February 4, 2009; and

BE IT FURTHER, RESOLVED that the Town Clerk be and is hereby directed to forward a copy of this resolution to Regina Rywelski, the Senior Programs Director, the Accounting Office and the Personnel Officer.

THE VOTE

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

THE RESOLUTION WAS WAS NOT

THEREFORE DULY ADOPTED

February 3, 2009

TOWN OF RIVERHEAD

Adopted

Resolution # 86

AMENDS 2009 SALARY RESOLUTION

COUNCILMAN BUCKLEY

_____ offered the following

resolution, which was seconded by _____

COUNCILMAN WOOTEN

RESOLVED, THAT THE 2009 SALARIES OF THE FOLLOWING MEMBERS OF THE BOARD OF ASSESSMENT REVIEW BE CORRECTED TO COMPLY WITH THE TERMS OF RESOLUTION #625, DATED JULY 15, 2008:

Marjorie Acevedo	\$1,000.00
Judy O'Connell	\$1,000.00
Anacletus Lawrence Galasso	\$1,000.00

The Vote

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

THE RESOLUTION WAS WAS NOT

THEREFORE DULY ADOPTED

February 3, 2009

TOWN OF RIVERHEAD

Adopted

87

SETS SALARIES OF VARIOUS RECREATION EMPLOYEES FOR THE YEAR 2009

Councilman Wooten _____ offered the following resolution,

which was seconded by _____ Councilwoman Blass

RESOLVED, that the salaries of the following Recreation Employees of the Town of Riverhead for the year 2009 be and are hereby set as follows:

GUARDS			
Name	Title	09 Level	2009 Rate
Beatrice Caccioppo	Call-In Guard	1	\$ 10.60
Kenneth Drumm	Call-In Guard	4	\$ 12.35
Frank Villanell	Call-In Guard	2	\$ 11.65
Park Attendants			
Helga Guthy	P/T Gate Attendant	5	\$ 11.75
Thomas O'Dowd	Call-In Park Attendant I	2	\$ 8.25
Christopher Barker	Call-In Park Attendant II	3	\$ 11.10
Steven Cumberbatch	Call-In Park Attendant II	3	\$ 11.10
Kenneth Drumm	Call-In Park Attendant II	7	\$ 12.45
Robert A. Fox	Call-In Park Attendant II	3	\$ 11.10
Thomas Goodwin	Call-In Park Attendant II	2	\$ 10.75
Carol Janecek	Call-In Park Attendant II	2	\$ 10.75
John Nowack	Call-In Park Attendant II	3	\$ 11.10
Meyer Segal	Call-In Park Attendant II	2	\$ 10.75
Kyle Stephenson	Call-In Park Attendant II	7	\$ 12.45
Aaron Wilson	Call-In Park Attendant II	2	\$ 10.75
League Attendants			
Kenneth Drumm	Call-In League Attendant II	5	\$ 11.75
Robert A. Fox	Call-In League Attendant II	3	\$ 11.10
Skatepark/Youth Sports/Special Needs			
Amy Bullock	Call-In Asst Rec Leader	4	\$ 12.25
Jose Coropuna	Call-In Asst Rec Leader (Youth Sports)	2	\$ 11.55
Daniel Dunn	Call-In Rec Leader (Youth Sports)	2	\$ 13.20
Alexandra Sokoloff	Call-In Rec Leader (Special Needs)	2	\$ 11.55
Jenelle Spatarella	Call-In Rec Leader (Youth Sports)	4	\$ 14.00
Meyer Segal	Call-in Rec Aid (Skatepark)	1	\$ 7.50
Eileen Belfield	Call-in Rec Aid (Youth Sports)	3	\$ 8.50
Nicholas Cobis	Call-in Rec Aid (Youth Sports)	2	\$ 8.25
Amanda Commins	Call-in Rec Aid (Youth Sports)	1	\$ 7.50
Emily Commins	Call-in Rec Aid (Youth Sports)	3	\$ 8.50
Steven Cumberbatch	Call-in Rec Aid (Youth Sports)	4	\$ 8.75

Amelia Czelatka	Call-in Rec Aid (Youth Sports)	2	\$ 8.25
Julie Dougherty	Call-in Rec Aid (Youth Sports)	2	\$ 8.25
Diane Hartill	Call-in Rec Aid (Youth Sports)	1	\$ 7.50
Carol Janecek	Call-in Rec Aid (Youth Sports)	4	\$ 8.75
Kaitlin Klein	Call-in Rec Aid (Youth Sports)	2	\$ 8.25
Johnathan LaGue	Call-in Rec Aid (Youth Sports)	3	\$ 8.25
Kiera Lehmann	Call-in Rec Aid (Youth Sports)	2	\$ 8.25
Amanda Makson	Call-in Rec Aid (Youth Sports)	2	\$ 8.25
Kyle Stephenson	Call-in Rec Aid (Youth Sports)	4	\$ 8.75
Jaclyn Zilnicki	Call-in Rec Aid (Youth Sports)	3	\$ 8.50
Christopher Barker	P/T Asst Rec Leader (Skatepark)	5	\$ 11.45
Kenneth Drumm	P/T Asst Rec Leader (Skatepark)	5	\$ 11.45
Justin Grohoski	P/T Asst Rec Leader (Skatepark)	4	\$ 11.10
Michael Mastromonico	P/T Asst Rec Leader (Skatepark)	4	\$ 11.10
Jose Coropuna	P/T Asst Rec Leader (Skatepark)	2	\$ 10.45
Adult Sports/ Bus Drivers/Recreation Specialists			
Douglas Dewling	Call-In Bus Driver	2	\$ 12.60
Robert A. Fox	Call-In Bus Driver	8	\$ 15.04
Jeanette Friscia	Call-In Rec Specialist (Dog Obedience)		\$ 41.38
Melvin Eckstein	Call-In Rec Specialist (Dance Instructor)		\$ 38.25
Rosemary Martilotta	Call-In Rec Specialist (Yoga Instructor)		\$ 47.74
Gail Benevente	Call-In Rec Specialist (Dance Instructor)		\$ 30.00
Kim Ragone	Call-In Rec Specialist (Fitness Instructor)		\$ 31.83
Robert A. Fox	Call-In Rec Specialist (Softball/Baseball)		\$ 22.00
John Letson	Call-In Rec Specialist (Karate Instructor)		\$ 31.83
Cathleen Leggio	Call-In Rec Specialist (Fitness Instructor)		\$ 31.83
Karen Fellows	Call-In Rec Specialist (Arts and Crafts)		\$ 22.66
Debra Hennenlotter	Call-In Rec Specialist (Lifeguard Training)		\$ 23.69
John Nicolellis	Call-In Rec Specialist (Canoe/Kayak)		\$ 22.00
Dennis Doherty	Call-In Rec Specialist (Youth Sports)		\$ 23.34
Jennifer Triandifillis	Call-In Rec Specialist (Youth Sports)		\$ 22.66
Jason Komorowski	Call-In Rec Specialist (Youth Sports)		\$ 20.00
Jeffrey Doroski	Call-In Rec Specialist (Youth Sports)		\$ 22.66
Cheryl Walsh Edwards	Call-In Rec Specialist (Youth Sports)		\$ 23.34
Scott Hackel	Call-In Rec Specialist (Youth Sports)		\$ 22.66
David Spinella	Call-In Rec Specialist (Youth Sports)		\$ 23.34
Matthew Sanders	Call-In Rec Specialist (Youth Sports)		\$ 22.66
Gregory Sanders	Call-In Rec Specialist (Youth Sports)		\$ 22.66
Carolyn Calandro	Call-In Rec Specialist (Arts and Crafts)		\$ 25.00
Brittany Cheek	Call-In Rec Specialist (Special Needs)		\$ 22.00
Antonio Lawrence	Call-In Rec Specialist (Youth Sports)		\$ 22.66
John Hardy	Call-In Rec Specialist (Hockey)		\$ 20.00
Beatrice Caccioppo	Call-In Rec Bus Driver	3	\$ 13.00
Chaperones			
Darlene Gray	Call-In Chaperone	2	\$ 9.35
Cynthia Hynds	Call-in Chaperone	2	\$ 9.35
Carol Janecek	Call-in Chaperone	1	\$ 8.50
Frank Villanell	Call-in Chaperone	1	\$ 8.50
Corrine Segal	Call-in Chaperone	5	\$ 10.25
Teen Center			
Ethel Stokley	Asst Rec Leader (Youth Bureau)	3	\$ 11.90
Beatrice Caccioppo	Call-In Rec Aid (Teen Center)	2	\$ 10.00

Kenneth Drumm	Call-In Rec Aid (Teen Center)	4	\$ 10.60
Elizabeth Flood	Call-In Rec Aid (Teen Center)	2	\$ 10.00
Kathleen Pantaleo	Call-In Rec Aid	2	\$ 10.00
Mary Walsh	Call-in Rec Aid (Teen Center)	2	\$ 10.00

THE VOTE

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



Adopted

TOWN OF RIVERHEAD

Resolution # 88

SETS SALARIES FOR 2009 PART-TIME/CALL-IN RECREATION POSITIONS
FOR THE RECREATION DEPARTMENT

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

RESOLVED, that the Town Board sets salaries for part-time and summer personnel 2009 for the Recreation Department.

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

1

THE VOTE

Buckley yes no Wooten yes no
Dunleavy yes no Blass yes no *abstain*
Cardinale yes no

THE RESOLUTION WAS WAS NOT
THEREFORE

¹ Recreation.Ray Part Time Salaries



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

2009 Salaries

Part-Time Recreation Positions

	Assistant Rec Leader Youth Bureau	PT Rec Aid Teen center	PT Rec Aid Skatepark	PT Asst. Rec leader Skatepark	PT Rec Aid Youth sports	PT Rec leader Youth sports	PT Security Guard	PT Rec Leader Special Needs
Level 1	\$10.50	\$9.0834	\$7.50	\$9.50	\$7.50	\$12.00	\$10.60	\$10.50
Level 2	\$11.55	\$10.00	\$8.25	\$10.45	\$8.25	\$13.20	\$11.65	\$11.55
Level 3	\$11.90	\$10.30	\$8.50	\$10.75	\$8.50	\$13.60	\$12.00	\$11.90
Level 4	\$12.25	\$10.60	\$8.75	\$11.10	\$8.75	\$14.00	\$12.35	\$12.25
Level 5	\$12.65	\$10.95	\$9.00	\$11.45	\$9.00	\$14.45	\$12.75	\$12.65
Level 6	\$13.00	\$11.25	\$9.30	\$11.75	\$9.30	\$14.85	\$13.10	\$13.00
Level 7	\$13.40	\$11.60	\$9.55	\$12.10	\$9.55	\$15.30	\$13.50	\$13.40

	PT Gate Attendant	Park/League Attendant I	Park/League Attendant II	Park Attendant III	PT Guard	Chaperone	PT Bus Driver
Level 1	\$9.75	\$7.50	\$9.75	\$10.25	\$10.60	\$8.50	\$11.45
Level 2	\$10.75	\$8.25	\$10.75	\$11.30	\$11.65	\$9.35	\$12.60
Level 3	\$11.10	\$8.50	\$11.10	\$11.60	\$12.00	\$9.65	\$13.00
Level 4	\$11.40	\$8.75	\$11.50	\$12.00	\$12.35	\$9.95	\$13.40
Level 5	\$11.75	\$9.00	\$11.75	\$12.30	\$12.75	\$10.25	\$13.75
Level 6	\$12.10	\$9.30	\$12.10	\$12.70	\$13.10	\$10.55	\$14.15
Level 7	\$12.45	\$9.55	\$12.45	\$13.10	\$13.50	\$10.85	\$14.60

Recreation Specialist: Starting Salary \$20.00 with a 10% Raise after Level One and a 3% Raise thereafter. **

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

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

2/3/09

Adopted

TOWN OF RIVERHEAD

Resolution # 89

RESOLUTION TO CORRECT THE TERMS AND CONDITIONS OF EMPLOYMENT FOR DANIEL P. McCORMICK, DEPUTY TOWN ATTORNEY

COUNCILMAN DUNLEAVY

offered the following resolution, was seconded by

COUNCILMAN BUCKLEY :

WHEREAS, the Town of Board of the Town of Riverhead adopted Resolution # 1001 on November 18, 2008 setting the terms and conditions of employment for Daniel P. McCormick, Deputy Town Attorney; and

WHEREAS, Resolution #1001 contained an error in the "Sick Leave" provision providing for sick leave accumulation at the rate of 14 hours per month rather than the rate of 10.5 hours per month; and

WHEREAS, the Town Board of the Town of Riverhead seeks to correct this error retroactive to the date of adoption of the resolution approving the terms and conditions of employment; and

NOW THEREFORE BE IT RESOLVED, that the "Sick Leave" provision set forth in Resolution #1001 adopted on November 18, 2008 is hereby corrected to provide for the accumulation of sick leave at a rate of 10.5 hours per month and said correction shall be applied retroactive to the date of adoption of Resolution #1001, and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Daniel P. McCormick, Deputy Town Attorney, Personnel Department; Payroll Department, Accounting Department, Office of the Town Attorney, and be it further

RESOLVED, that all other Departments may obtain a copy of this resolution from e-cabinet.

WOOTEN YES NO BUCKLEY YES NO

DUNLEAVY YES NO BLASS YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT

DECLARED DULY ADOPTED

February 3, 2009

Adopted

TOWN OF RIVERHEAD

Resolution No. 90

APPOINTS MEMBERS TO THE HANDICAPPED ADVISORY COMMITTEE

COUNCILMAN BUCKLEY offered the following resolution which was seconded by

COUNCILMAN WOOTEN.

WHEREAS, Resolution #763 of August 2, 2005 adopted guidelines for Town Board Advisory Committees; and

WHEREAS, guideline #1 states that each committee will consist of no less than seven and no more than nine members, and

WHEREAS, two vacancies presently exist on the Handicapped Advisory Committee.

NOW THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby appoints Karen Bocksel and William Andes to serve on the Handicapped Advisory Committee.

BE IT FURTHER RESOLVED, that the Town Clerk shall hereby forward a copy of this resolution to Karen Bocksel, Post Office Box 2824 Aquebogue New York 11931, William Andes, 224 Griffing Avenue Riverhead New York 11901, and members of the Handicapped Advisory Committee.

THE VOTE

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

THIS RESOLUTION WAS WAS NOT

THEREFORE DULY ADOPTED

February 3, 2009

Adopted

TOWN OF RIVERHEAD

RESOLUTION #91

**AUTHORIZES THE TOWN CLERK TO POST AND PUBLISH
A NOTICE TO BIDDER FOR
FERTILIZER AND LAWN CHEMICALS**

Councilman Wooten offered the following resolution which
was seconded by Councilwoman Blass

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the February 12, 2009 issue of the official Town newspaper for the purchase of Fertilizer and Lawn Chemicals; and

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

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

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed bids for the purchase of Fertilizer and Lawn Chemicals for the use in the Town of Riverhead, Riverhead, New York will be received by the Town of Riverhead at the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until 11:00 am on February 23, 2009 at which time they will be publicly opened and read aloud.

Specifications may be examined and/or obtained on or about February 12, 2009 at the Office of the Town Clerk between the hours of 8:30 am and 4:30 pm weekdays, except holidays or by visiting the Town of Riverhead website: www.riverheadli.com and click on Bid Requests.

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

Each proposal must be submitted on the form provided in sealed envelope clearly marked "Fertilizer and Lawn Chemicals".

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

BY ORDER OF THE RIVERHEAD TOWN BOARD

Diane M. Wilhelm, Town Clerk
Riverhead, New York 11901

Dated: February 3, 2009

FEBRUARY 3, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 92

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR FOOD & MEAT PRODUCTS FOR THE TOWN OF RIVERHEAD

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN DUNLEAVY

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for proposals for FOOD & MEAT PRODUCTS FOR THE TOWN OF RIVERHEAD and;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the FEBRUARY 12, 2009 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 the Purchasing Department.

THE VOTE

Buckley Yes No

Wooten Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

NOTICE TO BIDDERS

Sealed bids for the purchase of FOOD & MEAT PRODUCTS 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 11:05 A.M. ON FEBRUARY 19, 2009.

Bid packets, including Specifications, may be obtained on our website at www.riverheadli.com or 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.

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 FOOD & MEAT PRODUCTS 09.

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

Diane M. Wilhelm, Town Clerk

Adopted

FEBRUARY 3, 2009

TOWN OF RIVERHEAD

Resolution # 93

**AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR DIESEL FUEL
FOR THE TOWN OF RIVERHEAD**

COUNCILMAN DUNLEAVY offered the following resolution,

COUNCILMAN BUCKLEY
which was seconded by _____

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for proposals for DIESEL FUEL FOR THE TOWN OF RIVERHEAD and;

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the FEBRUARY 12, 2009 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 the Purchasing Department.

THE VOTE

Buckley Yes No

Wooten Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

NOTICE TO BIDDERS

Sealed bids for the purchase of DIESEL FUEL 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 FEBRUARY 19, 2009.

Bid packets, including Specifications, may be obtained on our website at www.riverheadli.com or 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.

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 DIESEL FUEL 09.

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

Diane M. Wilhelm, Town Clerk

February 3, 2009

TOWN OF RIVERHEAD

Adopted

Resolution # 94

EXTENDS BID CONTRACT FOR
REMOVAL OF HOUSEHOLD HAZARDOUS WASTE

COUNCILMAN BUCKLEY offered the following resolution,

which was seconded by COUNCILMAN WOOTEN.

WHEREAS, the Sanitation Department has requested that the contract with RADIAC ENVIRONMENTAL SERVICES, be extended until FEBRUARY 20, 2010 and;

WHEREAS, this will be the first extension and;

WHEREAS, the above named vendor has agreed to extend the contract until FEBRUARY 20, 2010 for the same pricing as 2008 and;

WHEREAS, the Town Board has reviewed said request and agrees.

NOW THEREFORE BE IT RESOLVED, that the contract for REMOVAL OF HOUSEHOLD HAZARDOUS MATERIALS is hereby extended until FEBRUARY 20, 2010 for the bid price of \$3555.00 and;

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to RADIAC ENVIRONMENTAL SERVICES, the Sanitation Department and the Purchasing Department.

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted



200 Howell Ave.
Riverhead, NY 11901
(631) 727-3200
Email: chew@riverheadli.com

Gina Chew
Ext. 391

Bid Extension Notice

To: Radiac Environmental Services
From: Sanitation Department
Date: 1/27/09
Subject: Extension of bid prices for STOP Program 2008-2009

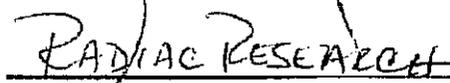
This letter is to inform you that the current contract for the removal of hazardous materials from our Town of Riverhead STOP Program will expire on February 20, 2009.

The Town of Riverhead would like to extend this contract for a period of one year. The new expiration date will be February 20, 2010.

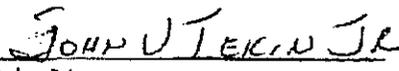
If this extension meets with your approval, please complete the bottom portion of this letter and return it to us as soon as possible.



Authorized Signature



Company Name



Print Name

1/27/09

Date

TOWN OF RIVERHEAD

Adopted

Resolution # 95

**EXTENDS BID CONTRACT FOR DISPOSAL OF
DEMOLITION AND CONSTRUCTION DEBRIS**

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

WHEREAS, the Sanitation Department has requested that the contract with Excel Demolition Recycling, Inc. be extended until FEBRUARY 20, 2010 and;

WHEREAS, this will be the first extension and;

WHEREAS, the above named vendor has agreed to extend the contract until FEBRUARY 20, 2010 for the same pricing as 2008 and;

WHEREAS, the Town Board has reviewed said request and agrees.

NOW THEREFORE BE IT RESOLVED, that the contract for Demolition and Construction Debris is hereby extended until FEBRUARY 20, 2010 for the bid price of \$64.50 per ton and;

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Excel Demolition Recycling, Inc., the Sanitation Department and the Purchasing Department.

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted



700 Howell Ave.
Riverhead, NY 11901
(631) 727-3200
Email: chew@riverheadli.com

Gina Chew
Ext. 391

Bid Extension Notice

To: Excel Demolition Recycling, Inc.
From: Sanitation Department
Date: 1/28/09
Subject: Extension of bid prices for Demolition & Construction Debris for 2008-2009

This letter is to inform you that the current contract for disposal of Demolition and Construction Debris from the Town of Riverhead will expire on February 20, 2009.

The Town of Riverhead would like to extend this contract for a period of one year. The new expiration date will be February 20, 2010.

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


Authorized Signature

Frank Bossano
Print Name

EXCEL DEMOLITION RECYCLING INC 01-28-09
Company Name Date

February 3, 2009

TOWN OF RIVERHEAD

Adopted

Resolution # 96

**EXTENDS BID CONTRACT FOR
DISPOSAL OF MUNICIPAL SOLID WASTE**

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

WHEREAS, the Sanitation Department has requested that the contract with Crown Recycling Facility be extended until FEBRUARY 20, 2010 and;

WHEREAS, this will be the first extension and;

WHEREAS, the above named vendor has agreed to extend the contract until FEBRUARY 20, 2010 for the same pricing as 2008 and;

WHEREAS, the Town Board has reviewed said request and agrees.

NOW THEREFORE BE IT RESOLVED, that the contract for Municipal Solid Waste is hereby extended until FEBRUARY 20, 2010 for the bid price of \$73.50 per ton and;

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Crown Recycling Facility, the Sanitation Department and the Purchasing Department.

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted



200 Howell Ave.
Riverhead, NY 11901
(631) 727-3200
Email: chew@riverheadli.com

Gina Chew
Ext. 391

Bid Extension Notice

To: Crown Recycling Facility
From: Sanitation Department
Date: 1/28/09
Subject: Extension of bid prices for Municipal Solid Waste for 2008-2009

This letter is to inform you that the current contract for disposal of Municipal Solid Waste from the Town of Riverhead will expire on February 20, 2009.

The Town of Riverhead would like to extend this contract for a period of one year. The new expiration date will be February 20, 2010.

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



Authorized Signature

FRANK ROSSANO

Print Name

Crown Recycling Facility

Company Name

01-28-09

Date

Adopted

TOWN OF RIVERHEAD

Resolution # 97

AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS AND MORTGAGEE OF THE PROPERTY LOCATED AT 806 OSBORNE AVENUE, RIVERHEAD, NEW YORK

Councilman Dunleavy offered the following resolution, was seconded by Councilman Buckley :

WHEREAS, the Town Board has determined that the property situated at 806 Osborne Avenue, Riverhead, New York, is being used and occupied in violation of various sections of the Code of the Town of Riverhead;

NOW, THEREFORE, BE IT RESOLVED, that Dawn C. Thomas, Town Attorney for the Town of Riverhead is authorized to institute legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the property situated at 806 Osborne Avenue, Riverhead, New York, in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property; and be it further

RESOLVED, that it is left to the discretion of Dawn C. Thomas, Town Attorney for the Town of Riverhead as whether said cause of action should seek monetary and/or punitive damages and/or injunctive relief against the owners, tenants, occupants and/or mortgagee of said property for their illegal use, occupancy and maintenance of said property.

WOOTEN YES ___ NO BUCKLEY YES ___ NO

DUNLEAVY YES ___ NO BLASS YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

Adopted

TOWN OF RIVERHEAD

Resolution # 98

AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS AND MORTGAGEE OF THE PROPERTY LOCATED AT 2939 NORTH WADING RIVER ROAD, WADING RIVER, NEW YORK

Councilman Buckley offered the following resolution, was seconded by Councilman Wooten:

WHEREAS, the Town Board has determined that the property situated at 2939 North Wading River Road, Wading River, New York, is being used and occupied in violation of various sections of the Code of the Town of Riverhead;

NOW, THEREFORE, BE IT RESOLVED, that Dawn C. Thomas, Town Attorney for the Town of Riverhead is authorized to institute legal action in the name of the Town of Riverhead against the owners, tenants, occupants and mortgagee of the property situated at 2939 North Wading River Road, Wading River, New York, in the Supreme Court of the State of New York to enjoin the illegal use, occupancy and/or maintenance of said property; and be it further

RESOLVED, that it is left to the discretion of Dawn C. Thomas, Town Attorney for the Town of Riverhead as whether said cause of action should seek monetary and/or punitive damages and/or injunctive relief against the owners, tenants, occupants and/or mortgagee of said property for their illegal use, occupancy and maintenance of said property.

WOOTEN YES NO BUCKLEY YES NO

DUNLEAVY YES NO BLASS YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

February 3, 2009

Adopted

TOWN OF RIVERHEAD

AUTHORIZES RELEASE OF DEVELOPER MONEY
PBL ESTATES

RESOLUTION # 99

COUNCILMAN WOOTEN

_____ offered the following resolution,

which was seconded by _____ COUNCILWOMAN BLASS

WHEREAS, Allen M. Smith attorney for PBL Estates, deposited monies for expansion of the Riverhead Water District, Capital Project 30006, with the Town of Riverhead on April 24, 1995 (5-815) totaling Three Thousand Dollars (\$3,000.00)

WHEREAS, Holzmacher, McLendon & Murrell, P.C. (H2M) and the Riverhead Water District has determined that all work for this extension has been completed and the developer is due back a refund of Two Thousand Four Hundred Dollars (\$2400.00)

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the Accounting Department to release said monies in the sum of Two Thousand Four Hundred Dollars (\$2400.00) Allen M. Smith attorney for PBL Estates; and

BE IT FURTHER RESOLVED, that the Town Clerk be, and is hereby, authorized to forward a copy of this Resolution to Allen M. Smith, 737 Roanoke Ave, Riverhead, NY 11901; H2M Group, 575 Broad Hollow Road, Melville, NY 11747; Riverhead Water District and the Accounting Department.

THE VOTE

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

2/3/09

Adopted

Town of Riverhead

Resolution # 100

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

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

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

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

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

WHEREAS, Southampton Oyster Company wishes to install a Floating Upweller System in East Creek for the purposes of cultivating shellfish; and

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

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

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

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

Z:\Calamita Laura\reso\ATHFLUPSY2.RES.doc

THE VOTE

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

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

LICENSE

License ("License"), made as of the 3rd day of February, 2009, by and between the Town of Riverhead, ("Licensor") having and address at 200 Howell Avenue, Riverhead, New York and Southampton Oyster Company, ("Licensee"), having an address at P.O. Box 2369, Southampton, New York, 11968, a not for profit corporation.

WITNESSETH

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

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

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

1. Licensing: Upon the terms and conditions hereinafter set forth, Licensor hereby licenses to Licensee the right to use the licensed premises, a copy of which is annexed hereto as Exhibit A.
2. Term of the License. The term of this License (the "term") shall commence on February 1, 2009 and shall end on December 31, 2009.

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

4. License Fee. Licensee shall pay to Licensor, upon the execution of this agreement the license fee of \$50.00 per month for each FLUPSY installed at the Town's site for the term of the license, in full. In addition, licensee agrees to pay metered electric and water charges to the Town.

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

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

6. Insurance. Southampton Oyster Company further agrees to carry public liability and in an amount not less than \$1,000,000.00 combined single limit covering bodily injury and property damage per occurrence in a company(ies) acceptable to the Town of Riverhead, in which policy the Town of Riverhead shall be named as additional insured. Southampton Oyster Company shall furnish satisfactory

evidence that such insurance is in effect and will not be canceled during the term of this Agreement without thirty (30) days prior written notice of such cancellation to Authority.

7. Repair, Maintenance and Inventory of License Properties.

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

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

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

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

10. Notices: Any notices to be given under this License shall be in writing and shall be sent by registered or certified mail, return receipt requested. If such notice is directed to Licensor, it shall be addressed to the attention of the Riverhead Town Supervisor at 200 Howell Avenue, Riverhead, New York. If such notice is directed at the Licensee, it shall be addressed to PO Box 2369, Southampton, New York, 11968.

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

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

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

TOWN OF RIVERHEAD

By: _____
PHILIP J. CARDINALE, Supervisor

SOUTHAMPTON OYSTER COMPANY

By: _____
WILLIAM PELL

2/3/09

Adopted

Town of Riverhead

Resolution # 101

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

COUNCILMAN DUNLEAVY

_____ offered the following resolution, was seconded by

COUNCILMAN BUCKLEY

_____:

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

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

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

WHEREAS, Aeros Cultured Oyster Company wishes to install five (5) Floating Upweller Systems in East Creek for the purposes of cultivating shellfish; and

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

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

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

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Aeros Cultured Oyster Company, P.O. Box 964, Southold, New York, 11971, the Office of the Town Attorney and the Office of Accounting.

Z:\Calamita Laura\reso\FLUPSYAeros.reso.doc

THE VOTE

Buckley	✓	yes	___	no	Wooten	✓	yes	___	no
Dunleavy	✓	yes	___	no	Blass	✓	yes	___	no
					Cardinale	✓	yes	___	no

THE RESOLUTION 1 WAS 1 WAS NOT
THEREFORE DULY ADOPTED

LICENSE

License ("License"), made as of the 3rd day of February, 2009, by and between the Town of Riverhead, ("Licensor") having an address at 200 Howell Avenue, Riverhead, New York and Aeros Cultured Oyster Company, ("Licensee"), having an address at P.O. Box 964, Southold, New York, 11971, a not for profit corporation.

WITNESSETH

WHEREAS, Aeros Cultured Oyster Company wishes to utilize a floating Upweller System (FLUPSY) to be located at the northerly terminus of East Creek, in Jamesport, for the purpose of culturing seed hard clams, bay scallops and oysters set forth in the contract between the parties, and

WHEREAS, the Town of Riverhead wishes to grant the Licensor the right to install and utilize up to five (5) FLUPSY tanks at the aforementioned location.

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

1. Licensing: Upon the terms and conditions hereinafter set forth, Licensor hereby licenses to Licensee the right to use the licensed premises, a copy of which is annexed hereto as Exhibit A.
2. Term of the License. The term of this License (the "term") shall commence on January 1, 2009 and shall end on December 31, 2009.

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

4. License Fee. Licensee shall pay to Licensor, upon the execution of this agreement the license fee of \$50.00 per month for each FLUPSY installed at the Town's site for the term of the license, in full. In addition, licensee agrees to pay metered electric and water charges to the Town.

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

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

6. Insurance. Aeros Cultured Oyster Company further agrees to carry public liability and in an amount not less than \$1,000,000.00 combined single limit covering bodily injury and property damage per occurrence in a company(ies) acceptable to the Town of Riverhead, in which policy the Town of Riverhead shall be named as additional insured. Aeros Cultured Oyster Company shall furnish satisfactory

evidence that such insurance is in effect and will not be canceled during the term of this Agreement without thirty (30) days prior written notice of such cancellation to Authority.

7. Repair, Maintenance and Inventory of License Properties.

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

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

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

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

10. Notices: Any notices to be given under this License shall be in writing and shall be sent by registered or certified mail, return receipt requested. If such notice is directed to Licensor, it shall be addressed to the attention of the Riverhead Town Supervisor at 200 Howell Avenue, Riverhead, New York. If such notice is directed at the Licensee, it shall be addressed to PO Box 964, Southold, New York, 11971.

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

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

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

TOWN OF RIVERHEAD

By: _____
PHILIP J. CARDINALE, Supervisor

AEROS CULTURED OYSTER
COMPANY

By: _____
KAREN RIVARA, President

2/3/09

Adopted

Town of Riverhead

Resolution # 102

AUTHORIZES THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH EAST END OYSTERS TO ALLOW THE INSTALLATION OF FLOATING UPWELLER SYSTEMS (FLUPSY) IN EAST CREEK

COUNCILMAN BUCKLEY

offered the following resolution, was seconded by

COUNCILMAN WOOTEN :

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

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

WHEREAS, East End Oysters is in the business of cultivating oysters, scallops and hard clams for the purpose of providing cultivated shellfish to entities wishing to aid in the proliferation of shellfish; and

WHEREAS, East End Oysters wishes to install one (1) Floating Upweller System in East Creek for the purposes of cultivating shellfish; and

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

WHEREAS, East End Oysters has agreed to provide monthly tours of its East Creek facility.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute the attached License Agreement with East End Oysters; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to East End Oysters, P.O. Box 693, Miller Place, New York, 11764; the Office of the Town Attorney and the Office of Accounting.

Z:\Calamita Laura\reso\authEastEndOysters.reso.doc

THE VOTE

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

THE RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED

LICENSE

License ("License"), made as of the 3rd day of February, 2009, by and between the Town of Riverhead, ("Licensor") having an address at 200 Howell Avenue, Riverhead, New York and East End Oysters, ("Licensee"), having an address at P.O. Box 693, Miller Place, New York, 11764, a not for profit corporation.

WITNESSETH

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

WHEREAS, the Town of Riverhead wishes to grant the Licensor the right to install and utilize one (1) FLUPSY tank at the aforementioned location.

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

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

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

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

4. License Fee. Licensee shall pay to Licensor, upon the execution of this agreement the license fee of \$50.00 per month for each FLUPSY installed at the Town's site for the term of the license, in full. In addition, licensee agrees to pay metered electric and water charges to the Town.

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

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

6. Insurance. East End Oysters further agrees to carry public liability and in an amount not less than \$1,000,000.00 combined single limit covering bodily injury and property damage per occurrence in a company(ies) acceptable to the Town of Riverhead, in which policy the Town of Riverhead shall be named as additional insureds. East End Oysters shall furnish satisfactory evidence that such insurance is in

effect and will not be canceled during the term of this Agreement without thirty (30) days prior written notice of such cancellation to Authority.

7. Repair, Maintenance and Inventory of License Properties.

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

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

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

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

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

requested. If such notice is directed to Licensor, it shall be addressed to the attention of the Riverhead Town Supervisor at 200 Howell Avenue, Riverhead, New York. If such notice is directed at the Licensee, it shall be addressed to PO Box 693, Miller Place, New York, 11764.

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

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

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

TOWN OF RIVERHEAD

By: _____
PHILIP J. CARDINALE, Supervisor

EAST END OYSTERS

By: _____
MICHAEL CRAIG

2/3/09

Adopted

TOWN OF RIVERHEAD

Resolution # 103

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE FOR A LOCAL LAW TO CONSIDER AMENDMENTS TO CHAPTER 101 OF THE CODE OF THE TOWN OF RIVERHEAD ENTITLED "VEHICLES AND TRAFFIC"

Councilman Wooten offered the following resolution, was seconded by

Councilwomen Blass :

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached public notice once in the February 12, 2009 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law amending Chapter 101 entitled "Vehicles and Traffic", §101-10.2 of the Riverhead Town Code entitled "No parking certain hours" to be posted on the sign board of the Town, and be it further

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

WOOTEN YES NO BUCKLEY YES NO

DUNLEAVY YES NO BLASS YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 18th day of February, 2009 at 7:20 o'clock p.m. to consider a local law amending Chapter 101 entitled "Vehicles and Traffic", §101-10.2 of the Riverhead Town Code entitled "No parking certain hours" of the Riverhead Town Code as follows:

**CHAPTER 101
VEHICLES AND TRAFFIC
ARTICLE III
Traffic Regulations**

§ 101-10.2. No parking certain hours.

Street	Side	Hours	Location
<u>Methodist Church Auxiliary Parking Lot</u>		<u>1:00 a.m. to 6:00 a.m.</u>	<u>United Methodist Church Auxiliary Parking Lot between East Avenue And Maple Avenue</u>

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

Dated: Riverhead, New York
February 3, 2009

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, Town Clerk

2/3/09

Adopted

TOWN OF RIVERHEAD

Resolution # 104

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE FOR A LOCAL LAW TO CONSIDER AMENDMENTS TO CHAPTER 101 OF THE CODE OF THE TOWN OF RIVERHEAD ENTITLED "VEHICLES AND TRAFFIC"

Councilwoman Blass _____ offered the following resolution, was seconded by

Councilman Dunleavy _____:

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached public notice once in the February 12, 2009 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law amending Chapter 101 entitled "Vehicles and Traffic", §101-3 of the Riverhead Town Code entitled "Stop and yield intersections; railroad crossings; parking fields" to be posted on the sign board of the Town, and be it further

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

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

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 3rd day of March, 2009 at 2:20 o'clock p.m. to consider a local law amending Chapter 101 entitled "Vehicles and Traffic", §101-3 of the Riverhead Town Code entitled "Stop and yield intersections; railroad crossings; parking fields" of the Riverhead Town Code as follows:

CHAPTER 101
VEHICLES AND TRAFFIC
ARTICLE III
Traffic Regulations

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

Intersection	Stop Sign on	Entrance From
<u>Sound Road and Oliver Street</u>	<u>Sound Road</u>	<u>North</u>
<u>Sound Road and Anna Court</u>	<u>Sound Road</u>	<u>South</u>

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

Dated: Riverhead, New York
February 3, 2009

BY ORDER OF THE TOWN BOARD
OF THE TONW OF RIVERHEAD

DIANE M. WILHELM, Town Clerk

February 3, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 105

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE FOR A LOCAL LAW TO CONSIDER AMENDMENTS TO CHAPTER 108 ENTITLED "ZONING" OF THE RIVERHEAD TOWN CODE (Article VIII – Accessory Apartments)

COUNCILMAN DUNLEAVY

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached public notice once in the February 12, 2009 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed local law amending Chapter 108 entitled "Zoning", Article VIII entitled "Accessory Apartments", to be posted on the sign board of the Town, and be it further

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

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

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the March 3, 2009 at 2:10 o'clock p.m. to consider a local law amending Chapter 108 entitled "Zoning", Article VIII entitled "Accessory Apartments", of the Riverhead Town Code as follows:

**ARTICLE VII
Accessory Apartments**

§108-34. Purpose.

It is the intent and purpose of this article to allow accessory apartments within the Residence A-40 (RA-40), Residence B-40 (RB-40), Residence A-80 (RA-80), Residence B-80 (RB-80) and Agricultural Protection Zoning (APZ) Use Districts to provide the opportunity for the development of small rental housing units designed to meet the housing needs of median income families, both young and old, and relatives of families residing in the Town of Riverhead and to implement the housing elements and goals of the Town of Riverhead Comprehensive Plan (Town of Riverhead Planning Board et al, 2003) by allowing accessory apartments in designated zoning districts. It is also the intent of this article to increase compliance with building and fire code, property maintenance, preserve property values and the health, safety and welfare of the community.

A. Findings. The Town Board finds that there exist many benefits associated with the creation of accessory apartments on residential lots with existing detached single-family dwellings, including providing a cost-effective means of accommodating necessary residential development by making better use of existing infrastructure and reducing the need to provide new infrastructure; increasing the supply of workforce housing without increased government subsidies and regulations; benefitting older homeowners, single parents, young home buyers and the disabled; integrating workforce housing more uniformly in the community; providing homeowners with revenue to meet rising homeownership costs, and by meeting growth management goals by creating more housing opportunities within existing developed neighborhoods.

B. Standards.

- (1) Owner occupancy required. The owners of the real property upon which the accessory apartment is located shall reside within either the principal dwelling unit or the accessory apartment unit. A property owner shall own only one accessory apartment within the Town of Riverhead and only one accessory apartment per Suffolk County Tax Lot shall be permitted. Accessory apartments shall not be permitted within an existing two-family or multi-family dwelling or on a lot containing a two-family or multi-family dwelling.

- (2) Location on a lot. An accessory apartment may be located within the principal single-family dwelling or within an accessory building.
- (3) Single family dwelling living area. The principal single family dwelling must meet the living area dimension requirements for the applicable zoning district as set forth in Chapter 108 or in the alternative, the principal single family dwelling must have a valid certificate of occupancy for a pre-existing non-conforming dwelling.
- (4) Accessory apartment size. The minimum habitable area for an accessory apartment shall be 300 square feet and a maximum of 650 square feet ~~and shall not exceed forty percent (40%) of the habitable area of the principal dwelling of which the apartment is accessory.~~ The accessory apartment shall not exceed forty percent (40%) of the area of the principal dwelling. For pre-existing apartments seeking to comply with the code provisions set forth in this Chapter, the Accessory Apartment Review Board may review, approve, approve with conditions, or deny accessory apartments that exceed 650 square feet up to a maximum of 850 square feet provided that the accessory apartment does not exceed forty percent (40%) of the area of the principal dwelling of which the apartment is accessory. In no event may there be more than one (1) bedroom per accessory apartment.
- (5) Exterior appearance. The entry to an accessory apartment located within the principal dwelling shall be designed such that the appearance of the dwelling, to the degree reasonably feasible, remains as a single family dwelling.
- (6) Off-street parking. In addition to off-street parking requirements for single family dwellings set forth in Chapter 108 "Parking Schedule", there shall be located a minimum of two (2) 9' x 18' off-street parking stalls for an accessory apartment unit. The parking areas and driveways shall be paved with asphalt, concrete, bluestone or such other similar surfaces.
- (7) The principal structure, as well as the accessory apartment, must comply with all requirements of this article and all applicable provisions of the Town Code of the Town of Riverhead, Suffolk County Department of Health Services, New York State Uniform Fire Prevention and Building Code, and any and all such other agencies having jurisdiction.
- (8) Inspection. The Building Department Administrator for the Town of Riverhead Building Department or his designated representative is authorized to make or cause to be made inspections, upon reasonable notice, to determine the condition of the dwellings and compliance with the provisions of this article to safeguard the health, safety, and welfare of the public. A renewal application or transfer application shall be subject to identical inspection criteria as set forth above.
- (9) Duration. All permits issued hereunder shall be valid for an initial period of three (3) years and shall be renewable for successive periods of up to five (5) years at the discretion of the Accessory Apartment Board.
- (10) New construction. No permit shall be issued for an accessory apartment within any structure until a period of three (3) years has elapsed from the date of issuance of the relevant certificate of occupancy. Nothing contained in this subsection shall be construed to prohibit the construction of an addition to a principal building.
- (11) Amnesty. For the detached single-family dwellings that illegally have an accessory apartment, the owner shall have ~~one~~ two years from the enactment of this article to make application, without penalty as set forth in Chapter 52-18, and pre-construction fees (triplicate fees) as set forth in 52-10(h) shall be waived upon receipt of accessory apartment permit. ~~for an accessory apartment and~~ As set forth in 108-35(6) of this article, the applicant/owner shall have 90 days of issuance of the building permit to comply with

all requirements of this article, including but not limited to, review and approval by the Accessory Apartment Review Board, and all applicable provisions of the Town Code of the Town of Riverhead, Suffolk County Department of Health Services, New York State Uniform Fire Prevention and Building Code, and any and all such other agencies having jurisdiction.

§108-35. Applications.

- (1) There shall be submitted to Building Department the following:
 - (a) An application to the Building Department for pre-approval of occupancy and use, together with plans by a licensed design professional and any such other plans, documents or surveys required by the Building Department;
 - (b) An application to the Building Department for all necessary building permits;
 - (c) An application to the Accessory Apartment Review Board for an accessory apartment permit.
- (2) The Applicant shall make part of any application for pre-approval of occupancy and use and building permit, an approval of the Suffolk County Department of Health Services, if required.
- (3) The Accessory Apartment Review Board, as part of its application, may require the applicant to submit supporting documents, including but not limited to floor plans, surveys less than 10 years old that show all existing structures, photographs, and/or exterior renderings.
- (4) The application for the transfer of an accessory apartment permit to a subsequent property owner shall be completed on such forms and in such a manner as prescribed by the Accessory Apartment Review Board.
- (5) The application must be supplied by the owners of the property and the applicant shall be required to file an acknowledgment with the Town of Riverhead stating that the accessory apartment permit or any extensions thereof shall terminate upon the death of the signator or the survivor of the signator, upon the transfer of title to said premises, upon the signator no longer occupying the premises as their principal residence or upon a conviction for a violation of this article.
- (6) The applicant will be required to file a form stating that the subject dwelling(s) shall conform with all with all requirements of this article, all applicable provisions of the Town Code of the Town of Riverhead, Suffolk County Department of Health Services, New York State Uniform Fire Prevention and Building Code. The applicant will be required to meet pertaining standards within 90 days of the building permit or the accessory apartment permit will become null and void.

§108-36. Fees.

- (1) The fee for an accessory apartment permit for the initial three-year period shall be \$500.00. The renewal fee for the subsequent five-year periods shall be \$250.00.
- (2) Upon failure to obtain a certificate of occupancy within the total allotted time, the first re-application fee will be \$300.00. For a second failure to obtain the certificate of occupancy in the allotted time, the second re-application fee will be \$500.00. For any and all subsequent re-applications, the fee will be \$500.00.

- (3) The fee for the transfer of an unexpired term of an accessory apartment permit shall be \$50.00.

§108-37. Accessory Apartment Review Board

- (1) The Accessory Apartment Review Board shall consist of three members appointed by the Town Board, all of whom shall be residents of the Town of Riverhead and one of whom shall be designated Chairman. The Town Board may provide for compensation to be paid to said members and provide for such other expenses as may be necessary and proper. Of the members of the Board first appointed, one shall hold office for the term of one year, one for the term of two years and one for the term of three years; provided, however, that the Town Board may, by resolution, increase the number of members of the Accessory Apartment Review Board to five members and provide for their compensation, and thereafter such additional members shall be appointed for terms of one year and three years, respectively. Their successors shall be appointed for the term of three years from and after the expiration of the terms of their predecessors in office.
- (2) The Accessory Apartment Review Board shall hear and decide applications for accessory apartments pursuant to the standards enumerated in §108-34(B) of this article.
- (3) The Accessory Apartment Review Board shall adopt rules necessary to the conduct of its affairs in keeping with the provisions of this article. Meetings shall be held at the call of the Chairman and at such other times as the Board may determine. The Board shall keep minutes of its proceedings and records of its examinations and other official actions, all of which shall be a public record.
- (4) All applications made to the Board shall be in writing, on forms prescribed by the Board. The Accessory Apartment Review Board shall fix a reasonable time for the hearing of the application and give public notice thereof, as well as due notice to the applicant. The applicant shall mail notice of the hearing by either certified or registered mail, return receipt requested, to every property owner, as shown on the current Riverhead assessment rolls, owning property immediately adjacent and contiguous to that of the applicant. For purposes of this section, property separated from that of the application by a public road or right-of-way shall be deemed contiguous.
- (5) The following shall be submitted with such application:
 - (a) A copy of the notice sent to property owners.
 - (b) A list, in duplicate, containing the names and addresses of the owners to whom notices were sent.
 - (c) Return receipts.
 - (d) An affidavit of mailing of the aforesaid notices.
 - (e) A valid certificate of occupancy issued at least three years prior to the date of application.
 - Proof of ownership.
 - Proof of residency.
 - Personal identification.
 - Three surveys giving the exact description and location of property with all existing and proposed structures and setback from all property lines.
- (6) Revocation. The Accessory Apartment Review Board shall retain the right to revoke any accessory apartment permit issued hereunder should the applicant or applicant's tenant violate any provision of this article, any condition imposed upon the issuance of the accessory apartment permit, or violation of the provisions of the Town Code of the Town

of Riverhead. Said revocation shall be after a hearing held on notice to the applicant and, if known, the tenant. As an alternative to revocation, the Accessory Apartment Review Board may continue the permit on a probationary basis, and in such event, it may revoke the permit without further notice to the applicant or tenant upon a violation of any conditions attached to the probationary permit.

- (7) Lapse of accessory apartment permit. Every application for accessory apartment permit granted by the Accessory Apartment Review Board shall be and become null and void and of no further force and effect unless the applicant obtains a building and zoning permit for work to be done and/or change of use no later than 30 days after approval is granted by the Accessory Apartment Review Board.
- (8) No person shall create or occupy an accessory apartment without obtaining an accessory apartment permit from the Accessory Apartment Review Board and a certificate of occupancy for said use from the Building Department.
- (9) The article shall sunset upon the issuance of the 250th accessory apartment permit, excluding accessory apartment permits issued to applicants seeking to legalize a pre-existing accessory apartment under the amnesty provision set forth in 108-34(B)(11). The Town Board may, by resolution, extend the sunset provision up to the 500th accessory apartment permit and/or impose saturation limits within a specified geographical radius or zoning district.

§108-38. Appeals.

All appeals from the determination of the Accessory Apartment Review Board or from any administrative determination regarding interpretation of any provision of this article shall solely be by an Article 78 proceeding. This shall be the exclusive remedy of any aggrieved party.

§108-39. Penalties.

All applicable penalty provisions set forth in Chapter 52 and such other pertinent provisions of the Code of the Town of Riverhead shall apply to any violation(s) of this article.

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

Dated: Riverhead, New York
February 3, 2009

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, Town Clerk

February 3, 2009

TOWN OF RIVERHEAD

Adopted

Resolution # 106

AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT

COUNCILMAN BUCKLEY

_____ offered the following resolution, was seconded by

COUNCILMAN WOOTEN

WHEREAS, the Senior Citizen Department offers a wide variety of programs, activities and support services for the older residents of the Riverhead community which includes music and entertainment; and

WHEREAS, Thomas Parris represents that he is competent by reason of training and/or experience to provide music and entertainment services to the Senior Citizen Department;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to execute the attached Agreement between the Town of Riverhead and Thomas Parris to provide music and entertainment services to the Senior Citizen Department; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Thomas Parris, 118 King Road, Rocky Point, New York, 11778; Senior Center Director; the Accounting Department and the Town Attorney's Office.

WOOTEN YES NO

BUCKLEY YES NO

DUNLEAVY YES NO

BLASS YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED



Senior Citizens Department
 200 Howell Avenue
 Riverhead, NY 11901
 (631) 722-4444

Independent Contractor Agreement

THIS AGREEMENT, made on the 20th day of January 2009 by and between the Senior Citizens Department of the TOWN OF RIVERHEAD, a municipal corporation with its principal place of business at 200 Howell Avenue, Riverhead, NY, 11901, (hereinafter referred to as the "AGENCY") and THOMAS PARRI'S, (hereinafter referred to as the "Contractor"), residing at 118 King Road
 Federal ID/SS# _____

WITNESSETH

1. This agreement is for Entertainment services rendered to the agency by the contractor. These services are described as follows:
MUSIC, Entertainment For Rvcl Senior Center
2. The parties hereto agree that the fee for such services by the contractor shall be \$ 100.00 /hour.
Defined as the time and duration of actual performance. 5PM
3. The Contractor represents that he/she is competent by reason of training and/or experience to provide the services described in item #1 above and will furnish these services in effective and professional manner.
4. If there are events beyond his/her control and the contractor is unable to carry out the services described in item #1, then he/she shall immediately notify the SENIOR CITIZENS DEPARTMENT. A substitute can only be used if he/she is an affiliated member of the Contractors organization and is covered by the Liability Insurance.
5. The contractor must sign a separate Hold Harmless Agreement and submit a Certificate of Liability Insurance naming the Town of Riverhead as additionally insured.
6. Failure to comply with any of the aforementioned terms and conditions will result in a cancellation of this agreement.
7. The Agency reserves the right to terminate this Agreement without notice and with no obligation to show due cause.

Thomas Parri's
 Independent Contractor

[Signature]
 Senior Citizens Director

Approved By: _____ Date _____
 Town Supervisor



Senior Citizens Services Department
200 Howell Avenue
Riverhead, NY 11901
(631) 722-4444

Hold Harmless Agreement

- i. The contractor/group shall indemnify and hold harmless the Town of Riverhead, it's Officials, and Agents from suits, actions, damages, and cost, including but not limited to Attorney's fees for the contractor/group's negligent action or omissions and for any and all property damage resulting from the contractors/groups services and acknowledges that no disability insurance is provided by the agency.

The contractor/group agrees to indemnify and hold harmless the Town of Riverhead from any liability or action arising from any property in control of the applicant.

Agreement By: Thomas Paris 1/20/09
Independent Contractor Date

Recommended By: [Signature] 1-23-09
Senior Services Director Date

Approved By: [Signature] 1-27-09
Deputy Town Attorney Date

February 3, 2009

TOWN OF RIVERHEAD

Adopted

Resolution # 107

AUTHORIZES THE ADOPTION OF THE SUFFOLK COUNTY MULTI-JURISDICTIONAL MULTI-HAZARD MITIGATION PLAN

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

WHEREAS, all of Suffolk County has exposure to natural hazards that increase the risk to life, property, environment and the County's economy; and

WHEREAS, pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, the Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS, a coalition of Suffolk County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies to be implemented within each partners identified capabilities, within Suffolk County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

NOW, THEREFORE, BE IT RESOLVED that the Town of Riverhead:

1. Adopts in its entirety the Suffolk County Multi-Jurisdictional Multi-Hazard Mitigation Plan (the "Plan") as this jurisdiction's Natural Hazards Mitigation Plan, and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
2. Will use the adopted and approved portions of the Plan to guide pre and post-disaster mitigation of the hazards identified.
3. Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.

4. Will continue its support of the Mitigation Planning Committee as described within the Plan.
5. Will help to promote and support the mitigation successes of all participants in this Plan.
6. Will incorporate mitigation planning as an integral component of government and partner operations.

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Town Supervisor, Police Chief David J. Hegermiller and Joseph F. Williams, Commissioner, Suffolk County Department of Fire, Rescue and Emergency Services.

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

2/3/09

Adopted

TOWN OF RIVERHEAD

Resolution # 108

**RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE
AGREEMENT TO RESOLVE ACTION WITH CONTRACTOR RETAINED
TO PERFORM WORK AT CALVERTON ENTERPRISE PARK**

COUNCILWOMAN BLASS offered the following resolution, was seconded by

COUNCILMAN DUNLEAVY :

WHEREAS, the Town of Riverhead entered into a contract with DF Stone Contracting, Ltd. for work to be done at Calverton Enterprise Park; and

WHEREAS, on October 10, 2008, the Town Board authorized legal action against DF Stone Contracting, Ltd. for the failure to perform work in accordance with the bid specifications and Contract entered into with the Town of Riverhead; and

WHEREAS, pursuant to the authority granted to the Office of the Town Attorney, action was taken to exercise the Town's rights under the Contract to terminate the Contract and enforce the provisions of said Contract, including but not limited to Contract provision 29(c), (d) and (f); and

WHEREAS, DF Stone Contracting, Ltd., by it counsel, contacted the Office of the Town Attorney and Town of Riverhead Engineering Department and expressed the Contractor's desire to resolve all outstanding issues with respect to the work performed and outstanding work that is required under the Contract; and

WHEREAS, the Riverhead Town Engineering Department has outlined tasks to be performed, a time schedule for the Contractor to complete said tasks and an Agreement was prepared for consideration by the Town setting forth said tasks, task schedule and such additional terms, conditions and penalties, so as to assure that all work contracted for under the original Contract is completed and performed to the satisfaction of the Town of Riverhead; and

NOW THEREFORE BE IT RESOLVED, that the Supervisor is authorized to execute an agreement resolving the contract dispute between the Town of Riverhead and DF Stone Contracting, Ltd.; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this Resolution to counsel for DF Stone Contracting, Inc, John T. McCarron, P.C., 445 Broadhollow Road, Suite 124, Melville, New York 11747, the Riverhead Town Engineering Department and the Office of the Town Attorney, and be it further

RESOLVED, that all other Departments may obtain a copy of this resolution from e-cabinet.

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

This Agreement made the ____ day of February, 2009, by and between THE TOWN OF RIVERHEAD, having an address at 200 Howell Avenue, Riverhead, NY and DF Stone Contracting, LTD., having an address at 1230 Station Road, Medford, NY 11763.

WHEREAS, the TOWN OF RIVERHEAD awarded a contract to DF Stone, LTD, for Calverton Enterprise Park Construction Phase I on or about January 4, 2004; and

WHEREAS, the Calverton Enterprise Park Construction Phase I included survey, earthwork, sediment and erosion control, clay infields, bluestone screening warning track, electric service, water service, irrigation system, concrete pipe installation, topsoil and seed; vinyl chain link fence and hydroseed restoration, and

WHEREAS, the TOWN OF RIVERHEAD Engineering Department, together with representatives of Araiys Design have monitored the project, from date of contract award to the present, included but not limited to earthwork, irrigation, grading and seeding of the infields and communicated with DF Stone, LTD regarding items found to not comply with terms of contract; and

WHEREAS, the TOWN OF RIVERHEAD exercised its rights to terminate the contract under provisions 29 (c)(d) and (f) of the contract and bid award; and

WHEREAS, DF Stone, LTD, by its counsel, contacted the Town and requested opportunity for his client to resolve all outstanding issues identified by the Town in reports, letters, meetings and telephone communications including but not limited to irrigation, grading issues, seeding, weed growth, grass thatch; and

NOW THEREFORE, the TOWN OF RIVERHEAD, and DF STONE CONTRACTING, LTD agree to the following terms and conditions, said terms and conditions shall supplement the original terms of the contract which terms shall remain in full force and effect :

I. DF STONE CONTRACTING, LTD, shall remedy and complete in conformance with the terms of the contract and the terms and conditions set forth below, the following:

A. Irrigation system. As DF Stone acknowledged during construction of the ball fields and installation of electric, water main breaks occurred in the irrigation system such that areas of the project were damaged and

excessive water usage was recorded. Inspections performed subsequent to damage to the irrigation system revealed more than 100 leaks which were repaired and wiring *while not replaced was corrected using splicing and electrical tape. As the wiring required repair such that connections are now taped, the Town will require a maintenance agreement with respect to the irrigation system to run for three years from date DF Stone is declared in substantial compliance. In addition, the Town will pay for the normal water usage as and for irrigation of the fields, the Riverhead Water department will provide a bill which reflects excessive water usage due to the water main break(s) and until repair of the leaks. Upon receipt of the water bill, this department will deduct the normal water usage of the fields and require DF Stone Contracting, LTD pay the balance of the bill or the Town will deduct this amount from the final payment request as a dis-allowed amount. It must be noted that in order to declare substantial completion of the site, the irrigation must be in full operation and in compliance with the terms of the contract.

B. Grading issues: While DF Stone addressed some of the grading issues related to Fields Three and Four in late October/early November of 2008 due to weather related issues including lack of rain and frost, the TOWN and its design consultant cannot be determine if the issues regarding grading were adequately addressed, thus DF Stone must address all grading issues, including isolated low spots, upon thaw of the sub grade to bring into compliance with the contract specifications. In addition, the pitcher's mound of Field Four must be re-dressed and graded so the grade transitions is smooth. It must be noted that in order to declare substantial completion of the site, the measurements shall be taken to determine if re-grading complies with contract specifications.

C. Grass, Seed, Weed Control and Fertilization: The grass outfields are not in conformance to the specifications, with 90% grass coverage in a 10' x 10' area. DF Stone must remove all dead organic matter. Test the soil for pH levels and apply lime based upon the test results. Fertilizer 10-30-15 Red must be applied, lawn areas must be over seeded, crabgrass pre-emergent (Tupersan-only pre-emergent that can be utilized with over seeding). As discussed, the mow patterns have resulted in thatching and thus the Town will require that all future mow procedures comply with contract specifications and pattern of mow conform to industry standards to alleviate

thatch of grass clippings. The fields should receive two additional full seedings. The Town will require technical product information, application rate and dates of application of the seed, fertilizer and herbicides used in the 2009 spring season. It must be noted that in order to declare substantial completion of the site, this information must be received.

- D. The blue stone warning tracks shall require treatment of weeds and prevention of root growth of the weeds.
- E. The gravel in excess of 3/8" size should be removed from all infields.

II. DF STONE CONTRACTING, LTD., shall address items 1 through 5 and adhere to the following schedule and conditions:

A. On or before March 30, 2009

1. Once sub grade is thawed and there is no frost remaining, address grading issue, DFS should have qualified personnel with transit to take elevations throughout fields. The fields should be addressed with re-grading operations to comply with contract specifications. There are issues that resulted with the lawn care subcontractor maintaining the same mow patterns and not adjusting the irrigation system, causing rutting in a radial patterns throughout all fields. These will have to be addressed.
2. Isolated low spots have to be addressed.
3. The fields have to be thatched to remove ALL dead organic matter.

B. On or before April 30, 2009

1. Prepare the irrigation system for use.
2. Test the soil for pH levels, apply lime based on test results
3. Fertilizer 10-30-15 Red
4. Overseed Lawn Area
5. Crabgrass Pre-Emergent (Tupersan- only pre-emergent that can be utilized with over seeding)
6. Begin regular mowing schedule which bags the clippings.

C. On or before May 1, 2009 through June 30, 2009

1. Second application of crabgrass pre-emergent
2. Second application of fertilizer 19-5-9 Red/Green
3. Post emergence weed control (Acclaim)

D. On or before July 1, 2009 through August 30, 2009

1. Third application of fertilizer 19-5-9 Red/Green

2. Control active grubs - apply pesticides specific for grubs

E. On or before September 1, 2009 through October 30, 2009

1. Fourth application fertilizer 19-5-9
2. Test soil for pH levels, apply lime based on test results
3. Overseed lawn areas

III. DF STONE CONTRACTING shall notify Ken Testa, P.E. or Christine Fetten, P.E. a minimum of 48 hours in advance of performing any of the tasks identified under the terms of this agreement and shall schedule bi-weekly inspections of repair or remediation of the work performed under the contract. Once substantial completion is observed, this Office will provide a letter of Substantial Completion, from the date of that letter, your firm will be required by the contract to "maintain and establish lawn by watering, fertilizing, weeding, mowing, trimming, replanting, and other operations" as defined by Section 02920 paragraph 1.8 Lawn Maintenance.

IV. The TOWN OF RIVERHEAD, together with the design architect, shall inspect the project for substantial completion, as said term is defined under the contract, upon completion of tasks set forth in paragraph II (A)(B) and (C). In the event that the TOWN determines that the project meets substantial completion, the maintenance period shall commence and all tasks identified in paragraph II (D) and (E) shall be included in the tasks required to be performed by DF STONE CONTRACTING, LTD. under the maintenance provisions of the contract.

V. The TOWN OF RIVERHEAD shall rescind its termination of the contract, however, in the event DF STONE CONTRACTING, LTD fails to comply with the provisions above or fails to complete the tasks within the time parameters set forth above, the TOWN OF RIVERHEAD, may upon one days notice terminate the contract.

VI. The TOWN OF RIVERHEAD shall release for payment all outstanding monies due under the contract less \$65,000.00, said sum reflecting monies required to complete the project should DF STONE CONTRACTING, LTD. fail to comply with the terms of the original contract and the provisions of this agreement.

VII. The TOWN OF RIVERHEAD and DF STONE CONTRACTING, LTD, agree and understand that all terms of the original contract shall be in full force and effect.

TOWN OF RIVERHEAD

By:

Phil Cardinale, Supervisor

DF STONE CONTRACTING, LTD.

By: _____

2/3/09

Adopted

TOWN OF RIVERHEAD

Resolution # 109

RATIFIES THE SUPERVISOR'S EXECUTION OF A LEASE WITH PECONIC BAY MEDICAL CENTER FOR LEASE OF PARK BENCHES

Councilman Dunleavy offered the following resolution, was seconded by

Councilman Buckley :

WHEREAS, Peconic Bay Medical Center has requested that the Town of Riverhead lease six park benches to the Medical Center for the period of January 30, 2009 through June 30, 2009; and

WHEREAS, the Town of Riverhead has deemed it would be in the public interest to grant said lease,

NOW THEREFORE BE IT RESOLVED, Supervisor execution of the attached lease with Peconic Bay Medical Center for the lease of six park benches from the Town of Riverhead is hereby ratified, and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Nancy Uzo, Peconic Bay Medical Center, 1300 Roanoke Avenue, Riverhead, New York 11901, Town Engineer and the Office of the Town Attorney, and be it further

RESOLVED, that all other Departments may obtain a copy of this resolution from e-cabinet.

WOOTEN YES ___ NO BUCKLEY YES ___ NO

DUNLEAVY YES ___ NO BLASS YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

EQUIPMENT LEASE

This Agreement is between the Town of Riverhead, 200 Howell Avenue, Riverhead, New York 11901 (hereinafter referred to as "Lessor") and Central Suffolk Hospital, 1300 Roanoke Avenue, Riverhead, New York 11901 (hereinafter referred to as "Lessee").

Lessor and Lessee, for the considerations herein set out, agree as follows:

1. Equipment Leased.

Lessor hereby leases to Lessee six (6) beige solid resin concrete composite benches with bench backs (hereinafter referred to as "equipment").

2. Rental Period and Option to Renew.

The term of this Lease shall be for a period of five (5) months, commencing January 30, 2009 and terminating on June 30, 2009.

3. Rent.

The rent for the property herein leased shall be five dollars (\$5.00) per month, payable monthly in advance, commencing on January 30, 2009 and continuing on the 30th day of each month thereafter to and including June 30, 2009. The total rentals for the period of this lease shall be the sum of twenty-five dollars (\$25.00), and shall be payable at times therein indicated.

4. Altering or Defacing Equipment.

Lessee shall not alter or disfigure the equipment.

5. Location of Equipment.

The equipment shall be located at Central Suffolk Hospital, 1300 Roanoke Avenue, Riverhead, New York 11901 during all of the lease period and shall not be removed from that location without Lessor's prior consent in writing.

6. Maintenance and Repair.

Lessee agrees to keep the equipment in good repair, allowing for reasonable wear and tear. Lessee agrees to pay all expenses of maintaining and repairing the equipment at Lessee's own expense. Expenses of repair shall include labor, material, parts and similar items.

7. Use.

Lessee agrees that the equipment will not be subjected to unnecessarily rough usage, and that its use shall conform to all applicable laws, including ordinances and regulations. Lessee agrees not to allow the use of the equipment for illegal purposes.

8. Indemnity for Loss and Damage.

Lessee shall indemnify Lessor against all loss or damage to equipment during the five (5) month lease period.

9. Liability and Indemnity for Damages for Personal Injuries.

Liability for injury, disability and death of workers and other persons caused by the operation, handling or use of the equipment during the rental period shall be assumed by the Lessee and shall indemnify the Lessor against all such liability.

10. Inspection and Acceptance by Lessee.

Lessee will inspect the equipment within one (1) day after delivery of it by Lessor.

Lessee shall notify Lessor in writing within that period of any defects or other objections

to such equipment. If Lessor receives no such written notice within that period, Lessee will be conclusively presumed to have accepted the equipment in good condition and repair.

11. Title.

Title to the equipment leased shall at all times remain in Lessor. Lessee shall give Lessor immediate notice of any claim, levy, lien or legal process issued against the equipment.

12. Equipment to Remain Personal Property.

The equipment leased is and shall remain for the term of this lease personal property, notwithstanding any attachment of it or part of it to real property or improvements on such real property.

13. Lessor's Remedies on Default.

Should Lessee fail to maintain and/or to return the equipment as provided by this Lease or substantially violate any provision of such Lease, Lessor shall at Lessor's option have the right to exercise one of the following remedies:

- (a) Enter the premises where the equipment is located and take possession of it, or any items of it, without process or notice. Such possession shall not terminate this Lease unless the Lessor so notifies the Lessee in writing.
- (b) Pursue any other remedy or combination of remedies legally available to it.

14. Insurance.

Lessee shall, at Lessee's own expense, maintain liability and fire insurance and such other insurance as necessary for Lessee's protection and protection of the equipment. Failure to carry such insurance shall not relieve lessee of liability as

provided for in this Lease. Lessee, within five (5) days after receiving the equipment herein, shall deliver to Lessor evidence of such insurance coverage to Lessor's satisfaction.

15. Surrender of Equipment at End of Lease.

Lessee agrees upon termination of this Lease to deliver at Lessee's own expense the equipment leased in good condition, allowing for reasonable wear and tear and free and clear of encumbrances to the Town of Riverhead or to such other location as Lessor may designate not increasing the cost of delivery.

16. Delivery of Notices.

All notices under this Lease shall be delivered in person or by certified mail to an authorized representative of the party to whom delivery is made at the place of business of that party or to any other place specifically designated by the party.

17. Remedies as Cumulative; Waiver of Default

All remedies under this Lease are cumulative, not alternative. Waiver of any default herein is not a waiver of subsequent default.

18. Lease Applicable to Successors and Assigns.

Lessor and Lessee agree that the rights and obligations under this Lease shall inure to and be binding on their respective successors and assigns.

19. Lease as Entire Agreement; Severability.

This Lease embodies the entire agreement between the parties. It may not be modified or terminated except as provided herein or by other written agreement. If any provision herein is invalid, it shall be considered deleted from this Lease and shall not invalidate the remaining provisions.

20. New York Law Applicable.

This Lease is executed in New York and all rights and liabilities under this Lease shall be determined in accordance with the law of New York.

21. No Warranties.

LESSOR MAKES NO WARRANTIES, EXPRESS OR IMPLIED, AS TO THE EQUIPMENT LEASED, AND ASSUMES NO RESPONSIBILITY FOR ITS CONDITION.

22. List of Equipment.

Description of items of equipment referred to in equipment leased dated January 23, 2009 by and between the parties signatory to this Lease and subject to all of the terms and conditions set forth in such Lease and as stipulated herein:

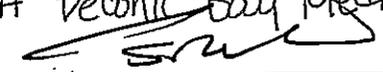
Six (6) Solid Benches With Backs

TOWN OF RIVERHEAD

By: Phil Cardinale, Supervisor

CENTRAL SUFFOLK HOSPITAL

DBA Deconic Bay Medical Center

By: 

Printed Name: Andrew J. Mitchell

Date: 1-23-09

February 3, 2009

Adopted

TOWN OF RIVERHEAD

RESOLUTION #_110

**DECLARES SIGNIFICANCE OF ACTION ON
RENOVATION OF EAST END ARTS COUNCIL GREENSPACE WALKWAY**

COUNCILMAN BUCKLEY

_____ offered the following resolution,

COUNCILMAN WOOTEN

which was seconded by _____:

WHEREAS, the Town of Riverhead wishes to conduct renovations of the greenspace walkway adjoining the buildings currently occupied by the East End Arts Council (133 East Main Street) by renovation and modification of the existing greenspace brick and turf walkway, an area of less than .5 acres; and

WHEREAS, the Riverhead Planning Department has reviewed the project documentation provided by the Engineering Department and has recommended the directly undertaken action to be considered Type II pursuant to 6NYCRR Part 617.5(c)(7) as "construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities"; and

WHEREAS, pursuant to Part 617.3(f) and 617/6(a)(1)(i), agency SEQR responsibilities end with this designation with no determination of significance being necessary; now

THEREFORE, BE IT RESOLVED, that Riverhead Town Board declares the renovations of the greenspace walkway adjoining the buildings currently occupied by the East End Arts Council (133 East Main Street) by renovation and modification of the existing greenspace brick and turf walkway, an area of less than .5 acres, to be a Type II action pursuant to 6NYCRR Part 617.5(c)(2) for the purposes of compliance with State Environmental Quality Review, and

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

THE VOTE

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

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

February 3, 2009

TOWN OF RIVERHEAD

Adopted

Resolution # 111

DETERMINING THAT THE COUNTY OF SUFFOLK'S INSTALLATION OF SAFETY NETTING ALONG THE NORTH SIDE OF THE DRIVING RANGE LOCATED AT INDIAN ISLAND GOLF COURSE, LOCATED ON RIVERSIDE DRIVE, RIVERHEAD, NEW YORK, WILL NOT BE SUBJECTED TO THE ZONING REQUIREMENTS OF THE TOWN OF RIVERHEAD.

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

WHEREAS, the Town of Riverhead is a municipal corporation existing under the laws of the State of New York having those powers of zoning and land use regulation specified in New York Town Law Article 16; and

WHEREAS, the County of Suffolk is a municipal corporation existing under the laws of the State of New York; and

WHEREAS, the County of Suffolk has proposed the installation of safety netting along the north side of the driving range at the Indian Island County Golf Course located on Riverside Drive, in Riverhead, New York; and

WHEREAS, the proposed project under consideration would be approximately 600 feet long and 40 feet high suspended on approximately 13 wood poles; and

WHEREAS, pursuant to the Town Code of the Town of Riverhead, the proposed action might require, among other things, a special permit, site plan approval, coordinated review pursuant to the State Environmental Quality Review Act ("SEQRA"), review by the Conservation Advisory Council, a building permit, and a certificate of occupancy; and

WHEREAS, in order to determine whether the County of Suffolk must comply with the Town Code of the Town of Riverhead in installing the netting, a "balancing of public interests" test must be conducted as set forth in the Court of Appeals' decision in *Matter of County of Monroe v. City of Rochester*, 72 N.Y.2d 338; and

WHEREAS, under the balancing test, the Town of Riverhead should weigh the following factors to determine whether the County of Suffolk must comply with the Town Code in connection with the installation of the netting located within the Town:

1. the nature and scope of the instrumentality seeking immunity,
2. the encroaching government's legislative grant of authority,
3. the kind of function or land use involved,
4. the effect local land use regulation would have upon the enterprise concerned,
5. alternative locations for the facility in less restrictive zoning areas,
6. the impact upon legitimate local interests,
7. alternative methods of providing the proposed improvement,
8. the extent of the public interest to be served by the improvements, and
9. intergovernmental participation in the project development process and an opportunity to be heard; and

WHEREAS, the Town Board of the Town of Riverhead reviewed the documents submitted by the County of Suffolk related to the proposed project, including the January 21, 2009, letter of the Deputy County Attorney, and the October 3, 2008, memorandum of the Suffolk County Chief Environmentalist, with exhibits; and

WHEREAS, the Town Board of the Town of Riverhead has carefully considered the evidence submitted in connection with this matter in the context of the "balancing of public interests" test;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead makes the following Findings and Determination:

FINDINGS AND DETERMINATION

1. Pursuant to *Matter of County of Monroe v. City of Rochester*, (72 N.Y.2d 338), the County's installation of safety netting along the north side of the driving range at the Indian Island County Golf Course located on Riverside Drive, in Riverhead, New York, is presumed to be subject to the Town Code of the Town of Riverhead absent an expression of contrary legislative intent.

2. There is no expression of legislative intent to exempt the County's proposed project from compliance with the Town Code.

3. The James A. Coon Local Government Technical Series, promulgated by the New York State Department of State, instructs a municipality that is developing a project in another community to assume that the project be subject to the host community's zoning requirements and that any disagreement between the parties should be resolved by the appeals process of the host community.

4. The County of Suffolk is a municipality created pursuant to New York State law without any overriding authority to undertake the proposed project in the Town of Riverhead.

5. The proposed project is designed for the Indian Island Golf Course Park, located on Riverside Drive, within the Tourism/Resort Campus ("TRC") zoning district of the Town of Riverhead.

6. The specific proposed project involves the mitigation of a hazardous condition at the golf course by attempting to contain stray golf balls.

7. The Indian Island Golf Course Park is within the Peconic Estuary, but the proposed action would affect only one tenth of an acre of land and would not have a significant impact on the fragile parkland or the Peconic Estuary.

8. Pursuant to the Town Code of the Town of Riverhead, the proposed action might require, among other things, a special permit, site plan approval, coordinated review pursuant to the State Environmental Quality Review Act ("SEQRA"), review by the Conservation Advisory Council, a building permit, and a certificate of occupancy.

9. The Indian Island County Golf Course is a pre-existing nonconforming use at its present location.

10. It appears that the proposed project will not adversely affect the health, safety, and welfare of inhabitants of the Town of Riverhead.

11. Prior to commencing construction at the site, the County of Suffolk notified the Town of Riverhead about the proposed project.

12. Alternative locations for the project are not feasible because the netting attempts to mitigate a hazardous condition at this particular location.

13. The mitigation of the hazardous condition would serve the public interest.

BE IT FURTHER

RESOLVED, that based upon the foregoing, the Town Board of the Town of Riverhead, after due deliberation, finds that the proposed project, as described above, at the Indian Island County Golf Course, located on Riverside Drive, Riverhead, New York, will not be subjected to the requirements of the Town Code of the Town of Riverhead; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Riverhead Planning Department; the Riverhead Building Department; the Riverhead Conservation Advisory Council; the Riverhead Town Attorney; Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP., 456 Griffing Avenue, Riverhead, New York, 11901; the Suffolk County Attorney, at 100 Veterans Memorial Highway, Hauppauge, New York, 11788; and Assistant Suffolk County Attorney, John R. Petrowski, at 100 Veterans Memorial Highway, Hauppauge, New York, 11788.

This resolution was prepared by Phil Siegel, of Smith, Finkelstein, Lundberg, Isler and Yakaboski, LLP, special counsel to the Town Board of the Town of Riverhead.

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

February 3, 2009

TOWN OF RIVERHEAD

Adopted

Resolution # 112

ADOPTS A LOCAL LAW TO AMEND CHAPTER 101 ENTITLED "VEHICLES & TRAFFIC" ARTICLE VIII, PARKING PERMITS FOR HANDICAPPED PERSONS (§101-33. Expiration and Renewal of Permits)

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

WHEREAS, the Town clerk was authorized to publish and post a public notice hear all interested persons to consider a local law amending Chapter 101 entitled "Vehicles and Traffic" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 21st day of January, 2009 at 7:25p.m., at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that the local law amending Chapter 101 entitled, "Vehicles and Traffic" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Chief Hegermiller, Police Department, Office of the Town Attorney and the Handicapped Advisory Committee.

THE VOTE

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

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 101 entitled, "Vehicles and Traffic" of the Riverhead Town Code at its regular meeting held on February 3, 2009. Be it enacted by the Town Board of the Town of Riverhead as follows:

**Chapter 101
Vehicles and Traffic
ARTICLE VIII
Parking Permits for Handicapped Persons**

§101-33. Expiration and Renewal of Permits

- A. A handicapped parking permit shall expire five ~~two~~ years from the date it is issued, unless otherwise specified in this section.
- B. A permit issued in replacement of a revoked permit pursuant to §101-32F ~~§101-33F~~ of the article shall expire five ~~two~~ years from the date that the originally revoked permit was issued.
- C. A suspended permit reinstated either pursuant to §101-32F ~~§101-33F~~ of this article, or upon the expiration of the period of suspension, shall expire five ~~two~~ years from the date it was originally issued.
- D. An applicant for renewal of a permit shall comply with all sections of this article, except that medical certification that the applicant for permit renewal is a handicapped person may be waived by the Town Clerk, if based upon the following conditions:
- (1) The applicant for permit renewal appears before the Town Clerk at the time the application for renewal is made.
 - (2) An ordinary layman can make a reasonable determination that the applicant for permit renewal is a handicapped person as defined in §101-28 ~~§101-29~~ of this article
 - (3) The Town Clerk makes a reasonable determination that the applicant for permit renewal is a handicapped person as defined in §101-28 ~~§101-29~~ of this article.
- Underline represents addition(s)
 - Overstrike represents deletion(s)

Dated: Riverhead, New York
February 3, 2009

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

DIANE M. WILHELM, Town Clerk

AWARDS BID
CONSTRUCTION OF PLANT NO. 15
CONTRACT F – FENCE INSTALLATION
RIVERHEAD WATER DISTRICT

Adopted

Resolution # 113
Adopted _____

Councilperson Dunleavy offered the following resolution which was seconded by Councilperson Buckley,

WHEREAS, this Town Board did authorize the advertisement for bids for the construction of Plant No. 15 – Contract F, fence installation, and

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

WHEREAS, H2M Group, consulting engineers to the Riverhead Water District, by attached letter dated January 16, 2009 did recommend that the bid be awarded to J. C. Quinn, Inc. at the total bid price of \$45,598.00.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the construction of Plant No. 15 – Contract F, fence installation for the Riverhead Water District, be and is hereby awarded to:

J.C. Quinn, Inc.
Calverton, New York
In the bid amount of \$45,598.00

and be it further

RESOLVED, that the Town Clerk forward 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 unsuccessful bidders their respective bid security, and be it further

RESOLVED, that the Town Supervisor be and is hereby authorized to execute a contract with J.C. Quinn, Inc. for this project, 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					
Buckley	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Wooten	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
			Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no
THE RESOLUTION <u>2</u> WAS <u>2</u> WAS NOT					
THEREFORE <u>2</u> ADOPTED					



Engineers | Architects | Scientists | Planners | Surveyors

575 Broad Hollow Road
Melville, New York 11747
v 631.756.8000 f 631.694.4122
www.h2m.com

Holzmacher, McLendon & Murrell, P.C. | H2M Associates, Inc.
H2M Labs, Inc. | H2M Architects & Engineers, Inc.

January 16, 2009

Supervisor Philip J. Cardinale
Town of Riverhead
200 Howell Avenue
Riverhead, New York 11901

**Re: Riverhead Water District
Construction of Plant No. 15
Contract F – Fence Installation
H2M Project No.: RDWD 06-05**

Dear Supervisor Cardinale:

On Thursday, January 8, 2009, the Town of Riverhead Water District received bids for the Construction of Plant No. 15 – Contract F. Four (4) contractors submitted bids, with the low bid being submitted by J.C. Quinn, Inc. of Calverton, New York, with a total bid price of \$45,598.00. A copy of the *bid tabulation* is enclosed for your records.

J.C. Quinn, Inc. has successfully completed similar projects for various water utilities over the past few years. Additionally, the bid prices submitted compare to projects similar in size and nature. It is our opinion that J.C. Quinn, Inc. is qualified and his bid prices are fair and reasonable. Based on the above information, we recommend that the Town Board award the Construction of Plant No. 15 – Contract F project to J.C. Quinn, Inc. at a total bid price of \$45,598.00.

Should you have any questions or comments, please contact this office.

Very truly yours,

HOLZMACHER, McLENDON & MURRELL, P.C.

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

cc: Richard Ehlers, Esq. (w/encl.)
Supt. Gary Pendzick (w/encl.)
William Rothaar, Financial Administrator
J.C. Quinn, Inc.

X:\RDWD (Riverhead Water District) - 10810\RDWD0605 - Construction of Supply Well at Plant No.
15\CORRESPONDENCE\Recommendation - F.doc



CELEBRATING 75 YEARS



CLIENT NAME: RIVERHEAD WATER DISTRICT

PROJECT TITLE: CONSTRUCTION OF PLANT NO. 15 - CONTRACT F

PROJECT NO.: ROWD 08-05

BID DATE: THURSDAY, JANUARY 8, 2009 - 11:00 A.M.

8% BB or CC

ITEM NO.	DESCRIPTION	QTY.	UNITS	BIDDER: J.C. Quinn, Inc. Calverton, New York 5% BB		BIDDER: Residential Fences Corp. Fledge, New York 5% BB		BIDDER: Chesham, New York Bilwell Gen. Construction, Corp. 5% BB		BIDDER: Rhinelead New York KOB Industries, Inc. 5% BB	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Clear & Grub	1	LF	\$0.00	\$3,000.00	\$0.00	\$7,450.00	\$0.00	\$20,000.00	\$0.00	\$33,865.00
2	Fence	1	LF	0.00	42,595.00	0.00	44,535.00	0.00	89,000.00	0.00	89,169.00
TOTAL BID (SUM OF ALL ITEMS):					\$46,595.00		\$51,985.00		\$89,000.00		\$199,154.00

Adopted

**AWARDS BID
CONSTRUCTION OF PLANT NO. 15
CONTRACT WM – WATER MAIN INSTALLATION
RIVERHEAD WATER DISTRICT**

Resolution # 114
Adopted _____

Councilperson Buckley offered the following resolution which was seconded by Councilperson Wooten,

WHEREAS, this Town Board did authorize the advertisement for bids for the construction of Plant No. 15 – Contract WM, water main installation, and

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

WHEREAS, H2M Group, consulting engineers to the Riverhead Water District, by attached letter dated January 16, 2009 did recommend that the bid be awarded to Elmore Associates, Inc. at the total bid price of \$82,527.50.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the construction of Plant No. 15 – Contract WM, water main installation for the Riverhead Water District, be and is hereby awarded to:

Elmore Associates, Inc.
Medford, New York
In the bid amount of \$82,527.50

and be it further

RESOLVED, that the Town Clerk forward 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 unsuccessful bidders their respective bid security, and be it further

RESOLVED, that the Town Supervisor be and is hereby authorized to execute a contract with Elmore Associates, Inc. for this project, 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
Buckley yes no Wooten yes no
Dunleavy yes no Blass yes no
Cardinale yes no
THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED



Engineers | Architects | Scientists | Planners | Surveyors

575 Broad Hollow Road
Melville, New York 11747
v 631.756.8000 f 631.694.4122
www.h2m.com

Holzmacher, McLendon & Murrell, P.C. | H2M Associates, Inc.
H2M Labs, Inc. | H2M Architects & Engineers, Inc.

January 16, 2009

Supervisor Philip J. Cardinale
Town of Riverhead
200 Howell Avenue
Riverhead, New York 11901

**Re: Riverhead Water District
Construction of Plant No. 15
Contract WM – Water Main Installation
H2M Project No.: RDWD 06-05**

Dear Supervisor Cardinale:

On Thursday, January 8, 2009, the Town of Riverhead Water District received bids for the Construction of Plant No. 15 – Contract WM. Seven (7) contractors submitted bids, with the low bid being submitted by Elmore Associates, Inc. of Medford, New York, with a total bid price of \$82,527.50.00. A copy of the *bid tabulation* is enclosed for your records.

Elmore Associates, Inc. has successfully completed similar projects for various water utilities over the past few years. Additionally, the bid prices submitted compare to projects similar in size and nature. It is our opinion that Elmore Associates, Inc. is qualified and his bid prices are fair and reasonable. Based on the above information, we recommend that the Town Board award the Construction of Plant No. 15 – Contract WM project to Elmore Associates, Inc. at a total bid price of \$82,527.50.

Should you have any questions or comments, please contact this office.

Very truly yours,

HOLZMACHER, McLENDON & MURRELL, P.C.

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

cc: Richard Ehlers, Esq. (w/encl.)
Supt. Gary Pendzick (w/encl.)
William Rothaar, Financial Administrator
Elmore Associates, Inc.

X:\RDWD (Riverhead Water District) - 10810\RDWD0605 - Construction of Supply Well at Plant No.
15\CORRESPONDENCE\Recommendation - WM.doc



CELEBRATING 75 YEARS



CLIENT NAME: RIVERHEAD WATER DISTRICT

PROJECT TITLE: CONSTRUCTION OF PLANT NO. 16 - CONTRACT WM

PROJECT NO.: RDWD 06-06

BID DATE: THURSDAY, JANUARY 11, 2009 - 11:00 A.M.

5% BB or CC

ITEM NO.	DESCRIPTION	QTY.	UNITS	BIDDER		BIDDER		BIDDER		BIDDER		BIDDER	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1A	Furnish & Install 6" Cement-Lined PUSH-ON JOINT Ductile-Iron Water Main.	10.0	LF	\$16.00	\$160.00								
1D	Furnish & Install 12" Cement-Lined PUSH-ON JOINT Ductile-Iron Water Main.	40.0	LF	45.00	1,800.00								
1E	Furnish & Install 18" Cement-Lined PUSH-ON JOINT Ductile-Iron Water Main.	550.0	LF	61.10	33,605.00								
2	Furnish & Install Mechanical Joint C.L.D.I. Special Castings.	3,950.0	LBS.	1.00	3,950.00								
3A	Furnish & Install 6" Mechanical-Joint Gate Valves & Boxes.	1.0	UNITS	1,508.00	1,508.00								
3D	Furnish & Install 12" Mechanical-Joint Gate Valves & Boxes.	4.0	UNITS	3,008.00	12,032.00								
4A	Furnish & Install Hydrant (Mechanical Joint Inlet).	1.0	UNITS	3,571.00	3,571.00								
5	Chlorinator of Main.	600.0	LF	0.25	150.00								
6D	Cut Into Exhst. 12" Water Main	1.0	UNITS	8,743.50	8,743.50								
9	Trench compaction.	600.0	LF	1.00	600.00								
10A	Reparing Town of Riverhead Roadways	80.0	SY	20.00	1,600.00								
16	Chor & Grd.	0.0	LS	0.00	500.00								
17	Allowance.	1,000	LB	0.00	1,000.00								
38	Furnish & Install 18" Mechanical-Joint Butterfly Valves & Boxes.	3.0	UNITS	4,704.00	12,318.00								
TOTAL BID (GUM OF ALL ITEMS):					\$82,527.80		\$89,300.00		\$109,750.00		\$101,278.00		\$105,748.00
PROPOSED DUCTILE IRON PIPE MANUFACTURER:				Atlantic States Pipe Co.		Griffin		U.S. Pipe Co.		Griffin		Griffin	
PROPOSED GATE VALVE MANUFACTURER:				Clow/Mueller		Clow/Mueller		Clow/Mueller		Clow		Clow/Mueller	
PROPOSED HYDRANT MANUFACTURER:				Clow/Mueller		Eddy/Mueller		Clow/Mueller		Mandilion		Clow	

BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
Elmora Association, Inc. 5% BB	Merrick Utility Associates 5% BB	Alvordia Pipe & Construction 5% BB	G & M Earth Moving 5% BB	Banker Construction Corp. 5% BB
Medford, New York	Farmingdale, New York	Huntington Station, New York	Holbrook, New York	Islandia, New York

CLIENT NAME: RIVERHEAD WATER DISTRICT

PROJECT TITLE: CONSTRUCTION OF PLANT NO. 15 - CONTRACT WM

PROJECT NO.: RDWD 06-45

BID DATE: THURSDAY, JANUARY 8, 2009 - 1:00 A.M.

\$K BB or CC

ITEM NO.	DESCRIPTION	QTY.	UNITS	BIDDER		BIDDER		BIDDER	BIDDER
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE		
1A	Furnish & install 6" Cement-Lined PUSH-ON JOINT Ductile-Iron Water Main.	10.0	LF	\$25.00	\$250.00	\$38.00	\$380.00		
1D	Furnish & install 12" Cement-Lined PUSH-ON JOINT Ductile-Iron Water Main.	40.0	LF	65.00	2,600.00	88.00	2,720.00		
1E	Furnish & install 16" Cement-Lined PUSH-ON JOINT Ductile-Iron Water Main.	560.0	LF	67.00	47,880.00	95.00	62,250.00*		
2	Furnish & install Mechanical-Joint C.L.D.I. Special Castings.	3,950.0	LBS.	1.00	3,950.00	4.95	19,552.50		
3A	Furnish & install 6" Mechanical-Joint Gate Valves & Boxes.	1.0	UNITS	2,000.00	2,000.00	1,375.00	1,375.00		
3D	Furnish & install 12" Mechanical-Joint Gate Valves & Boxes.	4.0	UNITS	3,000.00	12,000.00	2,450.00	9,800.00		
4A	Furnish & install Hydrant (Mechanical Joint Inlet).	1.0	UNITS	3,500.00	3,500.00	2,850.00	2,850.00		
5	Chlorinator of Main.	800.0	LF	0.25	190.00	1.50	900.00		
8D	Cut Into Exst. 12" Water Main	1.0	UNITS	18,000.00	18,000.00	4,800.00	4,800.00		
9	Trench compaction.	800.0	LF	1.00	800.00	2.50	1,500.00		
10A	Repairing Town of Riverhead Roadways	80.0	SY	40.00	3,200.00	62.00	4,160.00		
16	Clean & Grub.	0.0	LB	0.00	5,500.00	0.00	2,800.00		
17	Allowances.	1,000	LB	0.00	1,000.00	0.00	1,000.00		
3B	Furnish & install 16" Mechanical-Joint Butterfly Valves & Boxes.	3.0	UNITS	4,800.00	14,400.00	4,800.00	14,700.00		
TOTAL BID (SUM OF ALL ITEMS):					\$113,000.00		\$116,897.50		
PROPOSED DUCTILE IRON PIPE MANUFACTURER:				Giffin		Giffin			
PROPOSED GATE VALVE MANUFACTURER:				Clow		Clow/Mueller			
PROPOSED HYDRANT MANUFACTURER:				Clow		Mueller			

**AWARDS BID
CONSTRUCTION OF PLANT NO. 15
CONTRACT W – WELL CONSTRUCTION
RIVERHEAD WATER DISTRICT**

Adopted

Resolution # 115
Adopted _____

Councilperson Wooten offered the following resolution which was seconded by Councilperson Blass.

WHEREAS, this Town Board did authorize the advertisement for bids for the construction of Plant No. 15 – Contract WM, well construction, and

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

WHEREAS, H2M Group, consulting engineers to the Riverhead Water District, by attached letter dated January 23, 2009 did recommend that the bid be awarded to Delta Well & Pump Company at the total bid price of \$282,020.00.

NOW, THEREFORE, BE IT RESOLVED, that the bid for the construction of Plant No. 15 – Contract W, well construction for the Riverhead Water District, be and is hereby awarded to:

Delta Well & Pump Company
Ronkonkoma, New York
In the bid amount of \$282,020.00

and be it further

RESOLVED, that the Town Clerk forward 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 unsuccessful bidders their respective bid security, and be it further

RESOLVED, that the Town Supervisor be and is hereby authorized to execute a contract with Delta Well & Pump Company for this project, 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

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED



Engineers | Architects | Scientists | Planners | Surveyors

575 Broad Hollow Road
Melville, New York 11747
v 631.756.8000 f 631.694.4122
www.h2m.com

Holzmacher, McLendon & Murrell, P.C. | H2M Associates, Inc.
H2M Labs, Inc. | H2M Architects & Engineers, Inc.

January 23, 2009

Supervisor Philip J. Cardinale
Town of Riverhead
200 Howell Avenue
Riverhead, New York 11901

**Re: Riverhead Water District
Construction of Plant No. 15
Contract W – Well Construction
H2M Project No.: RDWD 06-05**

Dear Supervisor Cardinale:

On Thursday, January 22, 2009, the Town of Riverhead Water District received bids for the Construction of Plant No. 15 – Contract W. Four (4) contractors submitted bids, with the low bid being submitted by Delta Well & Pump Company, Inc. of Ronkonkoma, New York, with a total bid price of \$282,020.00. A copy of the *bid tabulation* is enclosed for your records.

Delta Well & Pump Company, Inc. has successfully completed similar projects for various water utilities over the past few years. Additionally, the bid prices submitted compare to projects similar in size and nature. It is our opinion that Delta Well & Pump Company, Inc. is qualified and his bid prices are fair and reasonable. Based on the above information, we recommend that the Town Board award the Construction of Plant No. 15 – Contract W project to Delta Well & Pump Company, Inc. at a total bid price of \$282,020.00.

Should you have any questions or comments, please contact this office.

Very truly yours,

HOLZMACHER, McLENDON & MURRELL, P.C.

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

cc: Richard Ehlers, Esq. (w/encl.)
Supt. Gary Pendzick (w/encl.)
William Rothaar, Financial Administrator
Delta Well & Pump Company, Inc.

X:\RDWD (Riverhead Water District) - I0810\RDWD0605 - Construction of Supply Well at Plant No.
15\CORRESPONDENCE\Recommendation - W.doc



CELEBRATING 75 YEARS



CLIENT NAME: RIVERHEAD WATER DISTRICT

PROJECT TITLE: CONSTRUCTION OF PLANT NO. 15 - CONTRACT W

PROJECT NO.: RDWD 06-05

BID DATE: THURSDAY, JANUARY 22, 2009 - 11:00 A.M.

ITEM NO.	DESCRIPTION	QTY	UNITS	BIDDER		BIDDER		BIDDER		BIDDER		BIDDER	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE						
1	Site Work, Mobilization, and Final Restoration.	1	LS		\$34,000.00								
2	Test Well Boring For Well No. 15-1.	1	LS		35,000.00								
3	Test Well Boring For Well No. 15-2.	1	LS		35,000.00								
4	Test Well Boring For Well No. 15-3.	1	LS		35,000.00								
5	Depth Adjustment For Test Well Boring (Contingency).	50	Feet	10.00	500.00	30.00	1,500.00	20.00	1,000.00	5.00	250.00		
6	Screen Adjustment For Test Well Boring (Contingency).	30	Feet	50.00	1,500.00	50.00	1,500.00	50.00	1,500.00	55.00	1,650.00		
7	Well No. 15-1 Construction.	1	LS		20,000.00								
8	Well No. 15-2 Construction.	1	LS		20,000.00								
9	Well No. 15-3 Construction.	1	LS		20,000.00								
10	Depth Adjustment - Well Construction (Contingency).	100	Feet	10.00	1,000.00	30.00	3,000.00	37.00	3,700.00	45.00	4,500.00		
11	Well Development For Well No. 15-1.	1	LS		3,800.00								
12	Well Development For Well No. 15-2.	1	LS		3,800.00								
13	Well development For Well No. 15-3.	1	LS		3,800.00								
14	Abandonment Of Test Well Boring or Permanent Well Nos. 15-1, 15-2 & 15-3 (Contingency)	2	LS	10.00	20.00	1,500.00	3,000.00	100.00	200.00	1,000.00	2,000.00		
15	New Pumping Unit For Well No. 15-1.	1	LS		15,000.00								
16	New Pumping Unit For Well No. 15-2.	1	LS		15,000.00								
17	New Pumping Unit For Well No. 15-3.	1	LS		15,000.00								
18	Distraction and Trailng.	3	LS	1,200.00	3,600.00	1,700.00	5,100.00	0.00	0.00	1,000.00	3,000.00		
19	Cash Allowance.	1	LS		20,000.00								
TOTAL BID (SUM OF ALL ITEMS 1 THROUGH 19):					\$202,020.00		\$338,100.00		\$392,808.00		\$482,400.00		

5% BB or CC

BIDDER	BIDDER	BIDDER	BIDDER	BIDDER
Doris Well & Pump Co., Inc. Rensselaer, New York CC	Layns Christensen Co. Halbroek, New York 5% BB	R & L Well Drilling, LLC Ielp, New York 5% BB	A.C. Schilles Wardbury Heights, New Jersey 5% BB	Eagle Control Corp. Yorbanck, New York NO BID

Adopted

TOWN OF RIVERHEAD

Resolution #116

ACCEPTS THE RESIGNATION OF KIM HASTY, SENIOR PARK ATTENDANT IN THE RECREATION DEPARTMENT

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

RESOLVED, that Kim Hasty has resigned as the Senior Park Attendant in the Recreation Department; and

BE IT FURTHER, RESOLVED, that the Town Board hereby authorizes the Town Clerk to forward a copy of this Resolution to Kim Hasty, Recreation, Personnel and Payroll Departments

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

Adopted

RESOLUTION # <u>117</u> ABSTRACT #09-04 January 29, 2009 (TBM 02/03/09)				
<u>Councilman Dunleavy</u> offered the following Resolution which was seconded by				
<u>Councilman Buckley</u>				
FUND NAME			CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1		880,539.54	880,539.54
RECREATION PROGRAM FUND	6		5,382.55	5,382.55
CHILD CARE CENTER BUILDING FUN	9		6.26	6.26
ECONOMIC DEVELOPMENT ZONE FUND	30		3,157.59	3,157.59
HIGHWAY FUND	111		91,683.90	91,683.90
WATER DISTRICT	112		51,056.93	51,056.93
RIVERHEAD SEWER DISTRICT	114		30,371.81	30,371.81
REFUSE & GARBAGE COLLECTION DI	115		5,710.56	5,710.56
STREET LIGHTING DISTRICT	116		8,712.95	8,712.95
BUSINESS IMPROVEMENT DISTRICT	118		5.52	5.52
EAST CREEK DOCKING FACILITY FU	122		2,252.00	2,252.00
CALVERTON SEWER DISTRICT	124		1,228.64	1,228.64
RIVERHEAD SCAVANGER WASTE DIST	128		12,098.82	12,098.82
WORKERS' COMPENSATION FUND	173		8,597.18	8,597.18
RISK RETENTION FUND	175		35.00	35.00
CDBG CONSORTIUM ACOUNT	181		601.83	601.83
GENERAL FUND DEBT SERVICE	384		251,527.15	251,527.15
COMMUNITY DEVELOPMENT AGENCY C	405		14,862.81	14,862.81
TOWN HALL CAPITAL PROJECTS	406		19,151.47	19,151.47
WATER DISTRICT CAPITAL PROJECT	412		94,111.03	94,111.03
YOUTH SERVICES CAP PROJECT	452		2,014.84	2,014.84
SENIORS HELP SENIORS CAP PROJE	453		2,705.77	2,705.77
MUNICIPAL GARAGE FUND	626		6,489.80	6,489.80
TRUST & AGENCY	735		883,343.52	883,343.52
COMMUNITY PRESERVATION FUND	737		1,715.84	1,715.84
TOTAL ALL FUNDS			2,377,363.31	2,377,363.31

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

RESOLUTION # <u>117</u> ABSTRACT #09-03 January 22, 2009 (TBM 02/03/09)				
Councilman Dunleavy offered the following Resolution which was seconded by				
Councilman Buckley				
FUND NAME			CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1		113,562.16	113,562.16
CHILD CARE CENTER BUILDING FUN	9		92.15	92.15
HIGHWAY FUND	111		12,148.72	12,148.72
WATER DISTRICT	112		23,974.41	23,974.41
RIVERHEAD SEWER DISTRICT	114		4,231.28	4,231.28
REFUSE & GARBAGE COLLECTION DI	115		709.92	709.92
STREET LIGHTING DISTRICT	116		3,043.87	3,043.87
BUSINESS IMPROVEMENT DISTRICT	118		1,055.00	1,055.00
AMBULANCE DISTRICT	120		10.90	10.90
EAST CREEK DOCKING FACILITY FU	122		404.09	404.09
CALVERTON SEWER DISTRICT	124		-	-
WORKERS' COMPENSATION FUND	173		8,640.00	8,640.00
RISK RETENTION FUND	175		1,367.22	1,367.22
MUNICIPAL GARAGE FUND	626		4,064.25	4,064.25
TRUST & AGENCY	735		1,780,680.16	1,780,680.16
TOTAL ALL FUNDS			1,953,984.13	1,953,984.13

Adopted

Town of Riverhead

Resolution # 118

Authorizes the Filing of an Application for New York State Assistance from the Household Hazardous Waste (HHW) State Assistance Program and Signing of the Associated State Contract, Under the Appropriate Laws of New York State

COUNCILMAN BUCKLEY

_____ offered the following resolution,

COUNCILWOMAN BLASS

which was seconded by _____:

WHEREAS, the State of New York provides financial aid for hazardous waste programs; and

WHEREAS, the Town of Riverhead herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

THEREFORE, BE IT RESOLVED, by the Riverhead Town Board:

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized;
2. That the Supervisor, or his designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE;
3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the STATE for the STATE share of such costs;
4. That five (5) Certified Copies of this Resolution be prepared and sent to the NYSDEC together with a complete application; and
5. That this resolution shall take effect immediately.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a copy of this resolution to the Community Development Department and Sanitation Superintendent John Reeve.

THE VOTE

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

THE RESOLUTION WAS WAS NOT THEREFORE DULY ADOPTED