

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

- Res. #143 Authorizes Amendment to Resolution #718 – 2008 Home Improvement Program**
- Res. #144 Sewer District Budget Adjustment**
- Res. #145 General Fund Budget Adjustment**
- Res. #146 Weeping Willow Capital Project Budget Adjustment**
- Res. #147 Water District Computer Billing Software Capital Improvement Project**
- Res. #148 Recreation Department Marinas and Docks**
- Res. #149 Recreation Program Budget Adjustment**
- Res. #150 Authorization to Discard Fixed Assets**
- Res. #151 In the Matter of the Increase and Improvement of the Facilities of the Calverton Sewer District, in the Town of Riverhead, Suffolk County, New York**
- Res. #152 In the Matter of the Increase and Improvement of the Facilities of the Riverhead Sewer District, in the Town of Riverhead, Suffolk County, New York – Public Hearing on DeFriest Pump Station Reconstruction Riverhead Sewer District**
- Res. #153 In the Matter of the Increase and Improvement of the Facilities of the Riverhead Sewer District, in the Town of Riverhead, Suffolk County, New York – Public Hearing on Improvements to Wastewater Treatment Plant Riverhead Sewer District**
- Res. #154 Bond Resolution Authorizing the Upgrade to the Telephone System in and for the Town of Riverhead, Suffolk County, New York, at a Maximum Estimated Cost of \$60,000 and Authorizing the Issuance of up to \$60,000 Bonds of Said Town to Pay the Cost Thereof**

- Res. #155 Bond Resolution Authorizing the Purchase and Installation of a Keyless Entry System in Various Facilities of the Town of Riverhead, Suffolk County, New York, at a Maximum Estimated Cost of \$25,000 and Authorizing the Issuance of up to \$25,000 Bonds of Said Town to Pay the Cost Thereof**
- Res. #156 Authorizes Attendance at the Government Finance Officers' Association Annual Conference**
- Res. #157 Ratifies the Appointment of a Call-In Recreation Supervisor to the Riverhead Recreation Department (Cynthia Hynds)**
- Res. #158 Authorizes One Police Department Employee to the Queues Enforth Development, Development, Inc. System Manager Training**
- Res. #159 Appoints a Park Attendant II, Level II to the Riverhead Recreation Department (Daniel Dunn)**
- Res. #160 Appoints an Account Clerk Typist to the Planning Department (Jaime Ritter)**
- Res. #161 Appoints an Account Clerk Typist (Juliann O'Neill)**
- Res. #162 Authorizes CSEA Vice President to Attend Regional Workshop**
- Res. #163 Accepts Resignation of Call-In Chaperone (Darlene Gray)**
- Res. #164 Re-Appoints Member to the Riverhead Landmarks Preservation Commission**
- Res. #165 Approves Refund to John and Sandra Reeve**
- Res. #166 Ratifies the Refund of Monies to Browning Hotel Properties, Inc.**
- Res. #167 Approves Memorandum of Agreement**
- Res. #168 Approves Chapter 90 Application of Planet Fitness Riverhead**

- Res. #169** Supports State Legislation to Amend Civil Service Law Section 163, to Allow Volunteer Firefighters and Volunteer Ambulance Workers to Participate in the NYSHIP Insurance Plan if Offered by the Municipality in their District
- Res. #170** Authorizes Town Clerk to Publish & Post Notice to Bidders for Dry Hydrated Lime (Calcium Hydroxide)
- Res. #171** Authorizes the Retention of the Law Firm of Jspan Schlesinger LLP as Special Counsel
- Res. #172** Awards Bid for Diesel Fuel
- Res. #173** Awards Bid for Fertilizer and Lawn Chemicals
- Res. #174** Authorizes Town Supervisor to execute Change Order No. 2 for the Youngs Avenue Capping and Closure Project
- Res. #175** Authorizes Town Clerk to Post and Publish a Notice to Bidders for the Annual Materials and Asphalt Procurement Contract
- Res. #176** Awards Bid Construction of Plant No. 15 Contract G – General & Mechanical Construction Riverhead Water District
- Res. #177** Awards Bid Install Water Mains & Appurtenances Extension No. 85 – Mastro Realty Riverhead Water District
- Res. #178** Rejects Bid for Wading Riverhead Beach Sun Shelter and Pre-Engineered Restroom and Authorizes Town Clerk to Re-Publish and Re-Post Notice to Bidders for Wading River Beach Renovations
- Res. #179** Authorization to Publish Advertisement for Rain Garden Plants for the Town of Riverhead
- Res. #180** Extends Site Plan Approval of the Zenith Building
- Res. #181** Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagee of the Property Located at 1543 Osborne Avenue, Riverhead, New York

**Res. #182 Authorizes the Supervisor to Execute an Agreement with Barist Elevator Company, Inc. to Provide Elevator Maintenance Service at the Riverhead Town George Young Community Center**

**Res. #183 Adopts a Local Law Amending Chapter 101 Entitled, "Vehicles and Traffic" of the Riverhead Town Code**

**Res. #184 Grants Special Use Permit of New York SMSA Limited Partnership DBA Verizon Wireless Wading River Commons**

**Res. #185 Pays Bills**

Res. #186 Authorizes Legal Action Against the Owners, Tenants, Occupants and Mortgagee of the Property Located at 21 Cross Road, Wading River, New York

Res. 187 Extends Bid Contract for Heating Fuel

**Adopted**

March 3, 2009

**TOWN OF RIVERHEAD**

**AUTHORIZES AMENDMENT TO RESOLUTIONS # 718**

**2008 HOME IMPROVEMENT PROGRAM**

**RESOLUTION # 143**

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

**WHEREAS**, the adopted resolution #718 August 19, 2008 authorized the Accounting Department to set up a budget for the Home Improvement Program with excess Community Development Block Grant program funds.

**WHEREAS**, the original resolution reflected the following:

		<u>From</u>	<u>To</u>
406.086680.492255.44101	NYS Affordable Housing	195,000	
406.095031.485500.44101	Transfer from CDBG 2007	25,000	
406.095031.485500.44101	Transfer from CDBG 2008	105,000	
406.086680.523000.44101	Home Improvement Program		325,000

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby rescind Resolution #718 and replace with the following Budget Adoption:

		<u>FROM</u>	<u>TO</u>
406.092801.485001.44101	NYS Affordable Housing	195,000	
406.095031.485500.44101	Transfer from CDBG 2007	25,000	
406.095031.485500.44101	Transfer from CDBG 2008	71,850	
406.092801.485001.44101	Program Income	10,000	
406.095031.485500.44101	Transfer from CDBG 2006	23,150	
406.086680.523000.44101	Home Improvement Program		325,000

**THE VOTE**

Wooten  Yes  No

Buckley  Yes  No

Dunleavy  Yes  No

Blass  Yes  No

Cardinale  Yes  No

March 3, 2009

**Adopted**

TOWN OF RIVERHEAD

SEWER DISTRICT

BUDGET ADJUSTMENT

RESOLUTION # 144

COUNCILMAN WOOTEN

offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

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

		<u>FROM</u>	<u>TO</u>
130.000000.499999	Appropriated Fund Balance	35,000	
114.081300.543504	Engineering		35,000

**THE VOTE**

Wooten  Yes  No

Buckley  Yes  No

Dunleavy  Yes  No *absent*

Blass  Yes  No

Cardinale  Yes  No

March 3, 2009

**Adopted**

**TOWN OF RIVERHEAD**

**GENERAL FUND**

**BUDGET ADJUSTMENT**

**RESOLUTION # 145**

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by COUNCILMAN WOOTEN

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

		<u>FROM</u>	<u>TO</u>
001.016200.542500	Supplies and Service	5,000	
001.016200.524000	Equipment		5,000

**THE VOTE**

Wooten  Yes  No

Buckley  Yes  No

*absent*  
Dunleavy  Yes  No

Blass  Yes  No

Cardinale  Yes  No

March 3, 2009

Adopted

TOWN OF RIVERHEAD

WEeping WILLOW  
CAPITAL PROJECT

BUDGET ADJUSTMENT

RESOLUTION # 146

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

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

		<u>FROM</u>	<u>TO</u>
406.019400.543000.42068	Professional Services	4,000	
406.086600.540000.42068	Contractual Expense		4,000

**THE VOTE**

Wooten  Yes  No

Buckley  Yes  No

Dunleavy  Yes  No *absent*

Blass  Yes  No

Cardinale  Yes  No

March 3, 2009

Adopted

TOWN OF RIVERHEAD

WATER DISTRICT COMPUTER BILLING SOFTWARE  
CAPITAL IMPROVEMENT PROJECT

BUDGET ADOPTION

RESOLUTION # 147

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

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

		<u>FROM</u>	<u>TO</u>
412.092801.487112.30099	Water Transfers	40,000	
412.092801.487113.30099	Repair and Maintenance Transfer	45,000	
412.083100.524300.30099	Computer Billing Software		85,000

**THE VOTE**

Wooten  Yes  No      Buckley  Yes  No  
~~Dunleavy~~ <sup>absent</sup>  Yes  No      Blass  Yes  No  
 Cardinale  Yes  No

March 3, 2009

Adopted

TOWN OF RIVERHEAD

RECREATION DEPARTMENT  
MARINAS AND DOCKS

BUDGET ADJUSTMENT

RESOLUTION # 148

COUNCILMAN WOOTEN

offered the following resolution,

which was seconded by COUNCILWOMAN BLASS

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

		<u>FROM</u>	<u>TO</u>
001.071100.541100	EPCAL grounds R & M Landscaping	5,500	
001.072300.540000	Contractual Expenses		5,500

**THE VOTE**

Wooten  Yes  No

Buckley  Yes  No

Dunleavy  Yes  No *absent*

Blass  Yes  No

Cardinale  Yes  No

March 3, 2009

Adopted

TOWN OF RIVERHEAD

RECREATION PROGRAM

BUDGET ADJUSTMENT

RESOLUTION # 149

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by COUNCILMAN WOOTEN

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

		<u>FROM</u>	<u>TO</u>
001.071100.515501	Skate Park Attendants	2,500	
001.079890.545000	Teen Rent	1,700	
001.070200.542113	Postage		4,200

THE VOTE

Wooten  Yes  No

Buckley  Yes  No

Dunleavy  Yes  No *absent*

Blass  Yes  No

Cardinale  Yes  No

March 3, 2009

Adopted

TOWN OF RIVERHEAD

AUTHORIZATION TO DISCARD FIXED ASSETS

RESOLUTION # 150

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

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	26302	LexMark Net X2000
Town Clerk	21733	Brother Label Maker
Sewer	10963	Clothes Dryer
Ambulance	22138	Canon Fax Machine
Police	23343	Swivel Chair (broken)
Water	20326	Printer Stand
Sewer	28127	Air Compressor (worn)

THE VOTE

Wooten  Yes  No      Buckley  Yes  No  
*absent*  
Dunleavy  Yes  No      Blass  Yes  No  
Cardinale  Yes  No

**Adopted**

TOWN OF RIVERHEAD

RESOLUTION # 151

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

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York on March 3, 2009, at 2 o'clock P.M., Prevailing Time.

PRESENT:

Philip Cardinale

Supervisor

Barbara Blass

Councilman

Jim Wooten

Councilman

Councilman

Councilman

<p style="text-align: center;">In the Matter of The Increase and Improvement of the Facilities of the Calverton Sewer District, in the Town of Riverhead, Suffolk County, New York</p>	<p style="text-align: center;">ORDER CALLING PUBLIC HEARING</p>
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WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Calverton Sewer District, in the Town of Riverhead, Suffolk County, New York (the "Sewer District"), being the conversion of the existing secondary treatment process to tertiary treatment at the Calverton Sewer Treatment Plant, including, but not limited to membrane biological reactor process, tanking, yard piping, generator, blowers, and influent grit screening, force main,

leaching beds and site improvements, and including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$6,500,000; and

WHEREAS, the Town expects said capital project to be determined to be an "Unlisted Action" pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which as proposed, it is expected to be determined will not result in any significant environmental effect; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Sewer District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

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

Section 1. A public hearing will be held in the Riley Avenue Elementary School, in Calverton , New York, in said Town, on March 17<sup>th</sup>, 2009, at 7:15 o'clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of the Calverton Sewer District, in the Town of Riverhead, Suffolk County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and

posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This Order shall take effect immediately.

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

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

The order was thereupon declared duly adopted.

\* \* \* \* \*

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

**CERTIFICATION FORM**

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

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

1. That a meeting of the Issuer was duly called, held and conducted on the \_\_\_\_\_ day of March, 2009.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (*the meeting at which the proceeding was adopted*) was caused to be given **PRIOR THERETO** in the following manner:

**PUBLICATION** (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)

**POSTING** (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer  
this \_\_\_\_\_ day of March, 2009.

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

(CORPORATE SEAL)

NOTICE OF PUBLIC HEARING ON  
CALVERTON SEWER TREATMENT PLANT UPGRADE  
CALVERTON SEWER DISTRICT

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, will meet at the Riley Avenue Elementary School, Riley Avenue in Calverton, New York, on March 17<sup>th</sup>, 2009, at 7:15 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a certain map, plan and report, including an estimate of cost, in relation to the proposed increase and improvement of the facilities of the Calverton Sewer District, in said Town, being conversion of the existing secondary treatment process to tertiary treatment at the Calvert Sewer Treatment Plant, including, but not limited to membrane biological reactor process, tanking, yard piping, generator, blowers, and influent grit screening, force main, leaching beds and site improvements, and, including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$6,500,000.

The Town expects said capital project will be determined to be an "Unlisted Action" pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which are proposed is expected to be determined will not result in any significant environmental effects. SEQRA documentation is available in the Office of the Town Clerk where it may be inspected during normal business hours.

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

Dated: Riverhead, New York,

March 3, 2009.

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

Diane M. Wilhelm  
Town Clerk

**AFFIDAVIT OF POSTING**

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DEPOSE  
AND SAY:

That on the \_\_\_\_\_ day of March, 2009, I caused to be posted on the official signboard  
maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of Public  
Hearing which was a part of an Order adopted by the Town Board of said Town on March 3,  
2009.

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

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

Sworn to before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Notary Public



apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$6,500,000; and

WHEREAS, the Town expects said capital project to be determined to be an "Unlisted Action" pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which as proposed, it is expected to be determined will not result in any significant environmental effects; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Sewer District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

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

Section 1. A public hearing will be held in the Riley Avenue Elementary School, in Calverton , New York, in said Town, on March 17<sup>th</sup>, 2009, at 7:10 o'clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of the Riverhead Sewer District, in the Town of Riverhead, Suffolk County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and

posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This Order shall take effect immediately.

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

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

The order was thereupon declared duly adopted.

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

**CERTIFICATION FORM**

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

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

1. That a meeting of the Issuer was duly called, held and conducted on the \_\_\_\_\_ day of March, 2009.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (*the meeting at which the proceeding was adopted*) was caused to be given **PRIOR THERETO** in the following manner:

**PUBLICATION** (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)

**POSTING** (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this \_\_\_\_\_ day of March, 2009.

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

(CORPORATE SEAL)

NOTICE OF PUBLIC HEARING ON DEFRIEST PUMP STATION RECONSTRUCTION

RIVERHEAD SEWER DISTRICT

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, will meet at the Riley Ave Elementary School, Riley Avenue in Calverton, New York, on March 17<sup>th</sup>, 2009, at 7:10 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a certain map, plan and report, including an estimate of cost, in relation to the proposed increase and improvement of the facilities of the Riverhead Sewer District, in said Town, being reconstruction of the Defriest Pump Station, including but not limited to wet wells, variable speed drive motors, pumps, generator, yard piping, building reconstruction, land acquisition and site improvement and, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$6,500,000.

The Town expects said capital project will be determined to be an "Unlisted Action" pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which are proposed is expected to be determined will not result in any significant environmental effects. SEQRA documentation is available in the Office of the Town Clerk where it may be inspected during normal business hours.

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

Dated: Riverhead, New York,

March 3, 2009.

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

Diane M. Wilhelm  
Town Clerk

**AFFIDAVIT OF POSTING**

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DEPOSE  
AND SAY:

That on the \_\_\_\_\_ day of March, 2009, I caused to be posted on the official signboard  
maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of Public  
Hearing which was a part of an Order adopted by the Town Board of said Town on March, 3,  
2009.

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

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

Sworn to before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Notary Public

TOWN OF RIVERHEAD  
RESOLUTION # 153

# Adopted

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

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the at the Town Hall, in Riverhead, New York on March 3, 2009, at \_\_\_\_\_ o'clock P.M., Prevailing Time.

PRESENT:

Philip Cardinale

Supervisor

Barbara Blass

Councilman

Jim Wooten

Councilman

Councilman

Councilman

<p style="text-align: center;">In the Matter of The Increase and Improvement of the Facilities of the Riverhead Sewer District, in the Town of Riverhead, Suffolk County, New York</p>	<p style="text-align: center;">ORDER CALLING PUBLIC HEARING</p>
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WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Riverhead Sewer District, in the Town of Riverhead, Suffolk County, New York (the "Sewer District"), being the construction of improvements to the Wastewater Treatment Plant, including but not limited to the addition of membrane biological reactor process, tanking, yard piping, generator, blowers, and influent grit screening, and including original furnishings, equipment,

machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$17,800,000; and

WHEREAS, the Town expects said capital project to be determined to be an "Unlisted Action" pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which as proposed, it is expected to be determined will not result in any significant environmental effects; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Sewer District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

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

Section 1. A public hearing will be held in the Riley Avenue Elementary School, in Calverton, New York, in said Town, on March 17<sup>th</sup>, 2009, at 7:05 o'clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of the Riverhead Sewer District, in the Town of Riverhead, Suffolk County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and

posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This Order shall take effect immediately.

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

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

The order was thereupon declared duly adopted.

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

**CERTIFICATION FORM**

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

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

1. That a meeting of the Issuer was duly called, held and conducted on the \_\_\_\_\_ day of March, 2009.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (*the meeting at which the proceeding was adopted*) was caused to be given **PRIOR THERETO** in the following manner:

**PUBLICATION** (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)

**POSTING** (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this \_\_\_\_\_ day of March, 2009.

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

(CORPORATE SEAL)

NOTICE OF PUBLIC HEARING ON IMPROVEMENTS TO  
WASTEWATER TREATMENT PLANT  
RIVERHEAD SEWER DISTRICT

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, will meet at the Riley Ave Elementary School, Riley Avenue in Calverton, New York, on March 17<sup>th</sup>, 2009, at 7:05 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a certain map, plan and report, including an estimate of cost, in relation to the proposed increase and improvement of the facilities of the Riverhead Sewer District, in said Town, being construction of improvements to the Wastewater Treatment Plant, including but not limited to addition of membrane biological reactor process, tanking, yard piping, generator, blowers, and influent grit screening and, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$17,800,000.

The Town expects said capital project will be determined to be an "Unlisted Action" pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which are proposed is expected to be determined will not result in any significant environmental effects. SEQRA documentation is available in the Office of the Town Clerk where it may be inspected during normal business hours.

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

Dated: Riverhead, New York,

March 3, 2009.

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

Diane M. Wilhelm  
Town-Clerk

**AFFIDAVIT OF POSTING**

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

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DEPOSE  
AND SAY:

That on the \_\_\_\_\_ day of March, 2009, I caused to be posted on the official signboard  
maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of Public  
Hearing which was a part of an Order adopted by the Town Board of said Town on March, 2009.

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

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

Sworn to before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Notary Public

**Adopted**

43219-2-New

**BOND RESOLUTION**

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, in said Town, on the 3rd day of March, 2009, at  2  o'clock  P.M. , Prevailing Time.

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

**PRESENT:**

Supervisor, Philip Cardinale  
Councilwoman, Barbara Blass  
Councilman, Jim Wooten

**ABSENT:**

Councilman, John Dunleavy

The following resolution was offered by ~~Trustee~~ Councilman Wooten, who moved its adoption, seconded by ~~Trustee~~ Councilwoman Blass, to-wit:

**THE VOTE**

~~Buckley~~ absent yes no Wooten  yes no  
Dunleavy yes no Blass  yes no  
Cardinale  yes no

THE RESOLUTION  WAS   WAS NOT  
THEREFORE DULY ADOPTED

BOND RESOLUTION DATED MARCH 3, 2009.

A RESOLUTION AUTHORIZING THE UPGRADE TO THE TELEPHONE SYSTEM IN AND FOR THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$60,000, AND AUTHORIZING THE ISSUANCE OF UP TO \$60,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

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

Section 1. The upgrade to the telephone system in and for the Town of Riverhead, Suffolk County, New York, including installation of cable and phone lines, original furnishings, equipment, machinery, apparatus, appurtenances, as well as site improvements and incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$60,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of up to \$60,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 5 years, pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law.

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

Section 5. The faith and credit of said Town of Riverhead, Suffolk County New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Supervisor shall deem best for the interests of the Town.

Section 7. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies

are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

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

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

Section 10. This resolution, which takes effect immediately, shall be published in full or summary form in the official newspaper, together with a notice of the Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

as follows:

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

This resolution was thereupon declared duly adopted.

\* \* \* \* \*

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



## LEGAL NOTICE OF ESTOPPEL

The bond resolution, a summary of which is published herewith, has been adopted on March 3, 2009, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Riverhead, Suffolk County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Town Clerk for a period of twenty days from the date of publication of this Notice.

Dated: Riverhead, New York,

March 3, 2009.

Diane M. Wilhelm  
Town Clerk

BOND RESOLUTION DATED MARCH 3, 2009.

A RESOLUTION AUTHORIZING THE UPGRADE TO THE TELEPHONE SYSTEM IN AND FOR THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$60,000, AND AUTHORIZING THE ISSUANCE OF UP TO \$60,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

<b>Specific object or purpose:</b>	Upgrade to the telephone system.
<b>Maximum estimated cost:</b>	\$60,000
<b>Period of probable usefulness:</b>	5 years
<b>Amount of obligations to be issued:</b>	\$60,000
<b>SEQRA Status:</b>	Type II Action

# Adopted

43219-2-New

## BOND RESOLUTION

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, in said Town, on the 3rd day of March, 2009, at 2 o'clock p.M., Prevailing Time.

The meeting was called to order by \_\_\_\_\_, and

upon roll being called, the following were

### PRESENT:

Supervisor, Philip Cardinale  
Councilwoman, Barbara Blass  
Councilman, Jim Wooten

### ABSENT:

Councilman, John Dunleavy

The following resolution was offered by ~~Trustee~~ Councilwoman Blass \_\_\_\_\_, who moved its adoption, seconded by ~~Trustee~~ Councilman Wooten \_\_\_\_\_, to-wit:

### THE VOTE

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

THE RESOLUTION  WAS   WAS NOT  
THEREFORE DULY ADOPTED

BOND RESOLUTION DATED MARCH 3, 2009.

A RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF A KEYLESS ENTRY SYSTEM IN VARIOUS FACILITIES OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$25,000, AND AUTHORIZING THE ISSUANCE OF UP TO \$25,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

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

Section 1. The purchase and installation of a keyless entry system in various facilities of the Town of Riverhead, Suffolk County, New York, including, original equipment, machinery, apparatus, appurtenances, as well as incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$25,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of up to \$25,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 5 years, pursuant to subdivision 35 of paragraph a of Section 11.00 of the Local Finance Law.

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

Section 5. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as

the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Supervisor shall deem best for the interests of the Town.

Section 7. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

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

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

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

Section 10. This resolution, which takes effect immediately, shall be published in full or summary form in the official newspaper, together with a notice of the Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

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

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

This resolution was thereupon declared duly adopted.

\* \* \* \* \*

**CERTIFICATION**

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

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

1. That a meeting of the Issuer was duly called, held and conducted on the 3rd day of March, 2009.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (*the meeting at which the proceeding was adopted*) was caused to be given **PRIOR THERETO** in the following manner:

**PUBLICATION** (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)

**POSTING** (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this \_\_\_\_\_ day of March, 2009.

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

(CORPORATE SEAL)

## LEGAL NOTICE OF ESTOPPEL

The bond resolution, a summary of which is published herewith, has been adopted on March 3, 2009, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Riverhead, Suffolk County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Town Clerk for a period of twenty days from the date of publication of this Notice.

Dated: Riverhead, New York,

March 3<sup>rd</sup>, 2009.

Diane M. Wilhelm  
Town Clerk

### BOND RESOLUTION DATED MARCH 3, 2009.

A RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF A KEYLESS ENTRY SYSTEM IN VARIOUS FACILITIES OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$25,000, AND AUTHORIZING THE ISSUANCE OF UP TO \$25,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

<b>Specific object or purpose:</b>	Installation of keyless entry system.
<b>Maximum estimated cost:</b>	\$25,000
<b>Period of probable usefulness:</b>	5 years
<b>Amount of obligations to be issued:</b>	\$25,000
<b>SEQRA Status:</b>	Type II Action

MARCH 3, 2009

Adopted

TOWN OF RIVERHEAD

AUTHORIZES ATTENDANCE AT THE GOVERNMENT FINANCE OFFICERS' ASSOCIATION ANNUAL CONFERENCE

RESOLUTION # 156

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

**WHEREAS**, the NYS Government Finance Officers Association is conducting its annual conference from Wednesday, April 1 thru Friday, April 3, 2009 in Albany, NY; and

**WHEREAS**, the Financial Administrator has requested authorization to attend said conference; and

**WHEREAS**, the cost to attend said course shall not exceed \$1,000 (expenses to include fees for registration, lodging, meals and other travel costs such as tolls and gas);

**NOW, THEREFORE BE IT, RESOLVED**, that the Financial Administrator is authorized to attend the he NYS GFOA Annual Conference in Albany, NY.

**BE IT FURTHER, RESOLVED**, expenses for the conference, travel, room and board will be reimbursed upon proper submission of receipts.

THE VOTE

Wooten  Yes  No

~~Buckley~~  Yes  No

Dunleavy <sup>absent</sup>  Yes  No

Blass  Yes  No

Cardinale  Yes  No

3/3/09

# Adopted

## TOWN OF RIVERHEAD

Resolution # 157

### RATIFIES THE APPOINTMENT OF A CALL-IN RECREATION SUPERVISOR TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN WOOTEN

**RESOLVED**, that Cynthia Hynds is hereby appointed to serve as a Call-In Recreation Supervisor effective February 17, 2009 to serve as needed on an at-will basis and to be paid at the rate of \$20.00 per hour, and to serve at the pleasure of the Town Board; and

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

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

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward a copy of this Resolution to Cynthia Hynds, the Recreation Department, the Personnel Officer, and the Office of Accounting.<sup>1</sup>

THE VOTE

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

THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

<sup>1</sup> Rec. Kelly/ Res Cynthia Hynds

03/03/09

STATUS **Adopted**

Resolution # 158

AUTHORIZES ONE POLICE DEPARTMENT EMPLOYEE TO THE QUEUES ENFORTH DEVELOPMENT, INC. SYSTEM MANAGER TRAINING

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

**WHEREAS**, Police Chief Hegermiller has requested authorization from the Riverhead Town Board for the attendance of one police department employee to the Queues Enforth Development, Inc. System Manager Training in Malden, Ma.; and,

**WHEREAS**, the seminar will be held in Malden, Ma. From May 18, 2009 – May 21, 2009.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the attendance of one police department employee to attend the Queues Enforth Development, Inc. System Manager Training.

**BE IT FURTHER RESOLVED**, that the Town Board hereby authorizes reimbursement of expenses incurred, not to exceed \$2,800.00 (registration, meals, lodging, tolls, fuel & miscellaneous expenses,) upon submission of proper receipts; and,

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

THE VOTE

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

3/3/09

Adopted

TOWN OF RIVERHEAD

Resolution # 159

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

COUNCILWOMAN BLASS

offered the following resolution,

which was seconded by COUNCILMAN WOOTEN

**RESOLVED**, that Daniel Dunn is hereby appointed as a Park Attendant II, Level II effective, March 5, 2009 to serve as needed on an at will basis to be paid at the rate of \$10.75 per hour, and to serve at the pleasure of the Town Board; and

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

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

**BE IT FURTHER, RESOLVED**, that the Town Board hereby authorizes the Town Clerk to forward a copy of this Resolution to Daniel Dunn, the Recreation Department, the Personnel Officer, and the Office of Accounting.<sup>1</sup>

THE VOTE

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

THE RESOLUTION ✓ WAS     WAS NOT THEREFORE DULY ADOPTED

<sup>1</sup> Rec.Jim/ Resolution. Park Attend II Daniel Dunn

March 3, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 160

**APOINTS AN ACCOUNT CLERK TYPIST TO THE PLANNING DEPARTMENT**

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

**WHEREAS**, Jaime Ritter has been serving as a provisional appointment in the position of Account Clerk Typist; and

**WHEREAS**, Civil Service has established a certified list of Eligibles, list # 08-0212-337 for the position of Account Clerk Typist, and Jaime Ritter is reachable on that list.

**NOW, THEREFORE, BE IT RESOLVED**, that effective today, March 3, 2009, this Town Board hereby removes the provisional status of Jaime Ritter and appoints her to the position of Account Clerk Typist 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 Jaime Ritter, the Town 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

March 3, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 161

**APPOINTS AN ACCOUNT CLERK TYPIST**

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

**WHEREAS**, a vacancy exists in the Town Clerk's Office for an Account Clerk Typist; and

**WHEREAS**, the Suffolk County Department of Civil Service has established a certified List of Eligibles, List #08-0212-337, for the position of Account Clerk Typist, the position was duly posted as, job posting # 2, and a candidate has been identified; and

**WHEREAS**, the recommendation of the Town Clerk has been received.

**NOW, THEREFORE, BE IT RESOLVED**, that effective March 9, 2009 Juliann O'Neill is hereby appointed to the position of Account Clerk Typist as found on Group 9, Step 4 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 Juliann O'Neill, the Office of the Town Clerk, the Accounting Office, and the Personnel Officer.

**THE VOTE**

Wooten  Yes  No

Buckley ~~Yes~~ ~~No~~

Dunleavy <sup>absent</sup> ~~Yes~~ ~~No~~

Blass  Yes  No

Cardinale  Yes  No

THE RESOLUTION  WAS  WAS NOT THEREFORE DULY ADOPTED

March 3, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 162

**AUTHORIZES CSEA VICE PRESIDENT TO ATTEND REGIONAL WORKSHOP**

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

**WHEREAS**, the Civil Service Employees Association (CSEA) is holding a Region 1 Workshop on Thursday, April 30th and Friday, May 1st 2009; and

**WHEREAS**, attendance at the CSEA Workshop is for educational and informational purposes; and

**WHEREAS**, it is the desire of William J. Walsh, President of CSEA Suffolk Local 852 that the CSEA Suffolk Local 852 2<sup>nd</sup> Vice President Matthew Hattorff attend such workshop.

**NOW, THEREFORE, BE IT RESOLVED**, that the Riverhead Town Board hereby authorizes Administrative Leave for Matthew Hattorff to attend the aforementioned workshop; and

**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to William J. Walsh, CSEA Local 852 President, Matthew Hattorff, the Personnel Officer, and the Office of Accounting..

**The Vote**

Wooten  Yes  No

Buckley  Yes  No

Dunleavy <sup>absent</sup>  Yes  No

Blass  Yes  No

Cardinale  Yes  No

THE RESOLUTION  WAS  WAS NOT

**THEREFORE DULY ADOPTED**

March 3, 2009

Adopted

TOWN OF RIVERHEAD

ACCEPTS RESIGNATION OF CALL-IN CHAPERONE

RESOLUTION # 163

COUNCILWOMAN BLASS

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

resolution, which was seconded by COUNCILMAN WOOTEN.

**WHEREAS**, Darlene Gray has tendered her resignation from the position of Call-in Chaperone effective February 18, 2009.

**NOW, THEREFORE, BE IT RESOLVED**, that this Town Board of the Town of Riverhead hereby accepts the resignation of Darlene Gray from the position of Call-in Chaperone effective February 18, 2009.

**BE IT FURTHER, RESOLVED**, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Darlene Gray, the Superintendent of Recreation, the Personnel Officer, and the Office of Accounting.

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy absent Yes No

Blass Yes No

Cardinale Yes No

THE RESOLUTION ✓ WAS     WAS NOT

THEREFORE DULY ADOPTED

TOWN OF RIVERHEAD

Adopted

Resolution # 164

RE-APPOINTS MEMBERS TO THE RIVERHEAD LANDMARKS PRESERVATION COMMISSION

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

WHEREAS, Chapter 73 of the Riverhead Town Code entitled "Landmarks Preservation Commission" causes the establishment of an advisory body to the Town Board known as the Landmarks Preservation Commission consisting of (7) members; and

WHEREAS, the Commission recommends the reappointment of three members,

NOW THEREFORE, BE IT

RESOLVED, that the Riverhead Town Board hereby reappoints three members to the Landmarks Preservation Commission as follows:

- Richard Wines, Chairperson Three-year term expiring August, 2011
Gary Jacquemin Three-year term expiring March, 2012
Vince Taldone Three-year term expiring March, 2012

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Richard Wines, Chairperson, Gary Jacquemin, and Vince Taldone.

THE VOTE

Dunleavy absent Yes No Blass checked Yes No
Buckley Yes No Wooten checked Yes No
Cardinale checked Yes No

THIS RESOLUTION checked WAS WAS NOT THEREFORE DULY ADOPTED

March 3, 2009

Adopted

**TOWN OF RIVERHEAD**

Resolution No. 165

**Approves Refund to John and Sandra Reeve**

COUNCILWOMAN BLASS offered the following resolution which

was seconded by COUNCILMAN WOOTEN

**WHEREAS**, John and Sandra Reeve petitioned the Zoning Board of Appeals for an interpretation to Chapter 108, Section 108-51 of the Code of the Town of Riverhead, as to whether the application for reconfiguration of boat docks is considered an expansion of a pre-existing non conforming use and Chapter 47, Section 47-21 whether the proposed configuration exceeds the 150 foot maximum length requirement on such property more particularly described as SCTM 0600-86-4-16.6, and

**WHEREAS**, the applicant posted the required fee of \$500.00; and

**WHEREAS**, the Zoning Board of Appeals determined that waterways is outside of their jurisdiction;

**WHEREAS**, John and Sandra Reeve have requested that the fee of \$500.00 be refunded; now

**THEREFORE BE IT**

**RESOLVED**, that based upon its actions, the Riverhead Town Board hereby grants the petitioner a full refund of \$500.00; and

**BE IT FURTHER**

**RESOLVED**, that copies of this resolution be forwarded to the Planning Department, the Office of Town Attorney, Accounting Department and John and Sandra Reeve or their agents.

**THE VOTE**

DUNLEAVY <sup>*absent*</sup> YES NO    BUCKLEY YES NO

BLASS  YES NO    WOOTEN  YES NO

CARDINALE  YES NO

THIS RESOLUTION  WAS WAS NOT  
THEREFORE DULY ADOPTED

3/3/09

# Adopted

TOWN OF RIVERHEAD

Resolution # 166

**RATIFIES THE REFUND OF MONIES TO BROWNING HOTEL PROPERTIES, INC.**

COUNCILMAN WOOTEN offered the following resolution, was seconded by

COUNCILWOMAN BLASS :

**WHEREAS**, Browning Hotel Properties, Inc. previously remitted to the Town of Riverhead the sum of \$770,000.00 to cover the cost of the necessary public improvements in connection with the sewer extension for the Marriot Hilton located on Route 58 in Riverhead; and

**WHEREAS**, the cost of the sewer extension totaled \$643,496.54 and the balance of the funds in the amount of \$126,503.46 was required to be refunded;

**NOW THEREFORE BE IT RESOLVED**, that the refund of \$126,503.46 by the Town of Riverhead to Browning Hotel Properties, Inc. is hereby ratified, and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to Browning Hotel Properties, Inc., 5000 Express Drive South, Ronkonkoma, New York 11779, the Office of Accounting 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 <sup>absent</sup>  YES  NO      BLASS  YES  NO

CARDINALE  YES  NO

THIS RESOLUTION  IS  IS NOT  
DECLARED DULY ADOPTED

MARCH 3, 2009

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 167

**APPROVES MEMORANDUM OF AGREEMENT**

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

RESOLVED, that this Town Board hereby ratifies and approves the provisions of the Memorandum of Agreement by and between the Civil Service Employees Association and the Town of Riverhead dated February 12, 2009; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to CSEA President Matthew Hattorff, Lamb & Barnosky, LLP, the Personnel Officer, and the Office of Accounting.

The Vote

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

THE RESOLUTION ✓ WAS    WAS NOT

THEREFORE DULY ADOPTED

3/3/09

TOWN OF RIVERHEAD

**Adopted**

Resolution # 168

**APPROVES CHAPTER 90 APPLICATION OF PLANET FITNESS RIVERHEAD**

COUNCILMAN WOOTEN offered the following resolution, was seconded by

COUNCILWOMAN BLASS:

**WHEREAS**, on February 24, 2009, Planet Fitness Riverhead had submitted a Chapter 90 Application for the purpose of conducting a Grand Opening promotion to be held on site at 116 Kroemer Avenue, Riverhead, New York, on Wednesday, March 11, 2009 through Wednesday, May 6, 2009; and

**WHEREAS**, Planet Fitness Riverhead has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

**WHEREAS**, the applicant has paid the applicable Chapter 90 Application fee; and

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

**WHEREAS**, the Town Attorney of the Town of Riverhead has reviewed all documents including the certificate of insurance regarding said application.

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

**RESOLVED**, that the application of Planet Fitness Riverhead for the purpose of conducting a Grand Opening promotion to be held on site at 116 Kroemer Avenue, Riverhead, New York, on Wednesday, March 11, 2009 through Wednesday, May 6, 2009 is hereby approved; and be it further

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

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

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

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to Planet Fitness Riverhead, 116 Kroemer Avenue, Riverhead, New York, 11901; and be it further

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

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

March 3, 2009

**Adopted**

TOWN OF RIVERHEAD

Resolution No. 169

**Supports State Legislation to Amend Civil Service Law Section 163, to Allow Volunteer Firefighters and Volunteer Ambulance Workers to Participate in the NYSHIP Insurance Plan if Offered by the Municipality in their District**

**Councilwoman Blass** offered the following resolution which was seconded by COUNCILMAN WOOTEN.

**WHEREAS**, on July 21, 2008, Governor David Paterson approved Chapter 331, amending the General Municipal Law, in relation to the establishment of a volunteer firefighter and volunteer ambulance worker health program; and,

**WHEREAS**, in order for this amendment to benefit our volunteer firefighter and ambulance workers, section 163 of the Civil Service Law must also be amended to allow for volunteer firefighter and ambulance workers to participate in the NYSHIP health insurance program; and,

**WHEREAS**, the Town of Riverhead participates in the NYSHIP health insurance system; and,

**WHEREAS**, the Town Board of the Town of Riverhead hereby supports the State Legislature's efforts and intent to provide access to municipal health insurance programs to our dedicated volunteer firefighter and volunteer ambulance workers so as to enable them to purchase such health insurance.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby urges the State Legislature to amend section 163 of the Civil Service Law, to allow volunteer firefighter and volunteer ambulance workers to participate in the NYSHIP health insurance program; and be it further,

**RESOLVED**, that the Town Clerk shall forward a copy of this resolution to Assemblyman Fred Thiele, Senator Kenneth LaValle, Governor David Paterson, Chief Robert Zaweski of the Riverhead Fire Department, Chief Thomas Colitti of the Wading River Fire Department, Chief Craig Zitek of the Jamesport Fire Department, Chief Charles Hamsch of the Manorville Fire Department, and Chief Donna Johnson of the Riverhead Volunteer Ambulance Corps.

**THE VOTE**

Dunleavy ~~Yes~~ <sup>absent</sup> No      Blass  Yes  No

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

Cardinale  Yes  No

THIS RESOLUTION  WAS  WAS NOT

**THEREFORE DULY ADOPTED**

March 3, 2009

# Adopted

**TOWN OF RIVERHEAD**

**AUTHORIZES TOWN CLERK TO PUBLISH & POST NOTICE TO BIDDERS FOR DRY HYDRATED LIME (CALCIUM HYDROXIDE)**

**RESOLUTION # 170**

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

**RESOLVED**, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders for Dry Hydrated Lime (Calcium Hydroxide) in the March 12, 2009, issue of *The News-Review*.

**THE VOTE**

Buckley Yes \_\_\_ No \_\_\_

Wooten Yes  No \_\_\_

Dunleavy Yes \_\_\_ No absent

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 **DRY HYDRATED LIME (CALCIUM HYDROXIDE)** 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 March 23, 2009.**

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

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

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

All bids are to be submitted in a sealed envelope bearing the designation **BID #09-16-RWD**  
**DRY HYDRATED LIME – RIVERHEAD WATER DISTRICT.**

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, Town Clerk

March 3, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 171

**AUTHORIZES THE RETENTION OF THE LAW FIRM OF  
JASPAN SCHLESINGER LLP AS SPECIAL COUNSEL**

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

**WHEREAS**, the Town Board wishes to appoint the firm of Jaspas Schlesinger, LLP to act as special counsel and take all action with respect to representation of the Town of Riverhead in a Federal Court litigation matter;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Riverhead hereby appoints the Law Firm of Jaspas Schlesinger, LLP to act as legal counsel in connection with the aforementioned matter; and be it further

**RESOLVED**, that the Town Board authorizes the Supervisor to execute the Retainer Agreement; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to the Law Firm of Jaspas Schlesinger, LLP, 300 Garden City Plaza, Garden City, NY 11530, the Accounting Department and the Town Attorney's Office.

WOOTEN  YES  NO      BUCKLEY  YES  NO

DUNLEAVY  YES  NO *absent*      BLASS  YES  NO

CARDINALE  YES  NO

THIS RESOLUTION  IS  IS NOT  
DECLARED DULY ADOPTED

MARCH 3, 2009

TOWN OF RIVERHEAD

Adopted

Resolution # 172

AWARDS BID FOR DIESEL FUEL

offered the following resolution, COUNCILMAN WOOTEN

which was seconded by COUNCILWOMAN BLASS

WHEREAS, the Town Clerk was authorized to publish and post a notice for sealed bids for DIESEL FUEL for the Town of Riverhead and;

WHEREAS, 1 bid was received and opened at 11:00 am on February 19, 2009, at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders.

NOW THEREFORE BE IT RESOLVED, that the bid for DIESEL FUEL for the Town of Riverhead be and hereby is, awarded to QUOGUE SINCLAIR FUEL, INC. FOR PLUS .18 CENTS MARGIN OVER POSTING.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby is authorized to forward a copy of this resolution to the QUOGUE SINCLAIR, INC. and the Purchasing Department.

THE VOTE

Buckley  Yes  No

Wooten  Yes  No

Dunleavy  ~~Yes  No~~ *absent*

Blass  Yes  No

Cardinale  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted

March 3, 2009

# Adopted

## TOWN OF RIVERHEAD

RESOLUTION # 173

### AWARDS BID FOR FERTILIZER AND LAWN CHEMICALS

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

WHEREAS, the Town Clerk was authorized to publish and post a Notice to Bidders for the Fertilizer and Lawn Chemical Bid for the use at various Town facilities; and

WHEREAS, two (2) bids were received, opened and read aloud on the 23<sup>rd</sup> day of February, 2009 at 11:00 am in the Office of the Town Clerk.

NOW, THEREFORE, BE IT RESOLVED, that the bid for Fertilizer and Lawn Chemicals be and is hereby awarded as follows:

All Pro Horticulture, Inc. - Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22

Lesco, Inc. – Item 13; and

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

BE IT FURTHER RESOLVED, that the Town Board be and does hereby authorize the Purchasing Department to issue Town of Riverhead purchase orders for fertilizer and lawn chemicals listed on the bid for use at various Town facilities; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to All Pro Horticulture, Inc., 721 Main Street, Farmingdale, NY 11735, Lesco, Inc., 1301 East 9<sup>th</sup> Street, Suite 1300 Cleveland, OH 44114, Engineering Department, Purchasing Department and the Office of Accounting.

Z: Leisa Eng.

#### THE VOTE

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

THE RESOLUTION  WAS  WAS NOT THEREFORE DULY ADOPTED

March 3, 2009

# Adopted

## TOWN OF RIVERHEAD

RESOLUTION # 174

AUTHORIZES TOWN SUPERVISOR TO EXECUTE CHANGE ORDER NO. 2 FOR THE YOUNGS AVENUE CAPPING AND CLOSURE PROJECT

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

WHEREAS, on December 27, 2007, the Riverhead Town Board adopted Resolution No. 1205 entitled, "Awards Bid for Youngs Avenue Landfill Capping and Closure Project"; and

WHEREAS, the bid was awarded to Terry Contracting & Materials, Inc., in the amount of Seven Million Three Hundred Ninety Eight Thousand Two Hundred Nineteen & 75/100 (\$7,398,219.75); and

WHEREAS, the Town Engineer and the Town consulting engineering firm, SCS Engineers, PC, has recommended and approved that due to the good condition of the fence along the western property boundary the Town of Riverhead receive a credit for 2,490 linear feet of fence installation at \$22.00/linear foot for a total credit amount of Fifty Four Thousand Seven Hundred Eighty & 00/100 (\$54,780.00).

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute Change Order No. 2 for a credit amount of \$54,780.00; and

BE IT FURTHER RESOLVED, THAT THE Town Clerk be and is hereby authorized to forward a copy of this resolution to Terry Contracting & Materials, Inc., 840 West Main Street, Riverhead, New York 11901, Lisa Wilkinson, P.E., SCS Engineer, PC, 140 Route 303 Valley Cottage, NY 10989, Frank Isler, Esq., 456 Griffing Avenue, Riverhead, New York 11901, Kenneth Testa, P.E., Town Engineer, the Purchasing Department and the Office of Accounting.

### THE VOTE

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

THE RESOLUTION  WAS WAS NOT THEREFORE DULY ADOPTED

2 LAISA

March 3, 2009

# Adopted

TOWN OF RIVERHEAD

RESOLUTION # 175

AUTHORIZES TOWN CLERK TO POST AND PUBLISH  
A NOTICE TO BIDDERS FOR THE  
ANNUAL MATERIALS AND ASPHALT PROCUREMENT CONTRACT

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

RESOLVED, that the Town Board of the Town of Riverhead be and does hereby  
authorize the Town Clerk to post and publish the attached Notice to Bidders in the March  
12, 2009 issue of the official Town newspaper for the Annual Materials and Asphalt  
Procurement Contract, Riverhead, New York; 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., Assistant Town Engineer,  
Purchasing Department, Highway Department, IT Department and the Office of  
Accounting.

THE VOTE

Duckley	<u>yes</u>	<u>no</u>	Wooten	<input checked="" type="checkbox"/>	<u>yes</u>	<u>no</u>
<i>absent</i> Dunleavy	<u>yes</u>	<u>no</u>	Blass	<input checked="" type="checkbox"/>	<u>yes</u>	<u>no</u>
			Cardinale	<input checked="" type="checkbox"/>	<u>yes</u>	<u>no</u>

THE RESOLUTION WAS WAS NOT  
THEREFORE DULY ADOPTED

2. LAISA

TOWN OF RIVERHEAD  
NOTICE TO BIDDERS

Sealed proposals for the Annual Materials and Asphalt Procurement Contract will be received by the Town of Riverhead in the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York until 11:20 April 2, 2009 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and/or obtained on or about March 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](http://www.riverheadli.com) and click on Bid Requests.

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

Each proposal must be submitted on the form provided and must be in a sealed envelope clearly marked "Annual Materials and Asphalt Procurement Contract".

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

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

Dated: March 3, 2009

THE VOTE

**Dunleavy**  Yes  No

**Buckley**  Yes  No

**Blass**  Yes  No

**Wooten**  Yes  No

**Cardinale**  Yes  No

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

# Adopted

**AWARDS BID  
CONSTRUCTION OF PLANT NO. 15  
CONTRACT G – GENERAL & MECHANICAL CONSTRUCTION  
RIVERHEAD WATER DISTRICT**

**Resolution #** 176  
**Adopted** \_\_\_\_\_

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

WHEREAS, this Town Board did authorize the advertisement for bids for the construction of Plant No. 15 – Contract G, general and mechanical 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 February 23, 2009 did recommend that the bid be awarded to Bensin Contracting, Inc. at the total bid price of \$447,000.00.

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

Bensin Contracting, Inc.  
Holtsville, NY  
In the bid amount of \$447,000.00

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 Bensin Contracting, 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	<u>yes</u>	<u>no</u>	Wooten	<input checked="" type="checkbox"/>	yes	<u>no</u>		
<i>absent</i> Dunleavy	<u>yes</u>	<u>no</u>	Blass	<input checked="" type="checkbox"/>	yes	<u>no</u>		
			Cardinale	<input checked="" type="checkbox"/>	yes	<u>no</u>		
				THE RESOLUTION	<input checked="" type="checkbox"/>	WAS	<u>  </u> 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

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

February 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 G – General & Mechanical Construction  
H2M Project No.: RDWD 06-05**

Dear Supervisor Cardinale:

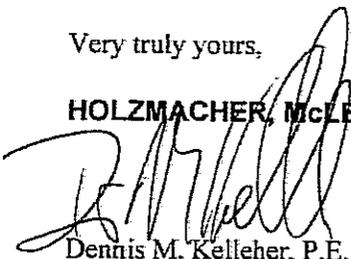
On Thursday, February 12, 2009, the Town of Riverhead Water District received bids for the Construction of Plant No. 15 – Contract G. Four (4) contractors submitted bids, with the low bid being submitted by Bensin Contracting, Inc. of Holtsville, New York, with a total bid price of \$447,000.00. A copy of the *bid tabulation* is enclosed for your records.

Bensin Contracting, Inc. has successfully completed similar projects for the District and various water utilities over the past few years. The most recent being a pre-engineered booster pump station at Plant No. 8. Additionally, the bid prices submitted compare to projects similar in size and nature. It is our opinion that Bensin Contracting, 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 G to Bensin Contracting, Inc. at a total bid price of \$447,000.00.

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  
Bensin Contracting, Inc.

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



CELEBRATING 75 YEARS



# H2M GROUP

CLIENT NAME: RIVERHEAD WATER DISTRICT

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

PROJECT NO.: RDWD 06-05

BID DATE: THURSDAY, FEBRUARY 12, 2009 - 11:00 A.M.

5% BB or CC

ITEM NO.	DESCRIPTION	QTY.	UNITS	BIDDER		BIDDER		BIDDER		BIDDER	
				UNIT PRICE	TOTAL PRICE						
1	Clear and Grub Site.	1	LS	\$4,000.00	\$4,000.00	\$5,000.00	\$5,000.00	\$14,000.00	\$14,000.00	\$10,000.00	\$10,000.00
2	New Pre-Engineered Water Treatment and Distribution Building.	1	LS	\$291,000.00	\$291,000.00	\$379,599.00	\$379,599.00	\$321,000.00	\$321,000.00	\$330,750.00	\$330,750.00
3	Building Foundation Slab.	1	LS	\$11,000.00	\$11,000.00	\$16,000.00	\$16,000.00	\$12,755.00	\$12,755.00	\$15,500.00	\$15,500.00
4	Pipework and Tie-In to Distribution System.	1	LS	\$55,000.00	\$55,000.00	\$28,374.00	\$28,374.00	\$50,000.00	\$50,000.00	\$84,150.00	\$84,150.00
5	New Blow-Off System.	1	LS	\$22,500.00	\$22,500.00	\$11,000.00	\$11,000.00	\$22,790.00	\$22,790.00	\$21,300.00	\$21,300.00
6	Temporary Gravel Road.	1	LS	\$8,500.00	\$8,500.00	\$25,000.00	\$25,000.00	\$9,000.00	\$9,000.00	\$8,900.00	\$8,900.00
7	Temporary Power.	6	Month	\$3,500.00	\$21,000.00	\$3,500.00	\$21,000.00	\$5,000.00	\$30,000.00	\$7,000.00	\$42,000.00
8	Painting, Cleaning and Disinfection.	1	LS	\$3,000.00	\$3,000.00	\$5,000.00	\$5,000.00	\$18,000.00	\$18,000.00	\$3,500.00	\$3,500.00
9	Site Restoration.	1	LS	\$3,000.00	\$3,000.00	\$2,500.00	\$2,500.00	\$4,000.00	\$4,000.00	\$5,000.00	\$5,000.00
10	Mobilization and Demobilization.	1	LS	\$8,000.00	\$8,000.00	\$12,500.00	\$12,500.00	\$42,000.00	\$42,000.00	\$10,000.00	\$10,000.00
11	Allowances.	1	LS	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00
TOTAL BID (SUM OF ALL ITEMS 1 THROUGH 11):					\$447,000.00		\$625,943.00		\$540,545.00		\$581,110.00





Engineers | Architects | Scientists | Planners | Surveyors

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

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

February 19, 2009

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

**Re: Riverhead Water District  
Installation of Water Mains & Appurtenances  
Extension No. 85 – Mastro Realty  
H2M Project No.: RDWD 05-55  
Riverhead Town No.: 30079**

Dear Supervisor Cardinale:

On February 12, 2009, the Town of Riverhead received bids for the installation of water mains and appurtenances at the above referenced project. The low bid was received from Roy Wanser, Inc. of Bohemia, New York in the amount of \$219,850.00. Attached, please find a bid tabulation sheet for all of the bids received by the Town.

The low bid submitted (based on the itemized construction quantities) falls below the budget amount previously approved by the Town Board in August of 2007. We understand that the owner has already deposited the full amount with the Town; therefore no additional deposits are required.

Based on this, we recommend that the Town Board award the water main installation project to Roy Wanser, Inc. at a total bid price of \$219,850.00. Roy Wanser, Inc. has successfully completed similar projects for various water utilities over the past few years, including several for the Riverhead Water District. It is our opinion that Roy Wanser, Inc. is qualified and his bid prices are fair and reasonable.

It should be noted that the entire cost of the project is to be borne by the developer. Should you have any questions regarding this recommendation, please feel free to contact our office.

Very truly yours,

**HOLZMAACHER, McLENDON & MURRELL, P.C.**

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

DMK/jrc

Enclosure:

cc: Supt. Gary Pendzick  
Richard Ehlers, Esq.  
William J. Rothaar, Financial Administrator

X:\RDWD (Riverhead Water District) - F0810\RDWD0555 - Mastroardi Property Ext. No. 85\Correspond\Recommendation.doc



CELEBRATING 75 YEARS





March 3, 2009

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 178

REJECTS BID FOR  
WADING RIVER BEACH SUN SHELTER AND PRE-ENGINEERED RESTROOM  
AND AUTHORIZES TOWN CLERK TO RE-PUBLISH AND RE-POST  
NOTICE TO BIDDERS FOR  
WADING RIVER BEACH RENOVATIONS

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

WHEREAS, the Town Clerk was authorized to post and publish a Notice to Bidders for the Wading River Beach Sun Shelter and a Notice to Bidders for the Wading River Beach Pre-Engineered Restroom Building; and

WHEREAS, five bids were received for both bids and were read aloud on November 3, 2008 in the Office of the Town Clerk; and

WHEREAS, the bids received exceeded the Engineering Department cost estimates.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board be and does hereby reject any and all bids received for both the Wading River Beach Sun Shelter and the Wading River Beach Pre-Engineered Restroom; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to return any and all bid bonds received in connection with both the Wading River Beach Sun Shelter and the Wading River Beach Pre-Engineered Restroom bids; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to re-post and re-publish the attached Notice to Bidders for the Wading River Beach Renovation Project in the March 12, 2009 issue of the official Town newspaper; and

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

TOWN OF RIVERHEAD  
NOTICE TO BIDDERS

Sealed proposals for the Wading River Beach Renovation Project will be received by the Town of Riverhead in the Office of the Town Clerk, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:00 am April 2, 2009 at which time they will be publicly opened and read aloud.

Plans and specifications may be examined and/or obtained on or about March 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](http://www.riverheadli.com) and click on Bid Requests.

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

Each proposal must be submitted on the form provided and must be in a sealed envelope clearly marked, "Wading River Beach Renovations" and must be accompanied by a bid surety as stated in the Instructions to Bidders.

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

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

Dated: March 3, 2009

THE VOTE

*absent*  
Dunleavy  Yes  No  
Buckley  Yes  No  
Blass  Yes  No  
Wooten  Yes  No  
Cardinale  Yes  No

THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED.

MARCH 3, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 179

AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR RAIN GARDEN PLANTS FOR THE TOWN OF RIVERHEAD

COUNCILWOMAN BLASS offered the following resolution,

which was seconded by COUNCILMAN WOOTEN

WHEREAS, the Town Clerk is authorized to publish and post a notice to bidders for proposals for RAIN GARDEN PLANTS 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 MARCH 12<sup>TH</sup> 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 *absent*

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 “Rain Garden Plants” for the use of the Town of Riverhead at various Town facilities 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 March 20, 2009 at which time they will be publicly opened and read aloud.**

**Bid packets, including specifications, may be obtained on our website at www.riverheadli.com and click on Bid Requests. or at the Town Clerk’s office at Town Hall Monday through Friday between the hours of 8:30 am and 4:30 pm weekdays, except holidays.**

**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 a sealed envelope clearly marked “Rain Garden Plants and Materials”. 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 RAIN GARDEN PLANTS AND MATERIALS.**

**BY ORDER OF THE RIVERHEAD TOWN BOARD  
Diane M. Wilhelm, Town Clerk**

TOWN OF RIVERHEAD

Adopted

Resolution # 180

**Extends Site Plan Approval of The Zenith Building**

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

**WHEREAS**, by Resolution # 166 dated February 22, 2006, the Riverhead Town Board did approve the site plan petition of Raymond Castranova to allow for the construction of a four (4) story mixed use building with related site improvements located at 12 McDermott Street, Riverhead, New York; such property referred to as The Zenith Building and more particularly described as SCTM # 0600-129-4-5.2; and

**WHEREAS**, the Riverhead Town Clerk is in receipt of correspondence from Jodi Giglio, of Bennett Enterprises, LLC., on behalf of Raymond Castranova, requesting that the Town Board extend the aforementioned site plan approval for a period of twelve (12) months pursuant to Section 108-129(F) of the Riverhead Zoning Ordinance; and

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

**NOW THEREFORE BE IT RESOLVED**, that in the application of Raymond Castranova to extend his site plan approval to construct The Zenith Building, the Town Board of the Town of Riverhead hereby declares itself to be the Lead Agency pursuant to 6 NYCRR Part 617, and further determines the action to be Type II pursuant to 6 NYCRR Part 617; and

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

a twelve (12) month period ending February 22, 2010. *No further extensions will be granted;* and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to Jodi Giglio of Bennett Enterprises, LLC., Raymond Castranova, the Planning Department, Building Department, and Office of the Town Attorney, and a copy be scanned on to the Town Hall Share Drive for future reference.

**THE VOTE**

DUNLEAVY <sup>*absent*</sup> ~~YES~~ ~~NO~~      BUCKLEY ~~YES~~ ~~NO~~  
BLASS ✓ YES ~~NO~~      WOOTEN ✓ YES ~~NO~~  
CARDINALE ✓ YES ~~NO~~  
THIS RESOLUTION ✓ WAS ~~WAS NOT~~  
THEREFORE DULY ADOPTED

Adopted

03/03/09

TOWN OF RIVERHEAD

Resolution # 181

AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS AND MORTGAGEE OF THE PROPERTY LOCATED AT 1543 OSBORNE AVENUE, RIVERHEAD, NEW YORK

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

WHEREAS, the Town Board has determined that the property situated at 1543 Osborne Avenue, Riverhead, New York is being used and occupied in violation of various sections of the Code of the Town of Riverhead and the New York State Uniform Fire Prevention and Building Code;

NOW, THEREFORE

BE IT HEREBY 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 structure situated at 1543 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 the structure situated upon such; 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 against the owners, tenants, occupants and/or mortgagee of said property for their illegal use, occupancy and maintenance of said property.

THE VOTE

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

THE RESOLUTION  WAS  WAS NOT THEREFORE DULY ADOPTED

# Adopted

March 3, 2009

TOWN OF RIVERHEAD  
Resolution # 182

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH  
BARIST ELEVATOR COMPANY, INC. TO PROVIDE ELEVATOR  
MAINTENANCE SERVICE AT THE RIVERHEAD TOWN  
GEORGE YOUNG COMMUNITY CENTER**

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

**WHEREAS**, the Town of Riverhead is desirous of maintaining elevator service at the George Young Community Center; and

**WHEREAS**, procurement of elevator maintenance services is imperative in the safe and efficient operation of the George Young Community Center; and

**WHEREAS**, Barist Elevator Company, Inc. is interested and capable of providing elevator maintenance service at the George Young Community Center.

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor is hereby authorized to execute the attached agreement with Barist Elevator Company, Inc. to provide elevator maintenance service at the George Young Community Center; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to Steven Dalvano, General Manager, Barist Elevator Company, Inc., 113F Brook Avenue, Deer Park, New York 11729; Town Engineering Department and the Office of the Town Attorney.

WOOTEN  YES  NO

BUCKLEY  YES  NO

*absent* DUNLEAVY  YES  NO

BLASS  YES  NO

CARDINALE  YES  NO

THIS RESOLUTION  IS  IS NOT  
DECLARED DULY ADOPTED

## SERVICE AGREEMENT

This Agreement made the 1<sup>st</sup> day of January 2009 between the TOWN OF RIVERHEAD (hereinafter "Town"), a municipal corporation organized and existing under the laws of New York, with its office located at 200 Howell Avenue, Riverhead, New York, 11901, and BARIST ELEVATOR COMPANY, INC. (hereinafter "Barist"), a corporation existing under the laws of the State of New York with a principal place of business at 113F Brook Avenue, Deer Park, NY 11729.

In consideration of the mutual promises herein contained, Town of Riverhead and Barist agree as follows:

### 1. SCOPE OF SERVICES

During the terms of this agreement, Barist shall provide elevator maintenance service at the George Young Community Center located at South Jamesport Avenue, Jamesport, NY 11947, regarding one (1) hydraulic passenger elevator.

### 2. TERM OF AGREEMENT

The agreement shall commence on January 1, 2009 and terminate on December 31, 2009.

### 3. PAYMENT

For these services Town will pay Barist a fee of \$325.55 (three hundred twenty five dollars and fifty five cents) per month or \$3,906.60 (three thousand nine hundred six dollars and sixty cents) for the term. Payments will be made on a monthly basis upon receipt of an accurate, proper and timely invoice.

### 4. PUBLICITY

Barist shall not, without the prior written consent of Town, in any manner advertise or publish the fact that Town has entered into this agreement with Barist. Barist shall not, without the prior written consent of Town, provide, release or make available for inspection any document, data, or written material of any kind without the prior written consent of at least three members of the Town Board or by resolution of the Town Board.

### 5. ASSIGNMENT AND SUBCONTRACTING

Performance of any part of this agreement may not be subcontracted nor assigned without, in each case, the prior written consent of at least three members of the Town Board or by resolution of the Town Board.

### 6. TERMINATION

This agreement may be terminated at any time by either party upon thirty days written notice to the other party. In the event of such termination, Town shall have no further obligation to Barist except to make any payments which may have become due under this agreement.

### 7. RECORDS

Barist shall keep accurate records of the time spent in the performance of services hereunder. The Town shall, until the expiration of seven years after final payment under this agreement,

have access to and the right to examine any directly pertinent books, documents, papers and records of Barist involving transactions related to this agreement.

#### 8. CHANGES

The Town, by resolution of the Town Board or written request by at least three members of the Town Board, within the general scope of this agreement, may, at any time by written notice to Barist, issue additional instructions, require additional services or direct the omission of services covered by this agreement. In such event, there will be made an equitable adjustment in price and time of performance, but any claim for such an adjustment must be made within fifteen days of the receipt of such written notice. In the event that Barist determines that a change order is required, Barist shall obtain written approval of Town, by resolution or written consent of at least three members of the Town Board, and if the change shall require the payment of additional compensation, Barist must obtain the written approval of three members of the Town Board or resolution of the Town Board for the additional compensation prior to commencement of work regarding the change order. It is agreed and understood that no oral agreement, conversation, or understanding between Barist and Town, its departments, officers, agents and employees shall effect or modify any of the terms or obligations of this agreement or schedules annexed hereto and made a part hereof.

#### 9. NOTICES

Any notice shall be considered as having been given: (i) to Town of Riverhead if mailed by certified mail, postage prepaid to Town of Riverhead, Attention: Daniel P. McCormick, Deputy Town Attorney, 200 Howell Avenue, Riverhead, NY 11901; or (ii) to Barist if mailed by certified mail, postage prepaid to Barist Elevator Company, Inc., Attention: Steven Dalvano, 113F Brook Avenue Deer Park, NY 11729.

#### 10. COMPLIANCE WITH LAWS

Barist shall comply with all applicable federal, state and local laws and ordinances and regulations in the performance of its services under this agreement. Barist will notify Town immediately if Barist's work for Town becomes the subject of a government audit or investigation. Barist represents that it has not been convicted of fraud or any other felony arising out of a contract with any local, state or federal agency. In carrying out the work required hereunder, Barist agrees not to make any communication to or appearance before any person in the executive or legislative branches of the local, state or federal government for the purpose of influencing or attempting to influence any such persons in connection with the award, extension, continuation, renewal, amendment or modification of any contract or agreement. Barist may perform professional or technical services that are rendered directly in the preparation, submission or negotiation activities preceding award of a Town agreement/contract or to meet requirements imposed by law as a condition for receiving the award but only to the extent specifically detailed in the statement of work. Professional and technical services are limited to advice and analysis directly applying Barist's professional or technical discipline.

#### 11. INSURANCE, INDEMNITY AND LIABILITY

Barist shall carry Comprehensive General Liability Insurance in the amount of one million dollars per occurrence and two million dollars in the aggregate and, if applicable, worker's compensation insurance. Barist shall provide a certificate of insurance regarding said liability

coverage which shall name the Town of Riverhead as an additional insured upon execution of this contract. Barist hereby indemnifies and holds Town, its departments, officers, agents and employees, harmless against any and all claims, actions or demands against Town, its departments, officers, agents and employees and against any and all damages, liabilities or expenses, including counsel fees, arising out of the acts or omissions of Barist under this agreement.

#### 12. CONFLICT OF INTEREST

Barist hereby represents and covenants that neither it nor any of its employees or representatives has or shall have, directly or indirectly, any agreement or arrangement with any official, employee or representative of the Town of Riverhead which any such official, employee, representative shall receive either directly or indirectly anything of value whether monetary or otherwise as the result of or in connection with any actual or contemplated application before any department of the Town, or contract with the Town for sale of any product or service. Barist further represents and covenants that neither it nor any of its employees or representatives has offered or shall offer any gratuity to the Town, its officers, employees, agents or representatives with a view toward obtaining this agreement or securing favorable treatment with respect hereto. Barist further represents that it will not engage in any activity which presents a conflict of interest in light of its relationship with Town.

#### 13. DISCLOSURE

The Town shall have the right, in its discretion, to disclose the terms and conditions of this Agreement (as it may be amended from time to time), including but not limited to amounts paid pursuant hereto, to agencies of the local, state and federal government.

#### 14. DISPUTES

If Barist fails to perform any of its obligations hereunder in accordance with the terms hereof then, after reasonable notice to Barist not to exceed thirty days and an opportunity for Barist to cure such failure (except in case of emergency), the Town may (but shall not be obligated to) cure such failure at the expense of Barist and the amount incurred by the Town in connection with such cure shall be payable by Barist to Town on demand. Notwithstanding the above, any dispute arising under this agreement which is not settled by agreement of the parties may be settled by appropriate legal proceedings. Pending any decision, appeal or judgment in such proceedings or the settlement of any dispute arising under this agreement, Barist shall proceed diligently with the performance of this agreement in accordance with the decision of Town.

#### 15. WORK HOURS

All work is to be performed during Barist's regular working hours of 8:00 am to 4:30 pm on Barist's regular working days Monday through Friday excluding holidays. Included in this contract (only if marked X) are the following hours of coverage at no charge:

- \_\_\_\_\_ 24 hours/7 days a week for emergency service on complete system failures
- \_\_\_\_\_ 24 hours/7 days a week Emergency Telephone Monitoring Service (if applicable)

In the event a device malfunction occurs between regular examinations, Barist's customer service representative will, at Town's request, dispatch an examiner to perform emergency minor

adjustment callback service during Barist's regular working hours on Barist's regular working days.

If overtime examinations, repairs or emergency minor adjustment callback services are later requested by the Town or its representative, the Town agrees to pay extra for the overtime bonus hours at Barist's regular billing rates.

Barist will use elevator mechanics directly employed and supervised by Barist who will use all reasonable care to maintain the elevator equipment in proper and safe operating condition.

#### 16. SERVICE

Barist will regularly and systematically service, adjust and lubricate the elevator equipment and, if in Barist's professional judgment conditions warrant, repair or replace the following items in accordance with paragraph below entitled pro-rated parts: (Motor parts, controller parts, car door operating mechanisms, hoistway door interlocks and hangers, bottom door guides and auxiliary door closing devices, safety devices, hatchway limit switch(s), guide shoes and gibs and/or roller guides, steel selector tapes or cable and traveling conductor cables; pump parts, strainer and valve body, cylinder head packing, gland packing and hydraulic fluid tanks.) Signal lamps and position indicating equipment will be serviced during Barist's regular service intervals only. Barist will furnish all necessary lubricants to perform the aforementioned service.

Barist agrees to do all work in compliance with the rules and regulations of Public Administrative Departments having jurisdiction provided that such work/violations are due to normal wear and tear while this maintenance contract is in effect, are not pre-dated from the date this agreement is signed and do not cover any additions, changes to, or alter the equipment's existing design or its method of operation existing on the date this agreement is signed.

#### 17. PRO-RATED PARTS

Notwithstanding the aforementioned, in order to provide Town with the maximum of service from the parts listed above, Barist is accepting them in their present condition with the understanding that Town is to pay, in addition to the base amount of this contract, an extra charge at the time the items listed are first replaced, if replaced during the term of this contract. The charge for this replacement will be determined by prorating the total cost of replacing the individual items.

#### 18. SPECIFIC EXCEPTIONS

The following of the aforementioned items are specifically exempt from the repair and replacement guarantee: Piston, Cylinder, Oil Line Piping, Hydraulic fluid, Obsolete Equipment For Which Replacement Parts Are No Longer Available, Replacement with parts of a different design or type, Misuse/Abuse of The Elevator Equipment, Modifications, Alterations of Any Kind, New attachments, Water Damage, Power Failure(s), Brown outs, Computer and Microcomputer devices, Machine parts, Rotating elements, Safeties or Compensation equipment of any kind, Proprietary equipment and Any Damages as a Result of Occurrences Beyond Our Control.

### 19. GENERAL EXCEPTIONS

This contract does not, under any circumstances, include any work on or cover any of the following items including but not limited to: Machine room, power feeders, mainline disconnect switches their wiring and fuses, hoistway enclosure, hoistway inserts and brackets, rails or rail alignment, hatchway entrances, hatchway entrance finish, hoistway door checks or hinges, car enclosures, cab, cab fans, cab finish, cab flooring or coverings, cab wall panels, hung ceilings, cab lighting, light tubes or bulbs, emergency lighting and all batteries including those for emergency lowering devices, mirrors, handrails, gate and/or door panels, door/gate pull straps, sills, entrances and finishes, smoke sensors, heat sensors, telephones, intercoms or communication devices or items not specifically mentioned in this contract. This contract does not cover any work or the installation of new attachments recommended or directed by insurance companies, or any work required due to future revisions to the code and/or regulations by the authorities having jurisdiction.

### 20. TESTING/INSPECTIONS

If those elevator units listed are provided with firefighters service and are required by code to be tested monthly or however directed by the authorities having jurisdiction, Town assumes responsibility for performing and keeping a record of such tests. The following testing/inspections as per code or directed by authorities having jurisdiction (Only if marked by an X) are included in this contract:

- Annual Valve Pressure Test
- Semi-Annual Visual Inspections

### 21. TOWN'S RESPONSIBILITY

The Town agrees to maintain the hatchway, pit and machine room in clean condition and to keep the elevator equipment from being exposed to the elements or to physical damage. The Town agrees to shut down the equipment immediately upon the manifestation or appearance of any irregularity in operation of the elevator equipment, to notify Barist at once, and keep the equipment shut down until the completion of repairs. The Town will keep the equipment under observation by personnel competent to detect any such manifestation or appearance of irregularities in operation between periods of Barist's inspections. The Town will give Barist written notice within twenty-four hours after occurrence of any accident in or about the elevators.

### 22. SHARED RESPONSIBILITY

The Town agrees to provide Barist unrestricted ready and safe access to all areas of the building in which any part of the devices are located and to keep all machine rooms and pit areas free from water, stored materials and debris. The Town agrees to provide a safe work place for Barist's personnel, and to remove and remediate any waste or hazardous materials in accordance with applicable laws and regulations.

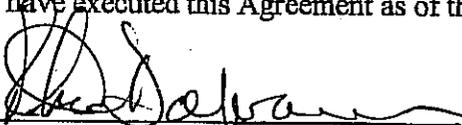
If any device is malfunctioning or is in dangerous condition, Town agrees to immediately notify Barist using the Barist 24-hour service line. Until the problem is corrected, Town agrees to remove the device from service and take all necessary precautions to prevent access or use.

The Town agrees to properly post, maintain and preserve any and all instructions or warnings to passengers in connection with the use of any devices.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

---

Phil Cardinale, Supervisor  
Town of Riverhead  
200 Howell Avenue  
Riverhead, NY 11901



---

Steven Dalvano, General Manager  
Barist Elevator Company, Inc.  
113F Brook Avenue  
Deer Park, NY 11729

3/3/09

# Adopted

## TOWN OF RIVERHEAD

Resolution # 183

### **ADOPTS A LOCAL LAW AMENDING CHAPTER 101 ENTITLED "VEHICLES AND TRAFFIC" OF THE RIVERHEAD TOWN CODE**

COUNCILWOMAN BLASS

offered the following resolution, was seconded by

COUNCILMAN WOOTEN :

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

**WHEREAS**, a public hearing was held on the on the 18<sup>th</sup> day of February, 2009 at 7:20 o'clock p.m. at the Town of Riverhead, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

**NOW THEREFORE BE IT RESOLVED**, that a local law amending Chapter 101 "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 be and is hereby authorized to publish the attached notice of adoption once in the News Review, the official newspaper, and to post same on the signboard at Town Hall; and be it further

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

#### THE VOTE

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

THE RESOLUTION ✓ WAS ✓ WAS NOT THEREFORE DULY ADOPTED

**TOWN OF RIVERHEAD  
NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE** that the Town Board of the Town of Riverhead adopted a local law amending Chapter 108 "Zoning" of the Riverhead Town Code at its regular meeting held on March 3, 2009. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

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

§ 101-10.2. No parking certain hours.

<b>Street</b>	<b>Side</b>	<b>Hours</b>	<b>Location</b>
<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)
- Overstrike represents deletion(s)

Dated: Riverhead, New York  
March 3, 2009

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

**DIANE M. WILHELM, Town Clerk**

March 3, 2009

**TOWN OF RIVERHEAD**

**Resolution # 184**

**Adopted**

**Grants Special Use Permit of New York SMSA Limited Partnership**  
**D/B/A Verizon Wireless**  
**Wading River Commons (Wading River 2)**

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

**WHEREAS**, the Riverhead Town Board is in receipt of a special permit petition from New York SMSA, Limited Partnership d/b/a Verizon Wireless pursuant to Article XXVIA and Article XLI, Section 108-216 of the Town Code to attach twelve wireless panel antennas in three sector clusters onto an existing retail building and to locate associated equipment both upon the roof and within the building on a 13.5 acre parcel located on New York State Route 25A; such property more particularly described as SCTM 0600-75-3-3.7, and

**WHEREAS**, the owner of the premises, Serota Wading River LLC has given permission to Verizon Wireless to make such petition, and

**WHEREAS**, by resolution dated June 17, 2008, the Riverhead Town Board did declare themselves to be the Lead Agency pursuant to 6NYCRR Part 617 and did further determine the action to be Unlisted, and

**WHEREAS**, the action was referred to the Suffolk County Planning Commission for its report and recommendation; such Planning Commission considering the matter to be one of local determination, and

**WHEREAS**, a public hearing was held on August 5, 2008 with the attorney for the applicant appearing and presenting proof in the expert testimony from Louis G. Cornacchia of Scinetics Corp., John Gomez, Savik and Murray, LLP, Breslin Appraisal

Co., Freudenthal and Elkowitz Consulting Group, and Vishwa Mithu, Radio Engineer to address the criteria set forth in Article XLI, Section 108-216 B (2) of the Riverhead Town Code, including but not limited to gap in service such that affixing of the proposed antennae will allow the utility to provide reliable and adequate telecommunications service to residents; proximity to residential structures and residential district boundaries; site and surrounding topography; co-location opportunities and suitable or alternative technologies. In addition to above, the applicant has filed a detailed report that the proposed antennae and the radio frequency electro magnetic emissions comply with FCC regulations, and

**WHEREAS**, the Riverhead Town Board has carefully considered the merits of the special use permit petition, the SEQRA record created to date, the report of the Planning Department, the report of the Suffolk County Planning Commission, the commentary made at the relevant public hearing as well as all other relevant planning, Zoning and environmental information and criteria set forth in the Code of the Town of Riverhead with respect to telecommunications antennae and public utilities, now

**THEREFORE, BE IT**

**RESOLVED**, that in the matter of the special permit application of Verizon Wireless, the Riverhead Town Board hereby makes the following findings:

- (i) The property lies within the Business CR enter Zoning Use District which provides for wireless communication antennas as a special permitted use, and
- (ii) The current use of the property as a shopping center, the size of the property and proposed location of the antennae and equipment cabinets upon the lot meets all setback and lot coverage requirements, and

- (iii) The application seeks permission of a public utility to provide and improve telecommunications service to residents in the immediate surrounding area and individuals traveling upon and through the Town, and
- (iv) The applicant has satisfactorily addressed the general code provisions outlined in 108-214 including but not limited to inventory of existing sites, aesthetic requirements and reduction of visual obtrusiveness, and
- (v) The applicant has satisfactorily addressed the criteria set forth in code provisions outlined in 108-216 including but not limited proximity to residential structures and residential district boundaries, nature of existing on adjacent and nearby properties, location of existing sites and need for location at site to provide reliable coverage, and ingress and egress to site, and
- (vi) The public interest is served by permitting applicant to affix twelve (12) panel antennae with equipment cabinets to the building existing upon the premises, and

**BE IT FURTHER**

**RESOLVED**, that the proposed action will not result in significant adverse impacts to either the natural or social environment and that an Environmental Impact Statement need not be prepared, and

**BE IT FURTHER**

**RESOLVED**, that based upon its findings, the Riverhead Town Board hereby grants the special permit petition of Verizon Wireless to attach twelve wireless panel antennas in three sector clusters onto an existing retail building and to locate associated equipment on the building's roof and inside the building upon real property located at New York State Route 25, Wading River, New York; such real property more particularly described as Suffolk County Tax Map Number 0600-75-3-3.7, and

**BE IT FURTHER**

**RESOLVED**, that a copy of this resolution be forwarded to New York SMSA Limited Partnership D/B/A Verizon Wireless or agent, the Building Department, the Town Attorney, the Fire Marshal, the Accounting Department and that a copy be scanned on to the Town Hall Share Drive for future reference.

~~THE VOTE~~

DUNLEAVY <sup>*absent*</sup> ~~YES~~ ~~NO~~      BUCKLEY ~~YES~~ ~~NO~~

BLASS ✓ YES \_\_\_ NO      WOOTEN ✓ YES \_\_\_ NO

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

THIS RESOLUTION ✓ WAS \_\_\_ WAS NOT  
THEREFORE DULY ADOPTED

# Adopted

RESOLUTION # <u>185</u> ABSTRACT #09-07 February 19, 2009 (TBM 03/03/09)			
Councilwoman Blass offered the following Resolution which was seconded by			
Councilman Wooten			
FUND NAME		CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1	335,516.20	335,516.20
POLICE ATHLETIC LEAGUE	4	3,372.96	3,372.96
RECREATION PROGRAM FUND	6	1,582.39	1,582.39
ECONOMIC DEVELOPMENT ZONE FUND	30	451.2	451.2
HIGHWAY FUND	111	37,250.31	37,250.31
WATER DISTRICT	112	20,550.02	20,550.02
RIVERHEAD SEWER DISTRICT	114	8,837.85	8,837.85
REFUSE & GARBAGE COLLECTION DI	115	3,376.40	3,376.40
STREET LIGHTING DISTRICT	116	1,946.01	1,946.01
PUBLIC PARKING DISTRICT	117	363.33	363.33
BUSINESS IMPROVEMENT DISTRICT	118	1,300.00	1,300.00
AMBULANCE DISTRICT	120	184.11	184.11
EAST CREEK DOCKING FACILITY FU	122	98.93	98.93
CALVERTON SEWER DISTRICT	124	600	600
RIVERHEAD SCAVANGER WASTE DIST	128	4,780.42	4,780.42
WORKERS' COMPENSATION FUND	173	1,284.33	1,284.33
RISK RETENTION FUND	175	10.00	10.00
COMMUNITY DEVELOPMENT AGENCY C	405	35,472.72	35,472.72
TOWN HALL CAPITAL PROJECTS	406	199,906.75	199,906.75
WATER DISTRICT CAPITAL PROJECT	412	283,543.28	283,543.28
RIVERHEAD SEWER CAPITAL PROJEC	414	6,400.25	6,400.25
CALVERTON SEWER CAPITAL PROJEC	424	3,984.59	3,984.59
SCAVANGER WASTE CAPITAL PROJEC	428	4,544.90	4,544.90
MUNICIPAL GARAGE FUND	626	51.69	51.69
TRUST & AGENCY	735	454,638.78	454,638.78
COMMUNITY PRESERVATION FUND	737	900,000.00	900,000.00
<b>TOTAL ALL FUNDS</b>		<b>2,310,047.42</b>	<b>2,310,047.42</b>

### 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



# Adopted

## TOWN OF RIVERHEAD

Resolution # 186

AUTHORIZES LEGAL ACTION AGAINST THE OWNERS, TENANTS, OCCUPANTS AND MORTGAGEE OF THE PROPERTY LOCATED AT 21 CROSS ROAD, WADING RIVER, NEW YORK

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

**WHEREAS**, the Town Board has determined that the property situated at 21 Cross 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 this Resolution authorizes legal action against the owners, tenants, occupants and mortgagee of the property located at 21 Cross Road, Wading River, New York; and be it further

**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 21 Cross 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 *absent*      BLASS  YES  NO

CARDINALE  YES  NO

THIS RESOLUTION  IS  IS NOT  
DECLARED DULY ADOPTED

MARCH 3, 2009

TOWN OF RIVERHEAD

Adopted

Resolution # 187

EXTENDS BID CONTRACT FOR HEATING FUEL

COUNCILMAN WOOTEN offered the following resolution,

COUNCILWOMAN BLASS which was seconded by

WHEREAS, the Purchasing Department has requested the contract with GENERAL UTILITIES , be extended until JULY 3, 2009 and;

WHEREAS, this will be the first extension;

WHEREAS, the above name vendor has agreed to extend the contract until JULY 3, 2009 for +.319 over the rack price , which is the same as 2008 pricing and;

WHEREAS, the Town Board has reviewed said request.

NOW THEREFORE BE IT

RESOLVED, that the contract for HEATING FUEL be and hereby is, extended until JULY 3, 2009;

RESOLVED, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to GENERAL UTILITIES and the Purchasing Department.

THE VOTE

Wooten  Yes  No

Buckley  Yes  No

Dunleavy  Yes  No *absent*

Blass  Yes  No

Cardinale  Yes  No

The Resolution Was  Was Not   
Thereupon Duly Declared Adopted