

Adopted

4/4/96

Special Board

ORDER AUTHORIZING INCREASE AND IMPROVEMENT
FOR RIVERHEAD WATER DISTRICT
INSTALLATION AND CONSTRUCTION OF FILTRATION
SYSTEM, WELL #3

Adopted: April 4, 1996

COUNCILMAN WITTMEIER

_____ offered the following resolution
which was seconded by COUNCILMAN LULL,

WHEREAS, the Town Board of the Town of Riverhead caused a plan and estimate of cost to be prepared relating to the increase and improvement of the facilities of the Riverhead Water District encompassing the installation and construction of a filtration system for Well #3 of the Riverhead Water District, which plans and specifications are on file with the Riverhead Town Clerk, and

WHEREAS, the proposed improvement to the Riverhead Water District has been estimated to cost \$155,000 which will be borne by the Riverhead Water District, and

WHEREAS, an Environmental Assessment Form has been prepared and filed with the Town Clerk, and

WHEREAS, in accordance with Section 202-b of the Town Law, a public hearing was held on the 2nd day of April, 1996, and all persons wishing to be heard were heard,

NOW, THEREFORE, upon the proceedings, the plans and specifications, and the public hearing, the Town Board of the Town of Riverhead, as governing body of the Riverhead Water District, hereby determines as follows:

RESOLVED, that the installation and construction of a filtration system for Well #3 of the Riverhead Water District will not have a significant impact upon the environment, and it is further

RESOLVED, that the installation and construction of a filtration system for Well #3 is in the best interest of the properties served by the Riverhead Water District, and it is further

RESOLVED, that the installation and construction of a filtration system for Well #3 at a total cost not to exceed \$155,000, is hereby approved, and it is further

RESOLVED, that the Supervisor be and is hereby authorized to execute the lease agreement for the above mentioned filter with the Suffolk County Water Authority on behalf of the Riverhead Water

District, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Pierre Lundberg, Esq., Gary Pendzick and H2M.

THE VOTE

Wittmeier	(Aye)	Nay
Kwasna	(Aye)	Nay
Lull	(Aye)	Nay
Prusinowski	(Aye)	Nay
Stark	(Aye)	Nay

The Resolution was thereupon
duly adopted.

RESOLUTION #257

Special Board Meeting

4/4/96

Adopted

AWARDS BIDS FOR CONTRACT NOS. 1 AND 2 AT WELL NO. 3
RIVERHEAD WATER DISTRICT

TOWN OF RIVERHEAD

Adopted April 4, 1996**COUNCILMAN KWASNA**

_____ offered the following resolution which was
seconded by **COUNCILMAN WITTMEIER**

WHEREAS, due to contamination due to the presence of MTBE, this Town Board has held proceedings to authorize the installation of a filter at Well #3 of the Riverhead Water District, and

WHEREAS, it is necessary that this installation be completed and be operational as soon as possible in order to meet the water supply demands of the summer pumping season, and

WHEREAS, H2M, consulting engineers to the District have solicited bids on short notice for a contract to perform concrete work and a contract to install above and below grade piping and valves and perform start-up testing, and

WHEREAS, the emergency nature of the contamination did not permit strict compliance with publication requirements for these contracts and the engineer has recommended these awards as stated herein,

NOW, THEREFORE, BE IT **Wittmeier**

RESOLVED, that this Board declares an emergency resulting from the MTBE contamination of Well #3 of the Riverhead Water District, and be it further

RESOLVED, that the bid for Well No. 3, Contract No. 1, concrete work, be and is hereby awarded to Ferran Brothers, Inc. of Farmingdale, New York, in the amount of \$11,698.00, which includes Items A and B, the lowest responsible bidder, and be it further

RESOLVED, that the bid for Well No. 3, Contract No. 2, Items B and E, be and is hereby awarded to Bensin Contracting, Inc. of Holtsville, New York, in the amount of \$19,400, the lowest responsible bidder, and be it further

RESOLVED, that the Town Clerk forward certified copies of this resolution to Ferran Brothers, Inc., Bensin Contracting, Inc., H2M, Gary Pendzick, and Pierre G. Lundberg, Esq.

Adopted

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Luli	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon
duly adopted.

Adopted

April 4, 1996
Special Board Meeting

TOWN OF RIVERHEAD

Resolution # 258

AUTHORIZES AMMENDMENT OF CURRENT OFFICIALS ERRORS & OMISSIONS INSURANCE POLICY

COUNCILMAN PRUSINOWSKI

OFFERED THE FOLLOWING RESOLUTION

WHICH WAS SECONDED BY

COUNCILMAN WITTMEIER

WHEREAS, there is a need for an ammendment of the limit of liability for Public Officials and Town Employees.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the ammendment of the current insurance policy with Arthur J. Gallagher Insurance Co.

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon
duly adopted.

Adopted

April 4, 1996
Special Board Meeting

TOWN OF RIVERHEAD

Resolution # 259

APPOINTS CROSSING GUARD

COUNCILMAN WITTMEIER

OFFERED THE FOLLOWING RESOLUTION

WHICH WAS SECONDED BY **COUNCILMAN PRUSINOWSKI**

WHEREAS, a vacancy exists in the position of Crossing Guard for the Town of Riverhead, and

WHEREAS, applicants were interviewed and a recommendation has been made to appoint Tracy Childress to the position.

NOW, THEREFORE BE IT RESOLVED, effective immediately, the Town Board hereby appoints Tracy Childress to the position of Crossing Guard at an hourly rate of pay of \$18.25; and

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

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

Adopted

April 4, 1996
Special Board Meeting

TOWN OF RIVERHEAD

Resolution # 260

WELL #3 GAC FILTER IMPROVEMENT CAPITAL PROJECT

BUDGET ADOPTION

COUNCILMAN PRUSINOWSKI

OFFERED THE FOLLOWING RESOLUTION

WHICH WAS SECONDED BY **COUNCILMAN LULL**

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

06.083200.482220.30011	REPAIR & MAINTENANCE	FROM:	\$155,000.
406.083200.523011.30011	CONSTRUCTION OF FACILITY	TO:	\$32,000.
406.083200.545200.30011	EQUIPMENT LEASE		68,000.
406.083200.542000.30011	SUPPLIES		28,000.
406.083200.543501.30011	ENGINEERING EXPENSE		17,500.
406.083200.543315.30011	LEGAL EXPENSE		1,000.
406.083200.547900.30011	CONTINGENCY		8,500.

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

Special Board Meeting

4/04/96

Adopted

TOWN OF RIVERHEAD

Resolution # 261APPROVES SPECIAL PERMIT PETITION OF SYLVESTER SABBATINO
COUNCILMAN KWASNA

_____ offered the following
resolution, which was seconded by **COUNCILMAN LULL** _____:

WHEREAS, by application dated April 17, 1992, John Carson did apply to this Town Board for a special permit to construct a commercial fishery manufacturing complex in the Industrial "B" Zoning Use District at premises located at the corner of Columbus Avenue and Parkway Street, Riverhead, New York, known and designated as Suffolk County Tax Map No. 0600-125-1-10, said application made pursuant to Section 108-3 of the Code of the Town Riverhead, and

WHEREAS, the Riverhead Town Board has determined the action to be Unlisted without a significant impact upon the environment and that an Environmental Impact Statement need not be prepared, and

WHEREAS, this matter was referred to the Planning Board for its review and recommendation, and

WHEREAS, by resolution #433 of 1992, the Riverhead Town Board did approve the subject special permit with conditions, and

WHEREAS, the improvements made part of the special permit did not commence within three years of the approval; such inactivity lapsing the permit, and

WHEREAS, the Town Board is in receipt of a petition for reapproval of the special permit in an identical form, and

WHEREAS, the petition was resubmitted to the Riverhead Planning Board for its report and recommendation, and

WHEREAS, the Planning Board has reaffirmed its original recommendation of approval subject to certain conditions, and

WHEREAS, the Town Board has held a public hearing on the instant action, and

WHEREAS, the Town Board has carefully considered the merits of the petition, the SEQR record created to date, the report of the Planning Department, the report of the Planning Board, the public hearing record, as well as all other relevant planning, zoning and environmental information, now

THEREFORE, BE IT

RESOLVED, that in the matter of the special permit of Sylvester Sabbatino, the Town Board makes the following findings:

FIRST: That the plot area is sufficient, appropriate, and adequate for the use and the reasonably anticipated operation and expansion thereof;

SECOND: That the characteristics of the proposed use are not such that its proposed location would be unsuitably near an existing recreational area;

THIRD: That the access facilities are adequate for the estimated traffic from public streets and that vehicular entrances and exists are situated as not to interfere with the operations of existing intersections;

FOURTH: That adequate buffer yards and landscaping has been provided where necessary to protect neighboring properties;

FIFTH: That adequate provisions have been made for the collection and disposal of storm water runoff in conformance with the Code of the Town of Riverhead;

SIXTH: That provisions and declarations have been made for the adequate disposal or mitigation of sanitary waste and industrial waste;

SEVENTH: That municipal services and facilities are of sufficient capacity to provide for the needs of the proposed use;

EIGHTH: That the use will not generate or create environmental pollution such as vibration, noise, light, heat, odors or smoke to an extent where they are discernible on adjacent properties, and

BE IT FURTHER

RESOLVED, that based upon its findings and upon those mitigation measures to be employed the Riverhead Town Board determines the following:

i. The use will not prevent or substantially impair either the reasonable and orderly use or development of other properties in the neighborhood;

ii. The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the Town;

iii. The health, safety, welfare, comfort, convenience and order of the Town will not be adversely affected by the authorized use;

iv. Such use will be in harmony with and promote the general purposes and intent of the Riverhead Zoning Ordinance; and

BE IT FURTHER

RESOLVED, that based upon the aforementioned determinations and findings, the Town Board of the Town of Riverhead approves the special permit petition of Sylvester Sabbatino subject to the following conditions:

i. That all manufacturing operations occur within the proposed building due to contiguous residential use;

ii. That erosion control measures be employed during construction to protect the naturally vegetated buffer area along the easterly property line;

iii. That during site plan review, the Town Board analyze the efficiency of the proposed method of stormwater recharge and compare it to the alternative of a subsurface drainage design;

iv. That an eight foot high mesh fence with stockade attached, in lieu of the six foot high fence be installed;

v. That the buffer/planting strip be increased from twenty (20) feet in width to thirty (30) feet in width along the division line between the residential property line and the developed portion of the proposed facility;

vi. That the site plan shall show a grading easement on the proposed lot 1 of the minor subdivision of Sylvester Sabbatino to support the development of the proposed special permit use; and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Sylvester Sabbatino, the Riverhead Planning Department and the Riverhead Building Department.

THE VOTE

Wittmeier	<input checked="" type="radio"/> Aye	Nay
Kwasna	<input checked="" type="radio"/> Aye	Nay
Lull	<input checked="" type="radio"/> Aye	Nay
Prusinowski	<input checked="" type="radio"/> Aye	Nay
Stark	<input checked="" type="radio"/> Aye	Nay

The Resolution was thereupon
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Adopted

4/4/96
Special Board Meeting

TOWN OF RIVERHEAD

Resolution # 262

APPOINTS SPECIAL COUNSEL

COUNCILMAN PRUSINOWSKI

offered the following resolution, was seconded by

COUNCILMAN WITTMEIER

WHEREAS, the Village of Asharoken has commenced litigation against Long Island Lighting Company ("Lilco") for damages allegedly due to actions of Lilco; and

WHEREAS, the Town Board of the Town of Riverhead wishes to pursue litigation against Lilco as the result of the construction of the Shoreham plant.

NOW THEREFORE BE IT RESOLVED, that the Supervisor of the Town of Riverhead is hereby authorized to enter into and execute an agreement with Sinnreich, Wasserman, Grubin & Cahill concerning the commencement of litigation against Lilco; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Sinnreich, Wasserman, Grubin & Cahill, 1700 Broadway, New York, New York, 10019; James R. Stark, Town Supervisor and the Accounting Department.

THE VOTE

Wittmeier	Aye	Nay
Kwasna	Aye	Nay
Lull	Aye	Nay
Prusinowski	Aye	Nay
Stark	Aye	Nay

The Resolution was thereupon duly adopted.

Adopted

TOWN OF RIVERHEAD

Resolution # 263**AUTHORIZES LEAVE OF ABSENCE TO TOWN EMPLOYEE****COUNCILMAN LULL**

offered the following resolution, was seconded by

COUNCILMAN WITTMEIER :

WHEREAS, Michael J. Lech has requested a four month leave of absence without pay from his position with the Riverhead Sewer Department, which leave of absence is to take effect, if granted on April 12, 1996; and

WHEREAS, the Town Board has considered such request and makes the necessary determinations in accordance with the Collective Bargaining Agreement between the Town of Riverhead and CSEA.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby approves the leave of absence request of Michael J. Lech, which leave of absence shall be without pay effective from April 12, 1996 through August 9, 1996; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Michael J. Lech, Michael Reichel and the Accounting Department.

THE VOTE

Wittmeier	(Aye)	Nay
Kwasna	(Aye)	Nay
Lull	(Aye)	Nay
Prusinowski	(Aye)	Nay
Stark	(Aye)	Nay

The Resolution was thereupon duly adopted.