

Town of Riverhead Community Development Agency

Resolution # 2

FILED IN THE OFFICE OF THE **Adopted**

Authorizes Chairman to Execute Contract with Virtual Tours, Inc.

JAN 19 11 37 AM '99

COUNCILMAN KENT

offered the following resolution,

BARBARA SEITZ, CLERK  
TOWN CLERK

which was seconded by COUNCILMAN KWASNA

**WHEREAS**, the CDA has received grant funds from the U.S. Department of Defense for marketing of the Calverton site; and

**WHEREAS**, it is the recommendation of the Economic Development Zone Administrative Board to expend said funds for the development of a CD-ROM for personal computer utilization that will demonstrate specific attributes of the site and buildings.

**THEREFORE, BE IT RESOLVED**, that the Chairman is hereby authorized to execute the attached contract with Virtual Tours, Inc. In the amount of \$11,700 for development of the described CD-ROM product.

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

The Vote:

- Member Cardinale
- Member Kent
- Member Kwasna
- Member Lull
- Chairman Villella

yes  
yes  
yes  
yes  
yes

**THE VOTE**

Cardinale  Yes \_\_\_ No \_\_\_    Kent  Yes \_\_\_ No \_\_\_  
 Kwasna  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_  
 Villella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_  
 THEREUPON DULY DECLARED ADOPTED

Adopted

RESOLUTION # 3

At a regular meeting of the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, held at the Town of Riverhead Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on January 19, 1999, at 7:00 o'clock P.M., Prevailing Time.

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

PRESENT: Supervisor Villella  
Councilman Cardinale  
Councilman Kent  
Councilman Kwasna  
Councilman Lull

ABSENT:

The following resolution was offered by Member **COUNCILMAN CARDINALE**, who moved its adoption, seconded by Member **COUNCILMAN KENT**, to-wit:

THE VOTE  
Cardinale  Yes \_\_\_ No \_\_\_ Kent  Yes \_\_\_ No \_\_\_  
Kwasna  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_  
Villella  Yes \_\_\_ No \_\_\_  
THE RESOLUTION WAS  WAS NOT \_\_\_  
THE RESOLUTION DULY DECLARED ADOPTED

RESOLUTION DATED JANUARY 19, 1999.

A RESOLUTION CALLING A PUBLIC HEARING ON THE AGENCY'S DESIGNATION OF ATLANTIS HOLDING COMPANY, LLC AS A QUALIFIED AND ELIGIBLE SPONSOR FOR REDEVELOPMENT OF APPROXIMATELY THREE AND TWO-TENTHS ACRES OF LAND, TOGETHER WITH THE BUILDINGS LOCATED THEREON, AND FOR THE SALE BY THE AGENCY OF SUCH PROPERTY TO ATLANTIS HOLDING COMPANY, LLC FOR REDEVELOPMENT.

WHEREAS, the Town of Riverhead Community Development Agency (the "Agency") is the owner of a certain parcel of land of approximately 3.2 acres located on East Main Street, Riverhead (SCTM #0600-29-4-18.5&19) (the "Land"), including the buildings situated thereon (the "Buildings") (the Land together with the Buildings being the "Property"); and

WHEREAS, on September 10, 1997, the Agency prepared and sent to numerous parties, including Atlantis Holding Company, LLC, a New York limited liability company ("Atlantis"), a request for proposals for the acquisition of the Property and the redevelopment thereof (the "Request for Proposals"), the Property to be redeveloped in accordance with certain criteria set forth in the Request for Proposals and in the Town of Riverhead East Main Street Urban Renewal Plan, duly adopted October 19, 1993 (the "Plan"); and

WHEREAS, the Property is specifically referred to in the Plan as being highly under utilized, property for which appropriate water-front related use is recommended and property upon which a tourist destination facility and an economic generator should be constructed; and

-2-

WHEREAS, in response to the Request for Proposals Atlantis, on December 5, 1997, submitted a proposal for the acquisition and redevelopment of the Property, which response was clarified by letter dated January 28, 1998 and further clarified by Atlantis at a meeting held with the Agency on April 16, 1998; and

WHEREAS, there has been submitted to the Agency a proposal for, and the Agency is considering, (i) designating Atlantis the "qualified and eligible sponsor" (the "Sponsor"), pursuant to Section 507(2)(d) of the General Municipal Law and in accordance with the established rules and procedures provided by the Agency, for the redevelopment of the Property and (ii) selling the Property, pursuant to Sections 507(2)(d) and 556(2) of the General Municipal Law, to Atlantis, pursuant to a certain Agreement of Sale by and between the Agency and Atlantis, an unexecuted draft of which Agreement of Sale is on file in the Office of the Town Clerk of the Town of Riverhead and is available for public inspection during regular business hours (the "Agreement of Sale") for \$1,750,000 for redevelopment by Atlantis as an entertainment facility in accordance with the Plan; and

WHEREAS, Sections 507(2)(d) and 556(2) of the General Municipal Law require that a public hearing, following at least ten days public notice, be held by the Agency on the question of designating Atlantis the Sponsor for the redevelopment of the Property and selling the Property to Atlantis; and

- 3 -

WHEREAS, the Town of Riverhead (the "Town"), pursuant to a review pursuant to Article 8 of the Environmental Conservation law and the regulations promulgated thereunder by the State Department of Environmental Conservation ("SEQRA") declared itself "lead agency" for the sale of the Property, the Town has concluded its SEQRA analysis with respect to the sale of the Property and has determined the sale of the Property to be an unlisted action pursuant to SEQRA, the implementation of which, as proposed, will not result in any significant environmental impact; and an Environmental Impact Statement need not be prepared.

WHEREAS, the Agency now desires to call a public hearing on the designation of Atlantis as the Sponsor for the redevelopment of the Property and the sale of the Property by the Agency to Atlantis; and

WHEREAS, a majority of the Town Board of the Town, acting as Members of the Agency, will attend such public hearing; NOW, THEREFORE, BE IT

RESOLVED, by the Members of the Agency, as follows:

Section 1: A public hearing will be held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town on February 2, , 1999, at 7:10 o'clock P.M., Prevaling Time, on the question of designating Atlantis the Sponsor for the redevelopment of the Property and the sale of the Property by the Agency to Atlantis, 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 Secretary of the Agency is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the News Review, the newspaper hereby designated as the official newspaper for this purpose and one having general circulation in, and available to residents of, the Town; such publication to be made not less than ten days before the date designated for the hearing. The Secretary is hereby further authorized and directed to cause a copy of such Notice of Public Hearing to be posted in such places as she deems appropriate under the circumstances, such posting to be done not less than ten days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached:

NOTICE OF PUBLIC HEARING

TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY,  
TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK

NOTICE IS HEREBY GIVEN that the Members of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York (the "Agency"), will meet at the Town of Riverhead Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on February 2, 1999, at 7:10 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing on whether Atlantis Holding Company, LLC, a New York limited liability company, should be designated the "qualified and eligible sponsor" for the redevelopment of a parcel of land of approximately 3.2 acres, being the site of the former Okeanos Preview Center, together with the buildings located thereon (the "Property"), and whether the Property should be sold to Atlantis pursuant to a certain Agreement of Sale by and between the Agency and Atlantis, an unexecuted draft of which Agreement of Sale is on file in the Office of the Town Clerk of the Town of Riverhead and is available for public inspection during regular business hours (the "Agreement of Sale") for \$1,750,000 for redevelopment of the Property by Atlantis as an entertainment facility. The Agreement of Sale provides for the Agency to do certain environmental remediation on the property, to remove violations of law with respect to the Property, if any, for title, title exceptions and title insurance, for the apportionment of closing costs, for the Riverhead Sewer District, pursuant to the provisions of Section 202-b of the Town Law, to authorize and provide for the relocation of the force main and gravity line in

the Property, for Atlantis to pay certain costs of such relocation, for operation of the Property until closing, for Atlantis to have a period in which to undertake its "due diligence" with respect to the Property, for a closing date on the Property and for a schedule pursuant to which Atlantis will commence construction and completion of its redevelopment of its first phase of its redevelopment proposal, as well as for other provisions commonly found in a contract for the sale of real property.

The Town of Riverhead (the "Town"), pursuant to a coordinated review pursuant to Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder by the State Department of Environmental Conservation ("SEQRA") declared itself "lead agency" for the sale of the Property, the Town has concluded its SEQRA analysis with respect to the sale of the Property and has determined the sale of the Property to be a Type I Action pursuant to SEQRA, the implementation of which, as proposed, the Town Board has determined will not result in any significant environmental effects.

At said public hearing the Members of the Agency will hear all persons interested in the subject matter thereof.

Dated: Riverhead, New York  
January \_\_\_ 19 1999

BY ORDER OF THE MEMBERS OF THE TOWN OF RIVERHEAD  
COMMUNITY DEVELOPMENT AGENCY, TOWN OF RIVERHEAD,  
SUFFOLK COUNTY, NEW YORK

By \_\_\_\_\_  
Secretary

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

<u>Supervisor Vilella</u>	VOTING	<u>Yes</u>
<u>Councilman Cardinale</u>	VOTING	<u>Yes</u>
<u>Councilman Kent</u>	VOTING	<u>Yes</u>
<u>Councilman Kwasna</u>	VOTING	<u>Yes</u>
<u>Councilman Lull</u>	VOTING	<u>Yes</u>

The resolution was thereupon declared duly adopted.

\* \* \* \*

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

I, the undersigned Secretary of the Town of Riverhead Community Development Agency, Town of Riverhead, Suffolk County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Members of said Agency, including the resolution contained therein, held on January 19, 1999, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all Members of said Agency had due notice of said meeting.

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

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

<u>Newspaper and/or other news media</u>	<u>Date given</u>
Times Review	January 15, 1999

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

Designated Location(s)  
of posted notice

Date of Posting

**Town Clerk's Bulletin Board**

**January 15, 1999**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency on January 19, 1999.

\_\_\_\_\_  
Secretary

(CORPORATE  
SEAL)

Section 4. This resolution shall take effect immediately.

JANUARY 19, 1999

FILED IN THE OFFICE OF THE TOWN CLERK **Adopted**

JAN 19 11 37 AM '99

TOWN OF RIVERHEAD

BARBARA DEATYAN  
TOWN CLERK

RESOLUTION # 51

RESOLUTION TO MOVE 1998 TABLED RESOLUTIONS OFF TABLE

**COUNCILMAN CARDINALE** offered the following resolution,  
which was seconded by **COUNCILMAN KENT**.

**WHEREAS**, the following resolutions were moved and tabled in 1998:

- Resolution #98-0055 Rescinds Resolution Number 215 Of 1996 Resolution #98-216 Authorizing And Directing The Town Of Riverhead Community Development Agency To Prepare Necessary Lease Or Sale Agreement And Related Document Relating To The Lease Or Sale Of The Urban Renewal Parcel Located On East Main Street Being The Site Of The Former Okeanos Ocean Research Foundation Preview Center, To The Atlantic Coast Aquarium As A Preliminary Measure In Determining Whether The Atlantic Coast Aquarium Should Be Designated The Sponsor Resolution #98-910 Authorizes The Town Of Riverhead To Secure Or Demolish Unsafe Building Or Structure Pursuant To Chapter 54 Of The Riverhead Town Code (Joseph Puleo, Dorothy Puleo, And Archie Puleo - Route 25 Calverton)
- Resolution #98-0179 Appoints Deputy Attorney
- Resolution #98-0187 Appoints (back-up) Switch Board Operator
- Resolution #98-1070 Approves Special Permit Of Dwayne Early
- Resolution #98-1074 Authorizes Town Clerk To Publish & Post Notice To Consider A Local Law To Amend Chapter 108 Entitled, "Zoning" Of The Riverhead Town Code (Site Plan Review Application Fees)
- Resolution #98-1094 Authorizes The Purchasing Department To Publish, Post And Open Bids
- Resolution #98-1107 Denies Zoning Amendment and Attending Special Permit of John Tsunis
- Resolution #98-1176 Authorizes Supervisor to Execute Agreements Of The Redevelopment Of Such Project
- Resolution #98-644 Authorizes The Retention Of The Law Firm Of Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP Regarding The Possible Acquisition Of Various Premises Located On Railroad Avenue In Connection With The Railroad Avenue Urban Renewal Plan
- Resolution #98-714 Adopts Local Law To Amend Chapter 54 Entitled, "Alarm Systems" Of The Riverhead Town Code
- Resolution #98-877 Adopts Local Law to Amend Chapter 61 Entitled, "Environmental Quality Review" of the Riverhead Town Code
- Resolution #98-886 Authorization to Publish Bid (Recycle Containers)
- Resolution #98-913 Authorizes Supervisor to Execute Water Agreement with Calverton National Cemetery
- Resolution #98-963 Authorizes The Purchasing Department To Publish, Post And Open Bids
- Resolution #98-997 Adopts an Amendment to Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Thrift Shop).

**THEREFORE, BE IT RESOLVED** that the above named resolutions are hereby moved off the table.

**THE VOTE**

Cardinale  Yes  No    Kent  Yes  No  
 Kwasna  Yes  No    Lull  Yes  No  
 Villella  Yes  No

THE RESOLUTION WAS  WAS NOT

THE RESOLUTION WAS DULY DECLARED ADOPTED

JANUARY 19, 1999

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 52

RESOLUTION TO WITHDRAW 1998 TABLED RESOLUTIONS

COUNCILMAN KENT offered the following resolution, which was seconded by COUNCILMAN KWASNA.

WHEREAS, the following resolutions were moved and tabled in 1998:

- Resolution #98-0055 Rescinds Resolution Number 215 Of 1996
- Resolution #98-216 Authorizing And Directing The Town Of Riverhead Community Development Agency To Prepare Necessary Lease Or Sale Agreement And Related Document Relating To The Lease Or Sale Of The Urban Renewal Parcel Located On East Main Street Being The Site Of The Former Okeanos Ocean Research Foundation Preview Center, To The Atlantic Coast Aquarium As A Preliminary Measure In Determining Whether The Atlantic Coast Aquarium Should Be Designated The Sponsor Resolution #98-910 Authorizes The Town Of Riverhead To Secure Or Demolish Unsafe Building Or Structure Pursuant To Chapter 54 Of The Riverhead Town Code (Joseph Puleo, Dorothy Puleo, And Archie Puleo – Route 25 Calverton)
- Resolution #98-0179 Appoints Deputy Attorney
- Resolution #98-0187 Appoints (back-up) Switch Board Operator
- Resolution #98-1070 Approves Special Permit Of Dwayne Early
- Resolution #98-1074 Authorizes Town Clerk To Publish & Post Notice To Consider A Local Law To Amend Chapter 108 Entitled, "Zoning" Of The Riverhead Town Code (Site Plan Review Application Fees)
- Resolution #98-1094 Authorizes The Purchasing Department To Publish, Post And Open Bids
- Resolution #98-1107 Denies Zoning Amendment and Attending Special Permit of John Tsunis
- Resolution #98-1176 Authorizes Supervisor to Execute Agreements Of The Redevelopment Of Such Project
- Resolution #98-644 Authorizes The Retention Of The Law Firm Of Smith, Finkelstein, Lundberg, Isler & Yakaboski, LLP Regarding The Possible Acquisition Of Various Premises Located On Railroad Avenue In Connection With The Railroad Avenue Urban Renewal Plan
- Resolution #98-714 Adopts Local Law To Amend Chapter 54 Entitled, "Alarm Systems" Of The Riverhead Town Code
- Resolution #98-877 Adopts Local Law to Amend Chapter 61 Entitled, "Environmental Quality Review" of the Riverhead Town Code
- Resolution #98-886 Authorization to Publish Bid (Recycle Containers)
- Resolution #98-913 Authorizes Supervisor to Execute Water Agreement with Calverton National Cemetery
- Resolution #98-963 Authorizes The Purchasing Department To Publish, Post And Open Bids
- Resolution #98-997 Adopts an Amendment to Chapter 108 Entitled, "Zoning" of the Riverhead Town Code (Thrift Shop); and

WHEREAS, by RESOLUTION # \_\_\_ of 1999, the above named resolutions were moved off the table; and

WHEREAS, to facilitate better record-keeping the Town Board has decided to withdraw all outstanding resolutions from 1998.

THEREFORE, BE IT RESOLVED that the above named resolutions are hereby withdrawn

**THE VOTE**

Cardinale  Yes \_\_\_ No \_\_\_ Kent  Yes \_\_\_ No \_\_\_  
 Kwasna  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_  
 Vilella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_  
 THEREUPON DULY DECLARED ADOPTED



Adopted

January 19, 1999

## TOWN OF RIVERHEAD

Resolution # 54ADOPTS FINAL SCOPE OF ISSUES – SITE PLAN OF MAIDSTONE  
LANDING**COUNCILMAN KENT**

\_\_\_\_\_ offered the following resolution which  
 was seconded by \_\_\_\_\_  
**COUNCILMAN KWASNA**

**WHEREAS**, the Riverhead Town Board is in receipt of a site plan application from Maidstone Landing to allow the construction of 82 condominium units upon real property located at Sound Avenue, Northville, such real property more particularly described as Suffolk County Tax Map Parcel Number 0600-2.01-1-96.1, and

**WHEREAS**, subsequent to a review of the environmental assessment form attending the petition, the Planning Department recommended the preparation of a supplemental environmental impact statement pursuant to 6NYCRR Part 617.8, and

**WHEREAS**, by resolution #1036 of 1998 the Town Board did declare itself to be the lead agency for the environmental review of the subject action and further required the preparation of a supplementary environmental impacts statement, and

**WHEREAS**, a scoping hearing was held on December 9, 1998 pursuant to 6NYCRR Part 617.8 in order to identify the relevant environmental issues to be addressed in the EIS, and

**WHEREAS**, the Planning Department has prepared a final scope of issues pursuant to 6NYCRR Part 617.8, and

**WHEREAS**, the lead agency shall make available a final scope of issues to all involved agencies and parties of interest within sixty (60) days of the receipt of the draft scope of issues; such draft scope being received by the Planning Department on November 20, 1998, and

**WHEREAS**, the Town Board has considered the content of the final scope of issues and deems it complete, now

**THEREFORE, BE IT**

**RESOLVED**, that the Town Board hereby directs the Planning Director to transmit the final scope of issues, respecting the supplementary impact statement being prepared by Maidstone landing, to all involved agencies and parties of interest as required by 6NYCRR, Part 617.8.

## FINAL SCOPE OF ISSUES – SITE PLAN APPLICATION OF MAIDSTONE LANDING

### I. Project Description:

Maidstone Landing has petitioned the Riverhead town Board to approve a site plan application which would allow the construction of 82 condominium units on real property located at Sound Avenue, Northville. The site plan application is the initial step in the amendment of a condominium map which was approved for the property by the Riverhead Planning Board and filed on January 13, 1989 as the Map of Seawatch Landing.

### II. Potentially Significant Impacts:

#### A. Existing easement areas.

The approval of the Map of Seawatch Landing resulted in the creation of areas regulated by a conservation easement (247 General Municipal Law) designed to protect areas of coastal bluff and freshwater wetlands. The proposed site plan would result in the invasion of the easement area for the construction of a building foundations.

#### B. Freshwater wetlands.

The proposed site plan proposes the use of an existing State regulated wetland as a stormwater control system predicated upon enhancement of the wetland to reduce pollutant loads. Further, the use of fertilizers and pesticides in landscaped areas presents a potential impact upon these wetlands.

#### C. Archeological resources.

The project site is characterized as possessing significant archeological integrity. A Stage I and Stage II assessment concluded that the site was eligible for the National Register of Historic Places.

#### D. Zoological.

The site is comprised of habitat for an array of bird species. A number of commentators suggested that endangered species may in fact nest on or near the project site.

#### E. Topographic.

The site plan application provides for the restoration of vegetation cleared within the conservation easement area. The quantity and quality of species used in the re-vegetation is an environmental concern.

The site contains forested area which is unique to the general vicinity. The proposed clearing of forested areas is considered an environmental concern.

### III. Extent of information needed to address identified impacts:

A. The supplemental EIS shall present a quantitative and qualitative description of areas presently regulated by the aforementioned conservation easement. The document shall also present a description of proposed new easement areas and compare the ecological and environmental value of the two easement areas distinctly identified. The visual quality impacts resulting from changes to easement areas shall be discussed.

B. Freshwater wetland areas.

The document shall present a graphic depiction of the existing freshwater wetland areas with a description of the extent of disturbance within the wetland undertaken to date. Further, the supplemental EIS shall present a description of the work necessary to restore the wetland to its original condition and configuration, as well as a description of the option of the creation of a wet meadow as well the provision of a plan enumeration species of vegetation which would comprise such wet meadow. Expected survival rated of proposed vegetation and required maintenance protocol shall be offered.

C. Zoological.

The DEIS shall contain a field verified listing of the wildlife present at the project site and a description of the ways in which the project design will impact upon populations. A seasonal inventory is preferable. Comments upon the draft scope of issues suggested that protected species exist at the project site. The supplemental DEIS shall confirm the presence or absence of endangered or threatened animals as maintained by New York State of Federal Law.

D. Topographic.

Commentators upon the draft scope of issues suggested that the project site contains stands of trees 30-50 feet which might be of value in the buffering of visual impacts to roadways and the Long Island Sound. The supplemental DEIS shall identify existing forested areas and indicate the heights and age of these stands. The document should discuss alternative layouts designed to minimize disturbance of treed areas and maximize positive buffering effects.

Commentators further suggested that though the restoration of easement areas cleared is adequate, the long term maintenance of these areas is important. In this regard, the supplemental DEIS shall offer a maintenance protocol for restored areas which ensure the survival of plantings to the highest extent practical.

The lead agency has concerns relative to the cubic area of minerals to be exported from the project. The document shall estimate the amount of material to be either exported or stockpiled and shall offer an acceptable plan for the treatment of these materials. A balance cut and fill is encouraged.

E. Archeological.

Commentary, as well as completed Stage I and Stage II archeological investigations identify the site as extraordinary with regard to archeological integrity. In this regard, the supplemental DEIS shall explore the option of avoidance of disturbance of sensitive areas as opposed to Stage III excavation and recovery of artifacts and further fully describe the proposed Stage III protocol.

IV. Alternatives to the proposed action:

The supplemental DEIS shall contain a discussion of the following alternatives:

- (i) The no action alternative:  
The supplemental DEIS shall contain a no-build alternative describing associated impacts to the natural and social environment.
- (ii) The as of right build alternative:  
The DEIS shall contain a description of the impacts associated with the construction of the condominium map of Seawatch Landing.
- (iii) Modified site alternative:

The development of the proposed units and amenities within areas not restricted by conservation easement.

**THE VOTE**

Cardinale  Yes \_\_\_ No \_\_\_    Kent  Yes \_\_\_ No \_\_\_  
Kwasna  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_  
Vilella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY DECLARED ADOPTED

1/19/99

Adopted

TOWN OF RIVERHEAD

Resolution # 55

**AMENDS RESOLUTION #7 OF 1999 (REAPPOINTS LEGAL REPRESENTATION SERVICE CONTRACTS; ENGINEERING, COMPUTER, COURT REPORTING, BOARD TRANSCRIPTION AND INTERPRETATION CONSULTANTS)**

COUNCILMAN KWASNA

offered the following resolution, was seconded by

COUNCILMAN LULL

WHEREAS, by Resolution #7 adopted on January 5, 1999, the Town Board of the Town of Riverhead reappointed a list of individuals in connection with Engineering, Computer, Court Reporting, Board Transcription and Interpretation Service Contracts; and

WHEREAS, the Law Firm of Twomey, Latham, Shea & Kelley, LLP were omitted from this list.

NOW THEREFORE BE IT RESOLVED, that Resolution #7 adopted by the Riverhead Town Board on January 5, 1999, be and is hereby amended to include the following:

<u>NAME</u>	<u>FIRM</u>	<u>SERVICE</u>
Tom Twomey, Esq.	Twomey, Latham, Shea & Kelley, LLP	Special Counsel
Maureen Liccione, Esq.	Twomey, Latham, Shea & Kelley, LLP	Special Counsel
Suzanne Shane, Esq.	Twomey, Latham, Shea & Kelley, LLP	Special Counsel
Martha Luft, Esq.	Twomey, Latham, Shea & Kelley, LLP	Special Counsel

**THE VOTE**

Cardinale  Yes  No    Kent  Yes  No  
 Kwana  Yes  No    Lull  Yes  No  
 Villa  Yes  No

TRIPOLI  WAS NOT  
 ...

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 56

APPOINTS CONSULTING ENGINEER  
IRON PIER IMPROVEMENT PROJECT

**COUNCILMAN LULL** Adopted: January 19, 1999

\_\_\_\_\_ offered the following resolution which  
**COUNCILMAN CARDINALE**  
was seconded by \_\_\_\_\_.

WHEREAS, the Town Board authorized the solicitation of proposals for consulting engineer services for the upgrade and improvements to be made to Iron Pier Beach; and

WHEREAS, the proposals were presented to and reviewed by the Town Board at a Town Board Work Session.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor to enter into a contract with Sidney B. Bowne, & Son for consulting services for the upgrade and improvement to the Iron Pier Beach project; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Sidney B. Bowne & Son, Ken Testa, P.E., Jane VanDenThorn and the Office of Accounting.

THE VOTE

Cardinale  Yes \_\_\_ No \_\_\_ Kent  Yes \_\_\_ No \_\_\_  
Kwoonau  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_  
Vitella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY DECLARED ADOPTED

# BOWNE

**SIDNEY B. BOWNE & SON LLP**  
**CONSULTING ENGINEERS**

**FOUNDER**

Sidney B. Bowne, P.E., L.S.  
 (1922-1959)

**PARTNERS**

Chester C. Kelsey, P.E., L.S.  
 Robert A. Stanton, P.E.  
 Zabdriel A. Blackman, P.E., L.S.  
 Frank J. Antetomaso, P.E.  
 George L. Fagan, Jr., Ph.D., P.E.

**ASSOCIATES**

Jerry D. Almont, P.E.  
 Paul F. Stevens, P.E.  
 Roger L. Cocchi, P.E.  
 Carl E. Becker, P.E.  
 Richard P. Slutzah, P.E.

**ATLANTA OFFICE**

Ed Brown, Director

**SENIOR STAFF**

Francis J. Lynch  
 Richard B. Weber  
 Ralph Anderson, L.S.  
 Fredric C. Griffiths, Jr., L.S.  
 Gregg G. Kelsey, P.E.  
 Dana C. Kenny, P.E.  
 Richard N. Annillo  
 Evan S. Gorin  
 Stephen M. Hrbek  
 John V. Speroni

December 18, 1998

Kenneth Testa, P.E.  
 Town Engineer  
 Town of Riverhead  
 200 Howell Avenue  
 Riverhead, NY 11901

Re: Town of Riverhead  
 Iron Pier Beach at Northville, N.Y  
 Proposal for Engineering Services

Dear Mr. Testa:

In accordance with our recent discussions and visit to the site, Sidney B. Bowne & Son respectfully submits our Engineering Services Proposal for the Town of Riverhead Iron Pier Beach project. Below is a brief description of our understanding of the project, our proposed Scope of Services, and our estimated Engineering Fee for the work.

## I. PROJECT DESCRIPTION

The Town of Riverhead is interested in developing the Iron Pier Beach parking lot and boat launch ramp into attractive and well functioning beach facility. We want you to be aware that Bowne had performed engineering services for this project as it was conceived back in 1983 (we attach a set of construction ready documents we had prepared).

As part of that project, we provided the following design concepts:

### Sidney B. Bowne & Son – August 1984

- New ramp – single lane width, with rip rap revertment, steel sheet piling and concrete slab
- Rip rap wave break along beach front
- Concession stand and restrooms
- Wood boardwalk and steps to beach grade
- Elevated parking area with drainage to existing marsh using recharge area
- Parking for 69 cars (67 regular, 2 handicap)

**SIDNEY B. BOWNE & SON**

Kenneth Testa, P.E.

Date: December 18, 1998

Page: 2

- Parking for 21 cars with trailers
- Trailer turn-around
- New drainage pipe for drainage swale
- New landscaping
- Standard gravity sanitary disposal system
- Use existing water well for water supply
- Parking lot lighting.

The project was finalized with the preparation of construction ready documents, contract bid documents and specifications.

We also prepared an alternate design for a timber removable boat launching ramp.

In addition to our previous design plans, we have reviewed the latest drawing prepared by Young & Young. A change in the concept of how to develop the site was implemented with this newer plan. The old boat ramp was to be removed with the installation of a new double ramp within a new lagoon. In addition, the following other design features were provided:

- New rock jetties to protect new lagoon entrance
- Dredging new lagoon and entrance
- Beach replenishment with dredge material recovered
- Concrete retaining wall along beach front
- Raise parking area with drainage to existing marsh system and new ponds
- Entrance to parking area with removable guard booth
- Access ramp with gabion mats for 4-wheel drive access to the beach
- Restrooms with showers and storage
- Shade structure
- Sanitary system with lift station for discharge
- Tot's play area
- Easy access for trailer alignment and circulation for boat launching
- Parking for 95 cars (89 regular, 6 handicap)
- Parking for 12 cars with trailers
- Development of new wetlands and ponds
- Provide picnic benches along beach front
- Provide picnic benches in park-like setting, near new ponds, with barbecue grills
- Provide for large trash receptacle
- Provide pedestrian and parking lot lighting
- New water meter and RPZ vault for water supply
- Wood bridge for vehicle access over wetland outfall.

Many of these design items that have been included on the latest plan, prepared by Young & Young, are found to be acceptable to the reviewing agencies. However, certain items, like the new lagoon and shore jetties, had slowed the approval process, due to environmental effects not fully studied. A positive declaration by NYSDEC was declared and it is evident that further review is required.

**SIDNEY B. BOWNE & SON**

Kenneth Testa, P.E.

Date: December 18, 1998

Page: 3

Upon looking through the project file, we understand most of the concerns that were presented by various agencies or civic groups. Although most have merit for a response, it is evident that not all comments can be handled to accommodate all concerned. However, using the process you described, with open discussions in committee, a well balanced development plan can be accomplished.

New Proposed Project

As there are good aspects of each plan, and with a new look at development placing the best aspects together, we feel we can design a project that will meet the Town's needs.

As we discussed, a major stumbling block in the approval process is the proposed new lagoon, new rock jetties and potential for saltwater contamination of fresh water wetlands. We understand that the new lagoon and rock jetties will not be part of this proposed project. By eliminating these improvements, the contamination to the fresh water wetlands will be limited to only that which currently exists. The 24" diameter outfall pipe, which permits discharge to the Long Island Sound, can be modified to maintain only positive flow to the Sound. An overflow structure designed to control or eliminate saltwater intrusion can be accommodated. We could also look at other alternatives regarding wetlands discharge to the Sound. It may be possible to eliminate the 24" pipe discharge underwater, in lieu of an outfall structure and gabion matt installed to mean high water. My concern is the 24" pipe submerged and hidden to bathers may be a hazard.

Other design items that we would recommend at this time include the following:

- Development of a new boat launching ramp at the existing location, of similar width to the latest design plan to accommodate a floating dock, an ingress ramp and egress ramp. The latest design provided for easy access for cars with trailers to align themselves in front of the ramp for discharge. This new plan needs to address this access problem, as the location of the ramp is at the end of Pier Avenue, next to an existing residence. To provide for this needed access, it may be possible to build a "P" shaped cul-de-sac at the end of Pier Avenue. This would reduce the length a vehicle would be required to back up for launching and retrieving boats. The design of the ramp would be similar to our original design, steel sheeting with reinforced concrete ramp, rip rap revertment or gabion baskets on both sides, timber curb, with removal of existing concrete ramps.
- Development of a raised parking area with stone wave break or retaining wall along the beachfront. The proposed location will depend upon the amount of parking being proposed, future expansion concerns, beach replenishment scope of work, and limits of improvements. The elevations of the parking lot shall be established at a height that will significantly reduce the effects of storm surge and wave action. This will provide protection to the new improvements and reduce cleanup maintenance after most storms. The elevation of the top of the wave break or retaining wall should be above 9.0.

**SIDNEY B. BOWNE & SON**

Kenneth Testa, P.E.

Date: December 18, 1998

Page: 4

- Development of new bathroom facility with showers, storage and possible concession stand. The previous plan detailed a new bathroom structure with an area assigned for a concession stand. The newer plan did not provide for a concession stand. We would discuss with Town staff if this amenity is required or not.
- Development of new sanitary disposal system. Both plans have sanitary systems that function. We would prepare a new gravity system, one that meets the new current SCDHS standards.
- Development of new water service and RPZ vaults. The vault would be an above-ground, hot box type, with landscaping planted to screen the structure. A new meter pit and service line to the proposed bathroom would be included. Electric service to the hot box is also required for heating elements to protect the device from freezing.
- Development of new shade structure, with tables and benches. The location of this structure will be determined by the layout of the parking and restroom facilities.
- Development of drainage collection and discharge system. Design for positive collection system, similar to the latest plan, with discharge to a new retention pond and wetland overflow. The concept is to collect the road and parking lot rain runoff, interrupt any solids in a grit chamber, or sedimentation leaching pools, then discharge into the new pond. Runoff would then move through a new wetland area to a second pond, then possibly overflow to the existing Hallock's Pond. Retention in the proposed ponds will significantly reduce the effects on Hallock's Pond.
- Development of new parking lot, pedestrian and boat launching ramp lighting. New electric service provided to the new restroom facility will provide power to most of these fixtures. Existing Pier Avenue utility poles will be used for some locations, however, the existing poles in the existing parking lot should be removed. New underground conduit for existing and proposed power, new lights, telephone, etc. should be provided. As part of the original plan, NYNEX and LILCO were contacted to relocate their utilities underground in PVC conduit. This should be pursued under this current design scope.
- Development of new tot's play area. The equipment proposed had not been discussed in previous plans. This should be reviewed from a point of cost and available secure space on the site plan for this amenity. To protect the structure from storms, the location might best be suited for upland areas, behind the protection of the stone wave break or retaining wall.
- Development of 4-wheel drive beach access ramps. Concerns regarding 4x4's on the beach during bathing season can be addressed by forbidding 4x4's in the bathing area. Vehicles desiring to travel east from Pier Avenue will proceed through the parking lot and enter the beach at the extreme east end. Vehicles returning from the east will be directed to the parking lot with the use of signs, wood bollards, etc. Similarly, vehicles desiring to travel west would enter the beach at Pier Avenue. An access location could be provided on the

**SIDNEY B. BOWNE & SON**

Kenneth Testa, P.E.

Date: December 18, 1998

Page: 5

west side of the proposed boat launching ramp. Gabion mats could be used to permit vehicles to get over the existing rock jetty at a specific location.

All of the above ideas require careful consideration, to see how they interact with one another and to see if they are in harmony with the Town Board's vision. It is our intent to work with the Town Board and the community, to prepare plans that will be reviewed and accepted by the reviewing agencies.

## **II. SCOPE OF SERVICES**

Although the above describes the vision of how the project might proceed, the actual work required to see it become a plan, with meetings or discussions, environmental reviews, the permit process, preparation of contract documents, etc., is a complicated task. The following is a breakdown of phases or tasks, milestones, that we feel are required to complete this project:

- Sketch Plan Phase

Develop an overall plan with proposed improvements (use existing topographic map as base map)

- Preliminary Phase

Provide design data to the sketch plan phase to provide engineering insight on how the project might function. Propose grades, check various design requirement, etc. In this phase we would expect to meet with the various agencies requiring permits and incorporate their comments into the plan.

- Permit Phase

Apply for and coordinate with existing permit applications, where applicable. Perform any additional environmental reviews, as required.

- Construction Documents Phase

This phase could be broken into two phases if construction of the boat ramp is necessary prior to the Memorial Day start of the season in 1999. This process could also be coordinated during the permit phase, if acceptable to the reviewing agencies.

This phase includes detailed plans, details, contract specifications, Town contract boiler plate and construction cost estimate. Some of the details required in this phase may already be available from the review process of previous plans.

**SIDNEY B. BOWNE & SON**

Kenneth Testa, P.E.

Date: December 18, 1998

Page: 6

- Bidding Phase

The bid phase commences upon notification from the Town that a date has been set for the receipt of bids for the project. At that time the Bid Date, Contract Number, date of the Notice to Bidders, and availability date for plans and specifications are supplied by the Town. The following work is then performed under directive by Town Board Resolution during this phase of the project:

1. Update specifications with Bid Date, Contract Number and other bidding information as required.
2. Print and bind 30 sets of plans and specifications.
3. Deliver plans and specifications to the Commissioner of General Services at Town Hall.
4. Notify potential bidders of bid date.
5. Answer questions from potential bidders.
6. Attend bid opening.
  - a. Witness opening of bids
  - b. Review and tabulate bids
7. Perform detailed review of bids, check for mathematical errors.
8. Notify Town of results of bidding and make recommendations.
9. Provide the Town with five (5) sets of specifications for conforming low bidder's information for contract signing.

- Construction Phase

The starting date for engineering services related to the construction phase of the project is subject to approval by the Town. On a typical project, services for this phase of the work may commence one to two weeks after the Town Board resolution approving the lowest acceptable bidder. The following services are usually performed during this phase of the project (subject to approval by a Town Board Resolution).

A. Resident Representative Services:

- a. Set up and maintain field records for the project.
- b. Review the following submittals from the Contractor:
  1. List of subcontractors
  2. Emergency telephone numbers
  3. Construction schedule
  4. Traffic maintenance plan
  5. Field office location.
- c. Apply for and obtain necessary permits from Suffolk County, New York State, etc., when required.

**SIDNEY B. BOWNE & SON**

Kenneth Testa, P.E.

Date: December 18, 1998

Page: 7

- d. Observe and record daily measurements of work performed.
- e. Provide on-site liaison and coordination between the Town, the Contractor, utilities and other agencies as required throughout the course of the project.
- f. Mark widths of existing aprons and entrance walks (with paint on adjacent sidewalk) to insure that new work will be at least equal to existing, when required.
- g. Mark locations of concrete and asphalt saw cutting.
- h. Mark (with paint) limits of sidewalk replacement and driveway restoration, when required.
- i. On streets where milling and grinding is to be performed, perform field measurements of existing pavement and manholes relative to new curb for computation of milling depths - 4 men required, usually done after normal working hours. After analysis of data thus obtained, computations by office engineer (under basic services), paint milling requirements onto pavement at 50 ft. intervals and at manholes for contractor's information.
- j. Mark out milling or leveling requirements for intersections, based on information obtained by survey party and office computations.
- k. On streets where full-depth pavement reconstruction is to be performed, observe proof-rolling of subgrade and determine undercut required from observations of subgrade deflection under specified wheel load. Mark out areas where subgrade reinforcement is required.
- l. Prepare Change Orders as required.

**B. Construction Engineering and Administration Services:**

- a. Print additional copies of plans and specifications as required for the Town, Consultant, Contractor, and utilities.
- b. Attend pre-construction meeting with Contractor, Utilities, Town representatives; follow-up as required.
- c. Coordinate and schedule all other construction phase Engineering activities with the Contractor, Town, Utilities, and Engineering staff.
- d. Review Contractor's shop and erection drawings.
- e. Review Contractor's proposals for modifications or substitutions.
- f. Advise Water Districts, Bell Atlantic, Cablevision, Suffolk County Department of Public Works, LIPA, Brooklyn Union Gas, Town of Riverhead Highway Department, and others when construction will start.
- g. Maintain files of all correspondence and related documents.

**SIDNEY B. BOWNE & SON**

Kenneth Testa, P.E.

Date: December 18, 1998

Page: 8

- h. Make periodic visits to the project site to review the Contractor's progress and to
- i. Review Resident Representative's records on a regular basis.
- j. Prepare Monthly Certification of Quantities of Work Performed by Contractor.
  - 1. Resident Representative provides office engineer with quantities of work performed.
  - 2. Engineer prepares draft of payment certification.
  - 3. After review, certification is typed and forwarded to contractor for signature.
  - 4. Signed certification with appropriate labor affidavits attached is returned.
  - 5. After review by Project Engineer, signed certification is forwarded to Town for payment.
- k. Disapprove any of the Contractor's work which fails to conform to the specifications.
- l. Review all field records and prepare Final Certification of project.
- m. Prepare Record Drawings.

**C. Construction Quality Control and Laboratory Services:**

- a. Review the following submittals from the Contractor:
  - 1. List of Material Suppliers
  - 2. Concrete Mix Design
  - 3. Asphalt Mix Design.
- b. Inspect iron castings for precast concrete structures at casting supplier's yard.
- c. Perform precast structure inspection at manufacturers plant.
  - 1. Check formwork for conformance with approved dimensional requirements.
  - 2. Verify size and placement of required reinforcing steel and/or steps, lifting rings, etc.
  - 3. Take cylinders on each pour. (1 set of 3 cyl. per pour under 100 c.y. per day - Catch basin top slabs usually poured at rate of 1 per day).
- d. Inspect the manufacture of Reinforced Concrete Pipe at the Manufacturer's plant.
  - 1. Inspect reinforcing cages for conformance with approved shop drawings.
  - 2. Sample concrete to confirm that each lot of manufactured pipe conforms to the required minimum compressive strength.
  - 3. Observe and record results of three-edge bearing strength tests of randomly selected specimens (1 test per lot or day's production) for conformance with specification requirements
  - 4. Visually inspect the required number of units for defects such as honeycombing, cracks, chipping of ends, etc.

**SIDNEY B. BOWNE & SON**

Kenneth Testa, P.E.

Date: December 18, 1998

Page: 9

- e. Take concrete cylinder tests daily at the project site (performed by Resident Representative).
- f. Establish the maximum density and optimum moisture content of base material.
- g. Perform in-place density testing of base material.
- h. Inspect all manhole, catch basin and other castings at the supplier's yard.
- i. Perform analysis of topsoil samples from stockpiles (one to several tests may be required).

For purposes of this proposal, at this time we are requesting authorization to perform the sketch plan phase, preliminary phase, permit phase, construction documents phase and bidding phase. It is understood that upon completion of these phases, a more accurate proposal can be prepared for the construction phase. Upon your request, we will provide an engineering estimate for the construction phase, which may include fulltime resident representative, construction engineering and administrative services, and construction quality control and laboratory services.

- Sketch Plan Phase
  - Digitize existing topographic map into Autocad 14
  - Meeting with Town Board and staff to identify design requirements
  - Prepare sketch plan of proposed improvements
  - Submissions of plans for review by all agencies
  - Additional meetings and modifications to sketch plan, as required.
- Preliminary Design Phase
  - Design sanitary, water, drainage, grading, lighting, pedestrian access, parking layout, proposed buildings, boat launch ramp, tot's play area, wetlands and pond creation, etc.
  - Provide preliminary plans based on acceptable engineering standards, specifications by reviewing agencies, sketch plan approval by the Town, comments from meetings, etc.
  - Meetings to review design and any modifications recommended
  - Submission of plans for review by all agencies
  - Additional meetings and modifications to plans
  - Development of details, as required, to respond to any agency comments regarding the proposed construction.
- Permit Phase
  - Prepare or update existing Environmental Assessment Form
  - Apply for and obtain Army Corp of Engineers permit. Previous permit obtained by Bowne - expired 1987
  - Apply for and obtain NYSDEC permits. Existing applications on file with NYSDEC will be utilized, notification to required agencies will also be accomplished

**SIDNEY B. BOWNE & SON**

Kenneth Testa, P.E.

Date: December 18, 1998

Page: 10

- Apply for and obtain SCDHS approval for sanitary disposal and RPZ device on proposed water service.
- Construction Documents Phase
  - Prepare final design plans
  - Prepare architectural details for structures
  - Prepare details
  - Conform plans, details to contract specifications
  - Prepare contract specifications
  - Prepare engineer's estimate
  - Coordinate with all utilities and details required
  - Prepare plans for construction in one or two phases. If boat ramp is proposed for construction and completion prior to Memorial Day 1999, plans and specifications will be prepared for this first phase. The second phase will be the completion of the entire project, with construction beginning after Labor Day 1999.
- Bidding Phase
  - Update specifications with Bid Date, Contract Number and other bidding information as required.
  - Print and bind 30 sets of plans and specifications.
  - Deliver plans and specifications to the Commissioner of General Services at Town Hall.
  - Notify potential bidders of bid date.
  - Answer questions from potential bidders.
  - Attend bid opening.
  - Witness opening of bids
  - Review and tabulate bids
  - Perform detailed review of bids, check for mathematical errors.
  - Notify Town of results of bidding and make recommendations.
  - Provide the Town with five (5) sets of specifications for conforming low bidder's information for contract signing.

**III. ADDITIONAL SERVICES**

With prior written authorization, we would be pleased to provide any of the following additional services:

1. Preparation of a Draft Environmental Impact Statement (DEIS) or other detailed environmental studies.
2. Application fees
3. Traffic and air quality studies.

**SIDNEY B. BOWNE & SON**

Kenneth Testa, P.E.

Date: December 18, 1998

Page: 11

4. All work required to revise plans due to changes made by owner, or major changes requested by reviewing agencies in order to gain approval.
5. Design of any off-site utilities services including electric, gas or telephone.
6. The cost of outside contractor for utility mark-outs, soil borings and testing of drainage facilities, soil tests for subgrade suitability.
7. Construction phase not requested in this proposal.
8. Additional topographic survey.
9. Survey construction stakeout of proposed improvement.
10. As-built drawings upon completion of project.
11. Preparation of survey taking or easement maps.
12. Serving or preparing to serve as a witness in any legal proceedings or attendance at public hearings or meetings, not specifically mentioned above.

**IV. FEES AND PAYMENTS**

To be compensated for the above work, we propose the following:

- Establishment of estimated, "not to exceed" fees for each phase of work:
 

Sketch Plan Phase:	\$11,700.00
Preliminary Phase:	\$13,500.00
Permit Phase	\$6,600.00
Construction Documents Phase	\$40,650.00
Bidding Phase	<u>\$ 3,000.00</u>
Total Estimated "Not to Exceed" Fee	\$75,450.00
- Billing monthly on an hourly basis according to our 1998 Billing Rate Schedule (see attached).
- Entering into an agreement with the Town in an acceptable form.
- Additional services shall be authorized before the work commences. The fee would be either a lump sum or performed on an hourly basis, as agreed, and billed monthly.

**SIDNEY B. BOWNE & SON**

Kenneth Testa, P.E.

Date: December 18, 1998

Page: 12

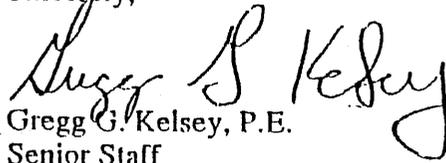
- Reimbursable expenses such as blueprinting and photocopying, travel, photographic expenses, filing fees, messenger service, express mail and other administrative expenses shall be reimbursable at cost.
- Invoices shall be submitted monthly, covering the basic and additional work services performed and for reimbursable expenses incurred during that period.

**V. CONTRACT AUTHORIZATION**

This letter and the attached Billing Rate Schedule represent the entire proposal. In order to initiate this contract, please authorize this proposal in the space provided and return one copy with an original signature to Sidney B. Bowne & Son.

We thank you for requesting this proposal and appreciate the opportunity to work with you on this project. Should you have any questions, or wish to discuss any item in greater detail, please do not hesitate to contact me.

Sincerely,



Gregg G. Kelsey, P.E.  
Senior Staff

GGK:sp  
Enclosures

Signed and Agreed for:      TOWN OF RIVERHEAD

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**SIDNEY B. BOWNE & SON LLP**  
**CONSULTING ENGINEERS**

FOUNDER

Sidney B. Bowne, P.E., L.S.  
 (1922-1959)

PARTNERS

Chester C. Kelsey, P.E., L.S.  
 Robert A. Stanton, P.E.  
 Zabdai A. Blackman, P.E., L.S.  
 Frank J. Anlatomaso, P.E.  
 George L. Fagan, Jr., Ph.D., P.E.

ASSOCIATES

Jerry D. Almont, P.E.  
 Paul F. Stevens, P.E.  
 Roger L. Cocchi, P.E.  
 Carl E. Becker, P.E.  
 Richard P. Slutzah, P.E.

ATLANTA OFFICE

Ed Brown, Director

SENIOR STAFF

Francis J. Lynch  
 Richard B. Weber  
 Ralph Anderson, L.S.  
 Fredric C. Griffiths, Jr., L.S.  
 Gregg G. Kelsey, P.E.  
 Dane C. Kenny, P.E.  
 Richard N. Annitto  
 Evan S. Gorin  
 Stephen M. Hirbek  
 John V. Speroni

December 30, 1998

Kenneth Testa, P.E.  
 Town Engineer  
 Town of Riverhead  
 200 Howell Avenue  
 Riverhead, NY 11901

Re: Town of Riverhead  
 Iron Pier Beach at Northville, N. Y.  
 Memo to Proposal dated December 18, 1998

Dear Mr. Testa:

Thank you for meeting with us today to discuss our proposal and billing practices. In response to your questions, the following is a further breakdown of the estimated fee for each phase:

**SKETCH PLAN PHASE**

Development of Base Map  
 1992 Topographic Map by Young & Young

Scan into computer  
 Digitize in AutoCAD 14

1 hr.	Eng	E7	\$130.00	\$130.00	
30 hrs	Draft	E5	\$75.00	\$2,250.00	
30 hrs.	Eng	E7	\$130.00	\$390.00	
1 hr.	Eng.	E8	\$160.00	\$160.00	
					\$2,930.00

Prepare Sketch Plan

14 hrs	Eng	E7	\$130.00	\$1,820.00	
16 hrs	Draft	E5	\$75.00	\$1,200.00	
1 hr.	Eng	E3	\$160.00	\$160.00	
					\$3,180.00

Riverhead, NY 11901

Date: December 31, 1998

Page: 2

## Meetings

Town Board, Community Groups, NYSDEC, Army Corps, Engineering Department,  
8 meetings at 4 hrs. each

2 hrs	Eng.	E7	\$130.00	\$4,160.00
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Update Sketch Plan based on meeting comments:

4 hrs	Eng.	E7	\$130.00	\$520.00
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5 hrs	Draft	E5	\$75.00	\$375.00
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\$895.00

Printing – out of pocket expenses:

\$535.00

SUBTOTAL ESTIMATED ENGINEERING FEE				\$11,165.00
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PRELIMINARY PHASE  
(Based on completing Sketch Plan Phase)

## Drainage Design

20 hrs.	Eng.	E7	\$130.00	\$2,600.00
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1 hrs.	Eng.	E8	\$160.00	\$160.00
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\$2,760.00

## Sanitary Design

8 hrs.	Eng.	E7	\$130.00	\$1,040.00
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\$1,040.00

## Water Design

7 hrs.	Eng.	E7	\$130.00	\$910.00
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\$910.00

## Preliminary Details, Drainage, Sanitary, Water

20 hrs.	Eng.	E7	\$130.00	\$2,600.00
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3 hrs.	Eng.	E8	\$160.00	480.00
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\$3,080.00

Riverhead, NY 11901

Date: December 31, 1998

Page: 3

## Meetings

4 meetings at 4 hours each

16 hrs.	Eng.	E7	\$130.00	\$2,080.00	
					\$2080.00

## Drafting

40 hrs.	Eng.	E5	\$75.00	\$3,000.00	
					\$3,000.00

Printing – Out-of-Pocket Expenses					\$630.00
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SUBTOTAL ESTIMATED ENGINEERING FEE					\$12,870.00
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## PERMIT PHASE

## Prepare Environmental Assessment Form

6 hrs.	Eng.	E7	\$130.00	\$780.00	
3 hrs.	Secty.	TT	\$65.00	\$195.00	
					\$975.00

## Prepare NYSDEC – Application

9 hrs.	Eng.	E7	\$130.00	\$1,17.00	
4 hrs.	Secty.	TT	\$65.00	\$260.00	
					\$1,430.00

## Prepare Army Corps – Application

9 hrs.	Eng.	E7	\$130.00	\$1,17.00	
4 hrs.	Secty.	TT	\$65.00	\$260.00	
					\$1,430.00

## Prepare SCDHS – Applications, SCDHS, Sanitation, Water

12 hrs.	Eng.	E7	\$130.00	\$1,560.00	
4 hrs.	Secty.	TT	\$65.00	\$260.00	
					\$1,820.00

Riverhead, NY 11901

Date: December 31, 1998

Page: 4

Prepare Sketches for various applications listed above:

5 hrs.	Eng.	E7	\$130.00	\$650.00	
4 hrs.	Draft..	E5	\$75.00	\$300.00	
					\$950.00

SUBTOTAL ESTIMATED ENGINEERING FEE	\$6,605.00
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## CONSTRUCTION DOCUMENTS

Architectural Plans, Utility Plans, Construction Details, Construction Specifications, Cost Estimate

\$40,645.00

## BIDDING PHASE

Notify potential bidders, answer questions.

2 hrs.	Eng.	E7	\$160.00	\$320.00	
5 hrs.	Eng.	E8	\$130.00	\$650.00	
					\$970.00

Attend bid opening, review and tabulate bids, check for math errors, notify Town of results and make recommendations.

10 hrs.	Eng.	E6	\$100.00	\$1,000.00	
					\$1,000.00

Print plans and specifications – out-of-pocket expenses	\$1,000.00
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SUBTOTAL ESTIMATED ENGINEERING FEE	\$1,970.00
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GRAND TOTAL ESTIMATED ENGINEERING FEE	\$73,255.00
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GRAND TOTAL OUT-OF-POCKET EXPENSES	\$2,195.00
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Riverhead, NY 11901

Date: December 31, 1998

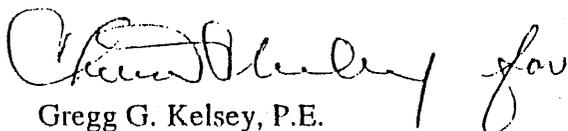
Page: 5

Attached is our 1999 Billing Rate Schedule, revised to reflect your comments.

Also, attached is our employee listing with associated classifications and the appropriate billing rate.

I hope this information is sufficient for your needs. If you have any questions, please call.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gregg G. Kelsey".

Gregg G. Kelsey, P.E.

GGK:sp  
Attachment

**PROFESSIONAL SERVICES  
1999 BILLING RATE SCHEDULE**

	<u>Title</u>	<u>Hourly Bill Rate</u>
	<b>ENGINEERING</b>	
E8	Engineer VIII	160.00
E7	Engineer VII	130.00
E6	Engineer VI	100.00
E5	Engineer V	75.00
E4	Engineer IV	60.00
E3	Engineer III	55.00
T8	Engineering Technician VIII	105.00
T7	Engineering Technician VII	95.00
T6	Engineering Technician VI	85.00
T5	Engineering Technician V	70.00
T4	Engineering Technician IV	50.00
T3	Engineering Technician III	40.00
T3	Data Entry Clerk	40.00
T2	Engineering Technician II	30.00
TT	Technical Typist	65.00
	<b>SURVEYING</b>	
	Licensed Land Surveyor	105.00
	Survey Office Technician	75.00
	Two Man Field Party	130.00

**NOTES:**

1. Partners time is billed at \$160.00 per hour.
2. All Billing Rates shall be increased by 10% for Overtime Work necessitated by the project's schedule, upon written approval by Town Board.
3. These rates are reviewed annually and are subject to change & Town Board Approval.
4. Approved Out of Pocket expenses will be billed at Cost.

**CLASSIFICATION DESCRIPTIONS****ENGINEERING PERSONNEL**

- E 8 Performs administrative and professional engineering duties in directing and coordinating the activities of department level engineers who are responsible for a segment of the firm's clients. Graduate civil engineer with fifteen years experience, possession of a professional engineer's license, or twenty years of acceptable civil engineering experience.
- E 7 Performs administrative and professional engineering duties in directing and coordinating the activities of other engineers and technicians for a segment of the firm's clients. Graduate civil engineer with ten years experience, possession of a professional engineer's license, or fifteen years of acceptable civil engineering experience.
- E 6 Supervises and performs professional engineering duties in directing other engineers and technicians on specific projects for our clients. Graduate civil engineer with eight years experience, possession of a professional engineer's license or land surveyor's license or equivalent acceptable civil engineering experience.
- E 5 Performs professional engineering duties as required under minimal supervision of project manager. Graduate civil engineer with six years experience or associate's degree in civil technology with ten years experience in civil engineering.
- E 4 Performs supervisory and advanced technical drafting work in the preparation of plans, maps, and similar drawings. Works under general supervision; the duties require planning, organizing and directing the activities of other technicians. Graduate civil engineer with four years experience in the field or drafting, or associate's degree in civil technology with six years experience in the field or drafting.
- E 3 Entry Level Engineer.
- T 8 Performs technical support for the engineering staff, including computer aided drafting. Associates degree in civil or construction technology with 18 years experience in the field, or more than 20 years experience in the field of civil engineering.
- T 7 Performs technical support for the engineering staff, including computer aided drafting. Associates degree in civil or construction technology with 14 years experience in the field, or more than 16 years experience in the field of civil engineering.
- T 6 Performs technical support for the engineering staff, including computer aided drafting. Associate's degree in civil or construction technology with ten years experience in the field, or more than ten years experience in the field of civil engineering.
- T 5 Performs technical support for the engineering staff, including computer aided drafting. Associate's degree in civil or construction technology with eight years experience in the field, or more than eight years experience in the field of civil engineering.
- T 4 Performs technical support for the engineering staff, including computer aided drafting. More than four years experience in the field of civil engineering.
- T 3 Performs technical support for the engineering staff, including computer aided drafting. More than two years experience in the field of civil engineering. Performs data entry and clerical activities in support of the programming staff and for direct client activities.
- T 2 Entry level engineering technician.
- T T Technical Typist.

Sidney B. Bowne & Son, LLP  
 Billing Rate Schedule  
 December 30, 1998

Employee Name	Title (Classification)	1999 Billing Rate
Almont, Jerry	E7	130.00
Anderson, Ralph	E7	130.00
Annitto, Richard N.	C72	130.00
Atienza, Rigoberto G.	E5	75.00
Bailey, Leland	C52	90.00
Barkan, Glen A.	C22	50.00
Barrett, Raymond F.	T5	70.00
Bauer, Sharlene	C51	80.00
Becker, Carl E.	E8	160.00
Bello, Dominick A.	C72	130.00
Brown, Edward	N/A	
Buch, Robert E.	E6	100.00
Buckley, Christopher M.	E3	55.00
Calandra, Benny	T3	40.00
Capoblanco, Michael	T5	70.00
Cashin, Michael	T5	70.00
Castagna, Joseph	T7	95.00
Chu, Zhougjin	C51	80.00
Cocchi, Roger	E7	130.00
Condon, John	E3	55.00
Deen, Ken	C41	65.00
De Vita, Vincent	N/A	
Dono, Peter	T6	85.00
Dupuy, John E.	T4	50.00
Eiseman, John	T7	95.00
Faines, Franscina	TT	65.00
Farrell, Kevin J.	T5	70.00
Fleischmann, Robert W.	E6	100.00
Frail, Charlene	T5	70.00
Garavuso, Elaine	TT	65.00
Gelger, Richard	E7	130.00
Gervais, Pierre R.	T5	70.00
Gorin, Evan S.	C71	110.00
Griffiths, Fredric	E7	130.00
Ha, Trung	C21	40.00
Hickerson, David	E5	75.00
Hofgren, Adrienne	N/A	
Hofgren, Janet	N/A	
Horton, Ronald D.	E5	75.00
Hrbek, Stephen	E6	100.00
Jankowski, Robert	C72	130.00
Kadyszewski, Daniel	T6	85.00
Kaplan Howard I.	T4	50.00
Kelly, Christopher	C52	90.00
Kelsey Esposito, Lynn	T5	70.00
Kelsey, Gregg	E7	130.00

Sidney B. Bowne & Son, LLP  
 Billing Rate Schedule  
 December 30, 1998

Employee Name	Title (Classification)	1999 Billing Rate
Wandel, Charles	T6	85.00
Wang, Yo Ping	T5	70.00
Ward, Debra A.	TT	65.00
Washington, Calvin	T4	50.00
Weber, Richard	E7	130.00
Wedlock, Matthew	T5	70.00
Weinreber, Robert F.	T5	70.00
Wilson, Randall H.	C41	65.00
Wong, Patience	TT	65.00
Yabroudy, Josephine M.	C52	90.00
Zaleski, Leslaw	T5	70.00
Zawoluk, William P.	C22	50.00
Zelizer, Howard	C41	65.00
Ziegler, John	T6	85.00
<b>Part-Time Staff</b>		
Aiello, Gino N.	E6	100.00
Annlitto, Lisa	T4	50.00
Antetomaso, John	T4	50.00
Aulak, Kazimierz	T5	70.00
Barroca, Leroy	E6	100.00
Barroca, Paul	E6	100.00
Crean, Sandra L.	C51	80.00
Fornasiero, Nino	T6	85.00
Heil, Ralph O.	E6	100.00
Lewendon, Scott J.	E7	130.00
Parker, Roger	E6	100.00
Patterson, Paul	C61	95.00
Rivera, Reinaldo	T4	50.00
Saladino-Heil, Angela	E6	100.00
Sheskier, Alexander	T7	95.00
Straussman, Jack	T4	50.00
Wong, Katherine	T2	30.00
Wright, William H.	E6	100.00
Yu, Yi Zheng	T3	40.00
Ziegler, Sean M.	T2	30.00
<b>Bowne Partners</b>		
Antetomaso, Frank J. P.E.	E8	160.00
Blackman, Zabdriel A. P.E.,L.S.	E8	160.00
Fagan, George, PHD	E7	160.00
Kelsey, Chester C. P.E.,L.S.	E8	160.00
Stanton, Robert A. P.E.	E8	160.00

Sidney B. Bowne & Son, LLP  
 Billing Rate Schedule  
 December 30, 1998

Employee Name	Title (Classification)	1999 Billing Rate
Kenny, Dane	E7	130.00
Lembo, Arthur J.	C71	110.00
Lynch, Francis	E7	130.00
Madsen, Linda A.	E3	55.00
Manfra, Angelo P.	T5	70.00
Mangino, John	T5	70.00
Mansfield, Kevin	E6	100.00
Marsh, Valerie J.	N/A	
Matzen, Frank P.	C41	65.00
Merrill, Charles W.	C31	55.00
McKay, Sabrina	TT	65.00
Miller, Howard	E7	130.00
Mistry, Falguni P.	C31	55.00
Morehouse, Kimberly	E3	55.00
Murrell, Brian J.	E5	75.00
Nelson, Daniel A.	E7	130.00
Ness, Theodore	T6	85.00
Nolan, Wallace	T6	85.00
Norton-Taylor, Bill	T7	95.00
Noviello, Kristine	C41	65.00
Orr, Robert	E6	100.00
Pardo, Scott M.	C22	50.00
Patterson, Sally	TT	65.00
Petito, Joseph	T5	70.00
Ramirez-Walton, Noris	T5	70.00
Reilly, Kevin A.	E3	55.00
Roberts, Thomas G.	T4	50.00
Rosati, Timothy J.	T5	70.00
Schultheis, Gerard H.	C51	80.00
Semelrath, Ute	N/A	
Sergio, Judith	TT	65.00
Shen, Kevin	C41	65.00
Sheskier, Michael	C22	50.00
Sholander, Kenneth J.	C51	80.00
Slutzah, Richard	C73	140.00
Speroni, John	C71	110.00
Stevens, Paul	E7	130.00
Style, George	E7	130.00
Styne, William	C71	110.00
Szczepanski, Renee	E5	75.00
Todaro, Joseph	E6	100.00
Tran, Ngoc V.	C22	50.00
Ulriech, Robert	T7	95.00
Vail, George U.	C52	90.00
Van Wagner, John	T6	85.00
Vo, Tri	C52	90.00

Adopted

1/19/99

TOWN OF RIVERHEAD

Resolution # 57

**APPOINTS THE LAW FIRM OF TWOMEY, LATHAM, SHEA & KELLEY, LLP AS  
SPECIAL COUNSEL TO THE ECONOMIC DEVELOPMENT ZONE  
ADMINISTRATIVE BOARD**

COUNCILMAN CARDINALE

\_\_\_\_\_ offered the following resolution, was seconded by

**COUNCILMAN KENT**  
\_\_\_\_\_ :

**RESOLVED**, that the Law Firm of Twomey, Latham, Shea & Kelley, LLP is hereby retained as special counsel to the Economic Development Zone Administrative Board; and be it further

**RESOLVED**, that the Riverhead Town Board hereby approves the attached Retainer Agreement from the Law Firm of Twomey, Latham, Shea & Kelley, LLP; and be it further

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

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Law Firm of Twomey, Latham, Shea & Kelley, LLP, 33 West Second Street, P.O. Box 398, Riverhead, New York, 11901; the Town Supervisor; Andrea Lohneiss, Director, CDA; Gloria Ingegno; Jack Hansen, Financial Administrator; the Office of Accounting and the Office of the Town Attorney.

**THE VOTE**

Cardinale  Yes \_\_\_ No \_\_\_    Kent  Yes \_\_\_ No \_\_\_  
Kwasna  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_  
Vilella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY DECLARED ADOPTED

01/19/99

Adopted

TOWN OF RIVERHEAD

Resolution # 58

APPOINTS PROVISIONAL ACCOUNT CLERK TYPIST IN THE ACCOUNTING OFFICE

COUNCILMAN KENT

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

WHEREAS, due to the resignation of an employee in the Accounting Office the position of Account Clerk Typist now exists.

WHEREAS, the Suffolk County Department of Civil Service has notified the Town of Riverhead that the Account Clerk Typist List #98A-409 has been exhausted, and thereby the Department has approved a provisional appointment; and

WHEREAS, the position was duly posted, applicants have been interviewed and a recommendation was made to the Town Board Personnel Committee; and

NOW, THEREFORE, BE IT RESOLVED, that effective February 1, 1999, the Town Board hereby appoints Cynthia Piro to the provisional position of Account Clerk Typist on Group 9 Step P of the Clerical and Supervisory Salary Structure of the CSEA Contract; and

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

THE VOTE

Cardinale ✓ Yes \_\_\_ No \_\_\_ Kent ✓ Yes \_\_\_ No \_\_\_
Kwasna ✓ Yes \_\_\_ No \_\_\_ Lull ✓ Yes \_\_\_ No \_\_\_
Vilella ✓ Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS X WAS NOT
THEREUPON DULY DECLARED ADOPTED

Adopted

01/19/99

TOWN OF RIVERHEAD

Resolution # 59

APPOINTS CONTINGENT PROVISIONAL ACCOUNT CLERK TYPIST  
IN THE OFFICE OF THE TOWN CLERK

COUNCILMAN KWASNA

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

**WHEREAS**, Donna Zaweski has been approved for a leave of absence creating a temporary vacancy in the Office of the Town Clerk; and

**WHEREAS**, the Suffolk County Department of Civil Service has notified the Town of Riverhead that the Account Clerk Typist List #98A-409 has been exhausted, and thereby the Department has approved a provisional appointment; and

**WHEREAS**, the position was duly posted, applicants have been interviewed and a recommendation was made to the Town Board Personnel Committee; and

**NOW, THEREFORE, BE IT RESOLVED**, that effective Januray 20, 1999 the Town Board hereby appoints Jennifer Seebeck to the contingent provisional position of Account Clerk Typist in the Office of the Town Clerk on Group 9 Step P of the Clerical and Supervisory Salary Structure of the CSEA Contract; and

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

**THE VOTE**

Cardinale  Yes \_\_\_ No \_\_\_    Kent  Yes \_\_\_ No \_\_\_  
Kwasna  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_  
Villella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY DECLARED ADOPTED

1/19/99

*Withdrawn  
Town Board Meeting of 2/2/99*

**Tabled**

TOWN OF RIVERHEAD

RESOLUTION # 60

**APPOINTS TWO MAINTENANCE MECHANIC II POSITIONS  
IN THE WATER DISTRICT.**

**COUNCILMAN KENT** offered the following resolution,  
which was seconded by **COUNCILMAN KWASNA**.

**WHEREAS**, there are two vacancies in the position of Maintenance Mechanic II in the Water Department; and

**WHEREAS**, said position was duly posted and advertised; and

**WHEREAS**, the Personnel Committee held interviews and recommended that Jason Hubbard and John Letson be appointed to these vacancies.

**NOW, THEREFORE BE IT, RESOVLED**, that Jason Hubbard and John Letson be appointed to the position of Maintenance Mechanic II at Group 7, Step P of the Administrative Salary Schedule at an annual salary of \$28,601.04, effective January 25, 1999, subject to the approval of the Suffolk County Department of Civil Service and possession of a clean, valid CDL; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Jason Hubbard, John Letson, Gary Pendzick and the Accounting Department.

**COUNCILMAN KENT OFFERED THIS RESOLUTION TO BE TABLED,  
WHICH WAS SECONDED BY COUNCILMAN KWASNA**

**The VOTE: All Board Members in Favor of Tabling Resolution  
The Resolution was thereupon declared to be  
TABLED.**

**THE VOTE**  
Cardinale  Yes \_\_\_ No \_\_\_    Kent  Yes \_\_\_ No \_\_\_  
Kwasna  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_  
Vilella  Yes \_\_\_ No \_\_\_

**THIS RESOLUTION WAS WITHDRAWN AT THE TOWN BOARD  
MEETING OF FEBRUARY 2, 1999 and WAS REPLACED  
WITH RESOLUTIONS NO.118 & 119.**

**THE RESOLUTION WAS  WAS NOT  
THEREUPON DULY DECLARED ~~ADOPTED~~**

**Tabled**

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 61

APPOINTS BUS DRIVER IN THE SENIOR PROGRAMS DEPARTMENT

**COUNCILMAN CARDINALE** offered the following resolution,  
which was seconded by **COUNCILMAN KENT**.

**WHEREAS**, there is a vacancy in the position of bus driver in the Senior Programs Department; and

**WHEREAS**, said position was duly posted and advertised; and

**WHEREAS**, the Personnel Committee held interviews and recommended that Kathleen Long be appointed to this vacancy.

**NOW, THEREFORE BE IT, RESOVLED**, that Kathleen Long be appointed to the position of Bus Driver at Group 4, Step P of the Administrative Salary Schedule at an annual salary of \$21,927.76, effective January 25, 1999, subject to the approval of the Suffolk County Department of Civil Service and possession of a clean, valid CDL; and

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

**THE VOTE**

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY DECLARED ADOPTED

*Withdrawn at  
Town Board Meeting of 2/2/99*

1/19/99

TOWN OF RIVERHEAD

**Tabled**

Resolution # 62

**APPOINTS THE LAW FIRM OF TWOMEY, LATHAM, SHEA & KELLEY, LLP AS  
SPECIAL COUNSEL TO THE RIVERHEAD COMMUNITY DEVELOPMENT  
AGENCY**

**COUNCILMAN KENT**

\_\_\_\_\_ offered the following resolution, was seconded by

**COUNCILMAN KWASNA** \_\_\_\_\_:

**RESOLVED**, that the Law Firm of Twomey, Latham, Shea & Kelley, LLP is hereby retained as special counsel for the Riverhead Community Development Agency; and be it further

**RESOLVED**, that the Riverhead Town Board hereby approves the attached Retainer Agreement from the Law Firm of Twomey, Latham, Shea & Kelley, LLP; and be it further

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

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Law Firm of Twomey, Latham, Shea & Kelley, LLP, 33 West Second Street, P.O. Box 398, Riverhead, New York, 11901; the Town Supervisor; Andrea Lohneiss, Director, CDA; the Office of Accounting and the Office of the Town Attorney.

**COUNCILMAN KENT OFFERED THIS RESOLUTION TO BE TABALED, WHICH WAS SECONDED BY COUNCILMAN KWASNA.**

**THE VOTE: ALL TOWN BOARD MEMBERS IN FAVOR OF TABLING RESOLUTION.  
THE RESOLUTION WAS THEREUPON DECLARED TO BE TABLED.**

**THE VOTE**

Cardinale  Yes \_\_\_ No \_\_\_    Kent  Yes \_\_\_ No \_\_\_  
Kwasna  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_  
Villella  Yes \_\_\_ No \_\_\_

**THIS RESOLUTION WAS WITHDRAWN AT REGULAR TOWN BOARD MEETING OF FEBRUARY 2, 1999 AND WAS REPLACED WITH RESOLUTION NO.136.**

THE RESOLUTION WAS  WAS NOT   
THE RESOLUTION WAS  ADOPTED

**Tabled**

Adopted

TB - 1/19/99

TOWN OF RIVERHEAD

RESOLUTION # 63  
ADOPTED JANUARY 19, 1999

APPROVES HIGHWAY SUPERINTENDENT EXPENDITURES

COUNCILMAN KWASNA

\_\_\_\_\_ offered the following resolution which  
was seconded by COUNCILMAN LULL.

*WHEREAS, Highway Law Section 142 (1-A) requires all purchases of equipment, tools and other implements by the Town Highway Superintendent be approved by the Town Board, and*

*WHEREAS, the Town Board may authorize the Highway Superintendent to purchase such equipment, tools and other implements without prior approval in an amount to be fixed from time to time by the Town Board, and*

*WHEREAS, the Highway Superintendent has requested approval to spend up to \$10,000.00 for equipment, tools and other implements without prior approval,*

**NOW, THEREFORE, BE IT**

**RESOLVED, that the Highway Superintendent be and is hereby authorized to spend up to \$10,000.00 for equipment, tools and other implements, at any time, without prior approval of the Town Board.**

**THE VOTE**

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Vitella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY DECLARED ADOPTED

Adopted

1/19/99

TOWN OF RIVERHEAD

Resolution # 64

**APPOINTS THE LAW FIRM OF MATTURRO & ASSOCIATES AS SPECIAL COUNSEL**

COUNCILMAN LULL

offered the following resolution, was seconded by

**COUNCILMAN CARDINALE**

**RESOLVED**, that the Law Firm of Maturro & Associates is hereby retained as special counsel; and be it further

**RESOLVED**, that the Riverhead Town Board hereby approves the attached Retainer Agreement from the Law Firm of Maturro & Associates; and be it further

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

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Maturro & Associates, One Old Country Road, Suite 318, Carle Place, New York, 11514; the Office of Accounting and the Office of the Town Attorney.

**THE VOTE**

Cardinale ✓ Yes \_\_\_ No \_\_\_    Kent ✓ Yes \_\_\_ No \_\_\_

Kwasna ✓ Yes \_\_\_ No \_\_\_    Lull ✓ Yes \_\_\_ No \_\_\_

Villella ✓ Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS X WAS NOT

THEREUPON DULY DECLARED ADOPTED

RETAINER AGREEMENT

AGREEMENT made this \_\_\_\_\_ day of January, 1999, by and between the Town of Riverhead, 200 Howell Avenue, Riverhead, New York (hereinafter the Town), and Matturro & Associates, One Old Country Road, Suite 318, Carle Place, New York, 11514(hereinafter the Firm), pursuant to Resolution # \_\_\_\_\_ of the Town Board adopted on January 19, 1999 as follows:

1. The Town retains the Firm to provide the legal services described in said resolution.
2. The Town agrees to pay the Firm at an hourly rate of \$150 an hour for partners; \$125 an hour for associates and \$65 an hour for paralegals.
3. The Town shall reimburse the Firm for actual disbursements.

TOWN OF RIVERHEAD

By: \_\_\_\_\_  
VINCENT G. VILLELLA  
Town Supervisor

MATTURRO & ASSOCIATES

By: \_\_\_\_\_  
ANTHONY MATTURRO

January 19, 1999

Adopted

**TOWN OF RIVERHEAD**

Resolution # 65

**APPROVES SPECIAL PERMIT OF JOSEPH TOMASHEFSKY**

**COUNCILMAN CARDINALE**

\_\_\_\_\_ offered the following resolution which  
was seconded by **COUNCILMAN KENT** \_\_\_\_\_

**WHEREAS**, the Riverhead Town Board is in receipt of a special permit petition from Joseph Tomashefsky pursuant to Section 108-135 B(6) of the Town Code for the conversion to a 30 seat restaurant an existing 1,134 square foot structure located on a .24 acre parcel zoned Business 'G' and known by Suffolk County Tax Map Number 0600-67-2-23, and

**WHEREAS**, the Riverhead Town Board by resolution #762 of 1998 deemed said petition to be an Unlisted Action which will not have a significant effect upon the environment and that a Draft Environmental Impact Statement need not be prepared, and

**WHEREAS**, the Town Board has referred the petition to the Riverhead Planning Board, such Planning board recommending approval of the application subject to certain conditions, and

**WHEREAS**, the Town Board referred the petition to the Suffolk County Planning Commission; such Planning commission determining the matter to be one of local determination, and

**WHEREAS**, the Town Board held a public hearing on January 5, 1999, and

**WHEREAS**, the Town Board has carefully considered the merits of the petition, the SEQRA record created to date, the report of the Planning Department, the attending site plan, as well as all other relevant planning, zoning and environmental information, now

**THEREFORE, BE IT**

**RESOLVED**, that in the matter of the special permit petition of Joseph Tomashefsky, the Riverhead Town Board makes the following findings:

FIRST: That the premises is located within the Business G Zoning Use District;

SECOND: That the parcel is a corner lot;

THIRD: That the site is fully improved with building and parking areas;

FOURTH: That a variance from Article 6 of the Suffolk County Sanitary Code shall be required for a 30 sear restaurant;

**BE IT FURTHER**

**RESOLVED**, that based upon its findings, the Riverhead Town Board hereby approves the subject special permit application subject to the following conditions:

1. Issuance of a permit by the Suffolk Department of Health Services;
2. No vehicular access to or from Main Road;
3. No building permit shall be issued without site plan approval of the Town Board showing adequate parking, drainage, and landscaping;
4. That the special permit shall be valid for a period of three (3) years;
5. That the special permit shall not be assigned to another party within the prior approval of this Town Board; and

**BE IT FURTHER**

**RSOLVED**, that copies of this resolution be forwarded to Joseph Tomashefsky or his agent, the Riverhead Planning Board and the Planning Department., and **Henry Saxtein, attorney** for applicant.

**THE VOTE**

Cardinala  Yes \_\_\_ No \_\_\_ Kent  Yes \_\_\_ No \_\_\_  
 Kwana  Yes \_\_\_ No \_\_\_ LuJ  Yes \_\_\_ No \_\_\_  
 Misella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_  
 THE RESOLUTION WAS UNANIMOUSLY DECLARED ADOPTED

**Adopted**

January 19, 1999

**TOWN OF RIVERHEAD**

Resolution # 66

**APPROVES SPECIAL PERMIT PETITION OF WADING RIVER PRE-SCHOOL ACADEMY – CATHERINE TOKAR**

**COUNCILMAN KENT**

\_\_\_\_\_ offered the following resolution which

was seconded by **COUNCILMAN KWAGNA**  
\_\_\_\_\_

**WHEREAS**, the Riverhead Town Board is in receipt of a special permit petition from Catherine Tokar, as authorized by Nino Militello, owner of Wading River Square pursuant to Section 108-110.1 B(5) of the Town Code for operation of a nursery school within a 2,000 square foot area of an existing commercial development located on a 2.4 acre parcel zoned Business 'CR' and known by Suffolk County Tax Map Number 0600-74-2-17.1, and

**WHEREAS**, the Riverhead Town Board by resolution #291 of 1998 deemed said petition to be an Unlisted action which will not have a significant effect upon the environment and that a Draft Environmental Impact Statement need not be prepared, and

**WHEREAS**, the Riverhead Town Board has referred the petition to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending approval of the petition subject to certain conditions, and

**WHEREAS**, the Town Board has carefully considered the merits of the petition, the SEQRA record created to date, the report of the Planning Department, the attending site plan, as well as all other relevant planning, zoning and environmental information, now

**THEREFORE, BE IT**

**RESOLVED**, that in the matter of the special permit petition of the Wading River Pre-School Academy, Catherine Tokar, the Riverhead Town Board hereby makes the following findings:

1. That the premises is located with the Business CR Zoning Use District;
2. That the applicant proposes to use 2,000 square feet of an existing structure;
3. That the operation of the school is from 9:00 a.m. to 3:00 p.m., one session in the morning and another in the afternoon;
4. That there are no kitchen facilities, therefore no meals are provided;
5. That the use is not a day care center but voluntary learning center to be certified by the State of New York;

- 6. That the proposed use is not mandated by any other agency to provide an outdoor play area; and

**BE IT FURTHER**

**RESOLVED**, that the Town Board approves the special permit petition subject to the following conditions:

- 1. That if the use were to become a day care center licensed by the Department of Social Services reapplication shall be made to the Town Board of the Town of Riverhead;
- 2. That upon receipt of certification by the State of New York a copy of said certification shall be filed with the Building Department of the Town of Riverhead, and

**BE IT FURTHER**

**RESOLVED**, certified copies of this resolution be forwarded to Catherine Tokar or her agent, the Building Department, the Planning Board and the Planning Department.

**THE VOTE**

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kont	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		

THE RESOLUTION WAS  WAS NOT  
THEREUPON DULY DECLARED ADOPTED

Adopted

1/19/99

TOWN OF RIVERHEAD

Resolution # 67

**AUTHORIZES THE SUPERVISOR TO EXECUTE AGREEMENT BETWEEN CROWN SANITATION, INC. AND TOWN OF RIVERHEAD (DISPOSAL OF TOWN OF RIVERHEAD GENERATED WASTE)**

COUNCILMAN LULL

\_\_\_\_\_ offered the following resolution, was seconded by

**COUNCILMAN CARDINALE**

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Town Board of the Town of Riverhead be and hereby authorizes the Supervisor to execute the Agreement between Crown Sanitation, Inc. and the Town of Riverhead in connection with the disposal of Town of Riverhead generated waste (copy attached herewith); and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Crown Sanitation, Inc., P.O. Box 974, 865 Youngs Avenue, Riverhead, New York, 11901; John Reeve, Sanitation Supervisor; Kenneth Testa, P.E.; the Town Attorney's Office and the Office of Accounting.

**THE VOTE**

Cardinale  Yes \_\_\_ No \_\_\_    Kent  Yes \_\_\_ No \_\_\_

Kwasna  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_

Villella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT

THE RESOLUTION WAS DULY DECLARED ADOPTED

## AGREEMENT BETWEEN

THE TOWN OF RIVERHEAD, a municipal corporation with offices at 200 Howell Avenue, Riverhead, New York 11901, hereinafter referred to as "TOWN" and 865 YOUNGS AVE CORP., a New York corporation d/b/a. CROWN RECYCLING FACILITY, with offices at 865 Youngs Avenue, Riverhead, New York 11901, hereinafter referred to as "CONTRACTOR"

### WITNESSETH

**WHEREAS**, the Town, due to the DEC closure of the Town landfill is no longer able to dispose of the Solid Waste generated in the offices and facilities owned and/or operated by the Town; and

**WHEREAS**, Public Notice to Bidders was published and posted, requested sealed bids which were opened at the Office of the Town Clerk; and

**WHEREAS**, one bid was received from the Contractor for disposal of the Town's solid waste as follows: Sixty-four and No/100 (\$64.00) Dollars per ton for solid waste; and Forty and No/100 (\$40.00) Dollars per ton for source-separated mixed paper.

**IT IS HEREBY AGREED**, by the Town and Contractor as follows:

1. The term shall be for one term, commencing on January 1, 1999 and continuing through and including December 31, 1999. The agreement may be amended from time to time, upon the same terms and conditions, for additional terms of one year, running from January 1 through December 31. Not later than November 30, 1999 or any successive years, the Contractor shall notify the Town in writing that it wishes to continue providing services for an additional year upon the same conditions and terms. The Town shall reply in writing not later than December 15, 1998 or any successive years whether it wishes to continue using the

Contractor for the services described. Failure on the part of the Contractor to provide such written notice by November 30 shall result in the contract expiring after December 31, 1999. In the event the Contractor provides written notice by November 30 and the Town fails to provide written notice of its intentions by December 15, the contract shall extend for an additional one year period of time. Written notice shall be given to the parties at the addresses contained above and, in the case of the Town, directed to the Town Attorney and, in the case of the Contractor, directed to Frank Rossano.

2. For the term provides in paragraph one above, the Contractor agrees to accept for disposal solid waste generated by the offices and facilities owned and/or operated by the Town. In return for Contractor's services, the Town shall pay Contractor as follows: The sum of Sixty-four and No/100 (\$64.00) Dollars per ton for solid waste and the sum of Forty and No/100 (\$40.00) Dollars per ton for source-separated mixed paper. That sum shall be payable after the Contractor performs the services described for the Town and after contractor has filed with the Town of Riverhead, vouchers and any other documents reasonably required for payment.

Dated: Riverhead, New York  
January ,1999

**TOWN OF RIVERHEAD**

By: \_\_\_\_\_  
Vincent G. Vilella, Town Supervisor

**CONTRACTOR**

By: \_\_\_\_\_  
Frank Rossano

Adopted

1/19/99

Town of Riverhead

Resolution # 68

Authorizes Supervisor to Execute Contract **FOR Non-Financial Cooperative Agreements**  
**COUNCILMAN CARDINALE**

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

**COUNCILMAN KENT**

which was seconded by \_\_\_\_\_:

**WHEREAS**, the Town of Riverhead Community Development Agency (CDA) has acquired the former Naval Weapons Industrial Reserve Plant at Calverton; and

**WHEREAS**, the intent of Congress in authorizing transfer of said property was for economic redevelopment; and

**WHEREAS**, the Calverton Enterprise Park has been designated by New York State as an Economic Development Zone (EDZ) pursuant to Article 18B of the General Municipal Law, as amended; and

**WHEREAS**, pursuant to said designation, the EDZ is required to establish nonfinancial cooperative agreements for the provision of coordinated employment and training services; and

**WHEREAS**, the Town of Riverhead has worked with the Suffolk County Department of Labor and the Suffolk County Department of Social Services to develop an agreement for the provision of said services through the Suffolk One-Stop Employment Center.

**THEREFORE, BE IT FURTHER RESOLVED**, that the Supervisor is hereby authorized by the Town Board to execute the attached agreement in triplicate in his capacity as Town Supervisor and as CDA Chairman being that the Calverton Enterprise Park EDZ Administrative Board has authorized the CDA to assume certain administrative functions on its behalf.

**THEREFORE, BE IT FURTHER RESOLVED**, that the Calverton Enterprise Park EDZ Administrative Board, the Zone Coordinator and the CDA Director will be responsible for implementation of this agreement on behalf of the Town of Riverhead.

**THEREFORE, BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to Community Development Director Andrea Lohneiss, EDZ Coordinator Gloria Ingegno and EDZ Chairman Harvey Helling.

**THE VOTE**

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT \_\_\_\_\_  
THEREUPON DULY DECLARED ADOPTED



ROBERT J. GAFFNEY  
SUFFOLK COUNTY EXECUTIVE

JOHN R. O'DONNELL  
COMMISSIONER  
DEPARTMENT OF LABOR

January 4, 1999

BUILDING 17  
NORTH COUNTY COMPLEX  
VETERANS MEMORIAL HIGHWAY  
HAUPPAUGE, N.Y. 11788  
FAX # (516) 853-6510

ADDRESS CORRESPONDENCE TO:  
P.O. BOX 1319  
SMITHTOWN, N.Y. 11787-0895

Ms. Andrea Lohneiss, Director  
Community Development Agency  
Riverhead Town Hall  
200 Howell Avenue  
Riverhead, New York 11901

Dear Ms. Lohneiss:

Enclosed are three (3) originals of the Nonfinancial Cooperative Agreement for the provision of a system of coordinated employment and training services through the Suffolk One-Stop Employment Center. The parties of the Agreement are the Town of Riverhead Economic Development Zone, the Suffolk County Department of Social Services, and the Suffolk County Department of Labor.

Please have Supervisor Villella sign and date all three (3) originals and return them to me at the following address:

Suffolk County Department of Labor  
Building #17  
North County Complex  
Veterans Memorial Highway  
Hauppauge, New York 11788

When the Agreement is fully executed, I will return a copy for your records.

Very truly yours,

Peter Crisano, Director  
Grant Development and  
Program Compliance

PC:abt  
Enclosures

**EMPLOY PEOPLE WITH DISABILITIES - IT'S GOOD BUSINESS**



**NONFINANCIAL COOPERATIVE AGREEMENT**  
**FOR COORDINATION OF SERVICES**  
**FOR THE SUFFOLK ONE-STOP EMPLOYMENT CENTER**

THIS AGREEMENT is between the COUNTY OF SUFFOLK (the "COUNTY"), a New York municipal corporation, having its principal office at the County Center, Riverhead, New York 11901-3397 acting through its duly constituted DEPARTMENT OF LABOR (the "DEPARTMENT"), having its principal office at Building No. 17, North County Complex, 725 Veterans Memorial Highway, Hauppauge, New York 11788; and its Department of Social Services ("SCDSS") having its principal offices at 3085 Veterans Memorial Highway, Ronkonkoma, New York 11779; and the TOWN OF RIVERHEAD, a New York municipal corporation, having its principal place of business at 200 Howell Avenue, Riverhead, New York 11901 acting through its duly constituted ECONOMIC DEVELOPMENT ZONE (the "EDZR") at Riverhead.

The parties desire to provide an efficient system of coordinated employment and training services through the SUFFOLK ONE-STOP EMPLOYMENT CENTER (the "CENTER") to eligible job seekers and businesses in Suffolk County. No funding is required in the Suffolk County Operating Budget.

TERM OF AGREEMENT: Shall be from the last date of signature below through September 30, 2003.

TOTAL COST OF AGREEMENT: None

TERMS AND CONDITIONS Shall be as set forth in Exhibit A attached.

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

SUFFOLK COUNTY DEPARTMENT OF SOCIAL SERVICES

SUFFOLK COUNTY DEPARTMENT OF LABOR

By:   
JOHN B. WINGATE, Commissioner

By: \_\_\_\_\_  
JOHN R. O'DONNELL, Commissioner

Date: \_\_\_\_\_

Date: \_\_\_\_\_

TOWN OF RIVERHEAD

COUNTY OF SUFFOLK

By: \_\_\_\_\_  
VINCENT G. VILLELLA  
Town Supervisor

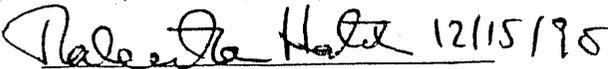
By: \_\_\_\_\_  
ERIC A. KOPP  
Chief Deputy County Executive

Date: \_\_\_\_\_

Date: \_\_\_\_\_

APPROVED AS TO FORM, NOT REVIEWED AS TO EXECUTION:

ROBERT J. CIMINO  
Suffolk County Attorney

By:  12/15/95  
Robertson Hatch Date  
Assistant County Attorney

**I. GOALS**

The DEPARTMENT, through the Suffolk County Workforce Development System and the CENTER, will provide the citizens of Suffolk County with a comprehensive range of services and information to maximize opportunities for employment and strengthen the local economy. The SCDSS, an interagency partner of the DEPARTMENT will join with the DEPARTMENT and the EDZR to ensure the continuation of appropriate referrals of public assistance applicants and recipients residing in the Riverhead Economic Development Zone to comprehensive employment and training services in order to reduce or eliminate their dependency on public assistance. The DEPARTMENT, the SCDSS and the EDZR agree to work cooperatively in the planning, development, implementation and provision of services and information for the CENTER.

**II. GENERAL CONDITIONS**

A. The general conditions of this Agreement are as follows:

1. The DEPARTMENT, the SCDSS, and the EDZR agree to a mutual exchange of information.
2. The DEPARTMENT, the SCDSS, and the EDZR shall work cooperatively to increase the awareness of local business and industry of the employment, training and supportive services that are available.
3. The DEPARTMENT, the SCDSS, and the EDZR agree to meet as needed to discuss such issues that may arise concerning the planning, development, implementation and provision of services and information to interested parties.
4. Nothing in this Agreement shall mandate the provision of CENTER or EDZR services to, or any other service or action on behalf of, referred individuals or businesses.

B. The DEPARTMENT (acting on behalf of the DEPARTMENT and the SCDSS) will coordinate with the EDZR on the following:

1. Designating a contact person to act as a central point of communication between the DEPARTMENT and the EDZR representative.
2. Providing employment and training services to individuals eligible for funded programs at the DEPARTMENT'S discretion and as resources permit.
3. Providing information regarding job training opportunities within the EDZR area.
4. Identifying the needs of job seekers within the geographic area.
5. Providing a general inventory of appropriate resources for supportive or other services for job seekers.
6. Maintaining a Suffolk Workforce Development web page for access by job seekers and business.
7. Developing a plan to collect, use and share customer satisfaction information to

improve outcomes.

8. Working with the EDZR to inform businesses, trade organizations, and other pertinent economic development entities about the services available to them.
9. Working on other issues or projects of mutual benefit.

C. The EDZR will coordinate with the DEPARTMENT on the following:

1. Designating a contact person to be a central point of communication between the DEPARTMENT and the EDZR.
2. Informing the DEPARTMENT of any education and training programs within the EDZR for purposes of referral by DEPARTMENT staff.
3. Providing access to EDZR programs and services for eligible individuals at the EDZR's discretion and as resources permit.
4. Providing the DEPARTMENT with timely written notices regarding job openings brought into the EDZR.
5. Coordinating efforts to develop and promote maximum opportunities for the employment and training needs of residents of the EDZR.
6. Establishing resources at the CENTER, such as creating and maintaining display or print materials describing various services for job seekers and businesses.

## II. IDENTIFICATION OF SERVICES OFFERED

A. As resources permit and at its sole discretion, the CENTER will offer the following services or access for eligible individuals and companies:

- ◆ JTPA and its successor programs
- ◆ Welfare-to-Work programs
- ◆ Apprenticeship Program information
- ◆ Job Corps programs
- ◆ Community Service Division of the New York State Department of Labor programs
- ◆ School-to-Work Opportunities
- ◆ Title V Older American programs
- ◆ Suffolk County Community College information and access
- ◆ Economic Development Zone information
- ◆ Self-Employment programs
- ◆ Vocational Educational Services for Individuals with Disabilities (VESID)
- ◆ Migrant and Seasonal Farmworker information
- ◆ Shared Work programs
- ◆ Assistance with Unemployment Insurance claim filing and benefit information
- ◆ Job placement
- ◆ Job listings
- ◆ Civil Service listings
- ◆ Veterans Counseling and Placement Services
- ◆ Vocational counseling
- ◆ Labor Market Information
- ◆ And any other new program added that could be appropriate for CENTER customers.

**IV. NONDISCRIMINATION**

In accordance with Article 15 of the Executive Law (also known as the Human Rights Law) and all other county, state and Federal administrative, statutory and constitutional nondiscrimination provisions, the EDZR, the SCDSS, and the DEPARTMENT shall not discriminate against any employee, applicant for employment and/or trainee in any program covered by this Agreement, because of race, creed, religion, color, sex, national origin, age, disability, political affiliation, marital status, prior criminal records, or Vietnam era or other veteran status.

**V. TERM/TERMINATION OF AGREEMENT**

This Agreement shall remain in effect during the period indicated on page 1 unless sooner terminated by any party by giving not less than thirty (30) days written notice of termination to the other parties.

**VI. ENTIRE AGREEMENT; NO ORAL CHANGES**

It is understood that this Agreement represents the entire agreement of the parties hereto; that all previous understandings are merged herein; and that no modifications hereof shall be valid unless written evidence thereof shall be executed by the parties hereto.

1/19/99

Adopted

TOWN OF RIVRHEAD  
Resolution # 69  
1/19/99

AUTHORIZES SUPERVISOR TO EXECUTE CONTRACT WITH THE DEPARTMENT OF STATE

COUNCILMAN KENT

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

COUNCILMAN KWADNA

which was seconded by \_\_\_\_\_.

WHEREAS, the Town of Riverhead has applied for and received approval of a \$20,000.00 grant from the Department of State Division of Coastal Resources for the development of a Local Waterfront Revitalization Program in conjunction with the Master Plan.

THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized to execute the attached contract with the New York State Department of State for the funds allocated to this program.

BE IT FURTHER RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Andrea Lohneiss, Community Development Director and Planning Director, Richard Hanley.

THE VOTE

Cardinale  Yes \_\_\_ No \_\_\_ Kent  Yes \_\_\_ No \_\_\_

Kwadna  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_

Wald  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT

DECLARED ADOPTED

## STATE OF NEW YORK AGREEMENT

The AGREEMENT is hereby made by and between the State of New York agency (STATE) and the public or private agency (CONTRACTOR) identified on the face page hereof.

WITNESSETH:

WHEREAS, the STATE has the authority to regulate and provide funding for the establishment and operation of program services and desires to contract with skilled parties possessing the necessary resources to provide such services; and

WHEREAS, the CONTRACTOR is ready, willing and able to provide such program services and possesses or can make available all necessary qualified personnel, licenses, facilities and expertise to perform or have performed the services required pursuant to the terms of this AGREEMENT;

NOW, THEREFORE, in consideration of the promises, responsibilities and covenants herein, the STATE and the CONTRACTOR agree as follows:

### Conditions of Agreement

A. This AGREEMENT may consist of successive periods (PERIOD), as specified within the AGREEMENT or within a subsequent Modification Agreement(s) (Appendix X). Each additional or superseding PERIOD shall be on the forms specified by the particular State agency, and shall be incorporated into this AGREEMENT.

B. Funding for the first PERIOD shall not exceed the funding amount specified on the face page hereof. Funding for each subsequent PERIOD, if any, shall not exceed the amount specified in the appropriate appendix for that PERIOD.

C. This AGREEMENT incorporates the face pages attached and all of the marked appendices identified on the face page hereof.

D. For each succeeding PERIOD of the AGREEMENT, the parties shall prepare new appendices, to the extent that any require modification, and a Modification Agreement (the attached Appendix X is the blank form to be used). Any terms of this AGREEMENT not modified shall remain in effect for each PERIOD of the AGREEMENT.

To modify the AGREEMENT within an existing PERIOD the parties shall revise or complete the appropriate appendix forms(s). Any change in the amount of consideration to be paid, or change in the term, is subject to the approval of the Office of the State Comptroller. Any other modifications shall be processed in accordance with agency guidelines as stated in Appendix A1.

E. The CONTRACTOR shall perform all services to the satisfaction of the STATE. The CONTRACTOR shall provide services and meet the program objectives summarized in the Program Workplan (Appendix D) in accordance with: provisions of the AGREEMENT; relevant laws, rules and regulations, administrative and fiscal guidelines; and where applicable, operating certificates for facilities or licenses for an activity or program.

F. If the CONTRACTOR enters into subcontracts for the performance of work pursuant to this AGREEMENT, the CONTRACTOR shall take full responsibility for the acts and omissions of its subcontractors. Nothing in the subcontract shall impair the rights of the STATE under this AGREEMENT. No contractual relationship shall be deemed to exist between the subcontractor and the STATE.

G. Appendix A. (Standard Clauses as required by the Attorney General for all State contracts) takes precedence over all other parts of the AGREEMENT.

II. Payment and Reporting

A. The CONTRACTOR, to be eligible for payment, shall submit to the STATE's designated payment office (identified in Appendix C) any appropriate documentation as required by the Payment and Reporting Schedule (Appendix C) and by agency fiscal guidelines, in a manner acceptable to the STATE.

B. The STATE shall make payments and any reconciliations in accordance with the Payment and Reporting Schedule (Appendix C). The STATE shall pay the CONTRACTOR, in consideration of contract services for a given PERIOD, a sum not to exceed the amount noted on the face page hereof or in the respective Appendix designating the payment amount for that given PERIOD. This sum shall not duplicate reimbursement from other sources for CONTRACTOR costs and services provided pursuant to this AGREEMENT.

C. The CONTRACTOR shall meet the audit requirements specified by the STATE.

III. Terminations

A. This AGREEMENT may be terminated at any time upon mutual written consent of the STATE and the CONTRACTOR.

B. The STATE may terminate the AGREEMENT immediately, upon written notice of termination to the CONTRACTOR, if the CONTRACTOR fails to comply with the terms and conditions of this AGREEMENT and/or with any laws, rules, regulations, policies or procedures affecting this AGREEMENT.

C. The STATE may also terminate this AGREEMENT for any reason in accordance with provisions set forth in Appendix A1.

D. Written notice of termination, where required, shall be sent by personal messenger service or by certified mail, return receipt requested. The termination shall be effective in accordance with terms of the notice.

E. Upon receipt of notice of termination, the CONTRACTOR shall cancel, prior to the effective date of any prospective termination, all outstanding obligations, and agrees not to incur any new obligations after receipt of the notice without approval by the STATE.

F. The STATE shall be responsible for payment on claims pursuant to services provided and costs incurred pursuant to terms of the AGREEMENT. In no event shall the STATE be liable for expenses and obligations arising from the program(s) in this AGREEMENT after the termination date.

IV. Indemnification

A. The CONTRACTOR shall be solely responsible and answerable in damages for any and all accident and/or injuries to person (including death) or property arising out of or related to the services to be rendered by the CONTRACTOR or its subcontractors pursuant to this AGREEMENT. The CONTRACTOR shall indemnify and hold harmless the STATE and its officers and employees from claims, suits, actions, damages and costs of every nature arising out of the provision of services pursuant to this AGREEMENT.

B. The CONTRACTOR is an independent contractor and may neither hold itself out nor claim to be an officer, employee or subdivision of the STATE nor make any claim, demand or application to or for any right based upon any different status.

#### Property

Any equipment, furniture, supplies or other property purchased pursuant to this AGREEMENT is deemed to be the property of the STATE except as may otherwise be governed by Federal or State laws, rules or regulations, or as stated in Appendix A1.

#### Safeguards for Services and Confidentiality

A. Services performed pursuant to this AGREEMENT are secular in nature and shall be performed in a manner that does not discriminate on the basis of religious belief, or promote or discourage adherence to religion in general or particular religious beliefs.

B. Funds provided pursuant to this AGREEMENT shall not be used for any partisan political activity, or for activities that may influence legislation or the election or defeat of any candidate for public office.

C. Information relating to individuals who may receive services pursuant to this AGREEMENT shall be maintained and used only for the purposes intended under the contract and in conformity with applicable provisions of laws and regulations, or specified in Appendix A1.

APPENDIX A  
Standard Clauses for All New York State Contracts  
Revised December 1996

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, "the contract" or "this contract") agree to be bound by the following clauses which are hereby made a part of the contract (the word "contractor" herein refers to any party other than the State, whether a contractor, licensor, licensee, lessor, lessee or any other party):

1. **EXECUTORY CLAUSE.** In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.
2. **NON-ASSIGNMENT CLAUSE.** In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the previous consent, in writing, of the State and any attempts to assign the contract without the State's written consent are null and void. The Contractor may, however, assign its right to receive payment without the State's prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.
3. **COMPTROLLER'S APPROVAL.** In accordance with Section 112 of the State Finance Law (or, if this contract is with the State University or City University of New York, Section 355 or Section 6218 of the Education Law), if this contract exceeds \$10,000.00 (or the minimum thresholds agreed to by the Office of the State Comptroller for certain S.U.N.Y. and C.U.N.Y. contracts), or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds \$10,000.00, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office.
4. **WORKERS' COMPENSATION BENEFITS.** In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.
5. **NON-DISCRIMINATION REQUIREMENTS.** In accordance with Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, age, disability or marital status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall be reason of race, creed, color, national origin, age, sex, or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all monies due hereunder for a second or subsequent violation.

6. *WAGE AND HOURS PROVISIONS.* If this is a public work contract covered by Article 8 of the Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law.
7. *NON-COLLUSIVE BIDDING REQUIREMENT.* In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor warrants, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further warrants that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.
8. *INTERNATIONAL BOYCOTT PROHIBITION.* In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds \$5,000.00, the Contractor agrees, as a material condition of the contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Section 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2 NYCRR 105.4).
9. *SET-OFF RIGHTS.* The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.
10. *RECORDS.* The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, "the Records"). The Records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the "Statute") provided that (i) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

11. *IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION.*
- A. FEDERAL EMPLOYER IDENTIFICATION NUMBER and/or FEDERAL SOCIAL SECURITY NUMBER. All invoices or New York State standard vouchers submitted for payment for the sale of goods or services or the lease of real or personal property to a New York State agency must include the payee's identification number i.e., the seller's or lessor's identification number. The number is either the payee's Federal employer identification number or Federal social security number, or both such numbers when the payee has both such numbers. Failure to include this number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or New York State standard voucher, must give the reason or reasons why the payee does not have such number or numbers.
- B. PRIVACY NOTIFICATION. (i) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purpose and for any other purpose authorized by law; (ii) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in New York State's Central Accounting System by the Director of State Accounts, Office of the State Comptroller, AESOB, Albany, New York 12236.
12. *EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN.* In accordance with Section 312 of the Executive Law, if this contract is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of \$25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of \$100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements therein; or (iii) a written agreement in excess of \$100,000.00 whereby the owner of a State-assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then:
- A. The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;
- B. At the request of the contracting agency, the Contractor shall request each employment agency, labor union or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, or furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the contractor's obligations herein; and

- C. The Contractor shall state, in all solicitation or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of "A", "B" and "C", above, in every subcontract over \$25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design or real property and improvements thereon (the Work) except where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State; or (iii) banking services, insurance policies or the sale of securities. The State shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this section. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Division of Minority and Women's Business Development pertaining hereto.

13. *CONFLICTING TERMS.* In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.
14. *GOVERNING LAW.* This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.
- LATE PAYMENT.* Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article XI-A of the State Finance Law to the extent required by law.
16. *NO ARBITRATION.* Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized), but must, instead, be heard in a court of competent jurisdiction of the State of New York.
17. *SERVICE OF PROCESS.* In addition to the methods of service allowed by the State Civil Practice Law and Rules ("CPLR"), Contractor hereby consents to the service of process upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of process or upon the State's receipt of the return thereof by the United State Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30) calendar days after service hereunder is complete in which to respond.
18. *PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS.* The Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of State Finance Law §165 (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification for an exemption under this law will be the responsibility of the contractor to establish to meet with the approval of the State.

In addition, when any portion of this contract involving the use of woods, whether supply or installation is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in §165 State Finance Law. Any such use must meet with the approval of the State, otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

19. *MACBRIDE FAIR EMPLOYMENT PRINCIPLES.* In accordance with the MacBride Fair Employment Principles (Chapter 807 of the Laws of 1992), the Contractor hereby stipulates that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.
20. *OMNIBUS PROCUREMENT ACT OF 1992.* It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts.

Information on the availability of New York State subcontractors and suppliers is available from:

NYS Department of Economic Development  
 Division for Small Business  
 One Commerce Plaza  
 Albany, New York 12245

A directory of certified minority and women-owned business enterprises is available from:

NYS Department of Economic Development  
 Minority and Women's Business Development Division  
 One Commerce Plaza  
 Albany, New York 12245

The Omnibus Procurement Act of 1992 requires that by signing this bid proposal or contract, as applicable, Contractors certify that whenever the total bid amount is greater than \$1 million:

- A. The Contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority and women-owned business enterprises, on this project, and has retained the documentation of these efforts to be provided upon request to the State;
- B. The Contractor has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended.
- C. The Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The Contractor agrees to document these efforts and to provide said documentation to the State upon request; and
- D. The Contractor acknowledges notice that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.
21. *RECIPROCITY AND SANCTIONS PROVISIONS.* Bidders are hereby notified that if their principal place of business is located in a state that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 amendments (Chapter 684, Laws of 1994) require that they be denied contracts which they would otherwise obtain. Contact the NYS Department of Economic Development, Division for Small Business, One Commerce Plaza; Albany New York 12245, for a current list of states subject to this provision.

C. Payment requests shall be submitted to:

New York State Department of State  
Contract Administration Unit - LWRP  
41 State Street - 10th Floor  
Albany, New York, 12231-0001

D. Claimed expenditures per cost category may not exceed the amounts indicated in the Budget, Appendix B, by ten percent (10%) without approval of the Department, provided that the Total Project Cost as set forth in Appendix B, Budget Summary is not exceeded. Any expenditure in excess of such 10% or that changes the State Share or Local Share funding amount shall require an amendment to the Project Budget submitted in writing by the Contractor and approved by the Department. No expenditures shall be allowed for items not set forth in the Project Budget without written approval of the Department.

### III. Other

- A. Notwithstanding the submission of timely and properly executed payment requests, the Department shall be under no obligation to make payment for expenditures incurred without the prior Department approvals and/or amendments required under this Agreement and, further, shall have the right to withhold any such payment pending the execution of such approval and/or amendment.
- B. Interest income earned on funds received pursuant to this Agreement shall be used to further the purpose of this Project or shall be deducted from total eligible cost to determine the net eligible costs to be reimbursed by the Department.
- C. The Department shall have the right to conduct on-site progress assessments and reviews of the Project and Contractor's books and records during the life of this Agreement and for a reasonable time following issuance of the FINAL payment. The Contractor shall furnish proper facilities, where necessary or useful, for such access and inspection.
- D. The Department shall be entitled to disallow any cost or expense, or terminate or suspend this Agreement, if found that the Contractor has misrepresented any expenditures or project activities in this Agreement, or in any progress reports or payment requests made pursuant hereto.
- E. The Contractor shall maintain separate fiscal books and records for all funds received through the Department and project activities conducted pursuant to this Agreement, and shall make all such books and records available to the Department, the Office of the State Comptroller, or their designated representatives for inspection and audit for a period of six years following termination of this Agreement.

## APPENDIX D

## PROGRAM WORK PLAN

<b>Contractor:</b>	<b>Town of Riverhead</b>
<b>Program Contact Person:</b>	<b>Andrea Lohneiss</b>
<b>Phone:</b> (Office)	<b>(516) 727-3200</b>
(Fax)	<b>(516) 727-4230</b>

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## 1. Project Name and Description

### Town of Riverhead Local Waterfront Revitalization Program

This project involves the preparation of a Local Waterfront Revitalization Program (LWRP) pursuant to the provisions of NYS Executive Law, Article 42, for the Town of Riverhead. The project includes preparation of a harbor management plan as set forth in 19 NYCRR Part 603 and further described in guidelines prepared by the Department of State. The Town of Riverhead is located on Long Island Sound, the Peconic Estuary and the Peconic River. The primary coastal issues to be addressed by the Town of Riverhead LWRP have been preliminarily identified as waterfront revitalization, natural resource restoration and/or protection, support of appropriate water dependent industries, and improvement and expansion of public access to the waterfront. The completion of the LWRP will be integrated with the Town's current initiative to prepare a Comprehensive Master Plan.

The Town of Riverhead Community Development Director and the Planning Director will provide project coordination. The Town has already selected a planning consultant to undertake this project. After an extensive Request for Proposals and interview process, the Town selected a consulting team led by the firm of Abeles, Phillips, Preiss and Shapiro, Inc to prepare the Comprehensive Master Plan. The Hastings Design Group will be charged with overseeing the LWRP components. Local community input will be provided by the Master Plan Coordination Committee.

The completion of the Town of Riverhead LWRP involves several discrete tasks that are broken out below. Department of State review is included within these tasks. Sub-contracts must be submitted to the Department of State for review and approval.

## 2. Component Tasks

Task 1: File notice in the Environmental Notice Bulletin of intent to prepare a LWRP

The Town of Riverhead shall act as the lead agency under the State Environmental Quality Review Act (SEQRA) and will file the required notices. With regard to SEQRA, the Town of Riverhead and the Department of State are involved agencies, since the LWRP must be formally adopted by the Town of Riverhead and approved by the New York State Secretary of State.

Task 2: Initial Scoping Meeting

The Town of Riverhead, the Department of State, and the consultant shall hold an initial meeting to review project requirements, identify waterfront and harbor management issues, transfer any information to the consultant which would assist in completion of the LWRP, and review the LWRP preparation process. The Town of Riverhead shall prepare a brief meeting summary to clearly indicate the agreements/understandings reached at the meeting.

## Appendix D-2

Product: Scoping meeting with appropriate parties. Meeting summary with note of agreements/understandings reached.

### Task 3: Section I - Waterfront Revitalization Area Boundary

The Town of Riverhead and the consultant shall prepare a narrative and graphic description of the Town of Riverhead's waterfront revitalization area. The waterfront area should include those portions of the water body within the Town of Riverhead, as well as adjacent land and other land which affects the water body through drainage, viewsheds, and any other factors. The waterfront area must include the Town of Riverhead's entire waterfront, not scattered parcels. The narrative will be accompanied by a boundary map.

Department of State review of Section I - Waterfront Revitalization Area Boundary is required.

Products: Narrative and map of the waterfront revitalization area boundary.

### Task 4: Section II - Inventory and Analysis

The Town of Riverhead and the consultant shall inventory and describe existing natural and man-made resources and conditions within the waterfront area. Section II will analyze waterfront issues, opportunities, and constraints to development, and resource protection needs. Topics to be addressed include, but are not limited to, the following:

- Existing land use
- Existing water use
- Existing zoning and other relevant local development controls
- Land ownership patterns, including underwater lands
- Public access and recreational resources
- Infrastructure (i.e. water supply, sewage disposal, solid waste disposal, and transportation systems)
- Historic resources (National Register sites and districts, locally designated resources, archaeological resources)
- Scenic resources
- Topography and geology
- Water quality (point and nonpoint sources)
- Natural resources (wetlands, steep slopes, minerals, etc.)
- Flooding and erosion
- Significant fish and wildlife habitats
- Important agricultural lands
- Environmental issues (hazardous waste sites, solid waste, etc.)
- Navigation and dredging issues
- Harbor management issues

This task shall include a public information meeting regarding the identified local waterfront issues and opportunities and solicit public input regarding the completeness and accuracy of Section II.

Department of State review of Section II - Inventory and Analysis is required.

Products: Completed Section II with accompanying maps.

### Task 5: Section III - Waterfront Revitalization Policies

The Town of Riverhead and the consultant shall refine applicable State waterfront revitalization policies to reflect local conditions, including specific standards for determining consistency with the policies. Provisions of the State policy may be modified, but not diminished.

Department of State review of the Section III - Waterfront Revitalization Policies is required.

Products: Draft Local Waterfront Revitalization Policies.

#### Task 6: Section IV - Proposed Land and Water Uses

The Town of Riverhead and the consultant shall describe proposed land and water uses for the waterfront revitalization area and proposed projects necessary to implement the LWRP.

Department of State review of Section IV - Proposed Land and Water Uses is required.

Products: Proposed land and water uses and implementation projects.

#### Task 7: Section V - Local Implementation Techniques

The Town of Riverhead and the consultant shall describe existing and proposed local laws, regulations, and/or ordinances which are necessary to implement the policies and proposed uses set forth in Sections III and IV. The consultant also will describe other public and private sector actions necessary to implement the LWRP, a local management structure for reviewing proposed waterfront projects for consistency with the LWRP, and the financial resources required to implement the LWRP.

Department of State review of Section V - Local Implementation Techniques is required.

This task shall include a public information meeting regarding the coastal policies, proposed land and water uses, proposed projects and local implementation techniques and solicit public input regarding the completeness and accuracy of Sections III-V.

Products: Completed Section V, including drafts of any necessary amendments to existing laws or new local laws, including a local consistency review law.

#### Task 8: Section VI - Federal and State Actions and Programs Likely to Affect Implementation of the LWRP

The Department of State shall provide to the Town of Riverhead a generic list of federal and State agency actions and programs (Section VI. A) which are to be undertaken in a manner consistent with the LWRP. The Town of Riverhead and the consultant shall describe (in Section VI. B.) specific federal and State actions necessary to further implementation of the LWRP (technical assistance, funding, procedural changes, etc.).

Product: Completed Section VI.

#### Task 9: Section VII - Local Commitment and Consultation

The Town of Riverhead and the consultant shall describe the public consultation efforts undertaken in the preparation of the LWRP, such as public hearings, public informational meetings, or scoping meetings with governmental agencies. A description of any local committees created to oversee preparation of the LWRP, as well as the role of other municipal entities will also be described.

Product: Completed Section VII.

#### Task 10: Completion of SEQRA

The Town of Riverhead and the consultant shall prepare a Draft Generic Environmental Impact Statement for the Draft LWRP in accordance with State Environmental Quality Review Act (SEQRA) guidelines OR if determined by the Lead Agency that the proposed LWRP will not have a significant adverse environmental impact, prepare a Negative Declaration. If a Negative Declaration is prepared and filed, then a Draft Generic Environmental Impact Statement will not be necessary. The Town of Riverhead shall determine whether a public hearing will be held on the draft LWRP.

Products: Completed Environmental Assessment Form and SEQRA determination and, if appropriate, a draft Generic Environmental Impact Statement.

#### Task 11: Quarterly Reports

The Town of Riverhead shall submit to the Department of State quarterly reports on the form provided, including the extent of work accomplished, any problems encountered, and any assistance needed. If a quarterly payment request is submitted, the quarterly report may be submitted as part of the payment request.

Products: Quarterly reports during the life of the contract.

#### Task 12: Measurable Results

The Town of Riverhead shall complete the Measurable Results form attached to this work program and provide a copy to the Department of State.

Product: Completed Measurable Results form.

### 3. Other Responsibilities

1. The Town of Riverhead shall be responsible for the preparation of each of the above-described component sections to the satisfaction of the Department of State. Prior to undertaking preparation of the LWRP and each section, local and Department of State representatives shall meet and discuss the preparation process, as well as items to be included. The Department of State shall provide any appropriate written guidelines and any comments on the sections as they are drafted.
2. The Town of Riverhead shall be responsible for the preparation of maps and other graphics in formats and scale acceptable to the Department of State. At a minimum, the LWRP must contain maps which display the waterfront revitalization area boundary, existing land and water uses, proposed land and water uses, and proposed zoning.
3. The recipient shall provide the Department of State with 75 copies of an acceptable Draft LWRP (and Draft Environmental Impact Statement, if one is prepared) for review by federal, State, and local agencies.

**Note - While the following items are applicable to completion of the LWRP, they are not required for completion within the time period of this agreement.**

4. Upon completion of the Draft LWRP/Draft Environmental Impact Statement, the Department of State shall initiate a 60-Day Review by State and local agencies concurrent with the required SEQRA review.
5. Following the 60-Day Review of the Draft LWRP/ Draft Environmental Impact Statement, the Department of State shall meet with municipal representatives to determine appropriate responses to the comments received, which shall be reflected by the Town of Riverhead in the final LWRP (and Final Environmental Impact Statement).
6. The Town of Riverhead shall then submit a schedule of adoption of the LWRP and any local laws necessary for implementation of the LWRP.
7. The Town of Riverhead shall provide the Department of State a print-ready original of the final LWRP document, including maps and

2. Schedule

The timing of tasks within this schedule may not be continuous as completion of LWRP tasks are related to completion of tasks in the overall Comprehensive Plan Update

Task Description													Expected Products	
	Mo 1	Mo 2	Mo 3	Mo 4	Mo 5	Mo 6	Mo 7	Mo 8	Mo 9	Mo 10	Mo 11	Mo 12		
1. SEQRA lead agency notice	█													Filed lead agency notice
2. Initial Scoping Meeting	█													Summary of scoping meeting
3. Section I - Boundary		█												Section I
4. Section II			█	█	█									Section II
5. Waterfront Policies					█	█	█							Section III
6. Proposed Uses and Projects							█	█						Section IV
7. Local Implementation							█	█						Section V
8. State Actions and Programs								█						Section VI
9. Local Commitment								█						Section VII
10. Completion of SEQRA									█	█				SEQRA requirements
11. Quarterly reports			█			█			█					Quarterly reports
12. Measurable results											█			Completed results form

APPENDIX X

Agency Code: 19000  
Contract Period: \_\_\_\_\_

Contract No.: C005946  
Funding for Period: \_\_\_\_\_

This is an AGREEMENT between THE STATE OF NEW YORK, acting by and through the New York State Department of State, having its principal office at 41 State Street, Albany, New York, 12231 (hereinafter referred to as the STATE), and Town of Riverhead (hereinafter referred to as the CONTRACTOR), for modification of Contract Number C005946, as amended above and in attached Appendice(s) \_\_\_\_\_.

All other provisions of said AGREEMENT shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT as of the dates appearing under their signatures.

CONTRACTOR SIGNATURE

By: \_\_\_\_\_  
\_\_\_\_\_  
(print name)

By: \_\_\_\_\_  
\_\_\_\_\_  
(print name)

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

State Agency Certification: "In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract."

**GOVERNMENTAL BODY**

State of New York )  
County of \_\_\_\_\_)ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me personally came \_\_\_\_\_ to me known, who, being by me duly sworn, did depose and say that he is the \_\_\_\_\_ of \_\_\_\_\_ the municipality described in and which executed the above instrument; and that he signed his/her name thereto by order of the local legislative body of the above mentioned municipality.

\_\_\_\_\_  
NOTARY PUBLIC

STATE COMPTROLLER'S SIGNATURE

\_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

IN WITNESS THEREOF, the parties hereto have executed or approved this AGREEMENT on the dates below their signatures.

Contract No. C005946

CONTRACTOR

Town of Riverhead

By: \_\_\_\_\_

\_\_\_\_\_  
(Print Name)

Title: \_\_\_\_\_

Date: \_\_\_\_\_

STATE AGENCY:

New York State Department of State

By: \_\_\_\_\_

\_\_\_\_\_  
(Print Name)

Title: \_\_\_\_\_

Date: \_\_\_\_\_

State Agency Certification

"In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract."

GOVERNMENTAL BODY

State of New York )  
County of \_\_\_\_\_ )ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me personally came \_\_\_\_\_ to me known, who, being by me duly sworn, did depose and say that \_\_\_\_\_ he is the \_\_\_\_\_ of \_\_\_\_\_ the municipality described in and which executed the above instrument; and that \_\_\_\_\_ he signed his/her name thereto by order of the local legislative body of the above mentioned municipality.

\_\_\_\_\_  
NOTARY PUBLIC

ATTORNEY GENERAL'S SIGNATURE:

\_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

STATE COMPTROLLER'S SIGNATURE:

\_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

IN WITNESS THEREOF, the parties hereto have executed or approved this AGREEMENT on the dates below their signatures.

Contract No. C005946

CONTRACTOR

Town of Riverhead

By: \_\_\_\_\_

(Print Name)

Title: \_\_\_\_\_

Date: \_\_\_\_\_

STATE AGENCY:

New York State Department of State

By: \_\_\_\_\_

(Print Name)

Title: \_\_\_\_\_

Date: \_\_\_\_\_

State Agency Certification

"In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract."

GOVERNMENTAL BODY

State of New York )  
County of \_\_\_\_\_)ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me personally came \_\_\_\_\_ to me known, who, being by me duly sworn, did depose and say that he is the \_\_\_\_\_ of \_\_\_\_\_ the municipality described in and which executed the above instrument; and that he signed his/her name thereto by order of the local legislative body of the above mentioned municipality.

\_\_\_\_\_  
NOTARY PUBLIC

ATTORNEY GENERAL'S SIGNATURE:

\_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

STATE COMPTROLLER'S SIGNATURE:

\_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

IN WITNESS THEREOF, the parties hereto have executed or approved this AGREEMENT on the dates below their signatures.

Contract No. C005946

CONTRACTOR

Town of Riverhead

By: \_\_\_\_\_  
\_\_\_\_\_  
(Print Name)

Title: \_\_\_\_\_

Date: \_\_\_\_\_

STATE AGENCY:

New York State Department of State

By: \_\_\_\_\_  
\_\_\_\_\_  
(Print Name)

Title: \_\_\_\_\_

Date: \_\_\_\_\_

State Agency Certification

"In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract."

GOVERNMENTAL BODY

State of New York )  
County of \_\_\_\_\_)ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me personally came \_\_\_\_\_ to me known, who, being by me duly sworn, did depose and say that \_\_\_\_\_ he is the \_\_\_\_\_ of \_\_\_\_\_ the municipality described in and which executed the above instrument; and that \_\_\_\_\_ he signed his/her name thereto by order of the local legislative body of the above mentioned municipality.

\_\_\_\_\_  
NOTARY PUBLIC

ATTORNEY GENERAL'S SIGNATURE:

\_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

STATE COMPTROLLER'S SIGNATURE:

\_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

IN WITNESS THEREOF, the parties hereto have executed or approved this AGREEMENT on the dates below their signatures.

Contract No. C005946

CONTRACTOR

Town of Riverhead

By: \_\_\_\_\_

\_\_\_\_\_  
(Print Name)

Title: \_\_\_\_\_

Date: \_\_\_\_\_

STATE AGENCY:

New York State Department of State

By: \_\_\_\_\_

\_\_\_\_\_  
(Print Name)

Title: \_\_\_\_\_

Date: \_\_\_\_\_

State Agency Certification

"In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract."

GOVERNMENTAL BODY

State of New York )  
County of \_\_\_\_\_ )ss:

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me personally came \_\_\_\_\_ to me known, who, being by me duly sworn, did depose and say that \_\_\_\_\_ he is the \_\_\_\_\_ of \_\_\_\_\_ the municipality described in and which executed the above instrument; and that \_\_\_\_\_ he signed his/her name thereto by order of the local legislative body of the above mentioned municipality.

\_\_\_\_\_  
NOTARY PUBLIC

ATTORNEY GENERAL'S SIGNATURE:

\_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

STATE COMPROLLER'S SIGNATURE:

\_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

TOWN OF RIVERHEAD

Adopted

RESOLUTION # 70

AUTHORIZES TOWN SUPERVISOR TO EXECUTE CHANGE ORDER No. 6  
FOR  
COMMERCIAL SEWER DISTRICT EXTENSION SEWER SYSTEM  
CONSTRUCTION

Adopted: January 19, 1999  
COUNCILMAN KWASNO

\_\_\_\_\_ offered the following resolution which  
was seconded by COUNCILMAN LULL

WHEREAS, on December 2, 1997, the Riverhead Town Board adopted Resolution No. 977, entitled, "Awards Bids for Commercial Sewer District Extension, Route 58, Riverhead Sewer District; and

WHEREAS, the bid was awarded to Pav-Co Asphalt, Inc. for the installation of sanitary sewers, force mains and appurtenances in the amount of \$1,123,000.00; and

WHEREAS, extra work was necessary due to subsurface conditions found different and changes made by the Sewer District Superintendent to facilitate maintenance and operation of the system in the amount of \$13,892.81.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and is hereby authorized to execute said Change Order; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Pav-Co Asphalt, Inc., 615 Furrows Road, Holtsville, NY 11742, Frank Russo, P.E., H2M, Pierre Lundberg, Ken Testa and the Office of Accounting.

THE VOTE  
Cardinale ✓ Yes \_\_\_ No \_\_\_    Kent ✓ Yes \_\_\_ No \_\_\_  
Kwasno ✓ Yes \_\_\_ No \_\_\_    Lull ✓ Yes \_\_\_ No \_\_\_  
Vilicila ✓ Yes \_\_\_ No \_\_\_  
THE RESOLUTION WAS  WAS NOT \_\_\_  
THE RESOLUTION DULY DECLARED ADOPTED

**H2M GROUP**

Town of Riverhead/Riverhead Sewer District  
 Commercial Sewer District Extension  
 Installation of Gravity Sewers, Force mains and Appurtenances  
 Contract No. SRF 5123-01-02-S  
 December 28, 1998

**CHANGE ORDER NO. 6 – MISCELLANEOUS WORK**

**PROJECT:**

Town of Riverhead  
 Riverhead Sewer District  
 Commercial Sewer District Extension  
 Installation of Gravity Sewers, Force mains &  
 Appurtenances  
 Contract No. SRF 5123-01-02-S

**OWNER:**

Town of Riverhead  
 200 Howell Avenue  
 Riverhead, New York 11901

Contact: Mr. Kenneth Testa, P.E.  
 Town Engineer  
 (516) 727-3200 Ext. 279

**CONTRACTOR:**

Pav-Co Asphalt Co., Inc.  
 615 Furrows Road  
 Holtsville, New York 11742

Contact: Mr. Roger Bigbie  
 (516) 289-3406

**ENGINEER:**

Holzmacher, McLendon & Murrell, P.C.  
 575 Broad Hollow Road  
 Melville, New York 11747-5076

Contact: Mr. Frank M. Russo, P.E.  
 (516) 756-8000 (ext. 1433)

**DESCRIPTION AND REASON FOR CHANGE ORDER:**

As the project progressed, various extra work was performed by the Contractor. The extra work was necessary due to subsurface conditions found different and changes made by the Sewer District's Superintendent to facilitate maintenance and operation of the system.

**DESCRIPTION OF MODIFICATION AND COST SUMMARY**

The following table presents a description of the miscellaneous work performed by the Contractor and the basis for payment (supporting documentation is located in the Appendix as indicated by the "Exhibit Reference"):

**H2M GROUP**

Town of Riverhead/Riverhead Sewer District

Commercial Sewer District Extension

Installation of Gravity Sewers, Force mains and Appurtenances

Contract No. SRF 5123-01-02-S

CHANGE ORDER NO. 6

Description of Change	Exhibit Reference	Basis of Payment	Amount of Change
Tunneling at retaining wall (Toyota Dealership) and repair of RT. 58 drainage pipe at recharge basin	A	Time & Material	\$17,735.69
Modification at manhole #340 to facilitate maintenance	B	Time & Material	\$6,358.64
Restocking charge for unused 4 & 8 inch diameter ductile iron pipe (144 ft. of 4" & 180 ft. of 8")	C	Lump Sum	\$1,080.00
Restocking charge for unused 15 inch diameter SDR 35 (312 ft. of 15")	C	Lump Sum	\$1,088.88
Savings to install SDR 35 in lieu of high density polyethylene *	D	Unit Price (per ft.)	(\$12,370.40)
<b>Net Change This Change Order</b>			<b>\$13,892.81</b>

\* Modifies Change Order No. 5 and makes the unit price per foot to install SDR 35 pipe \$129.60. Estimated total savings to install SDR 35 pipe is based on actual quantity installed, the amount being \$12,370.40 (1,316 l.f. of SDR 35 installed x \$9.40 credit = \$12,370.40). Unit price per foot includes testing, surface restoration, and dewatering.

The net increase in the contract amount because of this change order is \$13,892.81.

Town of Riverhead/Riverhead Sewer District  
 Commercial Sewer District Extension  
 Installation of Gravity Sewers, Force mains and Appurtenances  
 Contract No. SRF 5123-01-02-S  
 CHANGE ORDER NO. 6

**CHANGE IN CONTRACT PRICE:**

Original Estimated Contract Amount:	\$1,123,000.00
Change Order No. 1 – Warsaw Drive Jacking (Lump Sum):	60,583.50
Change Order No. 2 – Apple Motors Elect. Manhole Jacking (Lump Sum):	19,946.00
Change Order No. 3 – Warsaw Drive Sewer System (Est.)	100,355.20
Change Order No. 4 – Directional Drilling Station 76+00 to 79+75	61,875.00
Change Order No. 5 - Directional Drilling Station 43+25 to 61+00 (Estimated Amount):	248,532.00
Change Order No. 6 (Estimated Net Amount of This Change Order):	13,892.81
<i>Subtotal</i>	\$1,628,184.51
Less Unit Price Items Not Used for Apple Motors (Change Order No. 4)	(62,156.00)
Less Unit Price Items Not Used For Station 43+25 to 61+00	(110,764.50)
Less Change Order No. 2 (Deleted Via Change Order No. 4)	(19,946.00)
<b>New Estimated Contract Amount:</b>	<b>\$1,435,318.01</b>

Estimated contract increase to date, including all change orders, is \$312,318.01 (\$1,435,318.01-\$1,123,000.00)

**H2M GROUP**

Town of Riverhead/Riverhead Sewer District  
Commercial Sewer District Extension  
Installation of Gravity Sewers, Force mains and Appurtenances  
Contract No. SRF 5123-01-02-S  
CHANGE ORDER NO. 6

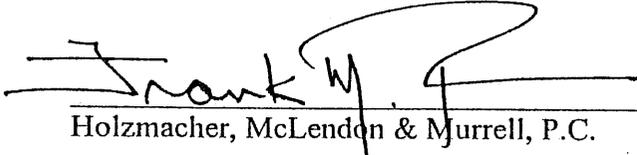
**CHANGE IN CONTRACT TIME:**

Original Contract Time (Calendar Days):	180
Net Change from Previous Change Orders* :	90
Contract Time Prior to this Change Order:	270
Net Increase for this Change Order:	0
Contract Time with all Change Orders:	270

\* Change Order No. 3 (Warsaw Drive Sewer System)

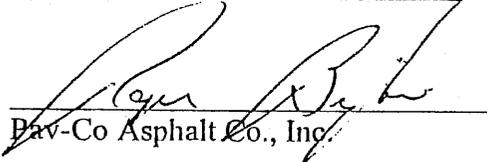
The change in the contract completion date for the work described in this change order will remain unchanged and is October 23, 1998.

**PREPARED BY ENGINEER:**

  
Holzmacher, McLendon & Murrell, P.C.

DATE: 1-5-99

**APPROVED BY CONTRACTOR:**

  
Pav-Co Asphalt Co., Inc.

DATE: 1/4/99

**APPROVED BY OWNER:**

\_\_\_\_\_  
Town of Riverhead/Riverhead Sewer District  
Supervisor Vincent G. Villella

DATE: \_\_\_\_\_

APPENDIX  
SUPPORTING DOCUMENTATION  
CHANGE ORDER No. 6 – MISCELLANEOUS WORK

EXHIBIT A  
TUNNELING AT RETAINING WALL  
REPAIR OF DRAINAGE PIPE

# Pav-Co Asphalt, Inc.

615 Furrows Road  
 Holtsville, NY 11742  
 (516) 289-3406  
 Fax: (516) 758-3958

August 5, 1998

Holzmacher, McLendon & Murrell  
 575 Broad Hollow Road  
 Melville, NY 11747-5076

Attention: Frank Russo, P.E.

**RE: Riverhead Sewer District**  
**Time and Material Work**

Gentlemen:

The following is a labor and equipment breakdown for time and material work for tunneling under existing walls at trailer park entrance and also repair to the drainage pipe damaged by Slacke Test Boring, Inc. at the soil boring #3 location.

## Tunneling Under Existing Walls

### Labor:

Foreman	47.5 hrs. S.T. @ \$50.13 p/h	\$2,381.18
	1 hr O.T. @ 59.27 p/h	\$59.27
Laborer	68 hrs. S.T. @ \$46.10 p/h	\$3,134.80
	2 hrs. O.T. @ 53.65 p/h	\$107.30
Backhoe Operator	23.5 hrs S.T. @ \$59.74 p/h	\$1,403.89
	1 hr O.T. @ \$89.35 p/h	\$89.35
Loader Operator	14 hrs S.T. @ \$59.74 p/h	\$836.36
	1 hr. O.T. @ 89.35 p/h	\$89.35
Compressor Oper.	16 hrs S.T. @ \$55.35 p/h	<u>\$885.60</u>

Holzmacher, McLendon &amp; Murrell

Page 2

July 31, 1998

<b>Total Labor</b>	<b>\$8,987.10</b>
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**Equipment:**

Kamatsu 300 Excavator	17 ½ hrs @ \$780./wk day rent + \$27.35 hr operating cost	\$2,186.83
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J.D. 595 Excavator	6 hrs. @ \$545/ wk day rent + \$14.15/hr operating cost	\$493.65
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J.D 520 Loader	14 hrs @ \$265/work day + \$12.50/hr operating cost	\$638.75
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**Equipment continued**

Compressor - 185 CFM	24 hrs @ \$45/work day +\$5.05/hr operating cost	\$256.20
	(hand held jackhammer)	<u>\$42.00</u>
		\$298.20

Pick up	6 days @ \$43/work day + \$4.55/ operating cost	\$476.40
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Concrete Saw	12 hrs @ \$20/work day + \$1.95/hr operating cost	<u>\$53.40</u>
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<b>Total Equipment</b>	<b>\$4,147.23</b>
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**Repair to Drainage Pipe****Labor:**

1 Foreman	6 hrs. @ \$50.13 p/h	\$300.75
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2 Laborers	12 hrs. @ \$46.10 p/h	\$553.20
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Holzmacher, McLendon & Murrell  
 Page 3  
 July 31, 1998

1 Backhoe Operator 6 ½ hrs. @ \$59.74 p/h \$388.31

**Equipment:**

J.D. 595 Excavator 6 hrs @ \$545.00 p/day  
 + \$14.15/hr operating costs \$493.65

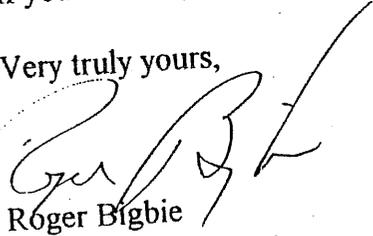
Pick Up Truck 6 hrs. @ \$43.00 p/day  
 + \$4.55/hr operating costs \$59.55

**Summary:**

Labor	\$10,229.39
Subcontractor (Power Shots)	\$ <u>550.00</u>
	\$10,779.39
@ 20%	<u>\$12,935.26</u>
Equipment	<u>\$4,700.43</u>
<b>Total</b>	<b>\$17,735.69</b>

If you have any questions please do not hesitate to let me know.

Very truly yours,

  
 Roger Bigbie  
 General Superintendent

RB:rc  
 H2MT&M

















EXHIBIT B  
MANHOLE No. 340 MODIFICATION

# Pav-Co Asphalt, Inc.

615 Furrows Road  
 Holtsville, NY 11742  
 (516) 289-3406  
 Fax: (516) 447-9628

November 20, 1998

Holzmacher, McLendon & Murrell  
 575 Broad Hollow Road  
 Melville, NY 11747-5076

Attention: Frank Russo P.E.

RE: Riverhead Sewer District  
Time and Material Work

Gentlemen:

The following is a labor and equipment breakdown for time and material work at the connection to the existing manhole #340, performed on September 2 and 3, 1998.

Labor:

Foreman	13.5 hrs. @ \$50.13p/hr	\$676.76
Laborer	54 hrs. @ \$46.10 p/hr	\$2,489.40
Backhoe Operator	15.5 hrs @ \$59.74 p/hr	\$925.97
	<b>Total Labor</b>	<b>\$4,092.16</b>

Equipment:

Case Backhoe	14 hrs @ \$33.15 p/hr + \$12.50 p/hr operating cost	\$639.10
Pick-up-Truck	15 hrs @ \$5.38 p/hr + \$4.55 p/hr operating cost	\$148.95
	<b>Total Equipment</b>	<b>\$788.05</b>

Summary:

Labor	\$4,092.16
Subcontractor(Power Shots)	\$ 550.00
Kor-N-Seal Connection	-----
	\$4,642.16

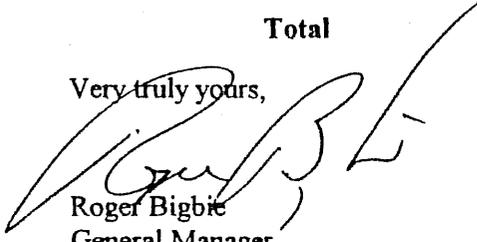
Holzmacher, McLendon & Murrell

Page 2

November 20, 1998

@ 20% Overhead & Profit =	\$5,570.59
+ Equipment	\$ 788.05
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<b>Total</b>	<b>\$6,358.64</b>

Very truly yours,



Roger Bigbie  
General Manager

RB:lt

EXHIBIT C  
RESTOCKING CHARGES

**Pav-Co Asphalt, Inc.**

615 Furrows Road  
Holtsville, NY 11742  
(516) 289-3406  
Fax: (516) 447-9626

December 23, 1998

Holzmacher, McLendon & Murrell  
575 Broad Hollow Road  
Melville, NY 11747

Attention: Frank Russo, P.E.

Gentlemen:

Per your request, the following charges have been established for the return of materials presently stockpiled on the site.

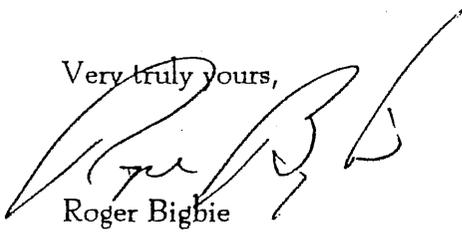
The quantity of pipe, 312 l.f. of 15" dia PVC, 144 l.f. of 4" dia DIP, and 180 l.f. of 8" dia DIP, as a result of design changes is now determined to be in excess.

The 15" dia PVC, purchased for Holbrook Pipe can be returned at a cost of \$1,088.88.

The 4" and 8" DIP, purchased from Metro Fab Pipe, Inc., can be returned at a cost of \$1,080.

Please advise us at your earliest possible convenience of your decision in this matter so as to allow for scheduling.

Very truly yours,



Roger Bigbie  
General Manager

RB:lt

EXHIBIT D  
SAVINGS FOR SDR 35 PIPE

**Pav-Co Asphalt, Inc.**

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615 Furrows Road  
Holtsville, NY 11742  
(516) 289-3406  
Fax: (516) 447-9626

December 23, 1998

Holzmacher, McLendon & Murrell  
575 Broad Hollow Road  
Melville, NY 11747

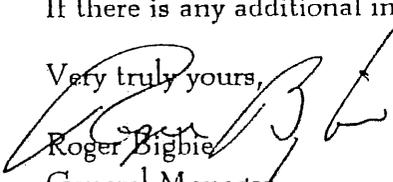
Attention: Frank Russo, P.E.

Gentlemen:

We hereby submit for your approval a unit price of \$129.60/l.f. for 15" PVC used in lieu of 16" HDPE pipe. This unit price cites the \$9.40/l.f. material price difference between the two types.

If there is any additional information you require, please do not hesitate to call.

Very truly yours,



Roger Bigbie  
General Manager

RB:lt

Division of HIGHLAND VALLEY OF NEW YORK, INC.  
 237 DuPont Avenue  
 Newburgh, NY 12550

KT div. of  
 HIGHLAND VALLEY  
 OF N.Y., INC.  
 237 DuPont Avenue  
 Newburgh, NY 12550

(800) 782-7262 FAX (914) 568-5689

PAGE 1

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COLLIN/CON  
 COLLINS CONSTRUCTION  
 615 FURROWS RD  
 HOLTSVILLE, NY 11742

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COLLINS CONSTRUCTION CORP.  
 RIVERHEAD SEWER PROJECT  
 ROUTE 58  
 RIVERHEAD, NY

COLLINS CONSTRUCTION  
 COLLIN/CON

DATE	SALESMAN	ORDER NO.	ORDER DATE	SHIPPED VIA	TERMS	INVOICE NO.
09/30/98	1b	3403	09/17/98	MTR FRT	2.0%	00008762
ITEM/DESCRIPTION/SERIAL NO.	QUANTITIES	UNIT	UNIT PRICE	AMOUNT		
" X 40' SDR 17 HDPE CONDUIT	Ordered	1400.0000	15.0000	21000.00		
	Shipped	1400.0000				
<p>SAVE \$420.00- PAY ONLY \$ 20580.00 if your check is postmarked by 10/10/98</p> <p><i>20580</i> <i>1400 LF</i></p> <p><i>14.79/LF</i></p> <p><i>33580</i> <i>601.0</i> <i>9756</i> <i>201m</i></p>						
REMIT TO: Highland Valley of New York 237 DuPont Avenue Newburgh, NY 12550						
NON-TAXABLE	TAXABLE	SALES TAX	FREIGHT	MISCELLANEOUS	INVOICE TOTAL	
21000.00	.00	.00	.00	.00	21000.00	

INVOICE DATE	INVOICE NO.
09/30/98	0000876

← PLEASE DETACH HERE AND RETURN WITH YOUR PAYMENT.

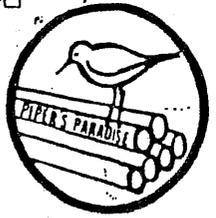
FOOT 21000.00

INVOICE

BILLED

1-98

# Holbrook Plastic Pipe Supply, Inc.



P.O. # RVD-07

361 STATE STREET AND VETERANS HIGHWAY  
HOLBROOK, LONG ISLAND, N. Y. 11741

SOLD TO

PIVCO ASPHALT, INCORPORATED  
PIVA ASPHALT CONCRETE, INC.  
695 FURFONS ROAD  
HOLTSVILLE, NY 11742

(516) 588-6880

FAX: (516) 588-0947

(516) 588-6885

FAX: (516) 588-6968

DATE ORDERED

1-21-98

SHIPPED

PICK UP

SHIP TO JOB SITE

YARD

JOB NAME / OWNER

Tanger mall

STREET

Contract # SFR5123-0133

CITY / STATE

410

ATT / TEL

QUANTITY ORDERED	SIZE	SCH.	DESCRIPTION	QUAN. REC'D.	B.O.	B.O. REG'D.	PRICE	AMOUNT
273'	6"	SD12-35	PIPE - 025 ✓				.92	251 10
1812'	8"	"	" 001 ✓				1.58	2957 76
728	10"	"	" 002 ✓				2.53	1841 84
294	12"	"	" 003 ✓				3.63	1085 31
3140'	15"	"	" 004 ✓ <b>15" PVC</b>				<b>5.30</b>	<b>19212 00</b>
4	8x10	"	WVE - 019 ✓				12.38	111 43
1	10x10	"	WVE - 020 ✓				33.53	33 53
2	15x10	"	WVE - 021 ✓				48.48	97 76
15	15x10	"	WVE - 022 ✓				85.81	1287 15
1	8"	"	16 001 ✓				17.09	17 09
30	6"	"	45 025 ✓				3.38	101 70
1	8"	"	90 001 ✓				12.01	12 01

SUB TOTAL	27089	7
FREIGHT		
SUB TOTAL		
SALES TAX		
TOTAL	27089	7

DATE

UPS

C/C

AIR

PLEASE PRINT NAME AND SIGN

PAST DUE ACCOUNTS WILL AUTOMATICALLY BE PUT ON HOLD!

Title to all material mentioned herein is to remain in the name of the seller until fully paid for in cash. Goods are sold with the understanding that we will furnish new material for any proving defective through manufacture, but under no circumstances shall we be under any liability of any kind for any labor or consequential damages involved. 2% per month (.00065% per day) Service Charge on all accounts past due 30 days. Buyer agrees to pay reasonable attorney's fees of unpaid balance when turned over for collection.

RETURNS: Must have our prior consent. Original invoice number with date must be furnished. Restocking, rehandling, reconditioning and freight charges are applicable on returns.

APPROVED BY

DATE

NOTE - where the rate is dependent on value, shippers are required to state the actual or declared value of the property. If the actual or declared value of the property is hereby specifically stated by the shipper, the rate will be based on that value.



Adopted

1, 19, 99

TOWN OF RIVERHEAD

RESOLUTION # 72

AUTHORIZES ATTENDANCE OF ASSESSOR AT SEMINAR

COUNCILMAN KENT

\_\_\_\_\_ offered the following resolution which was seconded by

COUNCILMAN KWASNA  
\_\_\_\_\_

WHEREAS, a seminar and exam is being held at the NYS Office of Real Property Services, Newburgh, NY., on February 22 thru 26, 1999.

WHEREAS, a member of the Board of Assessors has expressed a desire to attend said seminar.

NOW, THEREFORE BE IT RESOLVED, that said assessor is hereby authorized to attend said seminar.

BE IT FURTHER RESOLVED, that the amount of \$550.00 shall cover housing, meals and travel expenses, and

BE IT FURTHER RESOLVED, that all expenses shall be fully receipted upon completion of said seminar and

BE IT FURTHER RESOLVED, that tuition is subject to reimbursement by the State to the Town of Riverhead upon completion of the seminar.

THE VOTE

Cardinale	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Kent	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Kwasna	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Lull	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Villella	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No					

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY DECLARED ADOPTED

Adopted

TOWN OF RIVERHEAD

Resolution # 73

AUTHORIZES THE SUBMISSION OF

NYS D.C.J.S. TITLE V DELINQUENCY PREVENTION GRANT

**COUNCILMAN CARDINALE**

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

**WHEREAS**, grant funding is available from the NYS Division Of Criminal Justice Services for the operation of the proposed Youth Night At The Beach Program and

**WHEREAS**, the Town Board wholeheartedly supports the Riverhead Police and Recreation Departments efforts to continue to enhance their current programs for the community.

**NOW, THEREFORE , BE IT, RESOLVED**, that the Town Board hereby authorizes the submission of a Grant Application for the operation of this juvenile delinquency prevention program.

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

**THE VOTE**

Cardinale  Yes \_\_\_ No \_\_\_    Kent  Yes \_\_\_ No \_\_\_  
Kwasna  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_  
Vilella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY DECLARED ADOPTED

January 19, 1998

Adopted

TOWN OF RIVERHEAD

Resolution # 74

**AUTHORIZES ATTENDANCE OF THE GRANT ADMINISTRATOR TO ATTEND THE U.S. DEPARTMENT OF JUSTICE FINANCIAL MANAGEMENT SEMINAR IN WASHINGTON DC**

COUNCILMAN KWASNA

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

**WHEREAS**, the U.S. Department of Justice, Financial Management is conducting a National Conference in Washington DC , April 19-21 and October 12-14 and

**WHEREAS**, it is a requirement for all jurisdictions receiving COPS funding that members implementing the program(s) attend training; and

**WHEREAS**, Charlene Kagel, Grant Administrator; has been requested to attend this Conference; and

**NOW, THEREFORE, BE IT, RESOLVED**, that the Town Board hereby authorizes the attendance of the aforementioned personnel at the Conference in Washington, DC, with reimbursement of expenses upon submission of proper receipts; and

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

**THE VOTE**  
Cardinale  Yes \_\_\_ No \_\_\_ Kent  Yes \_\_\_ No \_\_\_  
Kwasna  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_  
Villella  Yes \_\_\_ No \_\_\_  
THE RESOLUTION WAS  WAS NOT \_\_\_  
THE TOWN BOARD DULY DECLARED ADOPTED

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 75

**AUTHORIZES THE TOWN CLERK TO POST & PUBLISH NOTICE TO BIDDERS FOR THE DEMOLITION OF PROPOERTY LOCATED AT 519-525 OSBORN AVENUE, RIVERHEAD**

Adopted: January 19, 1999

COUNCILMAN LULL

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

WHEREAS, on October 20, 1998, the Town Board of the Town of Riverhead adopted Resolution # 908, entitled "Authorizes the Town of Riverhead to Secure or Demolish Unsafe Building or Structure Pursuant to Chapter 54 of the Riverhead Town Code, (Christoforus Veokas, 519-525 Osborn Avenue, Riverhead)"; and

WHEREAS, this structure has been determined by the Building Inspector to be unsafe and dangerous to the public; and

WHEREAS, all notices pursuant to Chapter 54 of the Riverhead Town Code have been served.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and is hereby authorized to Publish and Post the attached Notice to Bidders for the demolition of 519-525 Osborn Avenue, Riverhead, in the January 27, 1999 issue of the official Town newspaper; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Ken Testa, Leroy Barnes and the Office of Accounting.

Engineering Department

THE VOTE  
Cardinale  Yes  No    Kent  Yes  No  
Kwasna  Yes  No    Lull  Yes  No  
Villega  Yes  No  
THE RESOLUTION WAS  WAS NOT   
THE PURPOSE DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD****NOTICE TO BIDDERS**

Sealed proposals for the DEMOLITION OF THE STRUCTURE ON PREMISES OWNED BY CHRISTOFORUS VEOKAS, which are known as S.C.T.M. #0600-0126.00-01-002.03 or more commonly known as 519-525 Osborn Avenue, Riverhead, New York will be received by the Town Clerk of the Town of Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, until 11:30 a.m. on February 8, 1999.

Bid packets, including Specifications, will be available on January 27, 1999 and may be obtained at the Office of the Town Clerk at Riverhead Town Hall, Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m. except holidays.

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 BIDS FOR DEMOLITION OF THE STRUCTURE ON PREMISES OWNED BY CHRISTOFORUS VEOKAS, 519-525 OSBORN AVENUE, RIVERHEAD.

**BY ORDER OF THE RIVERHEAD TOWN BOARD  
RIVERHEAD, NEW YORK  
Barbara A. Grattan, Town Clerk**

**Dated: January 19, 1999**

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 76

AUTHORIZES THE TOWN CLERK TO PUBLISH AND POST THE ATTACHED NOTICE TO BIDDERS FOR THE CONSTRUCTION OF THE ADVANCED WASTEWATER TREATMENT FACILITY

Adopted: January 19, 1999

COUNCILMAN KENT offered the following resolution, which was seconded by COUNCILMAN KWASNA.

RESOLVED that the Riverhead Town Board be and hereby authorizes the Town Clerk to Post and Publish the attached Notice to Bidders for the construction of the Advanced Wastewater Treatment Facility in the January 28, 1999 issue of the official Town newspaper; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Ken Testa, P.E., Michael Reichel, Frank Isler, Frank Russo, H2M and the Office of Accounting.

Engineering Department

THE VOTE

Cardinale ✓ Yes \_\_\_ No \_\_\_ Kent ✓ Yes \_\_\_ No \_\_\_
Kwasna ✓ Yes \_\_\_ No \_\_\_ Lull ✓ Yes \_\_\_ No \_\_\_
Vilella ✓ Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS X WAS NOT
THEREUPON DULY DECLARED ADOPTED

## NOTICE TO BIDDERS

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

General & Mechanical Construction - Contract No. SRF 5123-02-G

Electrical Construction - Contract No. SRF 5123-02-E

Plumbing Construction - Contract No. SRF 5123-02-P

Ventilating & Air Conditioning Construction - Contract No. SRF 5123-02-V

for the Advanced Wastewater Treatment Facility for the Riverhead Sewer District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, at the following prevailing times, on Thursday, March 4, 1999, at which time and place the bids will be publicly opened and read:

General & Mechanical Construction - 10:00 AM

Electrical Construction - 10:30 AM

Ventilating & Air Conditioning Construction - 11:00 AM

Plumbing Construction - 11:30 AM

Contract documents, including drawings and technical specifications, are on file at the following offices:

Town Clerk, Town of Riverhead  
Town Hall, 200 Howell Avenue  
Riverhead, New York 11901  
(516) 727-3200

Holzmacher, McLendon & Murrell, P.C.  
575 Broad Hollow Road  
Melville, New York 11747  
(516) 736-8000 (Ext. 1433)

Copies of the contract documents may be obtained at the Riverhead Town Hall (Town Clerk's Office) on or after 1/28/99 upon deposit of Two Hundred Fifty Dollars (\$250.00) in cash, certified check, bank money order or postal money order, made payable to the TOWN OF RIVERHEAD for each set furnished.

Deposits for Plans and Specifications will be refunded to Bidders as described in the Information To Bidders section of the Specifications.

**NOTICE TO BIDDERS (CONT'D.)**

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

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

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

ACTING AS THE GOVERNING BODY  
OF THE RIVERHEAD SEWER DISTRICT

BARBARA GRATTAN, TOWN CLERK.

DATED: JANUARY 19, 1999

Withdrawn

1/19/99

TOWN OF RIVERHEAD

Resolution # 77

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER A LOCAL LAW TO AMEND CHAPTER 108 ENTITLED, "ZONING" OF THE RIVERHEAD TOWN CODE (BUSINESS F DISTRICT)

COUNCILMAN CARDINALE

offered the following resolution, was seconded by

COUNCILMAN KENT

RESOLVED, the Town Clerk be and is hereby authorized to publish the attached public notice to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code once in the January 28, 1999 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed amendment to be posted on the sign board of the Town; and be it further

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

COUNCILMAN CARDINALE OFFERED THIS RESOLUTION TO BE WITHDRAWN, WHICH WAS SECONDED BY COUNCILMAN KENT.

ALL TOWN BOARD MEMBERS IN FAVOR OF WITHDRAWING RESOLUTION.

THE RESOLUTION WAS THEREUPON DECLARED TO BE WITHDRAWN.

THE VOTE

Cardinale  Yes \_\_\_ No \_\_\_ Kent  Yes \_\_\_ No \_\_\_  
Kwaona \_\_\_ Yes \_\_\_ No \_\_\_ Lull \_\_\_ Yes \_\_\_ No \_\_\_  
Vilella \_\_\_ Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  ~~NOT~~ ACCEPTED  
THE TOWN CLERK DULY DECLARED ~~ACCEPTED~~

Withdrawn

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE** that a public hearing will be held before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York on the 16th day of February, 1999 at 7:05 o'clock p.m. to consider a local law to amend Chapter 108 entitled, "Zoning" of the Riverhead Town Code as follows:

**§ 108-44.6. Special permit uses.**

In the Business F District, no building, structure or premises shall be used, arranged or designed to be used and no building or structure shall hereafter be erected, reconstructed or altered unless otherwise provided in this chapter except for the following specially permitted uses. All special permit uses set forth herein shall be subject to the approval of the Town Board pursuant to the definition of special permits in § 108-3 of this chapter.

A. Manufacturers outlet center.

~~B. Establishments engaged in selling goods or merchandise to the general public for personal or household consumption, provided that the entire structure housing such use is occupied by a single tenant or single owner use and shall be in a structure of no less than one hundred thousand (100,000) square feet.~~

**§ 108-44.7. Accessory uses.**

Accessory uses shall include those uses customarily incidental to any of the above permitted uses when located on the same lot and shall specifically include:

- A. Garages for the parking of vehicles.
- B. Off-street loading areas.
- C. Central heating or power plants.
- D. Fully enclosed storage areas.
- E. Maintenance and utility facilities.
- F. Trash receptacles and dumpsters suitably screened.
- G. Playground and common areas.
- H. Improved recreational areas.
- ~~I. Buildings used by one (1) or more enterprises where first quality, overruns or factory seconds are offered for sale at prices discounted below suggested manufacturer's retail price.~~
- J. Food courts.
- K. Transportation centers.

**§ 108-44.10. Prohibited uses.**

No building, structure, premises or lot in the Business F District (Manufacturers Outlet Center Overlay) shall be occupied for the following uses:

- A. Flea markets.
- B. Gasoline service stations.
- C. Motor vehicle sales.
- D. Car washes.
- E. Printing plants.
- F. General retail stores or shops, ~~except as otherwise provided~~ except that previously approved retail stores or shops shall be permitted until either a transfer of ownership or business at the premises, at which time the retail use shall expire and revert to outlet center by special permit of the Town Board.

Dated: Riverhead, New York  
January 19, 1999

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

\* Underline represents addition(s)

\*\* Overstrike represents deletion(s)

January 19, 1999

Adopted

TOWN OF RIVERHEAD

Resolution # 78

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF SCOPING HEARING - WILLOW PONDS (FORMERLY THE RACQUET CLUB ON THE SOUND

COUNCILMAN KENT

\_\_\_\_\_ offered the following resolution which was seconded by \_\_\_\_\_  
COUNCILMAN KWASNA

WHEREAS, by resolution #20 of 1999, this Town Board did determine the special petition of Willow Ponds to increase the number of previously approved condominium units from 222 to 444, to be a Type I action with a potential significant impact upon the environment requiring the preparation of an environmental impact statement, and

WHEREAS, the Town Board desires to hold a hearing pursuant to 6NYCRR Part 617 in order to identify the environmental issues to be treated in the DEIS, now

THEREFORE, BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the attached notice of public hearing.

THE VOTE

Cardinale  Yes \_\_\_ No \_\_\_ Kent  Yes \_\_\_ No \_\_\_  
Kwasna  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_  
Villega  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY DECLARED ADOPTED

TOWN OF RIVERHEAD  
NOTICE OF SCOPING HEARING

PLEASE TAKE NOTICE, that a scoping hearing to be held pursuant to the New York State Environmental Conservation Law and its attending regulations will take place on the 11<sup>th</sup> day of FEB, 1999 at 1:10 o'clock p.m. at 200 Howell Avenue, Riverhead, New York in order to identify the significant environmental impacts to the natural and social environment associated with the special permit petition of Willow Ponds to increase the number of condominium units from 222 to 444 on real property located at Sound Avenue, Riverhead; such real property more particularly described as Suffolk County Tax Map Parcel 0600-18.1 & 18.2-1-1 through 223.

DATED: January 19, 1999  
Riverhead, New York

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

January 19, 1999

Adopted 214

# TOWN OF RIVERHEAD

Resolution # 79

## AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF SCOPING HEARING – SPECIAL PERMIT PETITION OF WILLIAM DRIES & ANTHONY SPECCHIO

COUNCILMAN KWASNA

\_\_\_\_\_ offered the following resolution which was seconded by \_\_\_\_\_  
COUNCILMAN LULL

WHEREAS, the Town Board is in receipt of a special permit petition from William Dries and Anthony Specchio to allow the construction of two (2) 10,000 square foot restaurants upon real property located at Route 58, Riverhead; such real property more particularly described as Suffolk County Tax Map No. 0600-118-3-7, and

WHEREAS, the Planning Department, upon review of the attending environmental assessment form, recommended that the Town Board make a determination of non-significance pursuant to 6NYCRR Part 617, and

WHEREAS, upon review of the petition, this Town Board considers project impact upon transportation networks and growth/community character, warrants the preparation of an environmental impact statement, now

**THEREFORE, BE IT**

**RESOLVED**, that in the matter of the special permit petition of Dries & Specchio the Town Board hereby declares itself to be the lead agency, and

**BE IT FURTHER**

**RESOLVED**, that the Town Board determines the action to be Type I requiring the preparation of an Environmental Impact Statement, and

**BE IT FURTHER**

**RESOLVED**, that the Planning Director be authorized to publish and post those notices of Positive Declaration as required by 6NYCRR Part 617, and

**BE IT FURTHER**

**RESOLVED**, that the Town Clerk be authorized to publish and post the attached notice of scoping hearing.

TOWN OF RIVERHEAD  
NOTICE OF SCOPING HEARING

PLEASE TAKE NOTICE, that a scoping hearing to be held pursuant to the New York State Environmental Conservation Law and its attending regulations will take place on the 16<sup>th</sup> day of FEB, 1999 at 1:15 o'clock p.m. at 200 Howell Avenue, Riverhead, New York in order to identify the impacts to the natural and social environmental associated with the special permit petition of William Dries and Anthony Specchio to allow the construction of two (2) 10,000 square foot restaurants on real property located at Route 58, Riverhead; such real property more particularly described as Suffolk County Tax Map Parcel No. 0600-118-3-7.

DATED: January 19, 1999  
Riverhead, New York

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

THE VOTE  
Cardinale  Yes \_\_\_ No \_\_\_ Kent  Yes \_\_\_ No \_\_\_  
Kwasna  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_  
Vilella  Yes \_\_\_ No \_\_\_  
THE RESOLUTION WAS  WAS NOT  
THEREUPON DULY DECLARED ADOPTED

1/19/99

Adopted

TOWN OF RIVERHEAD

Resolution # 80

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE  
(RIVERHEAD TOWN CODE REVISION COMMITTEE MEETINGS)**

COUNCILMAN LULL

\_\_\_\_\_ offered the following resolution, was seconded by

COUNCILMAN CARDINALE

**RESOLVED**, the Town Clerk be and is hereby authorized to publish the attached public notice once in the January 28, 1999 issue of the **News Review**, the newspaper hereby designated as the official newspaper for this purpose, and also to cause a copy of the public notice to be posted on the sign board of the Town; and be it further

**RESOLVED**, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Code Revision Committee and Adam Grossman, Town Attorney.

THE VOTE

Cardinale  Yes \_\_\_ No \_\_\_ Kent  Yes \_\_\_ No \_\_\_

Kwasna  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_

Villella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_

THEREUPON DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE**, that the regularly scheduled meetings for the Town of Riverhead Code Revision Committee for the 1999 calendar year will be held as follows:

January 6, 1999	January 20, 1999
February 3, 1999	February 17, 1999
March 3, 1999	March 17, 1999
April 7, 1999	April 21, 1999
May 5, 1999	May 19, 1999
June 2, 1999	June 16, 1999
July 7, 1999	July 21, 1999
August 4, 1999	August 18, 1999
September 1, 1999	September 15, 1999
October 6, 1999	October 20, 1999
November 3, 1999	November 17, 1999
December 1, 1999	December 15, 1999

All meetings will be held at 7:00 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York.

Dated: Riverhead, New York  
January 19, 1999

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 81

AUTHORIZATION TO PUBLISH BID FOR GRASS SEED

COUNCILMAN CARDINALE

\_\_\_\_\_ offered the following resolution which was seconded by COUNCILMAN KENT.

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for the purchase of **GRASS SEED** for use by the Town of Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the **January 28, 1999** issue of the News Review.

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**

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lui	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of **GRASS SEED** for use by the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:05 a.m. on February 8, 1999.**

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

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 **BIDS FOR GRASS SEED.**

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 82

AUTHORIZATION TO PUBLISH BID FOR DIESEL FUEL

COUNCILMAN KENT

\_\_\_\_\_ offered the following resolution which was seconded by COUNCILMAN KVIAEMA

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for the purchase of **DIESEL FUEL** for use by the Town of Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the **January 28, 1999** issue of the News Review.

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**

Cardinalo  Yes  No    Kent  Yes  No  
 K...  Yes  No    L...  Yes  No  
 V...  Yes  No

THE RESOLUTION WAS  WAS NOT

THE TOWN CLERK DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of **DIESEL FUEL** for use by the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m. on February 8, 1999.**

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

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 **BIDS FOR DIESEL FUEL.**

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 83

AUTHORIZATION TO PUBLISH BID FOR ELECTRONICS

COUNCILMAN KWASNA

\_\_\_\_\_ offered the following resolution which was  
seconded by COUNCILMAN LULL

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for the purchase of **ELECTRONICS** for use by the Town of Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the **January 28, 1999** issue of the News Review.

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

Cardillo  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_  
 Kwana  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_  
 Villola  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of **ELECTRONICS** 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 **11:10 a.m.** on **February 8, 1999.**

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

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 **BIDS FOR ELECTRONICS.**

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 84

AUTHORIZATION TO PUBLISH BID FOR JANITORIAL SUPPLIES

COUNCILMAN LULL

\_\_\_\_\_ offered the following resolution which was  
seconded by COUNCILMAN CARDINALE

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for the purchase of **JANITORIAL SUPPLIES** for use by the Town of Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the **January 28, 1999** issue of the News Review.

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

Cardinale	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Kurt	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Kwinn	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Lull	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Vilcila	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No					

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of **JANITORIAL SUPPLIES** 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 **11:15 a.m.** on **February 8, 1999.**

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

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 **BIDS FOR JANITORIAL SUPPLIES.**

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 85

AUTHORIZATION TO PUBLISH BID FOR WATER SERVICE MATERIALS

COUNCILMAN CARDINALE

\_\_\_\_\_ offered the following resolution which was seconded by COUNCILMAN KENT.

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for the purchase of **WATER SERVICE MATERIALS** for use by the Town of Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the **January 28, 1999** issue of the News Review.

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**

Cardinale	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Leit	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Kwasna	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Leit	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Vilotta	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No					

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of **WATER SERVICE MATERIALS** for use by the **TOWN OF RIVERHEAD** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:20 a.m.** on **February 8, 1999.**

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

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 **BIDS FOR WATER SERVICE MATERIALS.**

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 86

AUTHORIZATION TO PUBLISH BID FOR CHEMICALS

COUNCILMAN KENT

\_\_\_\_\_ offered the following resolution which was seconded by COUNCILMAN KWASNA

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for the purchase of **CHEMICALS** for use by the Town of Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the **January 28, 1999** issue of the News Review.

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

Cardinolo  Yes  No     Kent  Yes  No

Kwasna  Yes  No     Vilella  Yes  No

Villella  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY DECLARED ADOPTED

**TOWN OF RIVERHEAD  
NOTICE TO BIDDERS**

Sealed bids for the purchase of **CHEMICALS** 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 **11:25 a.m. on February 8, 1999.**

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

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 **BIDS FOR CHEMICALS.**

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

**Adopted**

**Tabled**

2/18/99

**TOWN OF RIVERHEAD**

RESOLUTION # 87

**DECLARES LEAD AGENCY AND DETERMINES SIGNIFICANCE OF  
ACTION SPECIAL PERMIT OF FOXWOOD VILLAGE II**  
COUNCILMAN KWASNA

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

by COUNCILMAN LULL \_\_\_\_\_:

**WHEREAS**, the Riverhead Town Board is in receipt of a special permit petition from Peter Mastropalo to expand an existing mobile home community onto a 42 acre parcel zoned Agriculture A and known as SCTM 0600-101-1-6.1, and

**WHEREAS**, the instant application is made at the direction of the Town Board as a result of their processing of a site plan related to an earlier petition under the Mobile Home and Travel Trailer Park ordinance (Chapter 79 of the Town Code), and

**WHEREAS**, the Riverhead Planning Department processed the earlier action in accordance with SEQR requirements including the mandatory coordinated review recommending it be considered Type I and that a negative declaration of significance be rendered, and

**WHEREAS**, the newly required permission is for the same project making another SEQR analysis unnecessary, now

**THEREFORE, BE IT**

**RESOLVED**, that the Riverhead Town Board declare itself to be the lead agency in the special permit application of Foxwood Village, II, and

**BE IT FURTHER**

**RESOLVED**, that the application be considered a Type I action which will not have a significant environmental impact and that a Draft Environmental Impact Statement need not be prepared, and

**BE IT FURTHER**

**RESOLVED**, that this classification and determination be considered to include any related approval subject to SEQR, and

BE IT FURTHER

RESOLVED, that the Riverhead Planning Department be directed to publish and post those notices required by 6NYCRR Part 617.12, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Planning Department and the applicant or his agent and, upon receipt of the form and quantity of documents required for special permit applications, to forward the petition to the Riverhead Planning Board for their report and recommendation.

COUNCILMAN CARDINALE OFFERED THIS RESOLUTION TO BE TABLED, WHICH WAS SECONDED BY COUNCILMAN KENT.

ALL TOWN BOARD MEMBERS IN FAVOR OF TABLING RESOLUTION.

THE RESOLUTION WAS THEREUPON DECLARED TO BE TABLED.

2/18/99

Councilman Kwasna offered the resolution to be brought off table which was seconded by Councilman Lull.

All Councilman in favor in bringing resolution off the table.

Councilman Kwasna offered the resolution which was seconded by Councilman Lull.

The Vote

- Councilman Cardinale - NO
- Councilman Kent - NO
- Councilman Kwasna- YES
- Councilman Lull YES
- Supervisor Villella- YES

The Resolution was thereupon declared to be duly adopted.

THE VOTE

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  ~~ADOPTED~~  NOT

THEREUPON DULY DECLARED ~~ADOPTED~~

**Tabled**

**Adopted**  
**Adopted**

2/18/99

**Adopted**

TOWN OF RIVERHEAD

RESOLUTION # 88

ESTABLISHES THE POSITION OF DEPUTY TAX RECEIVER

COUNCILMAN KENT offered the following resolution,  
which was seconded by COUNCILMAN KWASNA.

WHEREAS, the Town Board finds it necessary to create the position of Deputy Tax Receiver.

NOW, THEREFORE BE IT, RESOVLED, that the position of Deputy Tax Receiver is hereby established and the Receiver of taxes is hereby authorized to appoint the Deputy to serve a their pleasure.

THE VOTE

Cardinale	<del>Yes</del>	<del>No</del>	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lu'J	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT   
THEREUPON DULY DECLARED ADOPTED

Adopted

JANUARY 19, 1999

TOWN OF RIVERHEAD  
RESOLUTION # 89

EXTENDS BID CONTRACT FOR PAINT

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

Whereas, the Purchasing Department has requested the contract with **Willis Paint** originally awarded under Resolution #172 adopted March 3, 1998, be extended until March 3, 2000 and;

Whereas, the above named vendor has agreed to extend the contract until March 3, 2000; and

Whereas, the Town Board has reviewed said request.

Now, therefore, be it

Resolved, that the contract for **Paint** be, and hereby is, extended to March 3, 2000; and

Resolved, that the Town Clerk be, and hereby is, directed to forward a Certified Copy of this Resolution to Willis Paint and the Purchasing Department.

THE VOTE

Cardinale	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Lull	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Kwasna	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Lull	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
Villella	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No					

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY DECLARED ADOPTED

January 19, 1999

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 90

EXTENDS PARENTAGE LEAVE

COUNCILMAN KWASNA offered the following resolution,  
which was seconded by COUNCILMAN LULL.

WHEREAS, by Resolution #99-48 the Town Board granted a parentage leave of absence for Donna Zaweski in the Town Clerk's Office; and

WHEREAS, Ms. Zaweski has requested that this Town Board reconsider the length of her leave; and

WHEREAS, the Town Clerk has recommend that the leave be extended to May 1, 1999;

NOW, THEREFORE BE IT, RESOVLED, that Donna Zaweski be granted a parentage leave of absence effective January 16, 1999 and terminating May 1, 1999; and

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

THE VOTE

Cardinale	<input checked="" type="checkbox"/>	Yes	_____	No	_____
Kwasna	<input checked="" type="checkbox"/>	Yes	_____	No	_____
Vilcila	<input checked="" type="checkbox"/>	Yes	_____	No	_____

THE RESOLUTION WAS ~~NOT~~ ADOPTED  
THEREUPON DULY DECLARED ADOPTED

1/19/99

Adopted

TOWN OF RIVERHEAD

Resolution # 91

RELEASES S.C.N.B. LETTER OF CREDIT OF HALLOCK LUCE, IV  
(HALLOCK LUCE SUBDIVISION)

COUNCILMAN LULL offered the following resolution, was seconded by

COUNCILMAN CARDINALE :

WHEREAS, a Suffolk County National Bank Letter of Credit was submitted by Hallock Luce, IV, to ensure the improvements be completed in the Hallock Luce Subdivision; and

WHEREAS, by letter dated May 8, 1998, from Barbara Blass, Chairman of the Riverhead Planning Board, it is recommended that due the completion of said improvements, the S.C.N.B. Letter of Credit currently held by the Town of Riverhead be released.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead be and hereby authorizes the release of S.C.N.B. Letter of Credit representing improvements completed in the Hallock Luce Subdivision; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Francis J. Yakaboski, Esq., Smith, Finkelstein, Lundberg, Isler & Yakaboski, Esqs., 456 Griffing Avenue, P.O. Box 389, Riverhead, New York, 11901, as attorney for Hallock Luce, IV; the Building Department; the Planning Department and the Office of Accounting.

THE VOTE

Cardinale  Yes  No    Lull  Yes  No

Kwasna  Yes  No    Villella  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY DECLARED ADOPTED

Adopted

1/19/99

TOWN OF RIVERHEAD

Resolution # 92

SETS THE FEES FOR USAGE OF RECREATION FACILITIES

COUNCILMAN KENT offered the following resolution, which was seconded by COUNCILMAN KWASNA

RESOLVED, that The Town Board does authorize the Recreation Department to set the following fees for the 1999 calendar year.

PARK / BEACH RESERVATIONS

- 1. Group Picnic/ Beach Party/ Field Use (Resident/ Business) \$ 5.00 Application fee
2. Group Picnic/ Beach Party/ Field Use (Non Profit Group) \$5.00 Application fee
3. Park / Beach Attendant (After Hours) \$10.00 per hour
4. Field Lights (Residents Only) \$15.00 per hour

TOWN RECREATION BUILDINGS

- 1. Fees for After Hours and Weekend Use (Residents and Non Profit Groups Only) \$ 5.00 Application fee \$20.00 per hour

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

THE VOTE
Cardinale Yes No Kent Yes No
Kwasna Yes No Luil Yes No
Vilella Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY DECLARED ADOPTED

January 19, 1999

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 93

IRON PIER BEACH RENOVATION  
BUDGET ADJUSTMENT

COUNCILMAN LULL offered the following resolution,  
which was seconded by COUNCILMAN CARDINALE.

408.095031.481900.70027  
Special Trust Transfer

\$36,000.

408.071800.543505.70027  
Engineering

\$36,000.

THE VOTE

Cardinale  Yes \_\_\_ No \_\_\_    Kent  Yes \_\_\_ No \_\_\_  
Kwasna  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_  
Vilella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY DECLARED ADOPTED

1/19/1999

Adopted

Town of Riverhead  
Resolution # 94

**AUTHORIZES SUPERVISOR TO EXECUTE AGREEMENTS**

COUNCILMAN KWASNA offered the following resolution  
which was seconded by COUNCILMAN KENT

**WHEREAS**, it has been the policy of the Town of Riverhead to establish management contracts for employees that are not covered by union agreements; and

**WHEREAS**, a majority of the management employees are already in possession of fully executed management contracts.

**NOW, THEREFORE BE IT RESOLVED**, that the Town Supervisor is hereby authorized to execute management contracts for the remaining management/confidential employees.

**THE VOTE**

Cardinale  Yes  No      Kent  Yes  No  
 Kwasna  Yes  No      Lufl  Yes  No  
 Villella  Yes  No

THE RESOLUTION WAS  WAS NOT

THEREUPON DULY DECLARED ADOPTED

COUNCILMAN KWASNA OFFERED THE FOLLOWING RESOLUTION, WHICH WAS SECONDED BY

COUNCILMAN KENT.  
0551168.01

72113-3134P

At a REGULAR meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on the 19th day of January, 1999, at 7:00 o'clock P.M., Prevailing Time.

PRESENT:

VINCENT VILLELLA  
Supervisor

PHILIP CARDINALE  
Councilman

CHRISTOPHER KENT  
Councilman

MARK KWASNA  
Councilman

JAMES LULL  
Councilman

-----:  
:  
In the Matter :  
of :  
the Increase and Improvement :  
of the Facilities of Riverhead :  
Sewer District in the :  
Town of Riverhead, Suffolk :  
County, New York :  
-----:

PUBLIC INTEREST  
ORDER

WHEREAS, the Town Board of the Town of Riverhead, Suffolk County, New York, has duly 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 Riverhead Sewer District in said Town, consisting of

the reconstruction of and construction of additions to the wastewater treatment plant, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$8,100,000; and

WHEREAS, said capital project, as proposed, has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which the Town Board has determined will not have a significant effect on the environment; and

WHEREAS, at a meeting of said Town Board duly called and held on December 15, 1999, an order was duly adopted by it and entered in the minutes specifying that the said Board would meet to consider the increase and improvement of the facilities of Riverhead Sewer District in said Town at a maximum estimated cost of \$8,100,000 and to hear all persons interested in the subject thereof concerning the same at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on the 5th day of January, 1999, at 7:10 o'clock P.M., Prevailing Time; and

WHEREAS, the said order duly certified by the Town Clerk was duly published and posted as required by law, to-wit: a duly certified copy thereof was published in the official newspaper of this Town, on December 24, 1998, and a copy of such order was posted on December 24, 1998, on the signboard maintained by the Town Clerk of the Town of Riverhead, pursuant to Section 30, subdivision 6 of the Town Law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of Riverhead Sewer District in the Town of Riverhead, Suffolk County, New York, consisting of the reconstruction of and construction of additions to the wastewater treatment plant, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$8,100,000.

Section 2. This order shall take effect immediately.

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

<u>Supervisor Villella</u>	VOTING	<u>Yes</u>
<u>Councilman Cardinale</u>	VOTING	<u>Yes</u>
<u>Councilman Kent</u>	VOTING	<u>Yes</u>
<u>Councilman Kwasna</u>	VOTING	<u>Yes</u>
<u>Councilman Lull</u>	VOTING	<u>Yes</u>

The order was thereupon declared duly adopted.

\* \* \* \* \*

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

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

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the order contained therein, held on January 19th, 1999, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

Newspaper and/or other news media

Date given

Times Review

January 22, 1999

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

<u>Designated Location(s) of posted notice</u>	<u>Date of Posting</u>
TOWN CLERK'S BULLETIN BOARD	JANUARY 20, 1999

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, on January 20, 1999.

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

(SEAL)

**THE VOTE**

Cardinale  Yes \_\_\_ No \_\_\_    Kent  Yes \_\_\_ No \_\_\_  
 Kwasna  Yes \_\_\_ No \_\_\_    Lull  Yes \_\_\_ No \_\_\_  
 Villella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT.  
 THEREUPON DULY DECLARED ADOPTED

Adopted

72113-3134P

At a REGULAR meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, 200 Howell Avenue, in Riverhead, New York, in said Town, on January 19, 1999, at 7:00 o'clock P.M., Prevailing Time.

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

PRESENT: Supervisor Villella  
Councilman Cardinale  
Councilman Kent  
Councilman Kwasna  
Councilman Lull

ABSENT:

The following resolution was offered by Councilman KENT who moved its adoption, seconded by Councilman KWASNA to-wit:

THE VOTE  
Cardinale  Yes  No    Kent  Yes  No  
Kwasna  Yes  No    Lull  Yes  No  
Villella  Yes  No  
THE RESOLUTION WAS  NOT  
THEREUPON DULY DECLARED ADOPTED

BOND RESOLUTION DATED JANUARY 19, 1999.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$8,100,000 SERIAL BONDS OF THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF RIVERHEAD SEWER DISTRICT IN SAID TOWN.

WHEREAS, pursuant to the proceedings heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an order dated January 19, 1999, the Town Board of the Town of Riverhead, Suffolk County, New York, has determined it to be in the public interest to increase and improve the facilities of Riverhead Sewer District in said Town, at a maximum estimated cost of \$8,100,000; and

WHEREAS, said capital project, as proposed, has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which the Town Board has determined will not have a significant effect on the environment; and

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

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

Section 1. For the specific object or purpose of paying the cost of the increase and improvement of the facilities of Riverhead Sewer District in the Town of Riverhead, Suffolk County, New York, consisting of the reconstruction of and construction of additions to the wastewater treatment plant, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental

improvements and expenses in connection therewith, there are hereby authorized to be issued \$8,100,000 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of said specific object or purpose is \$8,100,000, and that the plan for the financing of the aforesaid specific object or purpose is by the issuance of the \$8,100,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

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

Section 5. 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.

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

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

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the

fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The Supervisor is hereby further authorized, at his sole discretion, to execute a project financing and loan

agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a serial bond, and, or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this resolution is to give the Supervisor sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds and, or notes without resorting to further action of this Town Board.

Section 12. 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 13. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Sections 1.150

- 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 14. This resolution which takes effect immediately shall be published in the Riverhead News Review, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

<u>SUPERVISOR VILLELLA</u>	VOTING	<u>YES</u>
<u>COUNCILMAN CARDINALE</u>	VOTING	<u>YES</u>
<u>COUNCILMAN KENT</u>	VOTING	<u>YES</u>
<u>COUNCILMAN KWASNA</u>	VOTING	<u>YES</u>
<u>COUNCILMAN LULL</u>	VOTING	<u>YES</u>

The resolution was thereupon declared duly adopted.

\* \* \* \* \*



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

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

Date of Posting

Town Clerk's Bulletin Board

January 22, 1999

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town, on January \_\_\_\_, 1999.

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

(SEAL)

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the resolution published herewith has been adopted by the Town Board of the Town of Riverhead, Suffolk County, New York, on the 19 day of January, 1999, 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 said Town 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.

Dated: Riverhead, New York  
January 19, 1999.

*Barbara Gratton*

\_\_\_\_\_

Town Clerk

1/19/99

Adopted

TOWN OF RIVERHEAD  
Resolution # 97

SETS SALARIES OF VARIOUS BOARDS FOR THE YEAR 1999

RESOLVED, that the salaries of the following board members of various boards of the  
Town of Riverhead for the year 1999 be and are hereby set as follows:

<u>EMPLOYEE</u>	<u>TITLE</u>	<u>ANNUAL SALARY</u>
<b>ARCHITECTURAL REVIEW BOARD</b>		
ROY SOKOLOWSKI	CHAIR	\$ 1,000.00
RICHARD SEARLES	VICE-CHAIR	\$ 1,000.00
SHERYL HEATHER	BOARD MEMBER	\$ 1,000.00
TIMOTHY RUMP	BOARD MEMBER	\$ 1,000.00
ROBERSTROMSKI	BOARD MEMBER	\$ 1,000.00
<b>CONSERVATION ADVISORY COUNCIL</b>		
VACANCY	MEMBER-CHAIR	\$ 250.00
VACANCY	MEMBER	\$ 250.00
<b>PLANNING BOARD</b>		
BARBARA BLASS	MEMBER-CHAIR	\$ 6,200.00
JOSEP BAIER	MEMBER VICE-CHAIR	\$ 5,200.00
RICHARD O'DEA	MEMBER	\$ 4,700.00
VINCENT ARTALE	MEMBER	\$ 4,700.00
VACANCY	MEMBER	\$ 4,700.00
JANE STROMSKI	CLERK TO BOARD	\$ 768.00
<b>ZONING BOARD OF APPEALS</b>		
MARTIN KELLER	MEMBER-CHAIR	\$ 6,200.00
VACANCY	MEMBER VICE-CHAIR	\$ 5,200.00
BRUCE STUKE	MEMBER	\$ 4,700.00
FRED MCLAUGHLIN	MEMBER	\$ 4,700.00
JAMES LANGHORN	MEMBER	\$ 4,700.00

**THE VOTE**

Cardinale  Yes  No    Kent  Yes  No  
 Kwacna  Yes  No    Lull  Yes  No  
 Villella  Yes  No

THE RESOLUTION WAS  WAS NOT   
 THEREUPON DULY DECLARED ADOPTED

January 19, 1999

Adopted

TOWN OF RIVERHEAD

Resolution # 98

APPOINTS MEMBER TO CONSERVATION ADVISORY COUNCIL

**COUNCILMAN CARDINALE**

\_\_\_\_\_ offered the following resolution;

**COUNCILMAN KENT**

which was seconded by \_\_\_\_\_

**WHEREAS**, by Chapter 13 of the Riverhead Town Code the Town Board established the Conservation Advisory Council; and

**WHEREAS**, the Conservation Advisory Council is comprised of nine members that serve at the pleasure of the Riverhead Town Board;

**NOW, THEREFORE, BE IT RESOLVED**, that effective January 20, 1999 the Town Board hereby appoints the following members to the Conservation Advisory Council: Fred Edel, Nancy Gassert, Owen Cassidy, George Bartunek, George Goode, Robert KUJAWSKI and Charles Massoud; and

**BE IT FURTHER, RESOLVED**, that George Bartunek is hereby designated as the Presiding Officer and Chairman;

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

**THE VOTE**

Cardinale  Yes \_\_\_ No \_\_\_ Kent  Yes \_\_\_ No \_\_\_  
Kwenna  Yes \_\_\_ No \_\_\_ Lull  Yes \_\_\_ No \_\_\_  
Vilella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY DECLARED ADOPTED

January 19, 1999

*Adopted*

TOWN OF RIVERHEAD

Resolution # 99

APPOINTS MEMBER TO PLANNING BOARD

COUNCILMAN KENT

\_\_\_\_\_ offered the following resolution;  
COUNCILMAN CARDINALE

which was seconded by \_\_\_\_\_

WHEREAS, a vacancy exists on the Riverhead Planning Board; and

NOW, THEREFORE, BE IT RESOLVED, that effective January 20, 1999 the Town Board hereby appoints Lou Boschetti as member of the Riverhead Planning Board for a five-year term expiring December 31, 2003; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Lou Boschetti, the Town Board and the Accounting Department.

THE VOTE

Cardinale  Yes \_\_\_ No \_\_\_    Kent  Yes \_\_\_ No \_\_\_  
Luvona  Yes \_\_\_ No \_\_\_    Lull \_\_\_ Yes \_\_\_ No \_\_\_  
Vilella  Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT \_\_\_  
THEREUPON DULY DECLARED ADOPTED

January 19, 1999

Adopted

TOWN OF RIVERHEAD

Resolution # 100

APPOINTS MEMBER TO ZONING BOARD OF APPEALS

COUNCILMAN CARDINALE

\_\_\_\_\_ offered the following resolution;

COUNCILMAN KENT

which was seconded by \_\_\_\_\_

WHEREAS, a vacancy exists on the Riverhead Zoning Board of Appeals; and

NOW, THEREFORE, BE IT RESOLVED, that effective January 20, 1999 the Town Board hereby appoints Joseph Fox as member and vice-chairman of the Riverhead Zoning Board of Appeals for a five-year term expiring December 31, 2003; and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Joseph Fox, the Town Board and the Accounting Department.

THE VOTE

Cardinale ✓ Yes \_\_\_ No \_\_\_ Kent ✓ Yes \_\_\_ No \_\_\_  
Kosma \_\_\_ Yes \_\_\_ No ✓ Lull \_\_\_ Yes \_\_\_ No ✓  
Vilella ✓ Yes \_\_\_ No \_\_\_

THE RESOLUTION WAS  WAS NOT   
IT IS HEREBY DULY DECLARED ADOPTED

01/19/99

TOWN OF RIVERHEAD

Adopted

Resolution # 101

APPOINTS PART TIME SENIOR CITIZEN AIDE  
IN THE NUTRITION DEPARTMENT

COUNCILMAN KENT

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

**WHEREAS**, the position of Part Time Senior Citizen Aide exists in the Nutrition Department, and

**WHEREAS**, the position has been posted and an application was received from Nancy Tesoriero who currently fills this position on a temporary basis; and

**WHEREAS**, it is the recommendation of the Department Head for the Nutrition Department that we hire Nancy Tesoriero to fill this position.

**NOW, THEREFORE, BE IT RESOLVED**, that effective January 20, 1999 the Town Board hereby appoints Nancy Tesoriero to the position of Part Time Senior Citizen Aide at an hourly rate of \$9.9973 hr.

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

**THE VOTE**

Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kwasna	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Villella	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS  WAS NOT

THE UPON DULY DECLARED ADOPTED

Adopted

January 19, 1999

# TOWN OF RIVERHEAD

Resolution # 102

## APPOINTS MEMBERS TO THE CITIZEN ADVISORY COMMITTEE - MASTER PLAN REVISION

**COUNCILMAN CARDINALE**

\_\_\_\_\_ offered the following resolution which

was seconded by COUNCILMAN KENT

**WHEREAS**, by resolution Number 1069 of 1998, the Riverhead Town Board did create a Citizen Advisory Committee (CAC) to aid in the preparation of the revision to the Comprehensive Master Plan of the Town, and

**WHEREAS**, the Town Board desires to supplement the standing CAC with additional members, now

**THEREFORE, BE IT**

**RESOLVED**, that the Riverhead Town Board hereby appoints the following individuals to the aforementioned Citizen Advisory Committee:

1. Mr. Peter Huszagh  
252 Washington Avenue  
Jamesport, NY 11947
2. Mr. Vincent Lopez  
29 Wildwood Trail  
Riverhead, NY
3. Jean Hudson  
18 JT Boulevard  
Riverhead, NY 11901

**BE IT FURTHER**

**RESOLVED**, that the Town Clerk forward certified copies of this resolution to these individuals.

**THE VOTE**

Cardinale  Yes  No    Kent  Yes  No  
 Kwasna  Yes  No    Lull  Yes  No  
 Vilella  Yes  No

THE RESOLUTION WAS  WAS NOT   
 THEREUPON DULY DECLARED ADOPTED

RESOLUTION # <u>103</u> ABSTRACT #1-99 JANUARY 7, 1999 (TBM 1/19/99)				
COUNCILMAN LULL offered the following Resolution which was seconded by				
COUNCILMAN CARDINALE				
FUND NAME		CD-12/30/98	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 220,546.38	\$ 220,546.38
PARKING METER	002	\$ 12,000.00		\$ 12,000.00
AMBULANCE	003	\$ 12,000.00		\$ 12,000.00
POLICE ATHLETIC LEAGUE	004	\$ -		
TEEN CENTER	005	\$ 3,000.00	\$ 186.75	\$ 3,186.75
RECREATION PROGRAM	006	\$ 100,000.00	\$ 1,905.74	\$ 101,905.74
SR NUTRITION SITE COUNCIL	007	\$ 450.00		\$ 450.00
D.A.R.E. PROGRAM FUND	008	\$ 1,200.00	\$ 116.34	\$ 1,316.34
CHILD CARE CENTER BUILDING FUND	009	\$ 25,000.00	\$ 5,473.42	\$ 30,473.42
YOUTH COURT SCHOLARSHIP FUND	025	\$ -		
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 2,186.84	\$ 2,186.84
HIGHWAY	111	\$ 40,000.00	\$ 12,023.82	\$ 52,023.82
WATER	112	\$ 1,000,000.00	\$ 22,093.11	\$ 1,022,093.11
REPAIR & MAINTENANCE	113	\$ 100,000.00		\$ 100,000.00
SEWER	114	\$ 300,000.00	\$ 5,002.63	\$ 305,002.63
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 145,338.45	\$ 145,338.45
STREET LIGHTING	116	\$ -	\$ 2,565.34	\$ 2,565.34
PUBLIC PARKING	117	\$ 30,000.00	\$ 1,389.42	\$ 31,389.42
BUSINESS IMPROVEMENT DISTRICT	118	\$ 10,000.00	\$ 205.32	\$ 10,205.32
TOR URBAN DEV CORP TRUST ACCT	119	\$ -		
AMBULANCE DISTRICT	120	\$ -	\$ 1,496.50	\$ 1,496.50
WORKER'S COMPENSATION FUND	173	\$ 300,000.00	\$ 3,640.44	\$ 303,640.44
HOSPITALIZATION SELF INSURANCE	174	\$ -		
RISK RETENTION FUND	175	\$ 500,000.00	\$ 1,270.00	\$ 501,270.00
UNEMPLOYMENT INSURANCE FUND	176	\$ 2,000.00		\$ 2,000.00
MAIN STREET REHAB PROGRAM	177	\$ -		
REVOLVING LOAN PROGRAM	178	\$ -		
RESIDENTIAL REHAB	179	\$ -	\$ 2,580.00	\$ 2,580.00
DISCRETIONARY/SMALL CITIES	180	\$ -		
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 1,445.90	\$ 1,445.90
URBAN DEVEL CORP WORKING	182	\$ -		
RESTORE	184	\$ -		
PUBLIC PARKING DEBT	381	\$ 7,000.00		\$ 7,000.00
SEWER DISTRICT DEBT	382	\$ 50,000.00		\$ 50,000.00
WATER DEBT	383	\$ 75,000.00		\$ 75,000.00
GENERAL FUND DEBT SERVICE	384	\$ -		
SCAVENGER WASTE DEBT	385	\$ 130,000.00		\$ 130,000.00
COMM DEVEL AGENCY CAP PROJECT	405	\$ -		
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 271,076.96	\$ 271,076.96
EIGHT HUNDRED SERIES	408	\$ -		
WATER IMPROVEMENT CAP PROJ	409	\$ -		
NUTRITION CAPITAL IMPS	441	\$ -		
CHIPS	451	\$ 200,000.00		\$ 200,000.00
YOUTH SERVICES	452	\$ -	\$ 164.91	\$ 164.91
SENIORS HELPING SENIORS	453	\$ -	\$ 2,603.30	\$ 2,603.30
EISEP	454	\$ -	\$ 1,404.93	\$ 1,404.93
SCAVENGER WASTE CAP PROJ	470	\$ -		
MUNICIPAL FUEL FUND	625	\$ 160,000.00	\$ 2,163.50	\$ 162,163.50
MUNICIPAL GARAGE	626	\$ -	\$ 952.89	\$ 952.89
TRUST & AGENCY	735	\$ -	\$ 12,399,703.08	\$ 12,399,703.08
SPECIAL TRUST	736	\$ 100,000.00		\$ 100,000.00
CDA-CALVERTON	914	\$ 100,000.00	\$ 37,796.35	
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ 1,349.51	\$ 1,349.51
JOINT SCAVENGER WASTE	918	\$ -	\$ 4,763.80	\$ 4,763.80
CENTRAL CLEARING ACCOUNT	999	\$ -		
<b>TOTALS</b>		<b>\$ 3,257,650.00</b>	<b>\$ 13,151,434.63</b>	<b>\$ 16,409,084.63</b>

**THE VOTE**  
 Cardinale  Yes  No  Kent  Yes  No  
 Kwasna  Yes  No  Lull  Yes  No  
 Villetta  Yes  No

THE RESOLUTION WAS  WAS NOT  
 THEREUPON DULY DECLARED ADOPTED

RESOLUTION # <u>103</u> ABSTRACT #2-99 JANUARY 14, 1999 (TBM 1/19/99)				
<u>COUNCILMAN LULL</u> offered the following Resolution which was seconded by				
<u>COUNCILMAN CARDINALE</u>				
FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ 572,911.90	\$ 572,911.90
PARKING METER	002	\$ -	\$ 31.91	\$ 31.91
AMBULANCE	003	\$ -	\$ -	\$ -
POLICE ATHLETIC LEAGUE	004	\$ -	\$ -	\$ -
TEEN CENTER	005	\$ -	\$ 391.69	\$ 391.69
RECREATION PROGRAM	006	\$ -	\$ 1,703.99	\$ 1,703.99
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ 84.49	\$ 84.49
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ -	\$ -
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ 1,104.00	\$ 1,104.00
SRS DAYCARE BUILDING FUND	027	\$ -	\$ 359.08	\$ 359.08
HIGHWAY	111	\$ -	\$ 77,779.90	\$ 77,779.90
WATER	112	\$ -	\$ 46,610.65	\$ 46,610.65
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
SEWER	114	\$ -	\$ 32,679.09	\$ 32,679.09
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ 2,585.07	\$ 2,585.07
STREET LIGHTING	116	\$ -	\$ 29,600.50	\$ 29,600.50
PUBLIC PARKING	117	\$ -	\$ 4,102.00	\$ 4,102.00
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ 110.54	\$ 110.54
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ -	\$ -
WORKER'S COMPENSATION FUND	173	\$ -	\$ 170.00	\$ 170.00
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ -	\$ -	\$ -
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ 446.06	\$ 446.06
URBAN DEVEL CORP WORKING	182	\$ -	\$ 60,300.00	\$ 60,300.00
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT	382	\$ -	\$ -	\$ -
WATER DEBT	383	\$ -	\$ -	\$ -
GENERAL FUND DEBT SERVICE	384	\$ -	\$ -	\$ -
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$ -
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 67,867.74	\$ 67,867.74
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ 3,801.37	\$ 3,801.37
SENIORS HELPING SENIORS	453	\$ -	\$ 538.62	\$ 538.62
EISEP	454	\$ -	\$ -	\$ -
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ -	\$ 1,268.76	\$ 1,268.76
MUNICIPAL GARAGE	626	\$ -	\$ 4,443.32	\$ 4,443.32
TRUST & AGENCY	735	\$ -	\$ 650,638.54	\$ 650,638.54
SPECIAL TRUST	736	\$ -	\$ -	\$ -
CDA-CALVERTON	914	\$ -	\$ 128,840.48	\$ 128,840.48
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ 216.00	\$ 216.00
JOINT SCAVENGER WASTE	918	\$ -	\$ 22,230.98	\$ 22,230.98
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
<b>TOTALS</b>		\$ -	\$ 1,710,816.68	\$ 1,710,816.68

RESOLUTION # 103 ABSTRACT #3-99 JANUARY 19, 1999 (TBM 1/19/99)				
COUNCILMAN LULL offered the following Resolution which was seconded by				
COUNCILMAN CARDINALE				
SPECIAL CHECKRUN TO DISBURSE SCHOOL AND TOWN TAX MONIES.				
FUND NAME		CD-NONE	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ -	\$ -	\$ -
PARKING METER	002	\$ -	\$ -	\$ -
AMBULANCE	003	\$ -	\$ -	\$ -
POLICE ATHLETIC LEAGUE	004	\$ -	\$ -	\$ -
TEEN CENTER	005	\$ -	\$ -	\$ -
RECREATION PROGRAM	006	\$ -	\$ -	\$ -
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ -	\$ -
CHILD CARE CENTER BUILDING FUND	009	\$ -	\$ -	\$ -
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ -	\$ -
HIGHWAY	111	\$ -	\$ -	\$ -
WATER	112	\$ -	\$ -	\$ -
REPAIR & MAINTENANCE	113	\$ -	\$ -	\$ -
SEWER	114	\$ -	\$ -	\$ -
REFUSE & GARBAGE COLLECTION	115	\$ -	\$ -	\$ -
STREET LIGHTING	116	\$ -	\$ -	\$ -
PUBLIC PARKING	117	\$ -	\$ -	\$ -
BUSINESS IMPROVEMENT DISTRICT	118	\$ -	\$ -	\$ -
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ -	\$ -	\$ -
WORKER'S COMPENSATION FUND	173	\$ -	\$ -	\$ -
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ -	\$ -	\$ -
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ -	\$ -
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ -	\$ -	\$ -
SEWER DISTRICT DEBT	382	\$ -	\$ -	\$ -
WATER DEBT	383	\$ -	\$ -	\$ -
GENERAL FUND DEBT SERVICE	384	\$ -	\$ -	\$ -
SCAVENGER WASTE DEBT	385	\$ -	\$ -	\$ -
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ -	\$ -
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ -	\$ -	\$ -
YOUTH SERVICES	452	\$ -	\$ -	\$ -
SENIORS HELPING SENIORS	453	\$ -	\$ -	\$ -
EISEP	454	\$ -	\$ -	\$ -
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ -	\$ -	\$ -
MUNICIPAL GARAGE	626	\$ -	\$ -	\$ -
TRUST & AGENCY	735	\$ -	12,300,000.00	12,300,000.00
SPECIAL TRUST	736	\$ -	\$ -	\$ -
CDA-CALVERTON	914	\$ -	\$ -	\$ -
COMMUNITY DEVELOPMENT AGENCY	915	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ -	\$ -
CENTRAL CLEARING ACCOUNT	999	\$ -	\$ -	\$ -
TOTALS		\$ -	\$ 12,300,000.00	\$ 12,300,000.00

1/19/99

**Adopted**

TOWN OF RIVERHEAD

Resolution # 104

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN INDEMNIFICATION AGREEMENT BETWEEN THE COUNTY OF SUFFOLK AND THE TOWN OF RIVERHEAD (DREDGING OF CREEKS)**

**COUNCILMAN KWASNA**

\_\_\_\_\_ offered the following resolution, was seconded by

**COUNCILMAN LULL**

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Town Board of the Town of Riverhead be and hereby authorizes the Supervisor to execute an Indemnification Agreement between the County of Suffolk and the Town of Riverhead in connection with the County's dredging of creeks in the Town of Riverhead (copy attached herewith); and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a certified copy of this resolution to County of Suffolk Attorney's Office, P.O. Box 6100, Hauppauge, New York, 11788; Kenneth Testa, P.E.; the Town Attorney's Office and the Office of Accounting.

**THE VOTE**

_____	<input checked="" type="checkbox"/> Yes	_____ No	_____	<input checked="" type="checkbox"/> Yes	_____ No
_____	<input checked="" type="checkbox"/> Yes	_____ No	Lull	<input checked="" type="checkbox"/> Yes	_____ No
Villella	<input checked="" type="checkbox"/> Yes	_____ No			

THE RESOLUTION WAS  WAS NOT \_\_\_\_\_  
THEREUPON DULY DECLARED ADOPTED

**ASSURANCES FOR DREDGING OF DREAMERS COVE CREEK, TOWN OF RIVERHEAD, NEW YORK**

**WHEREAS**, the Town of Riverhead has requested the County of Suffolk to dredge the aforementioned navigation channel in the Town of Riverhead; and

**WHEREAS**, the Supervisor of the Town of Riverhead by Resolution # of 1999 of the Town of Riverhead, has been authorized and directed to sign for and on behalf of the Town of Riverhead assurances to the County of Suffolk, that the said Town of Riverhead will perform acts required to be performed by said Town in connection with the preparation for the dredging operation as aforesaid, to the extent possible, obtain necessary easements and rights-of-way for Town land, and other land to the extent possible, for said dredging operation and obtain the use of areas indicated on the attached map for surplus disposal areas together with and necessary rights incidental to said dredging operation to the extent possible.

**NOW THEREFORE**, in consideration of the benefits of the Town of Riverhead as aforesaid, the Town of Riverhead hereby assures the County of Suffolk that it will:

a) Furnish, free of cost to the County of Suffolk, lands, easements, right-of-way, releases from adjoining property owners, and surplus disposal areas for Town land, and other land to the extent possible, necessary for its activities which may be performed as part of the dredging operations at the aforementioned creeks and all as shown on the attached maps; and

b) Indemnify and hold harmless the County of Suffolk from any claims, actions, proceedings, judgments, liens, encumbrances or damages of any kind or nature whatsoever resulting from said improvement or resulting in any way from the said dredging operation or the use of equipment at the said creeks, or use of any surplus disposal area or any other area affected by said dredging operation whether for new work, subsequent maintenance or otherwise. The County will be solely liable for the result of any malfeasance, misconduct or negligence on behalf of its agents and/or employees.

**IN WITNESS WHEREOF**, I have set my hand and seal of the Town of Riverhead on this day of January, 1999.

ATTEST:

TOWN OF RIVERHEAD

\_\_\_\_\_  
BARBARA GRATTAN  
Town Clerk

\_\_\_\_\_  
VINCENT G. VILLELLA  
Supervisor  
(Seal)

**ASSURANCES FOR DREDGING OF EAST CREEK, TOWN OF RIVERHEAD,  
NEW YORK**

**WHEREAS**, the Town of Riverhead has requested the County of Suffolk to dredge the aforementioned navigation channel in the Town of Riverhead; and

**WHEREAS**, the Supervisor of the Town of Riverhead by Resolution #      of 1999 of the Town of Riverhead, has been authorized and directed to sign for and on behalf of the Town of Riverhead assurances to the County of Suffolk, that the said Town of Riverhead will perform acts required to be performed by said Town in connection with the preparation for the dredging operation as aforesaid, to the extent possible, obtain necessary easements and rights-of-way for Town land, and other land to the extent possible, for said dredging operation and obtain the use of areas indicated on the attached map for surplus disposal areas together with and necessary rights incidental to said dredging operation to the extent possible.

**NOW THEREFORE**, in consideration of the benefits of the Town of Riverhead as aforesaid, the Town of Riverhead hereby assures the County of Suffolk that it will:

a)      Furnish, free of cost to the County of Suffolk, lands, easements, right-of-way, releases from adjoining property owners, and surplus disposal areas for Town land, and other land to the extent possible, necessary for its activities which may be performed as part of the dredging operations at the aforementioned creeks and all as shown on the attached maps; and

b)      Indemnify and hold harmless the County of Suffolk from any claims, actions, proceedings, judgments, liens, encumbrances or damages of any kind or nature whatsoever resulting from said improvement or resulting in any way from the said dredging operation or the use of equipment at the said creeks, or use of any surplus disposal area or any other area affected by said dredging operation whether for new work, subsequent maintenance or otherwise. The County will be solely liable for the result of any malfeasance, misconduct or negligence on behalf of its agents and/or employees.

**IN WITNESS WHEREOF**, I have set my hand and seal of the Town of Riverhead on this              day of January, 1999.

ATTEST:

TOWN OF RIVERHEAD

\_\_\_\_\_  
BARBARA GRATTAN  
Town Clerk

\_\_\_\_\_  
VINCENT G. VILLELLA  
Supervisor  
(Seal)

**ASSURANCES FOR DREDGING OF CASES CREEK, TOWN OF RIVERHEAD,  
NEW YORK**

**WHEREAS**, the Town of Riverhead has requested the County of Suffolk to dredge the aforementioned navigation channel in the Town of Riverhead; and

**WHEREAS**, the Supervisor of the Town of Riverhead by Resolution #      of 1999 of the Town of Riverhead, has been authorized and directed to sign for and on behalf of the Town of Riverhead assurances to the County of Suffolk, that the said Town of Riverhead will perform acts required to be performed by said Town in connection with the preparation for the dredging operation as aforesaid, to the extent possible, obtain necessary easements and rights-of-way for Town land, and other land to the extent possible, for said dredging operation and obtain the use of areas indicated on the attached map for surplus disposal areas together with and necessary rights incidental to said dredging operation to the extent possible.

**NOW THEREFORE**, in consideration of the benefits of the Town of Riverhead as aforesaid, the Town of Riverhead hereby assures the County of Suffolk that it will:

a)      Furnish, free of cost to the County of Suffolk, lands, easements, right-of-way, releases from adjoining property owners, and surplus disposal areas for Town land, and other land to the extent possible, necessary for its activities which may be performed as part of the dredging operations at the aforementioned creeks and all as shown on the attached maps; and

b)      Indemnify and hold harmless the County of Suffolk from any claims, actions, proceedings, judgments, liens, encumbrances or damages of any kind or nature whatsoever resulting from said improvement or resulting in any way from the said dredging operation or the use of equipment at the said creeks, or use of any surplus disposal area or any other area affected by said dredging operation whether for new work, subsequent maintenance or otherwise. The County will be solely liable for the result of any malfeasance, misconduct or negligence on behalf of its agents and/or employees.

**IN WITNESS WHEREOF**, I have set my hand and seal of the Town of Riverhead on this      day of January, 1999.

ATTEST:

TOWN OF RIVERHEAD

\_\_\_\_\_  
BARBARA GRATTAN  
Town Clerk

\_\_\_\_\_  
VINCENT G. VILLELLA  
Supervisor  
(Seal)

**ASSURANCES FOR DREDGING OF GREAT PECONIC BAY MARINA  
ACCESS CREEK, TOWN OF RIVERHEAD, NEW YORK**

**WHEREAS**, the Town of Riverhead has requested the County of Suffolk to dredge the aforementioned navigation channel in the Town of Riverhead; and

**WHEREAS**, the Supervisor of the Town of Riverhead by Resolution # of 1999 of the Town of Riverhead, has been authorized and directed to sign for and on behalf of the Town of Riverhead assurances to the County of Suffolk, that the said Town of Riverhead will perform acts required to be performed by said Town in connection with the preparation for the dredging operation as aforesaid, to the extent possible, obtain necessary easements and rights-of-way for Town land, and other land to the extent possible, for said dredging operation and obtain the use of areas indicated on the attached map for surplus disposal areas together with and necessary rights incidental to said dredging operation to the extent possible.

**NOW THEREFORE**, in consideration of the benefits of the Town of Riverhead as aforesaid, the Town of Riverhead hereby assures the County of Suffolk that it will:

a) Furnish, free of cost to the County of Suffolk, lands, easements, right-of-way, releases from adjoining property owners, and surplus disposal areas for Town land, and other land to the extent possible, necessary for its activities which may be performed as part of the dredging operations at the aforementioned creeks and all as shown on the attached maps; and

b) Indemnify and hold harmless the County of Suffolk from any claims, actions, proceedings, judgments, liens, encumbrances or damages of any kind or nature whatsoever resulting from said improvement or resulting in any way from the said dredging operation or the use of equipment at the said creeks, or use of any surplus disposal area or any other area affected by said dredging operation whether for new work, subsequent maintenance or otherwise. The County will be solely liable for the result of any malfeasance, misconduct or negligence on behalf of its agents and/or employees.

**IN WITNESS WHEREOF**, I have set my hand and seal of the Town of Riverhead on this        day of January, 1999.

ATTEST:

TOWN OF RIVERHEAD

\_\_\_\_\_  
BARBARA GRATTAN  
Town Clerk

\_\_\_\_\_  
VINCENT G. VILLELLA  
Supervisor  
(Seal)

**ASSURANCES FOR DREDGING OF HAWKS CREEK, TOWN OF RIVERHEAD, NEW YORK**

**WHEREAS**, the Town of Riverhead has requested the County of Suffolk to dredge the aforementioned navigation channel in the Town of Riverhead; and

**WHEREAS**, the Supervisor of the Town of Riverhead by Resolution # of 1999 of the Town of Riverhead, has been authorized and directed to sign for and on behalf of the Town of Riverhead assurances to the County of Suffolk, that the said Town of Riverhead will perform acts required to be performed by said Town in connection with the preparation for the dredging operation as aforesaid, to the extent possible, obtain necessary easements and rights-of-way for Town land, and other land to the extent possible, for said dredging operation and obtain the use of areas indicated on the attached map for surplus disposal areas together with and necessary rights incidental to said dredging operation to the extent possible.

**NOW THEREFORE**, in consideration of the benefits of the Town of Riverhead as aforesaid, the Town of Riverhead hereby assures the County of Suffolk that it will:

a) Furnish, free of cost to the County of Suffolk, lands, easements, right-of-way, releases from adjoining property owners, and surplus disposal areas for Town land, and other land to the extent possible, necessary for its activities which may be performed as part of the dredging operations at the aforementioned creeks and all as shown on the attached maps; and

b) Indemnify and hold harmless the County of Suffolk from any claims, actions, proceedings, judgments, liens, encumbrances or damages of any kind or nature whatsoever resulting from said improvement or resulting in any way from the said dredging operation or the use of equipment at the said creeks, or use of any surplus disposal area or any other area affected by said dredging operation whether for new work, subsequent maintenance or otherwise. The County will be solely liable for the result of any malfeasance, misconduct or negligence on behalf of its agents and/or employees.

**IN WITNESS WHEREOF**, I have set my hand and seal of the Town of Riverhead on this day of January, 1999.

ATTEST:

TOWN OF RIVERHEAD

\_\_\_\_\_  
BARBARA GRATTAN  
Town Clerk

\_\_\_\_\_  
VINCENT G. VILLELLA  
Supervisor  
(Seal)

**ASSURANCES FOR DREDGING OF MEETINGHOUSE CREEK, TOWN OF RIVERHEAD, NEW YORK**

**WHEREAS**, the Town of Riverhead has requested the County of Suffolk to dredge the aforementioned navigation channel in the Town of Riverhead; and

**WHEREAS**, the Supervisor of the Town of Riverhead by Resolution # of 1999 of the Town of Riverhead, has been authorized and directed to sign for and on behalf of the Town of Riverhead assurances to the County of Suffolk, that the said Town of Riverhead will perform acts required to be performed by said Town in connection with the preparation for the dredging operation as aforesaid, to the extent possible, obtain necessary easements and rights-of-way for Town land, and other land to the extent possible, for said dredging operation and obtain the use of areas indicated on the attached map for surplus disposal areas together with and necessary rights incidental to said dredging operation to the extent possible.

**NOW THEREFORE**, in consideration of the benefits of the Town of Riverhead as aforesaid, the Town of Riverhead hereby assures the County of Suffolk that it will:

a) Furnish, free of cost to the County of Suffolk, lands, easements, right-of-way, releases from adjoining property owners, and surplus disposal areas for Town land, and other land to the extent possible, necessary for its activities which may be performed as part of the dredging operations at the aforementioned creeks and all as shown on the attached maps; and

b) Indemnify and hold harmless the County of Suffolk from any claims, actions, proceedings, judgments, liens, encumbrances or damages of any kind or nature whatsoever resulting from said improvement or resulting in any way from the said dredging operation or the use of equipment at the said creeks, or use of any surplus disposal area or any other area affected by said dredging operation whether for new work, subsequent maintenance or otherwise. The County will be solely liable for the result of any malfeasance, misconduct or negligence on behalf of its agents and/or employees.

**IN WITNESS WHEREOF**, I have set my hand and seal of the Town of Riverhead on this        day of January, 1999.

ATTEST:

TOWN OF RIVERHEAD

\_\_\_\_\_  
BARBARA GRATTAN  
Town Clerk

\_\_\_\_\_  
VINCENT G. VILLELLA  
Supervisor  
(Seal)

**ASSURANCES FOR DREDGING OF MIAMOGUE CREEK, TOWN OF RIVERHEAD, NEW YORK**

**WHEREAS**, the Town of Riverhead has requested the County of Suffolk to dredge the aforementioned navigation channel in the Town of Riverhead; and

**WHEREAS**, the Supervisor of the Town of Riverhead by Resolution #      of 1999 of the Town of Riverhead, has been authorized and directed to sign for and on behalf of the Town of Riverhead assurances to the County of Suffolk, that the said Town of Riverhead will perform acts required to be performed by said Town in connection with the preparation for the dredging operation as aforesaid, to the extent possible, obtain necessary easements and rights-of-way for Town land, and other land to the extent possible, for said dredging operation and obtain the use of areas indicated on the attached map for surplus disposal areas together with and necessary rights incidental to said dredging operation to the extent possible.

**NOW THEREFORE**, in consideration of the benefits of the Town of Riverhead as aforesaid, the Town of Riverhead hereby assures the County of Suffolk that it will:

a)      Furnish, free of cost to the County of Suffolk, lands, easements, right-of-way, releases from adjoining property owners, and surplus disposal areas for Town land, and other land to the extent possible, necessary for its activities which may be performed as part of the dredging operations at the aforementioned creeks and all as shown on the attached maps; and

b)      Indemnify and hold harmless the County of Suffolk from any claims, actions, proceedings, judgments, liens, encumbrances or damages of any kind or nature whatsoever resulting from said improvement or resulting in any way from the said dredging operation or the use of equipment at the said creeks, or use of any surplus disposal area or any other area affected by said dredging operation whether for new work, subsequent maintenance or otherwise. The County will be solely liable for the result of any malfeasance, misconduct or negligence on behalf of its agents and/or employees.

**IN WITNESS WHEREOF**, I have set my hand and seal of the Town of Riverhead on this              day of January, 1999.

ATTEST:

TOWN OF RIVERHEAD

\_\_\_\_\_  
BARBARA GRATTAN  
Town Clerk

\_\_\_\_\_  
VINCENT G. VILLELLA  
Supervisor  
(Seal)

**ASSURANCES FOR DREDGING OF REEVES CREEK AND BAYWOOD COVE  
BOAT BASIN, TOWN OF RIVERHEAD, NEW YORK**

**WHEREAS**, the Town of Riverhead has requested the County of Suffolk to dredge the aforementioned navigation channel in the Town of Riverhead; and

**WHEREAS**, the Supervisor of the Town of Riverhead by Resolution # of 1999 of the Town of Riverhead, has been authorized and directed to sign for and on behalf of the Town of Riverhead assurances to the County of Suffolk, that the said Town of Riverhead will perform acts required to be performed by said Town in connection with the preparation for the dredging operation as aforesaid, to the extent possible, obtain necessary easements and rights-of-way for Town land, and other land to the extent possible, for said dredging operation and obtain the use of areas indicated on the attached map for surplus disposal areas together with and necessary rights incidental to said dredging operation to the extent possible.

**NOW THEREFORE**, in consideration of the benefits of the Town of Riverhead as aforesaid, the Town of Riverhead hereby assures the County of Suffolk that it will:

a) Furnish, free of cost to the County of Suffolk, lands, easements, right-of-way, releases from adjoining property owners, and surplus disposal areas for Town land, and other land to the extent possible, necessary for its activities which may be performed as part of the dredging operations at the aforementioned creeks and all as shown on the attached maps; and

b) Indemnify and hold harmless the County of Suffolk from any claims, actions, proceedings, judgments, liens, encumbrances or damages of any kind or nature whatsoever resulting from said improvement or resulting in any way from the said dredging operation or the use of equipment at the said creeks, or use of any surplus disposal area or any other area affected by said dredging operation whether for new work, subsequent maintenance or otherwise. The County will be solely liable for the result of any malfeasance, misconduct or negligence on behalf of its agents and/or employees.

**IN WITNESS WHEREOF**, I have set my hand and seal of the Town of Riverhead on this            day of January, 1999.

ATTEST:

TOWN OF RIVERHEAD

\_\_\_\_\_  
BARBARA GRATTAN  
Town Clerk

\_\_\_\_\_  
VINCENT G. VILLELLA  
Supervisor  
(Seal)

**ASSURANCES FOR DREDGING OF WADING RIVER CREEK, TOWN OF RIVERHEAD, NEW YORK**

**WHEREAS**, the Town of Riverhead has requested the County of Suffolk to dredge the aforementioned navigation channel in the Town of Riverhead; and

**WHEREAS**, the Supervisor of the Town of Riverhead by Resolution # of 1999 of the Town of Riverhead, has been authorized and directed to sign for and on behalf of the Town of Riverhead assurances to the County of Suffolk, that the said Town of Riverhead will perform acts required to be performed by said Town in connection with the preparation for the dredging operation as aforesaid, to the extent possible, obtain necessary easements and rights-of-way for Town land, and other land to the extent possible, for said dredging operation and obtain the use of areas indicated on the attached map for surplus disposal areas together with and necessary rights incidental to said dredging operation to the extent possible.

**NOW THEREFORE**, in consideration of the benefits of the Town of Riverhead as aforesaid, the Town of Riverhead hereby assures the County of Suffolk that it will:

- a) Furnish, free of cost to the County of Suffolk, lands, easements, right-of-way, releases from adjoining property owners, and surplus disposal areas for Town land, and other land to the extent possible, necessary for its activities which may be performed as part of the dredging operations at the aforementioned creeks and all as shown on the attached maps; and
- b) Indemnify and hold harmless the County of Suffolk from any claims, actions, proceedings, judgments, liens, encumbrances or damages of any kind or nature whatsoever resulting from said improvement or resulting in any way from the said dredging operation or the use of equipment at the said creeks, or use of any surplus disposal area or any other area affected by said dredging operation whether for new work, subsequent maintenance or otherwise. The County will be solely liable for the result of any malfeasance, misconduct or negligence on behalf of its agents and/or employees.

**IN WITNESS WHEREOF**, I have set my hand and seal of the Town of Riverhead on this            day of January, 1999.

ATTEST:

TOWN OF RIVERHEAD

\_\_\_\_\_  
BARBARA GRATTAN  
Town Clerk

\_\_\_\_\_  
VINCENT G. VILLELLA  
Supervisor  
(Seal)

01/19/99

**Adopted**

**TOWN OF RIVERHEAD**

**Resolution # 105**

**AUTHORIZES TOWN CLERK TO PUBLISH AND POST A  
HELP WANTED AD FOR SITE PLAN REVIEWER  
IN THE PLANNING DEPARTMENT**

COUNCILMAN KENT offered the following  
resolution, which was seconded by COUNCILMAN CARDINALE

**RESOLVED**, that the Town Clerk be and is hereby directed to publish the attached Help Wanted Ad in the January 28, 1999 issue of The News Review;

	<b>THE VOTE</b>	
Cardinale ✓	Yes	Kent ✓ Yes ___ No ___
Kwasna ✓	Yes	DeL ✓ Yes ___ No ___
Villola ✓	No	No ___
THE RESOLUTION		<b>X WAS NOT</b>
THEREFORE		<b>DECLARED ADOPTED</b>

**HELP WANTED**

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking qualified individuals to serve in the position of Site Plan Reviewer in the Planning Department. Candidates must have a minimum of six years experience in the area of engineering, drafting, zoning inspection, site plan review or building construction. Applications are to be submitted to the Accounting Department, 200 Howell Avenue, Riverhead, NY, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. No applications will be accepted after 4:00 p.m. on February 11<sup>th</sup>. The Town of Riverhead does not discriminate on the basis of age, race, color, national origin, sex or handicapped status in the employment or provision of services.

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

THE TOWN BOARD

Cardinale \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_

Kwasna \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_

VICE PRESIDENT \_\_\_\_\_ No \_\_\_\_\_

THE RESOLUTION WAS NOT \_\_\_\_\_

THEREFORE IT IS HEREBY ADOPTED

January 19, 1999

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 106

COMMUNITY DEVELOPMENT AGENCY  
BUDGET ADJUSTMENT

**COUNCILMAN CARDINALE** offered the following resolution,  
which was seconded by **COUNCILMAN KENT**.

915.000000.390599.		\$20,000.
	Appropriated Fund Balance	
915.069890.48100		
	General Fund Transfer	\$16,500

915.069890.547520.		\$20,000.
	Riverhead Foundation	
915.069890.543505		\$10,000.
	Engineering Expense	
915.069890.549000		\$3,500.
	Miscellaneous Expense	
915.069890.542100		\$3,000.
	Office Expense	

THE VOTE

Cardinale  Yes  No      Kent  Yes  No

Kwasna  Yes  No       Yes  No

Villella  Yes  No

THE RESOLUTION  WAS NOT

THEREUPON IT WAS DECLARED ADOPTED

1|19|99

## TOWN OF RIVERHEAD

Adopted

Resolution # 107**ADOPTS LOCAL LAW AMENDING  
CHAPTER 64 (FIRE PREVENTION) OF THE RIVERHEAD TOWN CODE**COUNCILMAN KWASNA offered the following resolution,which was seconded by COUNCILMAN LULL:

**WHEREAS**, the Town Clerk was authorized to publish and post the attached public notice to consider an amendment to Chapter 64 entitled, "Fire Prevention" of the Riverhead Town Code once in the News Review, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and

**WHEREAS**, a public hearing was held on the 15th day of December, 1998 at 2 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

**NOW THEREFORE BE IT RESOLVED**, that an amendment to Chapter 64 entitled, "Fire Prevention", 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** and to post same on the signboard at Town Hall; and be it further

**RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to the Building Department; the Planning Board; the Planning Department and the Accounting Department and the Board of Fire Commissioners.

**TOWN OF RIVERHEAD  
NOTICE OF ADOPTION**

**PLEASE TAKE NOTICE**, that the Town Board of the Town of Riverhead adopted an amendment to Chapter 64 entitled, "Fire Prevention of the Riverhead Town Code at its regular meeting held on JANUARY 19, 1999: as follows:

**Chapter 64, FIRE PREVENTION**

**§64-7. Orders to eliminate dangerous or hazardous conditions.**

Whenever any Fire Inspector as mentioned in §64-6 shall find in any building or upon any premises dangerous or hazardous conditions or materials as follows, the Inspector shall order such dangerous conditions or materials to be removed or remedied in such manner as may be specified by the Fire Inspector.

- G. (1) Any chemical or material stored outside in a metal container or drum shall be clearly labeled as to the contents, owner and responsible disposal company name and phone number.
- (2) Any warning or placards required by federal, state, county or other law shall be clearly displayed in addition to that required in (1) above.

**§ 64-9. Permits. Fire Prevention Permit System.**

- A. (1) A permit is required and shall constitute permission to maintain, store or handle materials or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. A permit shall be required for the installation of all fire alarm and fire suppression systems. Such permit does not take the place of any license required by law. It shall not be transferable, and any change in use or occupancy of premises shall require a new permit. A permit shall not remain in force for more than one (1) year from date of issuance.
- (2) Whenever the Fire Inspector shall disapprove an application or refuse to grant a permit applied for or revoke a permit, or when it is claimed that the provisions of this chapter do not apply or that the true intent and meaning of this chapter has been misconstrued or wrongly interpreted, the applicant may appeal, in writing, from the decision of the Fire Inspector to the Town Board within ten (10) days from the date of the decision appealed. The Town Board, after receipt of such notice of appeal, may, in its discretion, stay the effect of any order pending its decision. The decision of the Town Board shall be entered upon the records of the Division of Fire Prevention and a copy shall be furnished to the applicant.

D. The Town Board shall establish uniform fees for the issuance of such permits and The Town Board may require applicants for permits to submit written applications supplying under affidavit such information and/or plans or mechanical drawings as the Town Board, upon the recommendation of the Fire Inspector, may require. The Town Board has determined fire prevention fees shall be as follows:

- (1) Installation of Fire Detection/Alarm Systems and Water Based Fire Protection Systems: fifty dollars (\$50.) for the first twenty-five (25) devices and one dollar (\$1.) per device in excess thereof. A device shall include, but not be limited to, a heat detector, a smoke detector, a pull station, a bell or other sounding device, a speaker, a fire alarm control panel, a remote annunciator, a floor command station, an alarm and check valve, a deluge valve, an exhauster, an accelerator, a retard chamber or a fire department connection.
- (2) Installation of automatic fixed pipe extinguishing systems: fifty dollars (\$50.)
- (3) Installation of exhaust systems for the removal of smoke and/or grease laden or other vapors: fifty dollars (\$50.)
- (4) Permits required by Article XI, Installation of Containers for the Storage of Liquefied Petroleum Gases: seventy five dollars (\$75.) for the first ten thousand (10,000) gallons and one half cent (\$.005) per gallon in excess thereof.
- (5) Fees required by this paragraph shall include the review of requisite plans and not more than two compliance inspections. If additional inspections are necessary due to inaccurate submissions, improper installation or defective equipment, an additional fee, equal to the original application fee, shall be required, which shall permit not more than two additional inspections.

E. Permits required by Section 64-88, Storage of Readily Combustible Materials: thirty dollars (\$30.)

F. Permits required by Article II, Automobile Wrecking Yards, Junkyards and Waste Material Handling Plants: fifty dollars (\$50.)

G. Permits required by Article V, Dry-Cleaning Plants: twenty five dollars (\$25.)

H. Permits required by Article VI, Explosives: one hundred fifty dollars (\$150.) for the first one thousand (1,000) gallons or pounds and one cent (\$.01) per gallon or pound in excess thereof.

through spontaneous chemical change or as a result of retained heat from manufacturing or processing.

HIGHLY TOXIC MATERIAL -- A material so toxic to man as to afford an unusual hazard to life and health during fire-fighting operations or during an unintended release of said material into the environment. Examples are parathion, TEPP (tetraethyl phosphate), BETP (hexaethyl tetraphosphate) and similar insecticides and pesticides.

OXIDIZING MATERIAL -- Includes substances such as chlorates, permanganates, peroxides or nitrates that yield oxygen readily to stimulate combustion.

POISONOUS GAS -- Includes any noxious gas of such nature that a small amount of the gas, when mixed with air, is dangerous to life. Examples are chlorpicrin, cyanogen, hydrogen cyanide, nitrogen peroxide and phosgene.

POTENTIALLY EXPLOSIVE CHEMICAL -- Includes any chemical substance, other than one classified as an explosive or blasting agent, which has a tendency to be unstable and which can be exploded by heat or shock or a combination thereof

RADIOACTIVE MATERIAL -- Includes any material or combination of materials that spontaneously emits ionizing radiation.

SEALED SOURCE -- A quantity of radiation so enclosed as to prevent the escape of any radioactive material but at the same time permitting radiation to come out for use.

#### **§ 64-12. Liability for damages.**

This chapter shall not be construed to hold the municipality responsible for any damage to persons or property by reason of the inspection or reinspection authorized herein or the failure to inspect or reinspect or subject the Town of Riverhead, any Fire District or Fire Department therein or any officers or employees thereof to any civil or other liability for any damage to persons or property by reason of the permit issued as herein provided or the approval or disapproval of any equipment authorized herein.

### Article XVII

#### **Hazardous Chemicals and Materials**

##### **§64-112. Scope.**

This Article shall apply to materials not otherwise covered in this chapter which are highly flammable or which may react to cause fires or explosions or which, by their presence, create or augment a fire or explosion hazard or which, because of their toxicity, flammability or liability to explosion, render fire fighting abnormally dangerous or difficult, and also to flammable liquids which are chemically unstable and which may spontaneously form explosive compounds or undergo spontaneous reactions of explosive violence or with sufficient evolution of heat to be a fire hazard. Hazardous chemicals

shall include such materials as flammable solids, corrosive liquids, radioactive materials, oxidizing materials, potentially explosive chemicals, highly toxic materials and poisonous gases, as defined in §64-11. In addition, this Article shall include all materials listed in both Parts 112 and 261 of Title 40 of the Code of Federal Regulations.

**§64-113. Permit required.**

- A. A permit shall be required for the storage or handling of more than fifty-five (55) gallons of corrosive liquids; or more than one hundred (100) pounds of oxidizing materials; or more than ten (10) pounds of organic peroxides; or more than five hundred (500) pounds of nitromethane; or one thousand (1,000) pounds or more of ammonium nitrate, ammonium nitrate fertilizers and fertilizer mixtures covered in § 64-118 D. or any amount of highly toxic material or poisonous gas.
- B. A permit shall be required for the storage or handling at any installation of more than one (1) microcurie of radium not contained in a sealed source or more than one (1) millicurie of radium or other radioactive material in a sealed source or sources or any amount of radioactive material for which a specific license from the United States Atomic Energy Commission is required in accordance with nationally recognized good practice.
- C. Every permittee shall display on the premises storing, handling, manufacturing or using commodities within the scope of this Article approved warning signs/symbols at all entrances to such premises, as directed by the Town Fire Inspector.

**§ 64-114. General requirements.**

- A. The manufacture, storage, handling and use of hazardous chemicals shall be safeguarded with such protective facilities as public safety requires.
- B. The Town Fire Inspector may require the separation or isolation of any chemical that, in combination with other substances, may bring about a fire or explosion or may liberate a flammable or poisonous gas. The Town Fire Inspector may require separation from other storage, occupancies or buildings when the quantity stored constitutes a material hazard.
- C. The manufacture, storage, handling and use of hazardous chemicals and materials shall be in accordance with the appropriate standards of the NFPA, except that more restrictive requirements, as specified in this Article, shall take precedence over any NFPA requirements.
- D. The Town Fire Inspector may require the submission of additional documentation relating to the physical and chemical properties of hazardous chemicals and materials.

- E. The management or owner of any building or facility wherein hazardous chemicals or materials are stored or handled shall submit an inventory of such chemicals or materials at least annually or whenever the quantity of the same shall change substantially.
- F. Only chemicals or materials listed in the inventory required in Subsection E above shall be stored or handled unless the Town Fire Inspector has first given written permission for the storage or handling of additional chemicals or materials.

**§64-115. Oxidizing material.**

Packaged oxidizing materials shall be stored in dry locations and separated from stored organic materials. Bulk, oxidizing materials shall not be stored on or against wooden surfaces.

**§ 64-116. Radioactive materials.**

- A. Durable, clearly visible signs warning of radiation dangers shall be placed at all entrances to areas or rooms where radioactive materials are used or stored. In addition, each container in which radioactive materials are used, stored or transported shall bear a durable, clearly visible, appropriate warning sign. Such signs shall bear the three-bladed radiation symbol in magenta or purple on a yellow background in accordance with nationally recognized good practice.
- B. When not in use, radioactive materials shall be kept in adequately shielded fire-resistant containers of such design that the gamma radiation will not exceed two hundred (200) milliroentgens per hour or equivalent at any point of readily accessible surface.

**§ 64-117. Potentially explosive materials.**

- A. Explosives and blasting agents shall not be stored in the same building or in close proximity to potentially explosive chemicals.
- B. Organic Peroxides.

(1) A detached, well-isolated, ventilated and unheated storage building constructed with walls having a fire-resistance rating of not less than two (2) hours, a noncombustible floor and lightweight insulated roof shall be provided for the storage of fifty (50) pounds or more of organic peroxides. If not adequately protected by a fast-acting deluge-type automatic sprinkler system, the storage building shall be located the located the following minimum distances from flammable liquid storage, combustible materials in the open and from any other building or highway:

Weight If Organic Peroxide  
(pounds)

Distance  
(feet)

<u>50 to 100</u>	<u>75</u>
<u>100 to 500</u>	<u>100</u>
<u>500 to 1,000</u>	<u>125</u>
<u>1,000 to 3,000</u>	<u>200</u>
<u>3,000 to 5,000</u>	<u>300</u>

- (2) The organic peroxides shall be stored in the original shipping containers (Interstate Commerce Commission containers). Care shall be taken to avoid rough handling or contamination of these chemicals. Readily legible warning signs and placards shall be prominently placed in the storage and processing areas.

### C. Nitromethane.

- (1) A suitable isolated outdoor storage area shall be provided for nitromethane. Hazardous processing shall not be permitted in the vicinity of this hazardous storage area. Nitromethane shall be stored in drums in which it is received or in an underground tank with suitable corrosion protection and a minimum of two (2) feet of earth over the tank or in barricaded tanks above ground. If the drum storage is not adequately protected by a fast-acting deluge-type automatic sprinkler system, the storage of two thousand (2,000) pounds or more shall be located the following minimum distances from inhabited buildings:

<u>Weight (pounds)</u>	<u>Number of Drums</u>	<u>Distance (feet)</u>
<u>Beginning at 2,000</u>	<u>4</u>	<u>100</u>
<u>Over 2,000 to 10,000</u>	<u>20</u>	<u>200</u>
<u>Over 10,000 to 20,000</u>	<u>40</u>	<u>300</u>
<u>Over 20,000 to 40,000</u>	<u>80</u>	<u>400</u>
<u>Over 40,000 to 80,000</u>	<u>160</u>	<u>500</u>

- (2) Care shall be taken to avoid rough handling or contamination of this chemical. Readily legible warning signs and placards shall be prominently placed in the storage and processing areas.

### D. Ammonium nitrate.

- (1) Each storage pile of bags or other authorized packages and containers of such materials shall not exceed twelve (12) feet in height, twelve (12) feet in width and thirty (30) feet in length. Such pile units shall be separated by a clear space of not less than thirty-six (36) inches in width from the base to the top of the piles, serving as cross aisles. At least one (1) service or main aisle in the storage area shall be not less than four (4) feet in width. A clearance of not less than thirty (30) inches shall be maintained from building walls and partitions and of not less than thirty-six (36)

inches from ceilings or roof structural members, with a minimum of eighteen (18) inches below sprinklers.

- (2) Ammonium nitrate storage areas shall be separated by a space of thirty (30) feet or by a tight noncombustible partition from storages of organic chemicals, corrosive liquids, compressed gases, flammable and combustible materials or other contaminating substances such as sulphur, coal, flour and metallic powders such as zinc, copper and magnesium where storage of such materials is permitted with ammonium nitrate.
- (3) Quantities of ammonium nitrate or ammonium nitrate fertilizer, having no organic coating, in the form of crystals, flakes, grains or prills, including fertilizer grade, dynamite grade, nitrous oxide grade and technical grade ammonium nitrate and ammonium nitrate phosphate [containing sixty percent (60%) or more ammonium nitrate by weight] of more than fifty (50) tons' total weight shall be stored in a well-ventilated building of fire-resistive or noncombustible construction or in buildings of other types of construction equipped with an approved automatic sprinkler system. In populated areas, quantities of two thousand five hundred (2,500) tons or more shall be stored in well-ventilated buildings of fire-restrictive or noncombustible construction equipped with an approved automatic sprinkler system, and no combustible materials or ammonium nitrate sensitizing contaminants shall be stored in this building.
4. Storage of ammonium nitrate, coated or mixed with organic anticaking materials, except compounded blasting agents, shall not be permitted in populated and congested areas. Outside such areas, quantities of five hundred (500) tons or less may be stored in well-ventilated buildings of fire-resistive or noncombustible construction equipped with an approved automatic sprinkler system.

**§64-118. Highly toxic materials.**

- A. Highly toxic materials shall be segregated from other chemicals and combustible and flammable substances by storage in a room or compartment separated from other areas by walls and floor and ceiling assemblies having a fire-resistant rating of not less than two (2) hours. The storage room shall be provided with adequate natural or mechanical ventilation to the outside atmosphere. The floor of said room shall be impermeable to the materials being stored within.
- B. Legible warning signs and placards stating the nature and location of the highly toxic material shall be posted at all entrances to areas where such materials are stored or used.

**§64-119. Poisonous gases.**

- A. Storage of poisonous gases shall be in rooms of at least one (1) hour's fire-resistant construction and having natural or mechanical ventilation adequate to

remove leaking gas. Such ventilation shall not discharge to a point where the gases may endanger any person.

- B. Legible warning signs and placards stating the nature and location of the highly toxic material shall be posted at all entrances to areas where such materials are stored or used.

**§ 64-120. Corrosive liquids.**

Satisfactory provisions shall be made of containing and neutralizing or safely flushing away leakage of corrosive liquids which may occur during storage or handling.

**ARTICLE XVIII**  
**Mitigation of Hazardous Condition or Occurrence**

**§64-121. General provisions.**

- A. It shall be the duty of the Town Fire Inspector and the Riverhead Town Police Department, upon request, to assist the local Fire Department, the local Fire District or any other duly authorized agency in the mitigation of any hazardous condition or occurrence which might present a clear and present danger to the health, safety and welfare of the general public when such event shall occur in the town.
- B. It shall be the duty of the Town Fire Inspector and the Division of Fire Prevention to assist any Fire Department, Fire District, municipality or any other duly authorized agency not within or part of the Town of Riverhead, when assistance is requested by such Fire Department, Fire District, municipality or duly authorized agency, in the mitigation or investigation of the origin, cause and circumstances of any fire or hazardous condition or occurrence which might present a clear and present danger to the health, safety and welfare of the general public, regardless of the place of occurrence, provided that the Town Supervisor or his designee shall first approve the renderings of such assistance.
- C. The person or entity responsible for the spill, discharge or other release of any material that creates any hazardous condition or occurrence as described in §64-121 A above shall be responsible to reimburse the Town for all expenses incurred by the Town for the mitigation and investigation of the hazardous condition or occurrence. This section shall not apply to accidental spills or releases of home heating oil, swimming pool treatments or similar materials within or on the premises of owner occupied single family dwellings, unless such spill or release was due to a negligent or intentional act.
- D. It shall be the duty of the Fire Department, Fire District, municipality or other duly authorized agency not within or part of the Town of Riverhead, to provide all necessary assistance in identifying the person or entity responsible for any spill, discharge or other release as described in §64-122 C above and all reasonable assistance in obtaining reimbursement for the Town of Riverhead therefrom.

**ARTICLE XIX**  
**Lumberyards and Woodworking Plants**

**§64-122. Open yard storage.**

- A. Lumber shall be piled with due regard to stability of piles and in no case higher than twenty (20) feet.
- B. Driveways between and around lumber piles shall be at least fifteen (15) feet wide and maintained free from accumulation of rubbish, equipment or other articles or materials. Driveways shall be so spaced that a maximum grid system unit of fifty by one hundred fifty (50 x 150) feet is produced.
- C. Permanent lumber storage, operating under a permit, shall be surrounded with a suitable fence at least six (6) feet high, unless storage is within a building.

**§64-123. Operational fire hazards.**

- A. The burning of shavings, sawdust and refuse material shall be permitted only under boilers, in furnaces or in incinerators or refuse burners safely constructed and located. Stacks shall be provided with approved spark arresters having openings not greater than three-fourths (3/4) inch or other effective means provided which will eliminate the danger from sparks, such as an expansion chamber, baffle walls or other effective arrangement. At boiler or other points where sawdust or shavings are used as fuel, a storage bin of noncombustible construction with raised sill shall be provided.
- B. Smoking shall be prohibited except in specified safe locations in buildings. Large "No Smoking" signs shall be painted on exterior building walls and on signs erected at driveway edges. "No Smoking" signs shall be posted throughout all buildings except in specific locations designated as safe for smoking purposes.

**§64-124. Woodworking plants.**

- A. Sawmills, planing mills and all other woodworking plants shall require a permit from the Town Fire Inspector.
- B. All wood working plants and lumber yards shall be constructed, operated and maintained in accordance with the appropriate standards of the NFPA.

**ARTICLE XX**  
**Welding and Cutting**

Welding or cutting shall include gas, electric-arc or flammable liquid welding or cutting or any combination thereof.

**§64-125. Permit required.**

- A. A permit shall be required of each company, corporation, copartnership or owner-operator performing welding or cutting operations, except as provided in Subsection B of this section. This permit shall not be required for each welding or cutting job location.
- B. A permit shall not be required of any company, corporation, copartnership or owner-operator when that entity has any valid permit from the Town Fire Inspector and such welding or cutting is incidental to the purposes for which said permit is issued.
- C. Application for a permit required by this Article shall be made by the company, corporation, copartnership or owner-operator performing the welding or cutting operation or by his duly authorized agent.

**§64-126. Operations.**

All welding and cutting operations shall be conducted in accordance with the appropriate standards of the NFPA.

Dated: Riverhead New York  
January 28, 1998

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Barbara A. Grattan, Town Clerk