

WAIVER OF NOTICE AND CONSENT  
OF SPECIAL MEETING

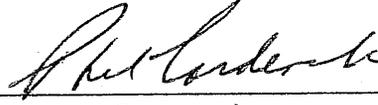
We, the Undersigned, being all members of the Riverhead Town Board of the Town of Riverhead, County of Suffolk, and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York at 11:30 p.m. on the 18th day of October, 2007 and do consent to the holding of such meeting for the purpose of:

Res. # 1003 Authorizes Town Clerk to Advertise for Bids Calverton Sewer District Extension No. 1 Gravity Sewer Force Mains.

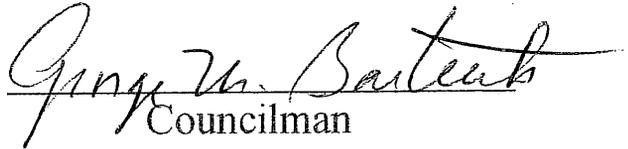
Res. # 1004 Authorizes the Supervisor to Execute a Professional Services Agreement with VMS Planning Services.

Dated: Oct. 18, 2007  
Media Notified by  
Supervisor

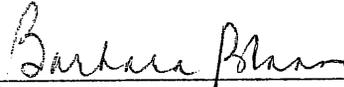
TOWN BOARD MEMBERS  
of Riverhead, New York



Supervisor



Councilman



Councilwoman



Councilman

10/18/07

Adopted

**AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS  
CALVERTON SEWER DISTRICT EXTENSION NO. 1  
GRAVITY SEWER AND FORCE MAINS**

Adopted \_\_\_\_\_

Resolution # 1003

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the October 25, 2007, edition of the The News Review, with regard to receiving bids for Calverton Sewer District Extension No. 1, Gravity Sewer and Force Mains , and be it further

RESOLVED, that the Town Clerk shall publicly open and read aloud the submitted bids on the date as advertised in the Notice to Bidders, and be it further

RESOLVED, that the Town Clerk shall forward certified copies of this resolution to Michael Reichel, H2M, and Frank Isler, Esq.

THIS RESOLUTION PREPARED BY FRANK A. ISLER FOR THE  
CALVERTON SEWER DISTRICT

DATED: October 18, 2007

NOTICE TO BIDDERS

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

**SEWER DISTRICT EXTENSION NO. 1  
GRAVITY SEWER AND FORCE MAINS  
CONTRACT NO. CASD 0504-S**

for the Calverton Sewer District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, at 11:00 AM prevailing time, on Thursday, November 15, 2007, at which time and place the bids will be publicly opened and read.

Plans and specifications may be examined and obtained on or after October 25, 2007 at the Office of the Town Clerk between the hours of 8:30 A.M. and 4:30 P.M. weekdays, except holidays or by visiting the Town of Riverhead website: [www.riverheadli.com](http://www.riverheadli.com) and click on "Bid Requests".

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 CALVERTON SEWER DISTRICT

BARBARA GRATTAN, TOWN CLERK

**THE VOTE**

Dunleavy  yes  no Bartunek  yes  no  
Blasi  yes  no Dansieski  yes  no  
Cardinale  yes  no

THE RESOLUTION  WAS  WAS NOT  
THEREFORE DULY ADOPTED

Adopted

Town of Riverhead

Resolution # 1004

Authorizes Supervisor to Execute a Professional Services Agreement with VMS Planning Services

**COUNCILMAN BARTUNEK**

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

**COUNCILMAN DENSIESKI**

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

**WHEREAS**, the Town of Riverhead previously submitted a preliminary draft Local Waterfront Revitalization Plan (LWRP) to the New York State Department of State; and; and

**WHEREAS**, the Department of State identified several outstanding tasks that must be completed before approving the LWRP; and

**WHEREAS**, the Town of Riverhead desires to complete the LWRP in an expeditious manner; and

**WHEREAS**, the Town of Riverhead added VMS Planning Services (PO Box 1655, Southold, NY 11971) to its list of approved consultants specifically for work involved with the preparation of LWRP; and

**WHEREAS**, a professional services agreement has been prepared by the Town Attorney; and

**WHEREAS**, the professional services agreement specifies completion of the required tasks as identified by the Department of State including: completion of the Draft Inventory including three reaches, completion of the Draft Management Plan, completion of the Draft Analysis and Implementation Strategy, and delivery of the final Draft LWRP after a public hearing and edits.

**THEREFORE, BE IT RESOLVED**, that the Riverhead Town Board hereby authorizes the Supervisor to execute a professional services agreement with VMS Planning Services for a total cost not to exceed \$22,750, said funds remaining in the project fund as previously allocated for the LWRP project; and

**BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to Community Development, Town Attorney and Valerie Scopaz, VMS Planning.

**THE VOTE**

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

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

## CONSULTANT/PROFESSIONAL SERVICES AGREEMENT

This Agreement made the 5<sup>th</sup> day of October, 2007 between the TOWN OF RIVERHEAD, a municipal corporation organized and existing under the laws of New York, with its office located at 200 Howell Avenue, Riverhead, New York, 11901, and VMS Planning Services, a corporation existing under the laws of the State of New York with a principal place of business at P.O. Box 1655, Southold, New York 11971, ("Consultant").

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

### 1. SCOPE OF SERVICES

During the term of this Agreement, Consultant shall furnish the services set forth in the Schedule attached hereto and made a part hereof. These services are to be rendered by Consultant as an independent contractor and not as an employee of the Town.

### 2. TERM OF AGREEMENT

The Agreement shall commence on October 5, 2007 and terminate on March 31, 2008.

### 3. PAYMENT

For these services Town of Riverhead will pay Consultant a fee (performance based contract) or at the rate (hourly fee based contract) set forth in the attached schedule. Note, the Town may require the submission of documentation, including time records for performance based contracts solely for the purposes of verification of completion of the project or a portion of the project and the request that consultant provide same shall not convert the performance contract to an hourly rate contract. The Town shall not have any liability for any other expenses or costs incurred by Consultant except for expenses expressly provided for in the attached schedule. Consultant shall not incur any expenses in Town's behalf except for those items expressly provided for in the attached schedule. Invoices for services and reimbursable expenses shall contain the following statement signed by Consultant, or if this Agreement is with a firm, an officer or authorized representative of the firm: "I hereby certify, to the best of my knowledge and belief, that this invoice is correct, and that all items invoiced are based upon actual costs incurred or services rendered consistent with the terms of the professional services agreement." Each invoice for reimbursable expenses shall be supported by: (a) an itemized description of expenses claimed; (b) pertinent information relative to the expenses; and (c) attached receipts. Invoices shall

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COMPLETION OF RIVERHEAD LOCAL WATERFRONT REVITALIZATION  
PROGRAM: 2007

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This proposal is being made in response to Riverhead Town's request for project management services for the specific purpose of completing its Draft Local Waterfront Revitalization Program (D-LWRP). This proposal is based on conversations with Andrea Lohneiss, Community Development Director, Barbara Blass, Councilwoman, and Joseph Hall, Site Plan Reviewer, all of Riverhead, as well as a conference telephone call with Stephen Ridler, Steven Resler, and Dennis Mildner, all with the New York State Department of State, Coastal Resources Division.

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BACKGROUND

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The Town of Riverhead retained a consultant to prepare a preliminary draft report which has been informally reviewed by the New York State Department of State (NYS DOS). The informal review identified specific "deliverables" that must still be addressed before the D-LWRP will be acceptable for review by federal and state agencies.

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OUTSTANDING TASKS

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The specific tasks that must be undertaken in order to create a document suitable for a public hearing, adoption by the Riverhead Town Board and review by state and federal agencies include:

- Field work (or, where adequate and relevant, reference to specific elements of the Riverhead Town Comprehensive Plan) in order to provide a greater level of specificity within each of the three Reaches, particularly:
  - Description of existing land uses,
  - Definition of key issues of concern, and
  - Identification of underutilized areas.
- A Harbor Management Plan.
- Detailed maps, including Reach maps and a Harbor Management Plan Map.
- In-depth discussion and analysis of waterside issues such as moorings, docks, bulk-heading practices, and marine zoning as well as underwater ownership and other jurisdictional questions related to Andros Patent and New York State riparian law.
- Critical and detailed analysis of the policies of the LWRP in the overall context of the Town of Riverhead's Comprehensive Plan with specific attention to:
  - potential contradictions between the policies of the Comprehensive Plan and those of the State's LWRP, such as:

## VMS PLANNING SERVICES

- the transfer of development rights into the coastal zone,
- Analysis of extant Town legislation and procedures to determine:
  - whether they are sufficient to implement the proposed LWRP policies, and
  - if not, what amendments are proposed to improve their effectiveness in implementing the Riverhead LWRP.

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### MANAGEMENT SERVICES

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I will provide project management services for the Town, which will include the following activities:

- conduct field work, research, mapping and analysis efforts as will be required to complete the Inventory and to develop the Harbor Management Plan;
  - the field work and mapping will be conducted in coordination with Town personnel;
- edit existing text;
- write new material pursuant to findings from mapping, research and analysis;
- review the D-LWRP in relation to the Riverhead Comprehensive Plan in order to identify potential conflicts;
- identify alternative solutions to policy conflicts;
- review extant legislation and procedures and identify legislative or procedural amendments that may need to be adopted (by the Town Board) in order to implement the Local Waterfront Revitalization Program;
- direct the Town's Geographic Information System personnel in the creation of required maps;
- prepare one Power-Point presentation for a public information meeting, on a projector to be provided by the Town of Riverhead.

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### ESTIMATED COSTS

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The estimated cost of providing these services is: \$ 22,750.

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### SCHEDULE

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I propose to begin work in October 2007 and proceed in an expeditious manner so as to meet the Town's preference for having a draft document suitable for public information and hearing purposes by March of 2008.

VMS PLANNING SERVICES

This timeline presumes the timely conduction of public information and public hearings, as well as Town Board decisions regarding policy and the content of the document.

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DELIVERABLES

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The consultant will deliver one electronic version on a CD-ROM to the Town of Riverhead for the purposes of printing hard copies as needed for public information meetings, the environmental review and a public hearing. The consultant will conduct one public information meeting and attend one public hearing.

The Town will be responsible for setting and advertising public information sessions, for conducting the environmental review and holding the public hearing. The printing and distribution of additional copies of the D-LWRP and of mapping data generated by its GIS personnel for these purposes will be the responsibility of the Town.

After the Town Board hearing, if the Town Board so directs, the consultant will make minor changes to the D-LWRP prior to the Town sending the D-LWRP to the NYSDOS for its review. The consultant will make those changes and submit a second CD-ROM to the Town for this purpose.

The NYSDOS will require the Town to provide 75 to 85 (to be verified at time of printing) hard copies of the adopted D-LWRP to its Albany office for the purpose of distribution to all state and federal reviewing agencies. The Town will assume responsibility for all printing tasks and shipping costs. (Alternatively, for an additional fee based on actual time and travel expenses, to be discussed and agreed to in advance, the Consultant may provide assistance with printing.)

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TERMS OF PAYMENT

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Payment will be made as follows:

Completion of Draft Inventory including description of three reaches: \$6,000

Completion of Draft Harbor Management Program Plan: \$6,000

Completion of Draft Analysis & Implementation Strategy, completion of draft document for public information and hearing, preparation of Power Point presentation and one public information meeting: \$6,000

Delivery of "final" Draft LWRP CD-ROM to the Town: \$4,750

Payment is to be made to Valerie M. Scopaz, AICP, VMS Planning Services, within ten business days of submission of bill.

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AGREEMENT

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If this proposal is acceptable as submitted, authorization to proceed shall be assumed when this document is signed and dated by both parties below:

Phil A. Cardinale, Supervisor, Riverhead Town \_\_\_\_\_

Valerie M. Scopaz, AICP, VMS Planning Services Valerie M. Scopaz