

PUBLIC COMMENT ON ANY REGULAR TOWN BOARD RESOLUTION LISTED BELOW:

Res. #1141 General Fund Budget Adjustment

Res. #1142 Baiting Hollow Club Water Extension Capital Project Budget Adjustment

Res. #1143 Water District Budget Adjustment

Res. #1144 Appoints Interpreter for Police Department and Justice Court

Res. #1145 Ratifies the Appointment of a Temporary Clerk to the Tax Receiver's Office (Juliet Blass)

Res. #1146 Extends Contract with Arthur J. Gallagher & Co. VeriClaim and Perma

Res. #1147 Authorizing the Items Listed Below Pursuant to the Clean Water/Clean Air Bond Act of 1996

Res. #1148 Amends Resolution #1099 (Authorizes the Supervisor to Execute a Professional Services Agreement with Bowne Management Systems)

Res. #1149 Resolution of Support and Concurrence with the Suffolk County/Town of Riverhead Empire Zone (Formerly Economic Development Zone) Regionally Significant Project Application)

Res. #1150 Resolution and consent Approving the Dedication of Highways Known as Louise Court, Roanoke Court and (2) Recharge Basins (Roanoke Landing)

Res. #1151 Resolution in Support of New York State's Enactment of a Law Requiring Promulgation of Procedures on the Placement of Certain Sex Offenders

Res. #1152 Accepts 100% Security of JP Morgan Chase (LRP Construction Corp.)

Res. #1153 Authorizes the Release of Two Letters of Credit of Riverhead Commerce Park

Res. #1154 Authorizes Town Clerk to Advertise for Bids Construction of Plant No. 15 Contract W – Well Construction Riverhead Water District

Res. #1155 Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law for an Amendment to Chapter 101, Entitled, "Vehicles & Traffic", Article VIII (§101-33 Expiration and Renewal of Permits) of the Riverhead Town Code

**Res. #1156 Authorizes Town Clerk to Publish and Post Notice of Public Hearing –
Amendment to the Town of Riverhead Zoning Use District Map**

Res. #1157 Pays Bills

December 30, 2008

Adopted

TOWN OF RIVERHEAD

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 1141

COUNCILMAN DUNLEAVY

offered the following resolution,

COUNCILMAN BUCKLEY

which was seconded by _____.

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

		<u>FROM</u>	<u>TO</u>
001.031200.541401	Radio Maintenance	2,626.59	
001.031200.524214	Radios & Scanners	8,817.00	
001.031200.524214	K-9 Expenses	3,070.52	
001.031200.549000	Miscellaneous	485.89	
001.031200.524201	Computers – Hardware and Software		15,000

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

December 30, 2008

Adopted

TOWN OF RIVERHEAD

BAITING HOLLOW CLUB WATER EXTENSION
CAPITAL PROJECT

BUDGET ADJUSTMENT

RESOLUTION # 1142

COUNCILMAN BUCKLEY

_____ offered the following resolution,
which was seconded by COUNCILMAN WOOTEN_____.

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

		<u>FROM</u>	<u>TO</u>
406.092705.421050.60181	Developer Fees	224,000	
406.083200.523002.60181	Construction		182,325
406.083200.543501.60181	Professional Svc – Engineer		14,800
406.083200.549001.60181	Administration Fee		12,250
406.083200.524451.60181	Purchase of Water Meters		12,000
406.083200.547900.60181	Contingencies		2,625

THE VOTE

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



December 30, 2008

Adopted

TOWN OF RIVERHEAD

WATER DISTRICT

BUDGET ADJUSTMENT

RESOLUTION # 1143

COUNCILMAN WOOTEN

_____ offered the following resolution,

COUNCILMAN DUNLEAVY

which was seconded by _____.

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

		<u>FROM</u>	<u>TO</u>
112.083200.524451	Water Meter Equipment	38,000	
112.083200.543000	Professional Services		30,000
112.083200.541100	Repairs and Maintenance		8,000

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No



AGREEMENT

BETWEEN, **THE TOWN OF RIVERHEAD**, a municipal corporation with offices at 200 Howell Avenue, Riverhead, New York, hereinafter referred to as "**TOWN**" and **MILL NECK SERVICES**, with offices at 40 Frost Mill Road, Mill Neck, New York, 11765, hereinafter referred to as "**CONTRACTOR**".

WITNESSETH

WHEREAS, the Town, in connection with its municipal operations, requires services consisting of the following: Hearing Impaired/Deaf Translation; and

WHEREAS, the contractor is willing to provide the following services to the Town:

Description of services: Language Translation – Hearing Impaired/Deaf
Date(s) and Hours of Services: On-call, Flexible

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

- 1. That Contractor shall provide and fully perform to the Town's satisfaction the aforementioned services to the Town on the date(s) and times(s) stated above.
- 2. In return for Contractor's services, the Town shall pay Contractor in accordance with the attached Schedule "A". That sum(s) 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 , 2009

TOWN OF RIVERHEAD

By: _____
PHILIP CARDINALE
Town Supervisor

MILL NECK SERVICES

By: _____

MILL NECK SERVICES INTERPRETER PRICE LIST

EMERGENCY RATE

\$100/Hr. – Long Island

\$115/Hr. – Queens, Manhattan, Bronx

Emergency rate applies to any "non-scheduled" requests (within 24 hrs.) occurring during the hours of 9am to 5pm for the first two hours of the assignment. Any additional hours are at the regular rate. Emergency rate also applies to any non-scheduled assignments that occur during the hours of 5pm to 8am (if Beeper is utilized, there is an additional charge).

Qualified Interpreter

A Qualified Interpreter is one who has passed the Mill Neck Services test and is working on expanding their skills before taking the Certification Test.

Long Island

DAY: \$50/Hr. with a 2-hour minimum

NIGHT: \$70/Hr. with a 2-hour minimum

Queens, Manhattan, Bronx

DAY: \$60/Hr. with a 2-hour minimum

NIGHT: \$80/Hr. with a 2-hour minimum

Certified Interpreter

A Certified Interpreter is one who has passed the National Certification Test.

Long Island

DAY: \$68/Hr. with a 2-hour minimum

NIGHT: \$83/hr. with a 2-hour minimum

Queens, Manhattan, Bronx

DAY: \$78/Hr. with a 2-hour minimum

NIGHT: \$93/Hr. with a 2-hour minimum

*******Night Rate is from 10pm to 8am – 7 Days a Week*******

**MILL NECK SERVICES HAS A 48-HOUR
CANCELLATION POLICY EFFECTIVE 8/1/2008**

December 30, 2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1145

RATIFIES THE APPOINTMENT OF A TEMPORARY CLERK TO THE TAX RECEIVER'S OFFICE

COUNCILMAN BUCKLEY offered the following resolution which was seconded by COUNCILMAN WOOTEN.

WHEREAS, this Town Board recognizes the need to provide additional clerical personnel to the Office of the Receiver of Taxes to assist in the processing of tax money.

NOW, THEREFORE, BE IT RESOLVED, that this Town Board hereby ratifies the appointment of Juliet Blass as temporary clerk effective December 29, 2008 through January 20, 2009 at an hourly rate of compensation of \$10.25,

BE IT FURTHER RESOLVED that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Juliet Blass, Maryann Wowak Heilbrunn, Receiver of Taxes, the Personnel Officer, and the Office of Accounting.

The Vote

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

THE RESOLUTION WAS WAS NOT

THEREFORE DULY ADOPTED

12/30/08

Adopted

TOWN OF RIVERHEAD

Resolution # 1146

EXTENDS CONTRACT WITH ARTHUR J. GALLAGHER & CO VERICLAIM AND PERMA

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

BE IT RESOLVED, the insurance program for the calendar year 2009 is awarded to Arthur J. Gallagher & Company of New York and Public Employer Risk Management Association (PERMA) and Vericclaim as Third Party Administrators (TPA).

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Arthur J. Gallagher & Co., 2 Gannett Drive, White Plains, NY 10604, PERMA, PO Box 12250, Albany, NY 12212-2250, Vericclaim, PO Box 357, Homer, NY 13077, and Jean Miloski in the Office of Accounting.

THE VOTE

Wooten Yes No

Buckley Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No



December 30, 2008

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 1147

**AUTHORIZING THE ITEMS LISTED BELOW PURSUANT TO THE
CLEAN WATER / CLEAN AIR BOND ACT OF 1996.**

COUNCILMAN DUNLEAVY

_____ offered the following resolution, which was

COUNCILMAN BUCKLEY

seconded by _____.

WHEREAS, the Town of Riverhead Community Development Department (“CDD”) has applied for and received an award of \$275,000 in grant funds under the 1996 Clean Water/ Clean Air Bond Act -- Title 3 Section 56-0303 Water Quality Improvement Projects and Environmental Protection Fund Article 17-14 Environmental Conservation Law; Performance Partnership Grants Public Law 104-134 Aquatic Habitat Restoration Projects (“**Clean Water / Clean Air Bond Act of 1996**”) for the Peconic River Fishways Project to fund the construction of the rock ramp located at the south spillway in Grangebél Park (see attached contract workplan); and

WHEREAS, The Town of Riverhead, after thorough consideration of the various aspects of the Peconic River Fishways Project to construct a fish passage at Grangebél Park and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "**Project**", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Clean Water / Clean Air Bond Act of 1996 award requires a \$275,000 in matching grant funds to be provided through Town of Riverhead funds expended to repair the North Spillway at Grangebél Park and expenditure of such funds were previously approved by the Town of Riverhead Board.

WHEREAS, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Town of Riverhead deems it to be in the public interest and benefit under this law to enter into a contract therewith;

NOW, THEREFORE, BE IT RESOLVED by the Town of Riverhead Board that the Town Supervisor, or such person’s successor in office, is the representative authorized to act on behalf of the Town of Riverhead's governing body in all matters related to State assistance under ECL Article 56, Title 3. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance;

BE IT FURTHER RESOLVED that the Town of Riverhead agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;

BE IT FURTHER RESOLVED, that Riverhead Town Board authorizes the Accounting Department to set a budget for the new grant project and payment to construction contractor; and

BE IT FURTHER RESOLVED that one (1) certified copy of this Resolution be prepared and sent to the Regional Bond Act Contact at the New York State Department of Environmental Conservation: Chris Arfsten, NYS DEC Region One Headquarters, SUNY @ Stony Brook, 50 Circle Road, Stony Brook, New York 11790-3409;

BE IT FURTHER RESOLVED that this Resolution take effect immediately and that the Town Clerk shall provide notification of this resolution to Community Development Department, the Engineering Department, the Town Attorney, and the Accounting Department.

THE VOTE

Blass Yes No

Wooten Yes No

Dunleavy Yes No

Buckley Yes No

Cardinale Yes No

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

**Clean Water/Clean Air Bond Act
Water Quality Improvement Projects
&
Environmental Protection Fund for SFY 2001/02**

Project Work Plan Form - Aquatic Habitat Restoration Projects

I. COVER SHEET

RECIPIENT INFORMATION

1. MUNICIPALITY:

City Town Village Other (specify) _____
of: Riverhead
(city) Riverhead (state) NY (zip) 11901
PHONE: (631) 727-3200 x287 FAX: (631) 727-5772

3. PROJECT MANAGER & MAILING ADDRESS:

name: Chris Kempner
(no. & street) 200 Howell Avenue
(city) Riverhead (state) NY (zip) 11901
PHONE: (631) 727-3200 x287 FAX: (631) 727-5772

2. MUNICIPAL CONTACT & MAILING ADDRESS:

name: Phil Cardinale, Town Supervisor
(no. & street) 200 Howell Avenue
(city) Riverhead (state) NY (zip) 11901
PHONE: (631) 727-3200 FAX: (631) 727-5772

4. FISCAL CONTACT (if different from above)

name: Chris Kempner
(no. & street) 200 Howell Avenue
(city) Riverhead (state) NY (zip) 11901
PHONE: (631) 727-3200 x287 FAX: (631) 727-5772

GENERAL PROJECT INFORMATION

1. PROJECT NAME Peconic River Fishways Project:
Habitat Expansion for Diadromous Fish

3. FEDERAL (IRS) IDENTIFICATION NUMBER: 11-6001935

2. APPLICATION TRACKING NUMBER: 2005WQI7196

4. DEC CONTRACT NUMBER: _____

5. EXISTING CLEAN WATER STATE REVOLVING LOAN FUND PROJECT # N/A

6. PROJECT LOCATION(S) AND ZIP CODES:

City Town Village of Riverhead County of: Suffolk
City Town Village of _____ County of: _____
ZIP CODE(S) : 11901

7. PROJECT TYPE:

Wastewater Treatment Plant Nonpoint Source Pollution - Nonagricultural
 Aquatic Habitat Restoration Pollution Prevention

8. MANAGEMENT PROGRAM, PLAN OR PROJECT AREA(S):

Great Lakes Lake Champlain Long Island Sound Any Waters EPF
Finger Lakes Hudson Rive Peconic Estuary Program Populations < 75,000
Onondaga Lake NY-NJ Harbor Estuary Program South Shore Estuary Reserve (WWT Only)

PROJECT TIMING AND COSTS

1. PROPOSED START DATE: May 2008 (Date of DEC permit issuance)

2. EXPECTED COMPLETION DATE: June 2010

3. STATE FUNDS \$275,000
4. LOCAL MATCH \$275,000
5. TOTAL (ADD #3 & 4) \$550,000

II. BUDGET: Fill in the budget sheet below. In cases where projects involve multiple phases, components and/or locations, use a copy of this budget sheet to provide a budget breakdown for each component, phase or for each geographic area where work will be performed.

Provide backup documentation for all cost estimates as follows:

- a. Personal Services - Salaries, Wages & Fringe Benefits (provide list of titles, salaries X estimated hours and tasks)
- b. Non-personal Services - Equipment and Supplies & Materials (provide list of items and cost);
Travel (provide destination and list of expenditures)

Name of Project Component (if applicable): _____

Expenditure Category	State Assistance	* Local Match	Total Costs (enter <u>ONLY</u> project costs covered in contract)
1. Construction Costs South Dam Rock Ramp North Spillway Dam Repair Sub-Total	\$ <u>275,000</u>	\$ <u>275,000</u>	\$ <u>550,000</u>
2. Personal Services (i.e., Municipal Personnel) a. Salaries, Wages & Fringe Benefits Sub-Total	\$ _____	\$ _____	\$ _____
3. Nonpersonal Services a. Travel b. Equipment c. Supplies & Materials d. Other (please specify)_____ Sub-Total	\$ _____ \$ _____ \$ _____ \$ _____	\$ _____ \$ _____ \$ _____ \$ _____	\$ _____
4. Consultant /Contractual Services a. Engineering b. Design c. Other (please specify) Subtotal Sub-Total	\$ _____ \$ _____ \$ _____	\$ _____ \$ _____ \$ _____	\$ _____
5. Land Acquisition Sub-Total	\$ _____	\$ _____	\$ _____
6. Other (please specify) Sub-Total	\$ _____	\$ _____	\$ _____
7. GRAND TOTAL	\$ <u>275,000</u>	\$ <u>275,000</u>	\$ <u>550,000</u>

* The Bond Act prohibits using other state or federal grant dollars received for the project for the local match of the project. The recipient MAY shift UP TO 10% of costs from one expenditure category to another if necessary. The amount of State Assistance provided to the recipient for each expenditure category may not exceed by more than 10% the amount set forth in the categories of this approved budget unless the recipient has first received written approval from the NYS Department of Environmental Conservation. In NO event shall any change to the budget cause the aggregate costs to exceed the amount of the authorized State Assistance as set forth in Section 3a of this Contract, without an amendment to this Contract.

IV. PROJECT OBJECTIVE AND TASKS: Describe the specific objective of the project and identify the tasks that will be performed to meet those objectives. Follow the example in the instructions. Attach additional pages as necessary.

The major objective of this project is to reopen fish access to approximately 25 acres of river herring spawning habitat and American eel feeding habitat upriver of the Grangebel Park dam by the 2009 spring migration. This objective requires construction of a fish passage rock ramp that will be completed with the Clean Water Bond Act funds.

Construction of the fish passage rock ramp will occur in the South Spillway, one of two spillways of the Grangebel Dam, and therefore required a New York State Dam Safety Permit.

The terms of the New York State Dam Safety Permit required that prior to the construction of the rock ramp, certain safety improvements and repairs be made to the North Spillway, the second of the two spillways of the Grangebel Dam.

Thus, three tasks are required to achieve the project objective to reopen fish access to approximately 25 acres of river herring spawning habitat and American eel feeding habitat upriver of the Grangebel Park dam by the 2009 spring migration

The three tasks to meet the Project Objective are:

- 1) securing necessary permits;
- 2) performing structural repairs to the North Spillway of Grangebel Park dam as required by the New York State Dam Safety Permit for the fish passage rock ramp; and
- 3) constructing the fish passage rock ramp in the South Spillway of Grangebel Park dam.

The first task to secure necessary permits is complete and was accomplished by compiling background materials and performing the appropriate studies necessary to achieve the New York State Dam Safety Permit. A Comprehensive Watershed Study, which was undertaken by Dunn Engineering, was required to obtain the New York State Dam Safety Permit, which was received late summer 2008.

The second task to performing structural repairs to the North Spillway of Grangebel Park dam as required by the New York State Dam Safety Permit for the fish passage rock ramp will proceed as follows:

North Spillway Structural Repairs

The Contractor will submit all cut sheets and shop drawings for review and approval (1-3 weeks). The Contractor shall mobilize his forces and immediately deploy all sediment and erosion control measures. The Contractor shall install water handling structures to temporarily dewater the area so that the laborers can work in the dry. The Contractor shall begin with cleaning the existing concrete structure and then systematically utilizing hydro-demolition tools to remove deteriorated concrete in deteriorated areas, expose sound concrete and then, depending on the depth of spaul, repair the areas utilizing either welded wire fabric or new rebar for the concrete patching. Cracking will be addressed in a similar manner based on the size, and width of the crack. The Contractor will next install the new railing around the spillway. Contractor shall restore all damaged areas perform final billing.

Once structural repairs to the North Spillway are complete, construction of the South Spillway fish passage will commence.

The third task to construct the fish passage rock ramp in the South Spillway of Grangebel Park dam will proceed as follows:

South Spillway Construction Sequencing

The Contractor will submit all cut sheets and shop drawings for review and approval. The Contractor shall mobilize his forces and immediately deploy all sediment and erosion control measures. Cofferdams will be installed upstream and downstream of the south spillway to isolate and dewater the area for construction. After the area has been adequately de-watered, the contractor will remove the concrete piers from the spillway, and re-grade the channel area both upstream and downstream of the spillway to provide a 2.75% slope along the channel bottom. The bottom of the channel will be lined with NYSDOT medium stone with a crushed stone aggregate to fill voids. The side slopes will be stabilized with topsoil and seed to resist the water velocity. A rock boulder vortex weir will be constructed at the upstream limit of work. Three submerged boulder sills will be installed downstream of the vortex weir, spaced approximately every 50'. Select boulders will be placed along the channel to provide isolated areas for fish/eels, they may be moved in the future to provide a more hospitable environment for the fish/eels to travel upstream.

V. KEY PERSONNEL: Identify the key personnel for the project. Attach additional pages if necessary. Please DO NOT attach resumes.

Description of Sponsoring Agency

The Town Board is the policy-making body for the Town of Riverhead. The members of the Town Board are: Phil Cardinale, Town Supervisor, Timothy Buckley, Councilman, James Wooten, Councilman, John Dunleavy, Councilman, and Barbara Blass, Councilwoman.

The Community Development Department is responsible for administration of the NYS funded projects, with the assistance of other Town of Riverhead departments. The Community Development Director, Chris Kempner, reports to the Town Board and, administratively, to the Town Supervisor. The Community Development Director procures and administers federal and state funding for community development that would include the proposed project.

The Engineering Department is responsible for maintenance and construction of Town-owned properties and assets and maintains all Town street and park lighting. The Town Engineer, Ken Testa, P.E., reports to the Town Board and, administratively, to the Town Supervisor. Town Engineer, Ken Testa, and the Assistant Town Engineer, Chris Fetten, P.E., work closely with the New York State Department of Environmental Conservation to permit projects such as this fish passage. The Community Development Department works in conjunction with Engineering on current NYS funded projects and other county and federally funded projects to hire professional firms and contractors, and subsequently oversee and direct all project workproduct – including assuring that the project advances in compliance with all federal, state and local laws. The Buildings and Grounds Department maintains all public parks and recreational facilities including Grangebel Pak.

The Town Attorney provides legal advice and if necessary, litigates on behalf of the Town. The Town Attorney's Office with assistance from Engineering and Community Development will prepare and oversee all contracts entered into by the Town. The Accounting Department has financial management and accounting procedures in place to disburse and document project funds in compliance with all applicable terms and procedures. Project funds will be spent appropriately and accordingly documented by pertinent invoices and payment vouchers.

VI. DELIVERABLES/PERFORMANCE STANDARDS: List and describe anticipated deliverables. Attach additional pages if necessary.

Deliverables will include the following:

- 1) Comprehensive Watershed Study; Completed Spring 2008
- 2) Combined Bid for North Spillway Structural Repairs and South Spillway Fish Passage
 - a. Package available to Bidders 10/16/08
 - b. Bids Received 10/31/08
 - c. Award dependant on Grant Funding Contract
 - d. North Spillway 2 months
 - i. Shop Drawing Review
 - ii. Sediment and Erosion Control Deployment
 - iii. Mobilization
 - iv. Structural Repairs
 - v. Handrail Installation
 - vi. Restoration
 - e. South Spillway Fish Passage 3 months
 - i. Shop Drawing Review
 - ii. Sediment and Erosion Control Deployment
 - iii. Mobilization
 - iv. Dewatering
 - v. Removal of Spillway Components
 - vi. Earthwork Preparation
 - vii. Installation of Medium Stone substrate
 - viii. Installation of Boulder Sills
 - ix. Installation of Select Boulders
 - x. As-Built Survey
- 3) Collection and analysis of the fish data; and
- 4) Final report.

VII. PROJECT SCHEDULE: Develop a time line for the project that includes the approved project commencement date and an estimated start date and completion date for each task. Track time in **monthly increments** as shown in the instructions. Attach additional pages if necessary.

Approved Project Commencement Date: May 2008 (date permit issued)

Package Out to Bid	10/16/08
Bids Received	10/31/08
Award Contract following executed granting contract	
North Spillway Structural Repairs	2 months
South Spillway Fish Passage	3 months

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT made the _____ day of December, 2008 between the TOWN OF RIVERHEAD, (hereinafter "Town") a municipal corporation with offices located at 200 Howell Avenue, Riverhead, Suffolk County, New York, 11901, and BOWNE MANAGEMENT SYSTEMS (BMS) Corporation (BOWNE MANAGEMENT SYSTEMS (BMS)), professional corporation existing under the laws of the State of New York, with a principal place of business at 235 East Jericho Turnpike, PO Box 109, Mineola, New York 11501-0109.

WITNESSETH:

WHEREAS, the Town of Riverhead has requested the services of BOWNE MANAGEMENT SYSTEMS (BMS) for the purposes of enhancing the Town's ArcGIS Server.

NOW THEREFORE, IT IS MUTUALLY AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

1. Scope of services

The Town of Riverhead (Town) hereby retains the services of BOWNE MANAGEMENT SYSTEMS (BMS) for the purposes of enhancing the Town's ArcGIS Server in accordance with the description of services attached as Exhibit A and Exhibit B.

2. Compensation for service

As compensation for such services, the Town will pay BOWNE MANAGEMENT SYSTEMS (BMS) a maximum of Eight Thousand Seven Hundred Sixty Eight and 50/100 (\$8,768.89) Dollars for labor and materials as set forth described in Exhibit A and Exhibit B attached hereto to the satisfaction of the Town Board and the Financial Administrator of the Town. The full cost of all professional services in accordance with this agreement and other services as may be required to provide for complete field work and written reports shall not exceed of Eight Thousand Seven Hundred Sixty Eight and 50/100 (\$8,768.89) Dollars unless the Town and BOWNE MANAGEMENT SYSTEMS (BMS) shall otherwise agree in writing as set forth herein.

BOWNE MANAGEMENT SYSTEMS (BMS) shall notify the Town in writing providing a description of the additional services it proposes to provide together with an explanation as to why the additional services are necessary. In no event shall BOWNE MANAGEMENT SYSTEMS (BMS) perform any additional services without the prior written agreement of the Town Board. BOWNE MANAGEMENT SYSTEMS (BMS) shall complete its obligations hereunder no later than _____ 2008 unless the Town and BOWNE MANAGEMENT SYSTEMS (BMS) shall agree otherwise in writing. BOWNE MANAGEMENT SYSTEMS (BMS) shall supply information regarding services they have performed as may be requested from time to time by the Town.

BOWNE MANAGEMENT SYSTEMS (BMS) shall submit invoices to the Town every month and will indicate time and expenses incurred during that period pursuant to the tasks identified herein. Invoices shall be due and payable within 30 days of their receipt by the Town. The Town has the right to withhold payment for portions of work not completed, after notification to BOWNE MANAGEMENT SYSTEMS (BMS), unless the schedule is extended for reasons beyond the control of BOWNE MANAGEMENT SYSTEMS (BMS), including extra agency review or other unanticipated events.

3 Term of Agreement

The Agreement shall commence upon the execution of this agreement by the Town Supervisor pursuant to authorization of the Town Board and shall expire upon completion of the work specified herein to the satisfaction of the Town. All work hereunder shall be completed within sixty (60) days of the commencement of this agreement.

This Agreement may be terminated by either party and for any reason upon 30 days written notice to the other party. In that event, BOWNE MANAGEMENT SYSTEMS (BMS) shall be compensated only for the value of services and expenses incurred in accordance with this agreement.

4. Modifications to Agreement

This Agreement may only be modified in writing and such modification is subject to approval by the Town Board of the Town pursuant to a duly adopted resolution.

5. Performance of Professional Services

BOWNE MANAGEMENT SYSTEMS (BMS) will perform its service hereunder in a timely manner. BOWNE MANAGEMENT SYSTEMS (BMS) shall not be responsible for delays occasioned by factors beyond its control nor by factors which could not reasonably have been foreseen at the time this Agreement was executed.

BOWNE MANAGEMENT SYSTEMS (BMS) shall be entitled to rely on information provided by the Town provided said information is sealed by a licensed professional where appropriate or directly provided to BOWNE MANAGEMENT SYSTEMS (BMS) by the Town.

BOWNE MANAGEMENT SYSTEMS (BMS) shall perform its services in accordance with the professional standards applicable to the services provided, i.e. information technology, at the time such services are rendered.

Estimates made by BOWNE MANAGEMENT SYSTEMS (BMS) of probable costs and detailed cost projections represent BOWNE MANAGEMENT SYSTEMS (BMS) judgment with respect thereto. It is recognized, however, that BOWNE MANAGEMENT SYSTEMS (BMS) has no control over actual site conditions or the cost of materials or equipment. Accordingly, BOWNE MANAGEMENT SYSTEMS (BMS) cannot and does not represent or guarantee that ultimate project costs will not vary from that set forth in Exhibit A and Exhibit B. However, BOWNE MANAGEMENT SYSTEMS (BMS) will advise the Town prior to ordering any materials or equipment prices if said prices have increased beyond that quoted herein.

All drawing, specifications, reports, notes and data developed pursuant to this Agreement are instruments of service, and as such, the original documents will become the property of the Town.

Except as otherwise provided herein, the parties agree that BOWNE MANAGEMENT SYSTEMS (BMS) liability under this agreement and for the project shall be limited to the total contract cost to the Town as specified and Exhibit A and any modifications made thereto.

6. BOWNE MANAGEMENT SYSTEMS (BMS) understands and recognizes that in conducting the work authorized by this agreement its employees and or agents may have access to confidential Town

documents and/or records. BOWNE MANAGEMENT SYSTEMS (BMS) agrees that it shall not copy, utilize, distribute or otherwise provide unauthorized access to any Town documents and/or records. BOWNE MANAGEMENT SYSTEMS (BMS) agrees to indemnify and hold the Town harmless from any and all damages it may incur by reason of the unauthorized distribution, use or exposure of Town documents together with the Town's reasonable attorneys fees incurred in connection with such unauthorized distribution, use or exposure of Town documents. BOWNE MANAGEMENT SYSTEMS (BMS) shall immediately notify the Town in writing should its employees or agents become aware that copying, use, distribution or other unauthorized exposure of Town documents has occurred.

7. Controlling Law

This Agreement shall be construed according to the laws of the State of New York.

IN WITNESS WHEREOF, this Agreement has been duly executed by the parties hereto.

TOWN OF RIVERHEAD

BOWNE MANAGEMENT SYSTEMS (BMS)

By: _____
Philip J. Cardinale, Supervisor

By: _____



Bowne Management Systems, Inc.
235 East Jericho Turnpike
PO Box 109
Mineola, NY 11501-0109
Phone: 516-746-2350
Fax: 516-747-1396
www.bownegroup.com

August 21, 2008

Robert Hubbs, GIS Supervisor
Town of Riverhead
200 Howell Avenue
Riverhead, New York 11901

Re: Town of Riverhead ArcGIS Server Development Services

Dear Mr. Hubbs:

As per your request, Bowne Management Systems (BMS) is pleased to provide you with this proposal to enhance your existing ArcGIS Server GIS Viewer. The following tasks will be provided by our GIS staff for the Town:

- Task 1 – System Design
- Task 2 – ArcGIS Server Application Enhancements
- Task 3 – User Acceptance Testing
- Task 4 – System Deployment

These tasks are described in more detail in the following sections and a cost summary is provided. We anticipate completing this project within one month from receipt of an authorized notice to proceed from the Town.

Please feel to contact me if you have any questions or require further information.

Sincerely,

A handwritten signature in black ink that reads "Scott Mastellon". The signature is written in a cursive, flowing style.

Scott Mastellon
Project Manager

Bowne Management Systems, Inc.

Mr. Robert Hubbs

Date: 8/21/2008

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Task 1 – System Design

BMS will work with the Town to design a graphical user interface (GUI) and report mock-ups to serve as the design for the ArcGIS Server application enhancement. In addition, Bowne will work with the Town to review the required data in the following tables in RPS to determine the appropriate data relationships and data display elements for the application enhancement:

- Parcels
- Additional Owners
- Exempt
- Sales

The delivery for this task will be a design document that details the required changes to the Town's ArcGIS Server GIS application.

Task 2 – ArcGIS Server Application Enhancements

Upon approval from the Town on Task 1, BMS will develop the required changes identified in the design document. BMS will obtain a copy of the Town's source code for your ArcGIS Server GIS Application and modify directly to complete the required changes. Upon completion of our development efforts, BMS will perform the required unit testing on the source code to ensure the application is working properly. Upon successful completion of our development and unit testing activities, BMS will provide the updated source code to the Town.

Task 3 – User Acceptance Testing

Upon delivery of the updated source code delivered as part of Task 2, BMS will work with the Town to install and deploy the enhanced application at the Town. Once the code has successfully been deployed, the Town will conduct user acceptance testing. BMS will document any issues resulting from the Town's testing and determine if source code changes are required. All documented exceptions to the Town's testing that have been identified as bugs with the functionality defined within the design document will be modified by BMS. Any documented exceptions to the Town's testing that were not included in the system design document will not be corrected by BMS.

Task 4 – System Deployment

Upon successfully correcting all bugs identified during user acceptance testing, BMS will deliver the updated source code to the Town. Bowne will work closely with the Town to ensure the application is properly deployed and working according to Town's specifications.

Bowne Management Systems, Inc.

Mr. Robert Hubbs

Date: 8/21/2008

Page: 3

Cost Estimate

Our fee for this scope of work is \$6,994.50. This estimate was developed using our approved 2008 rates under our NYS OGS contract, number CMS696A.

Based on 2008 NYS OGS Back-Drop Contract Number CMS696A			
NYS OGS DESIGNATION	HOURS	PROJECT RATE	FEE
Task 1 - System Design			
PM II Senior Analyst II	6	\$176.13	\$1,056.78
Sub-total for Task 1	6		\$1,056.78
Task 2 - ArcGIS Server Application Enhancements			
PA II Programmer/Analyst II	32	\$124.60	\$3,987.20
Sub-total for Task 2	32		\$3,987.20
Task 3 - User Acceptance Testing			
PM II Senior Analyst II	4	\$176.13	\$704.52
PA II Programmer/Analyst II	8	\$124.60	\$996.80
Sub-total for Task 3	12		\$1,701.32
Task 4 - System Deployment			
PA II Programmer/Analyst II	2	\$124.60	\$249.20
Sub-total for Task 4	2		\$249.20
Total for Project	52		\$6,994.50

1. Bowne Management Systems, Inc. may utilize different labor grades and hours as necessary to meet the requirements of the proposed scope.
2. Monthly invoices will detail the hourly billing rate and the numbers of hours for each employee working on the project during the billing period.
3. All grades and rates will be based on our 2008 NYS OGS Billing Rate Schedule.
4. Total billing will not exceed the amount defined in the table above without prior approval from the Town.
5. The Town will be responsible for procuring any software or licenses needed to complete this project.



Bowne Management Systems, Inc.
235 East Jericho Turnpike
PO Box 109
Mineola, NY 11501-0109
Phone: 516-746-2350
Fax: 516-747-1396
www.bownegroup.com

November 11, 2008

Robert Hubbs, GIS Supervisor
Town of Riverhead
200 Howell Avenue
Riverhead, New York 11901

Re: Town of Riverhead ArcGIS Server Development Services – Additional Services

Dear Mr. Hubbs:

As per your request, Bowne Management Systems (BMS) is pleased to provide you with this proposal that includes additional enhancements from those defined in our 8/21/2008 proposal. The following tasks will be in addition to the tasks outline in our previous proposal and will be provided by our GIS staff for the Town:

- Task 1 – System Design Revisions for RPS Building Data
- Task 2 – Viewer Enhancements for RPS Building Data
- Task 3 – User Acceptance Testing for RPS Building Data

These tasks are described in more detail in the following sections and a cost summary is provided. We anticipate completing this project within one month from receipt of an authorized notice to proceed from the Town.

Please feel to contact me if you have any questions or require further information.

Sincerely,

A handwritten signature in black ink that reads "Scott Mastellon". The signature is written in a cursive, flowing style.

Scott Mastellon
Project Manager

Bowne Management Systems, Inc.

Mr. Robert Hubbs
Date: 11/11/2008
Page: 2

Task 1 – System Design Revisions for RPS Building Data

BMS will work with the Town to extend the previously created graphical user interface (GUI) design to include Building information from the Town’s RPS.

The delivery for this task will be a revised design document that details the required changes to the Town’s ArcGIS Server GIS application.

Task 2 – Viewer Enhancements for RPS Building Data

Upon approval from the Town on Task 1, BMS will develop the required changes identified in the revised design document that includes developing ETL routines and forms to display building related RPS data. This task will only include the required changes to the GIS Viewer to accommodate RPS building data.

Task 3 – User Acceptance Testing for RPS Building Data

All documented exceptions to the Town’s testing that have been identified as bugs with the functionality defined within the design document (associated with displaying RPS building information) will be modified by BMS. Any documented exceptions to the Town’s testing that were not included in the system design document will not be corrected by BMS.

Cost Estimate

Our fee for this scope of work is \$1,774.39. This estimate was developed using our approved 2008 rates under our NYS OGS contract, number CMS696A.

Based on 2008 NYS OGS Back-Drop Contract Number CMS696A			
NYS OGS DESIGNATION	HOURS	PROJECT RATE	FEE
Task 1 - System Design Revisions for Building Data			
PM II Senior Analyst II	2	\$176.13	\$352.26
Sub-total for Task 1	2		\$352.26
Task 2 – Viewer Enhancements for RPS Building Data			
PA II Programmer/Analyst II	10	\$124.60	\$1,246.00
Sub-total for Task 2	10		\$1,246.00
Task 3 - User Acceptance Testing for RPS Building Data			
PM II Senior Analyst II	1	\$176.13	\$176.13
Sub-total for Task 3	1		\$176.13
Total for Project	13		\$1,774.39

Bowne Management Systems, Inc.

Mr. Robert Hubbs

Date: 11/11/2008

Page: 3

1. Bowne Management Systems, Inc. may utilize different labor grades and hours as necessary to meet the requirements of the proposed scope.
2. Monthly invoices will detail the hourly billing rate and the numbers of hours for each employee working on the project during the billing period.
3. All grades and rates will be based on our 2008 NYS OGS Billing Rate Schedule.
4. Total billing will not exceed the amount defined in the table above without prior approval from the Town.
5. The Town will be responsible for procuring any software or licenses needed to complete this project.

Town of Riverhead

Adopted

Resolution # 1149

RESOLUTION OF SUPPORT AND CONCURRENCE
WITH THE SUFFOLK COUNTY/TOWN OF RIVERHEAD EMPIRE ZONE
(FORMERLY ECONOMIC DEVELOPMENT ZONE)
REGIONALLY SIGNIFICANT PROJECT APPLICATION

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

WHEREAS, New York State created the Economic Development Zone Program, now known as the Empire Zone Program, to encourage industrial and commercial development in select municipalities across the State; and

WHEREAS, the Town of Riverhead, as an eligible municipality in conjunction with the County of Suffolk, received designation of an Economic Development Zone; and

WHEREAS, said zone currently is comprised of subzones including portions of the Town of Southampton, the Town of Babylon, and the Town of Riverhead; and

WHEREAS, New York State has amended the Zones program to increase benefits and allow additional areas to be deemed as Regionally Significant Projects; and

WHEREAS, the County of Suffolk and the Town of Riverhead intend to augment the Empire Zone boundaries to encourage industrial and commercial development and to allow for the creation of an additional sub-zone area in the Town of Babylon (approximately 1.84 acres) for a *Regionally Significant Project*; and

WHEREAS, NBTY, Inc located at 5100 New Horizons Boulevard, North Amityville, New York; meets the criteria of 957 (d) of the general municipal law as regionally significant project by creating 50 new manufacturing jobs for inclusion within the Suffolk County/Town of Riverhead Empire Zone in areas outside the separate and distinct contiguous areas which will not effect the current 1280 acres within the zone; and

WHEREAS, the Town of Riverhead wishes to support and concur with the Empire Zone Board of Directors' designation of NBTY, Inc at SCTM #0100-126.01-01.00-004.050 as *Regionally Significant Project*; and

NOW, THEREFORE, be it resolved that the Town Board, in its capacity as governing body of the Town of Riverhead, does hereby support and concur with the Suffolk County/Town of Riverhead Empire Zone Board to include NBTY, Inc located within the property referred to as SCTM# 0100-126.01-01.00-004.050.

The Vote

Member Blass _____

Member Buckley _____

Supervisor Cardinale _____

Member Wooten _____

Member Dunleavy _____

✓

12/30/08

TOWN OF RIVERHEAD

Adopted

Resolution # 1150

**RESOLUTION AND CONSENT APPROVING THE DEDICATION OF
HIGHWAYS KNOWN AS LOUISE COURT, ROANOKE COURT AND
(2) RECHARGE BASINS (ROANOKE LANDING)**

COUNCILMAN DUNLEAVY offered the following resolution, was seconded

by COUNCILMAN BUCKLEY :

At a regular meeting of the
Town Board of the Town of
Riverhead, in the County of
Suffolk, State of New York,
held at 200 Howell Avenue,
Riverhead, New York on the
30th day of December, 2008.

P R E S E N T :

Hon. Philip J. Cardinale, Supervisor
James Wooten, Councilperson
Timothy Buckley, Councilperson
Barbara Blass, Councilperson
John Dunleavy, Councilperson

X

In the Matter of the Dedication of
Certain Highways in the Town of
Riverhead, County of Suffolk and
State of New York, known as

**RESOLUTION
AND CONSENT**

**LOUISE COURT, ROANOKE COURT
AND (2) RECHARGE BASINS.**

X

WHEREAS, a certain subdivision map was filed in the Office of the Clerk of the
County of Suffolk, known as "Map of Roanoke Landing", Town of Riverhead, County of
Suffolk, State of New York, filed on May 24, 2005 as Map No. 11267 in the Office of the
Clerk of Suffolk County, Riverhead, New York; and

WHEREAS, plans for the construction of various improvements to said road known and designated as **LOUISE COURT, ROANOKE COURT and (2) RECHARGE BASINS** were submitted to the Planning Board of the Town of Riverhead; and

WHEREAS, the Town Board of the Town of Riverhead did approve a performance bond as to form, sufficiency, manner of execution and surety; and

WHEREAS, said roads, drainage systems, sumps and other improvements have been completed in accordance with the plans and specifications of the Town of Riverhead Planning Board; and

WHEREAS, the construction of the said roads, drainage systems, sumps and other improvements have met with the approval of the Superintendent of Highways of the Town of Riverhead; and

WHEREAS, a copy of the Order Laying Out Road Upon Consent of Owner(s) from the Superintendent of Highways indicating his consent is annexed hereto and made a part hereof; and

WHEREAS, a special search street dedication from First American Title Insurance Company of New York, File Number 3001-256268 dated December 11, 2008, has been filed with the Clerk of the Town of Riverhead, together with a deed of dedication and release affecting said roads, drainage systems, sumps and/or other improvements.

NOW THEREFORE BE IT RESOLVED, that in accordance with the provisions of Section 171 of the Highway Law of the State of New York, consent be and the same is hereby given that the Superintendent of Highways of the Town of Riverhead, make an order laying out a certain road known as **LOUISE COURT, ROANOKE COURT and (2) RECHARGE BASINS**, the said Town roads and drainage basin to consist of the lands described in the deed of dedication dated the 18th the day of December, 2008 and to extend same as delineated therein; and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead is hereby directed to forthwith cause such deeds of dedication to be recorded in the Office of the Clerk of the County of Suffolk, and upon its return, to attach it hereto; and be it further

RESOLVED, that the maintenance security received has been reviewed and approved by the Town Attorney as to form and that the Town Clerk is hereby directed to release any and all previously submitted performance bonds upon adoption of this resolution by the Town Board; and be it further

RESOLVED, that this resolution shall take effect immediately; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Morgan Creek Development, 273 Main Street, Huntington, New York 11743, Attn: Walter Morris, the Riverhead Superintendent of Highways, the Planning Department, the Assessor's Office, the Tax Receiver's Office and the Town Attorney's Office.

Dated: Riverhead, New York
December 30, 2008

**TOWN BOARD OF THE
TOWN OF RIVERHEAD**

PHILIP J. CARDINALE

JAMES WOOTEN

TIMOTHY BUCKLEY

BARBARA BLASS

JOHN DUNLEAVY

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

_____ X

In the Matter of the Laying Out of Certain
Highways in the Town of Riverhead,
County of Suffolk and State of New York,
known as

**ORDER LAYING OUT
ROAD UPON CONSENT
OF OWNER(S)**

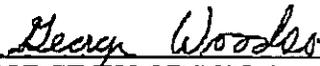
**LOUISE COURT, ROANOKE COURT
and (2) RECHARGE BASINS.**

_____ X

WHEREAS, application having been duly made for the laying out of certain
Town highways in the Town of Riverhead, County of Suffolk, State of New York, known
as **LOUISE COURT, ROANOKE COURT, and (2) RECHARGE BASINS** and a
dedication and release from the owner(s) of and other persons interested in the lands
through which the highways are proposed to be opened, having been given and the Town
Board of the Town of Riverhead having given its consent.

NOW THEREFORE, I, the Superintendent of Highways of the Town of
Riverhead, County of Suffolk, State of New York, do hereby determine and order that
Town highways shall be and the same are hereby laid out in said Town as more
particularly described on **SCHEDULE "A"** annexed hereto.

Dated: Riverhead, New York
December 23, 2008



GEORGE WOODSON, Superintendent
Town of Riverhead Highway Department

SCHEDULE A

ALL that certain plot, piece or parcel of land with the buildings and improvements thereon erected, lying, situate and being at Roanoke, Town of Riverhead, County of Suffolk and State of New York, known and designated as Roanoke Court, as shown on Subdivision Map of "Roanoke Landing", more particularly bounded and described as follows:

BEGINNING at a point marked by a monument found on the northerly side of Sound Avenue, said point being situate the following two (2) courses and distances as measured along the northerly side of Sound Avenue from the northerly terminus of the arc of a curve connecting the westerly side of Dolphin Way and the northerly side of Sound Avenue:

1. On the arc of a curve to the right having a radius of 25.00 feet for a distance of 43.19 feet,
2. South 71 deg. 06 min. 00 sec. West 453.62 feet;

RUNNING thence from said point of beginning South 71 deg. 06 min. 00 sec. West crossing Roanoke Court 105.00 feet to Drainage Parcel 'B', as shown on Subdivision Map "Roanoke Landing";

RUNNING thence along Drainage Parcel 'B', along Lot 31, Lot 29, Lot 27, Lot 25, Lot 23, Lot 21, Lot 19, Lot 17, Lot 18, Lot 20, Lot 22, Lot 24, Lot 26, Lot 28, Lot 30, Lot 32, and Drainage Parcel 'A', as shown on Subdivision Map "Roanoke Landing" the following nineteen (19) courses and distances:

1. On the arc of a curve to the left having a radius of 25.00 feet for a distance of 39.27 feet,
2. North 18 deg. 54 min. 00 sec. West 82.77 feet,
3. On the arc of a curve to the right having a radius of 1,027.50 feet for a distance of 132.31 feet,
4. North 11 deg. 31 min. 20 sec. West 93.79 feet,
5. On the arc of a curve to the left having a radius 472.50 feet for a distance 185.03 feet,
6. North 33 deg. 57 min. 32 sec. West 216.52 feet,
7. On the arc of a curve to the right having a radius of 2,027.50 feet for a distance of 96.39 feet,
8. North 31 deg. 14 min. 06 sec. West 368.76 feet,
9. On the arc of a curve to the left having a radius of 25.00 feet for a distance of 24.63 feet,
10. On the arc of a curve to the right having a radius of 70.00 feet for a distance of 357.85 feet,
11. On the arc of a curve to the left having a radius of 25.00 feet for a distance of 24.63 feet,
10. South 31 deg. 14 min. 06 sec. East 368.76 feet,
11. On the arc of a curve to the left having a radius of 1,972.50 feet for a distance of 93.78 feet,
12. South 33 deg. 57 min. 32 sec. East 216.52 feet,
13. On the arc of a curve to the right having a radius of 527.50 feet for a distance of 206.57 feet,
14. South 11 deg. 31 min. 20 sec. East 93.79 feet,
15. On the arc of a curve to the left having a radius of 972.50 feet for a distance of 125.23 feet,
16. South 18 deg. 54 min. 00 sec. East 82.77 feet,
17. On the arc of a curve to the left having a radius of 25.00 feet for a distance of 39.27 feet to the northerly side of Sound Avenue and the point or place of Beginning.

SCHEDULE A

ALL that certain plot, piece or parcel of land with the buildings and improvements thereon erected, lying, situate and being at Roanoke, Town of Riverhead, County of Suffolk and State of New York, known and designated as Louise Court, as shown on Subdivision Map of "Roanoke Landing", more particularly bounded and described as follows:

BEGINNING at a point marked by a monument found on the southerly side of Louise Court, where said southerly side of Louise Court is intersected by the westerly line of Lot 16, Subdivision Map "Roanoke Landing";

RUNNING thence from said point of beginning crossing Louise Court the following two (2) courses and distances:

1. North 31 deg. 15 min. 10 sec. West 28.95 feet,
2. North 33 deg. 12 min. 10 sec. West 26.56 feet to a monument found;

RUNNING thence along Lot 13, Lot 11, Lot 9, Lot 7, Lot 5, Lot 2, Lot 3, Lot 4, Lot 6, Lot 8, Lot 10, Lot 12, Lot 14, Lot 15 & Lot 16, Subdivision Map "Roanoke Landing" the following twelve (12) courses and distances:

1. North 65 deg. 16 min. 20 sec. East 59.85 feet,
2. On the arc of a curve to the left having a radius of 147.50 feet for a distance of 261.90 feet,
3. North 36 deg. 27 min. 31 sec. West 654.82 feet,
4. On the arc of a curve to the right having a radius of 1,027.50 feet for a distance of 152.60 feet,
5. On the arc of a curve to the left having a radius of 25.00 feet for a distance of 24.63 feet,
6. On the arc of a curve to the right having a radius of 70.00 feet for a distance of 357.85 feet,
7. On the arc of a curve to the left having a radius of 25.00 feet for a distance of 24.63 feet,
8. On the arc of a curve to the left having a radius of 972.50 feet for a distance of 144.43 feet,
9. South 36 deg. 27 min. 31 sec. East 654.82 feet,
10. On the arc of a curve to the right having a radius of 202.50 feet for a distance of 257.88 feet,
11. South 47 deg. 48 min. 36 sec. East 32.11 feet,
12. South 66 deg. 51 min. 35 sec. West 162.55 feet to a monument found at the point or place of Beginning.

SCHEDULE A

ALL that certain plot, piece or parcel of land with the buildings and improvements thereon erected, lying, situate and being at Roanoke, Town of Riverhead, County of Suffolk and State of New York, known and designated as Drainage Parcel 'A', as shown on Subdivision Map of "Roanoke Landing", more particularly bounded and described as follows:

BEGINNING at a point marked by a monument found on the northerly side of Sound Avenue, said point being situate the following two (2) courses and distances as measured along the northerly side of Sound Avenue from the northerly terminus of the arc of a curve connecting the westerly side of Dolphin Way and the northerly side of Sound Avenue:

1. On the arc of a curve to the right having a radius of 25.00 feet for a distance of 43.19 feet,
2. South 71 deg. 06 min. 00 sec. West 160.92 feet;

RUNNING thence from said point of beginning South 71 deg. 06 min. 00 sec. West along the northerly side of Sound Avenue 292.70 feet to the easterly side of Roanoke Court;

RUNNING thence along the easterly side of Roanoke Court the following five (5) courses and distances:

1. On the arc of a curve to the right having a radius of 25.00 feet for a distance of 39.27 feet,
2. North 18 deg. 54 min. 00 sec. West 82.77 feet,
3. On the arc of a curve to the right having a radius of 972.50 feet for a distance of 125.23 feet,
4. North 11 deg. 31 min. 20 sec. West 93.79 feet,
5. On the arc of a curve to the left having a radius of 527.50 feet for a distance of 24.34 feet to Lot 32, Subdivision Map "Roanoke Landing";

RUNNING thence North 75 deg. 50 min. 02 sec. East along Lot 32, Subdivision Map "Roanoke Landing" 220.88 feet to land now or formerly Charles Crump & Betsy M. Crump;

RUNNING thence South 31 deg. 37 min. 40 sec. East along land now or formerly Charles Crump & Betsy M. Crump, land now or formerly Robert G. DiMarco & Christine DiMarco, land now or formerly Donald Sausser and land now or formerly Randy Negron & Reineida Negron 340.00 feet to the monument found at the point or place of Beginning.

SCHEDULE A

ALL that certain plot, piece or parcel of land with the buildings and improvements thereon erected, lying, situate and being at Roanoke, Town of Riverhead, County of Suffolk and State of New York, known and designated as Drainage Parcel 'B', as shown on Subdivision Map of "Roanoke Landing", more particularly bounded and described as follows:

BEGINNING at a point on the northerly side of Sound Avenue at the easterly line of land now or formerly Philip A. Schmitt Jr. & Anne Marie Schmitt, said point being situate the following two (2) courses and distances as measured along the northerly side of Sound Avenue from the northerly terminus of the arc of a curve connecting the westerly side of Dolphin Way and the northerly side of Sound Avenue:

1. On the arc of a curve to the right having a radius of 25.00 feet for a distance of 43.19 feet,
2. South 71 deg. 06 min. 00 sec. West 616.12 feet;

RUNNING thence from said point of beginning North 31 deg. 51 min. 50 sec. West along land now or formerly Philip A. Schmitt Jr. & Anne Marie Schmitt 288.39 feet to Lot 31, Subdivision Map "Roanoke Landing";

RUNNING thence North 78 deg. 28 min. 41 sec. East along Lot 31, Subdivision Map "Roanoke Landing" 159.72 feet to the westerly side of Roanoke Court;

RUNNING thence along the westerly side of Roanoke Court the following four (4) courses and distances:

1. South 11 deg. 31 min. 20 sec. East 20.99 feet,
2. On the arc of a curve to the left having a radius of 1,027.50 feet for a distance of 132.31 feet,
3. South 18 deg. 54 min. 00 sec. East 82.77 feet,
4. On the arc of a curve to the right having a radius of 25.00 feet for a distance of 39.27 feet to the northerly side of Sound Avenue;

RUNNING thence South 71 deg. 06 min. 00 sec. West along the northerly side of Sound Avenue 57.50 feet to the point or place of Beginning.

12/30/08

TOWN OF RIVERHEAD

Adopted

Resolution # 1151

RESOLUTION IN SUPPORT OF NEW YORK STATE'S ENACTMENT
OF A LAW REQUIRING PROMULGATION OF PROCEDURES
ON THE PLACEMENT OF CERTAIN SEX OFFENDERS

COUNCILMAN BUCKLEY offered the following resolution, was seconded by

COUNCILMAN WOOTEN :

WHEREAS, the State of New York enacted under Chapter 568 of the 2008 Laws of New York, a law which requires the Division of Parole, the Division of Probation, and the Office of Temporary and Disability Assistance to promulgate rules regarding the placement of sex offenders in our communities; and

WHEREAS, the State of New York's legislation requires the Division of Parole, Division of Probation and Office of Temporary Disability and Assistance consider the character of the neighborhoods, proximity of entities with vulnerable populations, and the number of registered offenders living within a community before approving housing arrangements for sex offenders; and

WHEREAS, it is in the best interest of all parties to cooperate in order to enforce not only the letter of, but the spirit of our respective laws,

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board pledges that the Town of Riverhead will cooperate with the State of New York to ensure the success of our respective laws governing this important issue of public safety.

WOOTEN YES ___ NO BUCKLEY YES ___ NO

DUNLEAVY YES ___ NO BLASS ___ YES ___ NO

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

12/30/08

Adopted

TOWN OF RIVERHEAD

Resolution # 1152

ACCEPTS 100% SECURITY OF JP MORGAN CHASE
(LRP Construction Corp.)

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

WHEREAS, LRP Construction Corp. has posted a HSBC Official Check #103137981 in the sum of Five Thousand (\$5,000.00) representing the 100% site plan security bond in connection with Riverhead Planning Board Resolution #92, dated October 2, 2008, for the addition of a drive through and a stop sign on the northeast corner of the building upon real property located on the north side of Old Country Road in Riverhead, New York, further described as Suffolk County Tax Map # 0600-101-2-11.1, pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has reviewed said security and deems it to be sufficient in its form.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts HSBC Official Check #103137981 in the sum of Five Thousand (\$5,000.00) representing the 100% site plan security bond in connection with Riverhead Planning Board Resolution #92, dated October 2, 2008; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Kenneth R. Garvin, AIA, JRS Architect, P.C., 181 East Jericho Turnpike, Mineola, New York, 11501; and be it further

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

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

12/30/08

Adopted

TOWN OF RIVERHEAD

Resolution # 1153

AUTHORIZES THE RELEASE OF TWO LETTERS OF CREDIT OF RIVERHEAD COMMERCE PARK

COUNCILMAN DUNLEAVY offered the following resolution,

which was seconded by **COUNCILMAN BUCKLEY**

WHEREAS, Riverhead Commerce Park Associates posted two letters of credit (#060807A and #060807B – Suffolk County National Bank) in the amounts of Seventeen Thousand Two Hundred Ninety Dollars and Twenty Six Thousand Fifty Eight Dollars (\$17,290 and \$26,058) representing the 5% bond requirement for work at Commerce Park, Riverhead, New York, Suffolk County Tax Map Number 0600 / 101.-01-010.20 pursuant to Section 108-133(I) of the Riverhead Town Code; and

WHEREAS, Sharon E. Klos, Building Permits Coordinator, has determined that construction has been completed to the Building Department’s satisfaction and to the satisfaction of the Planning Department in accordance with the approved site plan and two Certificates of Occupancy have been issued.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the two letters of credit (#060807A and #060807B) in the amounts of Seventeen Thousand Two Hundred Ninety Dollars and Twenty Six Thousand Fifty Eight Dollars (\$17,290 and \$26,058); and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Riverhead Commerce Park, 185 Old Country Road, Suite 1, Riverhead, New York, the Building Department; the Planning Department and the Town Attorney’s Office.

THE VOTE

Buckley Yes No

Wooten Yes No

Dunleavy Yes No

Blass Yes No

Cardinale Yes No

The Resolution Was Was Not
Therefore Duly Adopted

12/30/08

Adopted

**AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS
CONSTRUCTION OF PLANT NO. 15
CONTRACT W – WELL CONSTRUCTION
RIVERHEAD WATER DISTRICT**

Adopted _____
Resolution # 1154

Councilperson COUNCILMAN BUCKLEY offered the following resolution which was seconded by Councilperson COUNCILMAN WOOTEN

WHEREAS, plans and specifications have been prepared by H2M, consulting engineers to the Riverhead Water District, regarding construction of Plant No. 15 including Contract W for well construction.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders in the January 8, 2009, edition of The News Review, with regard to receiving bids for construction of Plant No. 15, Contract W – well construction, 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 Gary Pendzick, Dennis Kelleher of H2M, and Frank Isler, Esq.

**THIS RESOLUTION PREPARED BY FRANK A. ISLER FOR THE
RIVERHEAD WATER DISTRICT**

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

H2M
NOTICE TO BIDDERS

The Town Board of Riverhead will receive bids for the “*CONSTRUCTION OF PLANT NO. 15, CONTRACT W – WELL CONSTRUCTION*” for the Riverhead Water District at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York 11901, until 11:00 A.M., on January, 22, 2009, at which time and place all bids will be publicly opened and read aloud for:

CONSTRUCTION OF PLANT NO. 15
CONTRACT “W” – WELL CONSTRUCTION
PROJECT NO.: RDWD 06-05

Plans and specifications may be examined and obtained on or after January 8, 2009 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 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 RIVERHEAD WATER DISTRICT

DIANE WILHELM, TOWN CLERK

DATED: JANUARY 8, 2009

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that a public hearing will be held on the 21st day of January 2009 at 7:25p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 101 of the Riverhead Town Code entitled, "Vehicles & Traffic" as follows:

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

§101-33. Expiration and Renewal of Permits

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

Dated: Riverhead, New York
December 30, 2008

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

DIANE M. WILHELM, Town Clerk

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

Adopted

TOWN OF RIVERHEAD

Resolution # 1156

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A PUBLIC NOTICE OF A PUBLIC HEARING TO AMEND THE TOWN OF RIVERHEAD ZONING USE DISTRICT MAP.

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

WHEREAS, by resolution dated June 22, 2004, the Town Board resolved to amend the Zoning Use District Map of the Town of Riverhead to provide for the Residence RB-40 Zoning Use District upon certain lands within the Town of Riverhead, AND

WHEREAS, upon the adoption of such resolution, the Zoning Use District Map of the Town of Riverhead was amended to implement the aforementioned zoning legislation, AND

WHEREAS, it has become apparent that a draftsman's error improperly included Suffolk County Tax Map Parcel numbers 0600-097-2-81 & 82 within the Residence RB-40 Zoning Use District; such parcels to remain within the existing Industrial B Zoning Use District, AND

WHEREAS, the Town Board desires to correct the error, NOW

THEREFORE BE IT

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

THE VOTE

DUNLEAVY YES NO BUCKLEY YES NO

BLASS YES NO WOOTEN YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board at Town Hall, 200 Howell Avenue, Riverhead, New York on the 20th of January 2009 at 7:30 PM to consider an amendment to the Zoning Use District Map of the Town of Riverhead to correct a draftman's error and to correctly provide for the Industrial B Zoning Use District to the exclusion of the mapped Residential RB-40 Zoning Use District, as depicted upon the attached map.

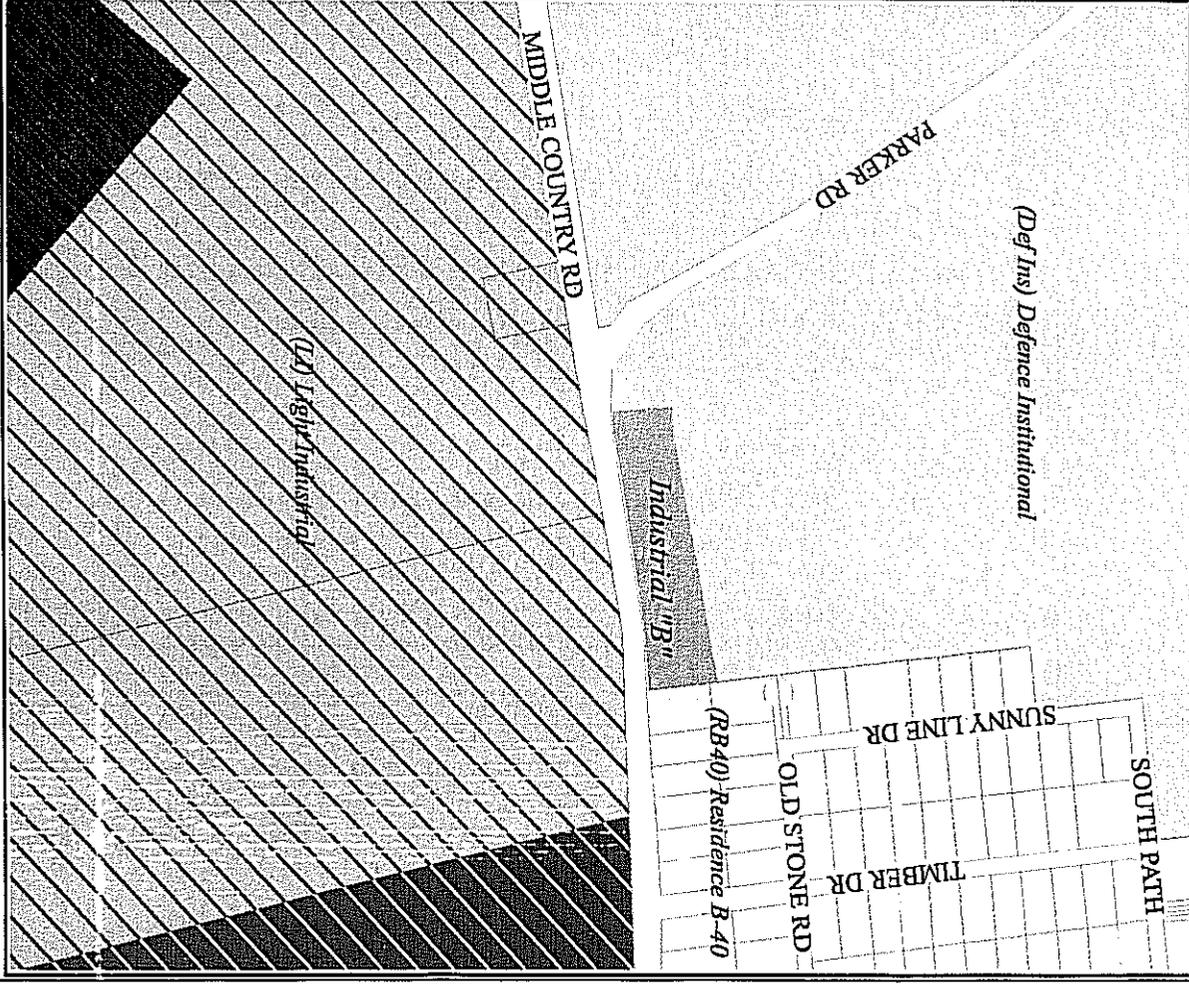
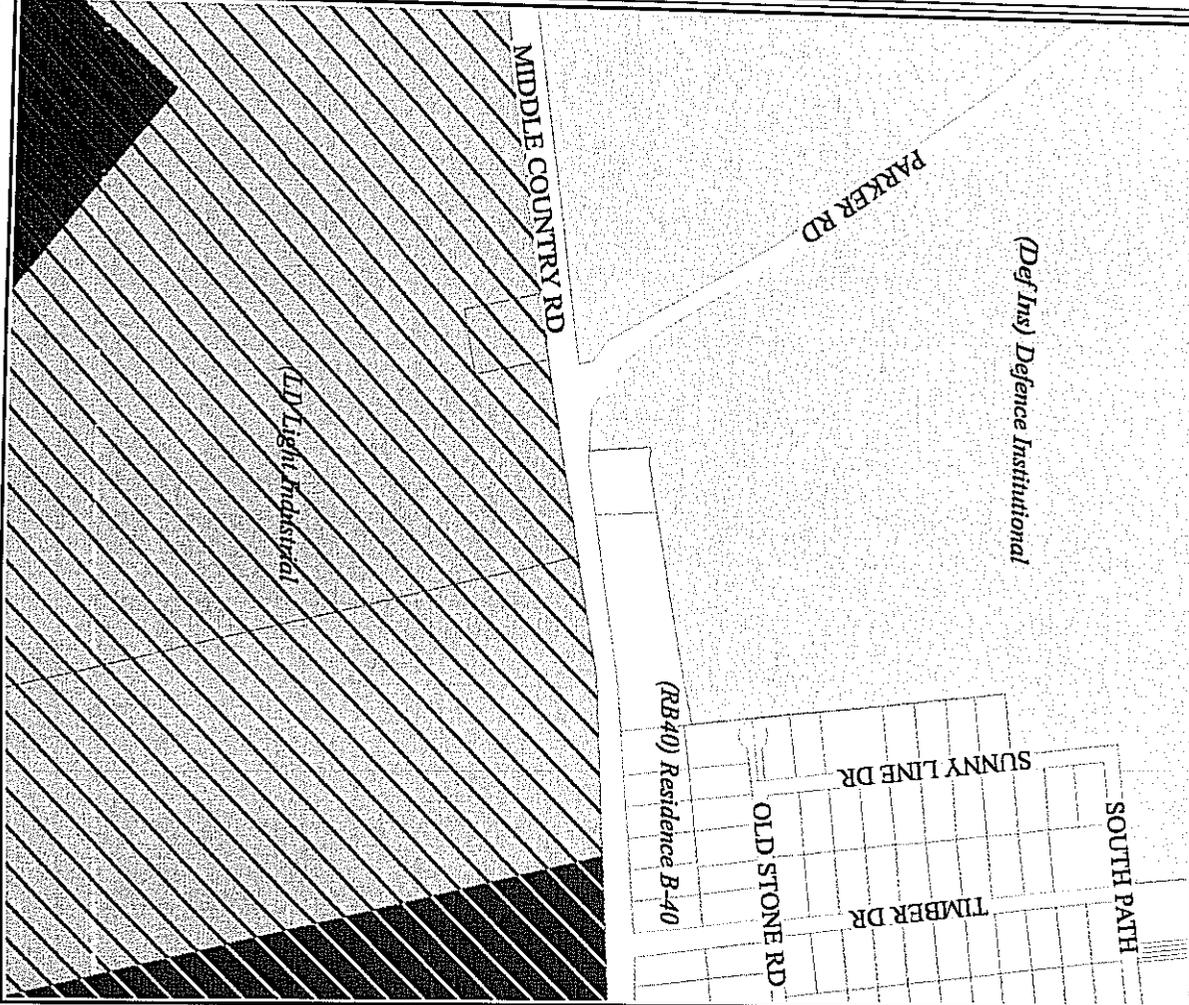
Dated: Riverhead, New York
December 30, 2008

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

EXISTING ZONING

map of
**RB 40 Zoning Modification
to IND "B"**

PROPOSED ZONING



1,200 Feet

DATE: 12/30/2008

PLANNING DEPARTMENT

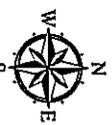
N:\GIS\maps\66 Zoning Modification to IND B.mxd



TOWN OF RIVERHEAD

Phil Cardinale, Supervisor

200 Howell Ave.
Riverhead, New York 11901



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Adopted

RESOLUTION # 1157 ABSTRACT #08-50 December 18, 2008 (TBM 12/30/08)				
Councilman Buckley				
Councilman Wooten offered the following Resolution which was seconded by				
FUND NAME		12/15/08 CD	CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1	6,500,000.00	1,297,746.63	7,797,746.63
PAL	4	14,000.00		14,000.00
TEEN CENTER	5	10,000.00		10,000.00
RECREATION PROGRAM FUND	6	86,000.00	5,568.65	91,568.65
NUTRITION SITE COUNCIL FUND	7	4,500.00	3,146.00	7,646.00
DARE	8	3,000.00		3,000.00
CHILD CARE CENTER BUILDING FUN	9	155,000.00	49.17	155,049.17
TB SPEC PROG	24	98,000.00		98,000.00
SRS DAYCARE	27	40,000.00		40,000.00
ECONOMIC DEVELOPMENT ZONE FUND	30	10,000.00	2,588.57	12,588.57
HIGHWAY FUND	111	945,000.00	143,159.49	1,088,159.49
WATER DISTRICT	112	165,000.00	98,955.79	263,955.79
R&M	113	158,000.00		158,000.00
RIVERHEAD SEWER DISTRICT	114	1,175,000.00	50,281.33	1,225,281.33
REFUSE & GARBAGE COLLECTION DI	115		6,568.14	6,568.14
STREET LIGHTING DISTRICT	116		32,952.21	32,952.21
PUBLIC PARKING DISTRICT	117		484.53	484.53
BUSINESS IMPROVEMENT DISTRICT	118	25,000.00	7,537.12	32,537.12
AMBULANCE DISTRICT	120	140,000.00	4,506.84	144,506.84
EAST CREEK DOCKING FACILITY FU	122		253.91	253.91
CALVERTON SEWER DISTRICT	124	275,000.00	648.00	275,648.00
RIVERHEAD SCAVANGER WASTE DIST	128	1,450,000.00	15,864.07	1,465,864.07
SEWER DIST FUND	130	290,000.00		290,000.00
WORKERS' COMPENSATION FUND	173	2,000,000.00	29,931.33	2,029,931.33
RISK RET	175	1,500,000.00		1,500,000.00
UNEMPLOYMENT	176	8,000.00		8,000.00
MAIN ST REHAB	177	35,000.00		35,000.00
REVOLVING LOAN PROGRAM	178	16,000.00	20.00	16,020.00
RES REHAB LOAN	179	6,000.00		6,000.00
CDBG CONSORTIUM ACOUNT	181	100,000.00	22,880.75	122,880.75
UDC WORKING	182	8,000.00		8,000.00
RESTORE	184	10,000.00		10,000.00
PUBLIC PARK DEBT	381	32,000.00	10,000.00	42,000.00
SEWER DEBT	382	525,000.00		525,000.00
WATER DEBT	383	640,000.00		640,000.00
GEN FUND DEBT	384	6,000,000.00		6,000,000.00
SCAV DEBT	385	120,000.00		120,000.00
SUFF THEATER	386	610,000.00		610,000.00
TOWN HALL CAPITAL PROJECTS	406		70,463.74	70,463.74
800 SERIES	408	5,000.00		5,000.00
2 BEARS	440	6,000.00		6,000.00
CHIPS	451	310,000.00		310,000.00
YOUTH SERVICES CAP PROJECT	452	20,000.00	13,684.23	33,684.23
SENIORS HELP SENIORS CAP PROJE	453	10,000.00	4,592.27	14,592.27
EISEP	454	55,000.00		55,000.00
MUNICIPAL FUEL FUND	625		10,546.74	10,546.74
MUNICIPAL GARAGE FUND	626		31,419.20	31,419.20
TRUST & AGENCY	735		1,484,254.36	1,484,254.36
SPEC TRUST	736	525,000.00		525,000.00
COMMUNITY PRESERVATION FUND	737		1,242.86	1,242.86
CALVERTON PARK - C.D.A.	914	50,000.00	24.58	50,024.58
TOTAL ALL FUNDS		24,134,500.00	3,349,370.51	27,483,870.51

RESOLUTION # <u>1157</u> ABSTRACT #08-51 December 29, 2008 (TBM 12/30/08)				
COUNCILMAN BUCKLEY offered the following Resolution which was seconded by				
COUNCILMAN WOOTEN				
FUND NAME			CHECKRUN TOTALS	GRAND TOTALS
GENERAL FUND	1		1,065,124.38	1,065,124.38
RECREATION PROGRAM FUND	6		4,321.11	4,321.11
TOWN BOARD SPECIAL PROGRAM FUN	24		174.74	174.74
ECONOMIC DEVELOPMENT ZONE FUND	30		3,927.70	3,927.70
HIGHWAY FUND	111		109,739.48	109,739.48
WATER DISTRICT	112		63,696.53	63,696.53
RIVERHEAD SEWER DISTRICT	114		43,694.00	43,694.00
REFUSE & GARBAGE COLLECTION DI	115		8,390.66	8,390.66
STREET LIGHTING DISTRICT	116		11,222.33	11,222.33
PUBLIC PARKING DISTRICT	117		583.60	583.60
CALVERTON SEWER DISTRICT	124		746.85	746.85
RIVERHEAD SCAVANGER WASTE DIST	128		17,203.64	17,203.64
WORKERS' COMPENSATION FUND	173		6,637.37	6,637.37
CDBG CONSORTIUM ACOUNT	181		576.70	576.70
YOUTH SERVICES CAP PROJECT	452		5,480.32	5,480.32
SENIORS HELP SENIORS CAP PROJE	453		3,074.58	3,074.58
MUNICIPAL GARAGE FUND	626		14,727.54	14,727.54
TRUST & AGENCY	735		2,842,779.37	2,842,779.37
COMMUNITY PRESERVATION FUND	737		2,375.29	2,375.29
TOTAL ALL FUNDS			4,204,476.19	4,204,476.19

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

12/30//08

TOWN OF RIVERHEAD

Adopted

Resolution # 1158

AUTHORIZES SUPERVISOR TO EXECUTE AN EXTENSION AGREEMENT WITH THE RIVERHEAD VOLUNTEER AMBULANCE CORPS, INC.

COUNCILMAN BUCKLEY

offered the following resolution which was

seconded by **COUNCILMAN WOOTEN**.

WHEREAS, the Town of Riverhead Ambulance District has entered into agreements with the Riverhead Volunteer Ambulance Corps, Inc. to provide ambulance, emergency medical and related emergency services to the Town's Ambulance District; and

WHEREAS, the current agreement between the parties and all extensions thereto are soon to expire; and

WHEREAS, both parties wish to continue the contractual relationship whereby the Riverhead Volunteer Ambulance Corps, Inc. shall provide ambulance, emergency medical and related emergency services to the Town of Riverhead Ambulance District,

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes the Supervisor to execute an Agreement extending the Agreement for an additional forty five (45) days under the same terms and conditions set forth in the Agreement between the Town of Riverhead Ambulance District and the Riverhead Volunteer Ambulance Corps, Inc. entered into on January 1, 2004, or until such time as the Town of Riverhead Ambulance District and the Riverhead Volunteer Ambulance Corps, Inc. enter into a long term contract not to exceed five (5) years; and be it further

RESOLVED that, pursuant to the "Compensation" provision, Section III.C., of Agreement dated January 1, 2004, the Town of Riverhead Ambulance District shall make a "quarterly payment" on January 15, 2009 identical to the quarterly payments made under the Agreement dated January 1, 2004; and be it further

RESOLVED that the Town Clerk is hereby directed to forward a copy of this resolution to the Riverhead Volunteer Ambulance Corps, Inc., P.O. Box 924, Riverhead, New York 11901 and the Office of the Town Attorney.

WOOTEN YES NO BUCKLEY YES NO

DUNLEAVY YES NO BLASS YES NO

CARDINALE YES NO
THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

ADDENDUM TO AGREEMENT

Dated December ____, 2008

WHEREAS, The Town of Riverhead Ambulance District has entered into agreements with the Riverhead Volunteer Ambulance Corps, Inc. to provide ambulance, emergency medical and related emergency services to the Town's Ambulance District; and

WHEREAS, the current Agreement between the parties and all extensions thereto are soon to expire;

WITNESSETH

THAT the parties herein agree to extend said Agreement for an additional forty-five (45) days under the same terms and conditions set forth in the Agreement between the Town of Riverhead Ambulance District and the Riverhead Volunteer Ambulance Corps, Inc. entered into on January 1, 2004 or until such time as the Town of Riverhead Ambulance District and the Riverhead Volunteer Ambulance Corps, Inc. enter into a long term contract not to exceed five (5) years; and

THAT, pursuant to the "Compensation" provision, Section III.C., of Agreement dated January 1, 2004, the Town of Riverhead Ambulance District shall make a "quarterly payment" on January 15, 2009 identical to the quarterly payments made under the Agreement dated January 1, 2004.

IN WITNESS WHEREOF, the parties to this lease have hereto set their hands and seals this _____ day of December, 2008.

TOWN OF RIVERHEAD AMBULANCE DISTRICT

By: _____
PHILIP J. CARDINALE, SUPERVISOR

RIVERHEAD VOLUNTEER AMBULANCE CORPS, INC.

By: _____
KEITH F. LEWIN, PRESIDENT

Adopted

*ADOPTED ON 12/30/08 at Town Board Meeting
*VOTE TO UNTABLE (Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes.
*VOTE TO ADOPT (Wooten, yes; Buckley, yes; Dunleavy, yes; Cardinale, yes.)

12/16/08

Tabled

TOWN OF RIVERHEAD

Resolution # 1132

**ADOPTS A LOCAL LAW AMENDING CHAPTER 110 ENTITLED
"STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL",
SECTION 110-12 OF THE RIVERHEAD TOWN CODE**

COUNCILMAN WOOTEN

_____ offered the following resolution, was seconded by

COUNCILMAN DUNLEAVY :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 110 entitled "Stormwater Management and Erosion and Sediment Control" §110-12 entitled "Fees for services" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 2nd day of December, 2008 at 2:30 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 a local law amending Chapter 110 entitled "Stormwater Management and Erosion and Sediment Control" §110-12 of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to the Planning Department; Building Department, Engineering Department, Office of the Town Attorney and Accounting Department.

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

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law amending Chapter 110 entitled "Stormwater Management and Erosion and Sediment Control" §110-12 of the Riverhead Town Code at its regular meeting held on December 16, 2008. **Be it enacted** by the Town Board of the Town of Riverhead as follows:

**Chapter 110
Stormwater Management and
Erosion and Sediment Control**

§110-12. Fees for services.

The Town may require any person undertaking land development or redevelopment activities regulated by this chapter to pay reasonable costs at prevailing rates for review of SWPPPs, inspections, or SMP maintenance performed by the Town or performed by a third party at the direction of the Town.

The following fees shall be required in connection with the submission of a stormwater pollution prevention plan (SWPPP):

- A. Review Fees Deposit.
1. SWPPP for final subdivision approval: \$200.00 basic fee; plus \$100.00 per acre or part thereof;
 2. SWPPP for site plan approval: \$200.00 basic fee; plus \$100.00 per acre or part thereof;
 3. SWPPP for final subdivision as built: \$200.00 basic fee; plus \$100.00 per acre or part thereof;
 4. SWPPP for site plan as built: \$200.00 basic fee; plus \$100.00 per acre or part thereof;
- B. Inspection Fees Deposit. SWPPP subdivision and site plan inspection fees to be paid upon approval of final subdivision or site plan shall be 2% of the total estimated cost of all improvements, including all temporary and permanent stormwater erosion control measures. The total estimated cost of all improvements, including all temporary and permanent stormwater erosion control measures shall be determined by Riverhead Town personnel or Town consultants.

C. Escrow Accounts.

1. An escrow account entitled "Engineering Department: Stormwater Pollution Prevention Plan Review and Inspection" shall be established within the Department of Finance regarding the applications addressed in subsection 110-12 (A) and (B) above. The applicant(s) shall fund said escrow account.
2. Withdrawals from said escrow account may be made from time to time to reimburse the Town for the cost of its Town personnel including but not limited to legal consultation, review and consideration, and/or consultant's professional review and inspection services actually incurred at prevailing rates of pay for such Town personnel or consultant's services. Whenever the balance in such escrow account is reduced to ¼ of its initial amount, the Town shall so notify the applicant; thereafter, the applicant shall deposit additional funds into such account so as to restore its balance to ½ of the initial deposit. If such account is not replenished for such additional deposit, the reviewing and/or inspecting party may suspend the review of the application or inspection of the construction until such time that the above-stated conditions are met.
3. After all pertinent review and inspection fees with respect to the particular application for which the account was established have been paid, the Town shall refund to the applicant the balance of any funds then remaining on deposit in the escrow account without interest as established by this section.

- Underline represents addition(s)

Dated: Riverhead, New York
December 16, 2008

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

DIANE M. WILHELM, Town Clerk