

August 4, 2009

The Town Clerks Office is responsible for assigning the Councilpersons' names to each resolution without any particular preference to content.

PUBLIC COMMENT ON ANY TOWN BOARD RESOLUTION

- Res. #741 Bond Resolution Subject to Permissive Referendum, Authorizing the Reconstruction of and Improvements to the North Spillway in Grangebel Park Located Along the Peconic River in the Town of Riverhead, Suffolk County, New York, at a Maximum Estimated Cost of \$115,000, and Authorizing the Issuance of \$115,000 Bonds of Said Town to Pay the Cost Thereof.**
- Res. #742 Bond Resolution Subject to Permissive Referendum, Authorizing the Reconstruction of Oakleigh Avenue, in and for the Town of Riverhead, Suffolk County, New York, at a Maximum Estimated Cost of \$400, 000, and Authorizing the Issuance of \$400,000 Bonds of Said Town to Pay the Cost Thereof.**
- Res. #743 Bond Resolution Subject to Permissive Referendum, Authorizing the Acquisition of Land for Condemnation, in and for the Town of Riverhead, Suffolk County, New York, at a Maximum Estimated Cost of \$1,500,000, and Authorizing the Issuance of \$1,500,000 Bonds of Said Town to Pay the Cost Thereof.**
- Res. #744 2009 Playground Capital Improvement Project Budget Adoption**
- Res. #745 Recreation Department Budget Adjustment**
- Res. #746 2009 Fire Prevention Grant budget Adoption**
- Res. #747 Ratifies the Appointment of Water Safety Instructors**
- Res. #748 Appoints a Groundkeeper I to the Building and Grounds Division of the Engineering Department (Ezra Fife)**
- Res. #749 Appoints a Maintenance Mechanic II to the Sewer District (Robert Smith)**

- Res. #750 Appoints Member to the Anti-Litter Advisory Committee (Helene T. Schemitz)**
- Res. #751 Ratifies the Appointment of a Recreation Specialist Level I to the Recreation Department (Steven Sanders)**
- Res. #752 Authorizes Attendance of Assessor at Seminar**
- Res. #753 Appoints a Call-In Chaperone to the Recreation Department (Kathleen Pantaleo)**
- Res. #754 Ratifies the Appointment of a Recreation Specialist (Spanish) to the Riverhead Recreation Department (Leslie Miller)**
- Res. #755 Appoints a Call-In Beach Attendant to the Riverhead Recreation Department (John Fallot)**
- Res. #756 Appoints a Maintenance Mechanic II to the Building and Grounds Division of the Engineering Department (Gregory Polak)**
- Res. #757 Appoints Part-Time Kennel Attendants (Lori Walters, Judith Cajigas)**
- Res. #758 Ratifies the Appointment of a Seasonal Recreation Adie to the Riverhead Teen Center (Blaze Yeager)**
- Res. #759 Authorizes the Supervisor to Issue a Letter to the Suffolk County Department of Health Services Allowing the Use of a Pine Barrens Credit on Commercial Property Located in Riverhead**
- Res. #760 Authorizes Supervisor to Execute Change Order No. 1 Calverton Sewer District Extension No. 1 Gravity Sewers and Force Mains Calverton Sewer District**
- Res. #761 Authorizes the Supervisor to Execute Agreement with CGI Communications, Inc.**
- Res. #762 Authorizes the Release of a Cash security of Amato & Associates, P.C. on Behalf of Verizon Wireless**

- Res. #763 Amends Resolution #673 of 2009 Approves Extension of Security Posted by Harrison Estates at Aquebogue LLC in Connection with the Subdivision Entitled “Harrison Estates” (Road and Drainage Improvements)**
- Res. #764 Authorizes the Supervisor to Execute a Second Amendment of the Sub-License Agreement with the Long Island Railroad Company and Open Arms Care Center, Inc.**
- Res. #765 Authorizes the Town Clerk to Advertise for Bids on a John Deere Model 5525 Tractor with a Cheetah 17.5’ Flail Boom Mower or Approved Equal**
- Res. #766 Authorizes Town Clerk to Publish & Post Notice to Bidders for Water Meters & Accessory Equipment for Use by the Riverhead Water District**
- Res. #767 Authorizes the Supervisor to Execute Agreement Extending Bid Award Contract**
- Res. #768 Authorizes Town Clerk to Publish and Post a Notice to Bidders for West Main Street Comfort Station Renovation Project**
- Res. #769 Authorizes the Town Clerk to Advertise for Bids on Drainage Rings and Associated Items**
- Res. #770 Awards Bid for Quick Lube Maintenance for Use by the Riverhead Water District**
- Res. #771 Authorizes Town Clerk to Publish and Post a Notice of Public Hearing to Consider a Proposed Local Law for an Amendment of Chapter 101 Entitled, “Vehicles & Traffic” of the Riverhead Town Code (§101-10 Parking Prohibited)**
- Res. #772 Extends Special Use Permit of Larry’s Lighthouse Marina (DeMarco Galasso, Inc.)**
- Res. #773 Accepts Donations of Flowers, Shrubs and/or Trees for Placement Around Traffic Circles Within the Town of Riverhead**
- Res. #774 Authorizes the Supervisor to Execute UPS Drop Box Agreement**

Res. #775 Resolution and Consent Approving the Dedication of Highways Known as Hidden Acres Path, Saint Andrews Path, Indianwood Court, Merion Circle and Oakmont Court (Birchwood at Wading River – Section 2)

Res. #776 Approves Chapter 90 Application of Riverhead Bay Motors

Res. #777 Pays Bills

Adopted

160587689.01

TOWN OF RIVERHEAD
RESOLUTION # 741

43219-2-__

BOND RESOLUTION
(SUBJECT TO PERMISSIVE REFERENDUM)

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, on the 4th day of August, 2009, at 2:00 o'clock P.M., Prevailing Time.

The meeting was called to order by _____, and upon roll being called, the following were:

PRESENT:

ABSENT:

The following resolution was offered by COUNCILMAN DUNLEAVY, who moved its adoption, seconded by COUNCILMAN WOOTEN, to-wit:

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

BOND RESOLUTION DATED AUGUST 4, 2009.

A RESOLUTION, SUBJECT TO PERMISSIVE REFERENDUM, AUTHORIZING THE RECONSTRUCTION OF AND IMPROVEMENTS TO THE NORTH SPILLWAY IN GRANGEBEL PARK LOCATED ALONG THE PECONIC RIVER IN THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$115,000, AND AUTHORIZING THE ISSUANCE OF \$115,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act as a Type II Action, have been performed; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE,

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

Section 1. The reconstruction of and improvements to the north spillway in Grangebel Park in the Town of Riverhead, Suffolk County, New York, including incidental improvements and expenses in connection therewith, is hereby authorized, at a maximum estimated cost of \$115,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$115,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 19(c) of paragraph a

of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized **will exceed five years.**

Section 4. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such

recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

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

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the *News Review*, which is hereby designated as the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

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

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * * * *

CERTIFICATION FORM

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

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

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

PUBLICATION (here insert newspaper(s) and date(s) of publication)

POSTING (here insert place(s) and date(s) of posting)

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

Town Clerk

(CORPORATE SEAL)

NOTICE OF ADOPTION OF RESOLUTION

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, at a meeting held on the 4th day of August, 2009, duly adopted the resolution published herewith **subject to a permissive referendum.**

Dated: Riverhead, New York,
August 4, 2009.

Diane M. Wilhelm
Town Clerk

Resolution # _____

BOND RESOLUTION DATED AUGUST 4, 2009.

A RESOLUTION, SUBJECT TO PERMISSIVE REFERENDUM, AUTHORIZING THE RECONSTRUCTION OF AND IMPROVEMENTS TO THE NORTH SPILLWAY IN GRANGEBEL PARK LOCATED ALONG THE PECONIC RIVER IN THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$115,000, AND AUTHORIZING THE ISSUANCE OF \$115,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act as a Type II Action, have been performed; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE,

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

Section 1. The reconstruction of and improvements to the north spillway in Grangebél Park in the Town of Riverhead, Suffolk County, New York, including incidental improvements and expenses in connection therewith, is hereby authorized, at a maximum estimated cost of \$115,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$115,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized **will exceed five years.**

Section 4. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and

shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

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

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

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the *News Review*, which is hereby designated as the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

160585950.01

43219-2-45

TOWN OF RIVERHEAD
RESOLUTION # 742

Adopted

BOND RESOLUTION
(SUBJECT TO PERMISSIVE REFERENDUM)

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, on the 4th day of August, 2009, at 2:00 o'clock P.M., Prevailing Time.

The meeting was called to order by _____, and upon roll being called, the following were:

PRESENT:

ABSENT:

The following resolution was offered by COUNCILMAN WOOTEN, who moved its adoption, seconded by COUNCILMAN DUNLEAVY, to-wit:

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

BOND RESOLUTION DATED AUGUST 4, 2009.

A RESOLUTION, SUBJECT TO PERMISSIVE REFERENDUM, AUTHORIZING THE RECONSTRUCTION OF OAKLEIGH AVENUE, IN AND FOR THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$400,000, AND AUTHORIZING THE ISSUANCE OF \$400,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act as a Type II Action, have been performed; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE,

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

Section 1. The drainage, reconstruction and resurfacing of Oakleigh Avenue in Baiting Hollow, in and for the Town of Riverhead, Suffolk County, New York, including incidental improvements and expenses in connection therewith, is hereby authorized, at a maximum estimated cost of \$400,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$400,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 20(c) of paragraph a

of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized **will exceed five years.**

Section 4. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such

recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

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

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the *News Review*, which is hereby designated as the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

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

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * * * *

CERTIFICATION FORM

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

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

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

PUBLICATION (here insert newspaper(s) and date(s) of publication)

POSTING (here insert place(s) and date(s) of posting)

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

Town Clerk

(CORPORATE SEAL)

NOTICE OF ADOPTION OF RESOLUTION

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, at a meeting held on the 4th day of August, 2009, duly adopted the resolution published herewith **subject to a permissive referendum.**

Dated: Riverhead, New York,
August 4, 2009.

Diane M. Wilhelm
Town Clerk

Resolution # _____

BOND RESOLUTION DATED AUGUST 4, 2009.

A RESOLUTION, SUBJECT TO PERMISSIVE REFERENDUM, AUTHORIZING THE RECONSTRUCTION OF OAKLEIGH AVENUE, IN AND FOR THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$400,000, AND AUTHORIZING THE ISSUANCE OF \$400,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act as a Type II Action, have been performed; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE,

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

Section 1. The drainage, reconstruction and resurfacing of Oakleigh Avenue in Baiting Hollow, in and for the Town of Riverhead, Suffolk County, New York, including incidental improvements and expenses in connection therewith, is hereby authorized, at a maximum estimated cost of \$400,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$400,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized **will exceed five years.**

Section 4. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and

shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

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

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

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the *News Review*, which is hereby designated as the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

CERTIFICATION OF POSTING

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

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

That on the 4th day of August, 2009, I caused to be posted on the official signboard
maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of
Adoption of a bond resolution adopted by the Town Board of said Town on the 4th day of
August, 2009.

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

 Diane M. Wilhelm
Town Clerk

Sworn to before me this _____ day of
August, 2009.

Notary Public

Adopted

160561658.01

43219-2-44

TOWN OF RIVERHEAD
RESOLUTION # 743

BOND RESOLUTION
(SUBJECT TO PERMISSIVE REFERENDUM)

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, in Riverhead, New York, on the 4th day of August, 2009, at 2:00 o'clock P.M., Prevailing Time.

The meeting was called to order by _____, and upon roll being called, the following were:

PRESENT:

ABSENT:

The following resolution was offered by COUNCILMAN DUNLEAVY, who moved its adoption, seconded by COUNCILMAN WOOTEN, to-wit:

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

BOND RESOLUTION DATED AUGUST 4, 2009.

A RESOLUTION, SUBJECT TO PERMISSIVE REFERENDUM, AUTHORIZING THE ACQUISITION OF LAND FOR CONDEMNATION, IN AND FOR THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,500,000, AND AUTHORIZING THE ISSUANCE OF \$1,500,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act as an Unlisted Action, which has been determined to have no significant effect on the environment, have been performed; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE,

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

Section 1. The acquisition of a parcel of land for condemnation, located at 1418 Pulaski Street, in and for the Town of Riverhead, Suffolk County, New York, including incidental improvements and expenses in connection therewith, is hereby authorized, at a maximum estimated cost of \$1,500,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$1,500,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

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

Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized **will exceed five years.**

Section 4. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such

recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

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

Section 9. Upon this resolution taking effect, the same shall be published in full or summary form in the *News Review*, which is hereby designated as the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

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

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * * * *

CERTIFICATION FORM

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

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

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

PUBLICATION (here insert newspaper(s) and date(s) of publication)

POSTING (here insert place(s) and date(s) of posting)

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

Town Clerk

(CORPORATE SEAL)

NOTICE OF ADOPTION OF RESOLUTION

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Riverhead, Suffolk County, New York, at a meeting held on the 4th day of August, 2009, duly adopted the resolution published herewith **subject to a permissive referendum.**

Dated: Riverhead, New York,
August 4, 2009.

Diane M. Wilhelm
Town Clerk

Resolution # _____

BOND RESOLUTION DATED AUGUST 4, 2009.

A RESOLUTION, SUBJECT TO PERMISSIVE REFERENDUM, AUTHORIZING THE ACQUISITION OF LAND FOR CONDEMNATION, IN AND FOR THE TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$1,500,000, AND AUTHORIZING THE ISSUANCE OF \$1,500,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act as an Unlisted Action, which has been determined to have no significant effect on the environment, have been performed; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE,

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

Section 1. The acquisition of a parcel of land for condemnation and restructure, located at 1418 Pulaski Street, in and for the Town of Riverhead, Suffolk County, New York, including incidental improvements and expenses in connection therewith, is hereby authorized, at a maximum estimated cost of \$1,500,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$1,500,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized **will exceed five years.**

Section 4. The faith and credit of said Town of Riverhead, Suffolk County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and

shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

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

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

Section 9. Upon this resolution taking effect, the same shall be published in full or summary form in the *News Review*, which is hereby designated as the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

CERTIFICATION OF POSTING

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

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

That on the 4th day of August, 2009, I caused to be posted on the official signboard
maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of
Adoption of a bond resolution adopted by the Town Board of said Town on the _____ day of ,
2009.

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

Diane M. Wilhelm
Town Clerk

Sworn to before me this _____ day of ,
2009.

Notary Public

August 4, 2009

Adopted

TOWN OF RIVERHEAD

2009 PLAYGROUND
CAPITAL IMPROVEMENT PROJECT

BUDGET ADOPTION

RESOLUTION # 744

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

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

		<u>FROM</u>	<u>TO</u>
406.095031.481900.70901	Special Trust Transfers	195,000	
406.071100.523011.70901	Playground Equipment—PO Memorial Park		75,000
406.071800.523015.70901	Playground Equipment @ Iron Pier		60,000
406.071400.523011.70901	Playground Equipment @ Millbrook Gables		60,000

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No *absent*

Cardinale Yes No

August 4, 2009

Adopted

TOWN OF RIVERHEAD

RECREATION DEPARTMENT

BUDGET ADJUSTMENT

RESOLUTION # 745

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

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

		<u>FROM</u>	<u>TO</u>
006.076201.543900	Miscellaneous Consultants	2,500	
006.076250.524000	Softball League Equipment	2,500	
006.072089.421043	Bus Trip Fees	10,000	
006.073100.543405	Summer Travel Expense		15,000

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No *absent*

Cardinale Yes No

Adopted

August 4, 2009

TOWN OF RIVERHEAD

2009 FIRE PREVENTION GRANT

BUDGET ADOPTION

RESOLUTION # 746

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

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

		<u>FROM</u>	<u>TO</u>
099.034100.491704.44005	Fire Prevention Grant	867.00	
099.034100.524000.44005	Equipment		867.00

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No *absent*

Cardinale Yes No

✓

Adopted

8/4/09

TOWN OF RIVERHEAD

Resolution # 747

RATIFIES THE APPOINTMENT OF
WATER SAFETY INSTRUCTORS
TO THE
RECREATION DEPARTMENT

COUNCILMAN DUNLEAVY

_____ offered the following resolution,

which was seconded by COUNCILMAN WOOTEN

RESOLVED, that the Town Board appoints the attached list of Water Safety Instructors to the Recreation Department effective June 29, 2009 to and including September 7, 2009 and to serve as needed on an at will basis and to serve at the pleasure of the Town Board.

BE IT FURTHER, RESOLVED, that these positions are subject to the following conditions:

1. All applications and appropriate forms are to be completed (in the Office of Accounting) **PRIOR** to start
2. Subject to Suffolk County Lifeguard Certifications.
3. Current CPR/ AED Certifications

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

WOOTEN yes no

DUNLEAVY yes no

BLASS yes no absent

CARDINALE yes no

THIS RESOLUTION is _____ is not
DECLARED DULY ADOPTED

¹ Rec. Colleen: Res Blanket WSI's

**RECREATION DEPARTMENT APPOINTMENTS
8/4/09 TOWN BOARD MEETING**

<u>Last</u>	<u>First</u>	<u>Title</u>	<u>Start Date</u>	<u>End Date</u>	<u>Salary</u>
Hegermiller	Anna	WSI Level III	6/29/09	9/7/09	\$12.75
Opatovsky	Kendra	WSI Level III	6/29/09	9/7/09	\$12.75
Sullivan	Kara	WSI Level II	6/29/09	9/7/09	\$12.40

August 4, 2009

TOWN OF RIVERHEAD

Resolution # 748

**APPOINTS A GROUNDSKEEPER I
TO THE BUILDING AND GROUNDS DIVISION OF THE ENGINEERING
DEPARTMENT**

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

WHEREAS, a vacancy exists for the position of Groundskeeper I in the Building and Grounds Division of the Engineering Department, and

WHEREAS, the job was duly posted for, job posting #11, the position was duly advertised for, interviews were conducted, and

WHEREAS, pending the results of a successful background check, a recommendation of a suitable candidate has been made by the Town Engineer and the Personnel Officer.

NOW, THEREFORE, BE IT RESOLVED, that effective August 10, 2009, this Town Board hereby appoints Ezra Fife to the position of Groundskeeper I in the Building and Grounds Division of the Engineering Department as found in Group 3, Step P of the Operational and Technical Salary Schedule, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Ezra Fife, the Engineering Department, the Personnel Officer and the Accounting Department.

The Vote

WOOTEN yes no

DUNLEAVY yes no

BLASS yes no *absent*

CARDINALE yes no

THE RESOLUTION WAS WAS NOT

THEREFORE DULY ADOPTED

Adopted

August 4, 2009

TOWN OF RIVERHEAD

Resolution # 749

APPOINTS A MAINTENANCE MECHANIC II TO THE SEWER DISTRICT

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

WHEREAS, a vacancy exists for the position of Maintenance Mechanic II in the Sewer District, and

WHEREAS, the job was duly posted for, job posting #10, the position was duly advertised for, interviews were conducted, and

WHEREAS, pending the results of a successful background check, a recommendation of a suitable candidate has been made by the Sewer District Superintendent and the Personnel Officer.

NOW, THEREFORE, BE IT RESOLVED, that effective August 10, 2009, this Town Board hereby appoints Robert Smith to the position of Maintenance Mechanic II in the Sewer District as found in Group 7, Step P of the Operational and Technical Salary Schedule, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Robert Smith, the Sewer District Superintendent, the Personnel Officer and the Accounting Department.

The Vote

Wooten yes no
Dunleavy yes no
Blass yes no absent
Cardinale yes no
The Resolution was was not

THEREFORE DULY ADOPTED

Adopted

8/04/09

Town of Riverhead

Appoints Member to the Anti-Litter Advisory Committee

RESOLUTION # 750

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

WHEREAS, pursuant to Advisory Committee guidelines adopted by the Riverhead Town Board, one vacancy exists on the Anti-Litter Advisory Committee; and

WHEREAS, it is desirable for each Advisory Committee to have adequate representation; and

WHEREAS, Helene T. Schemitz has expressed interest in serving as a volunteer on the Anti-Litter Advisory Committee;

NOW, THEREFORE, BE IT RESOLVED, that the Riverhead Town Board hereby appoints Helen T. Schemitz to the Anti-Litter Advisory Committee for a two-year term., and

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to the members of the Anti-Litter Advisory Committee and Helene Schemitz.

THE VOTE

Dunleavy Yes No Wooten Yes No

Blass Yes No *absent*

Cardinale Yes No

✓

8/4/09

Adopted

TOWN OF RIVERHEAD

Resolution # 751

**RATIFIES THE APPOINTMENT OF A
RECREATION SPECIALIST LEVEL I TO THE
RECREATION DEPARTMENT**

COUNCILMAN DUNLEAVY offered the following resolution,

which was seconded by COUNCILMAN WOOTEN

RESOLVED, that Steven Sanders is hereby appointed as a Recreation Specialist Level I to the Recreation Department effective August 3rd, 2009 to serve as needed on an at will basis and to be paid at the rate of \$20.00 an hour and to serve at the pleasure of the Town Board.

BE IT FURTHER, RESOLVED, that these positions are subject to the following conditions:

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

BE IT FURTHER RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.¹

WOOTEN yes no

DUNLEAVY yes no

BLASS yes no *absent*

CARDINALE yes no

**THIS RESOLUTION is is not
DECLARED DULY ADOPTED**

¹ Rec. Jim: Res Steven Sanders -09

8/04/09

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 752

AUTHORIZES ATTENDANCE OF ASSESSORS AT SEMINAR

COUNCILMAN WOOTEN Offered the following resolution which was seconded by COUNCILMAN DUNLEAVY

WHEREAS, on September 26-30, 2009, a New York State Assessors' Association Executive/Trustees' Board meeting and the Annual Meeting and Seminar on Assessment Administration are being held in Saratoga, New York, and

WHEREAS, 1 member of the Board of Assessors is required to attend said Board meeting and 2 members have expressed an interest and desire in attending said seminar.

NOW, THEREFORE, BE IT RESOLVED, that the assessors are hereby authorized to attend said seminar, and

BE IT FURTHER RESOLVED, that the use of a Town vehicle is hereby authorized, and

BE IT FURTHER RESOLVED, that the assessors shall be reimbursed for costs of registration, deposit, travel, lodging and meals, not to exceed a total of \$2,000.00, and

BE IT FURTHER RESOLVED, that said expenses are to be fully receipted upon return, and

BE IT FURTHER RESOLVED, that expenses incurred for tuition, travel, lodging and meals are subject to reimbursement by the State of New York to the Town of Riverhead upon completion of said seminar, and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Assessor's Office and the Accounting Department, and

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

WOOTEN yes no

DUNLEAVY yes no

BLASS yes no absent

CARDINALE yes no

THIS RESOLUTION is is not DECLARED DULY ADOPTED

8/04/09

TOWN OF RIVERHEAD

Resolution # 753

APPOINTS
A CALL-IN CHAPERONE TO THE
RECREATION DEPARTMENT

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

RESOLVED, that the Town Board appoints Kathleen Pantaleo to the Recreation Department as a Call-In Chaperone, Level 1, to be paid at the rate of \$8.50, effective August 8, 2009, and to serve as needed on an at will basis and to serve at the pleasure of the Town Board.

BE IT FURTHER, RESOLVED, that these positions are subject to the following conditions:

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

BE IT FURTHER RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the E-Cabinet and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.¹

WOOTEN yes no
DUNLEAVY yes no BLASS yes no *absent*
CARDINALE yes no
THIS RESOLUTION is is not
DECLARED DULY ADOPTED

¹ Rec.Colleen/Res.chaperone.Pantaleo

8/4/09

TOWN OF RIVERHEAD

Resolution # 754

RATIFIES THE APPOINTMENT OF A RECREATION SPECIALIST(SPANISH) TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN WOOTEN

offered the following resolution,

COUNCILMAN DUNLEAVY

which was seconded by _____

RESOLVED, that Leslie Miller is hereby appointed to serve as a Recreation Specialist (Spanish) Level 1 effective July 7, 2009 to serve as needed on an at-will basis and to be paid at the rate of \$20.00 per hour, and to serve at the pleasure of the Town Board; and

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

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

BE IT FURTHER, RESOLVED, that 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.

1

WOOTEN yes no

DUNLEAVY yes no

BLASS yes no *absent*

CARDINALE yes no

THIS RESOLUTION is is not
DECLARED DULY ADOPTED

¹ Rec.Colleen/Resolution Leslie Miller-Spanish

8/4/09

TOWN OF RIVERHEAD

Resolution # 755

APPOINTS A CALL-IN BEACH ATTENDANT TO THE RIVERHEAD RECREATION DEPARTMENT

COUNCILMAN DUNLEAVY

_____ offered the following Resolution,
which was seconded by _____ COUNCILMAN WOOTEN

RESOLVED, that John Fallot is hereby appointed as a Call-In Beach Attendant Level I effective, August 4, 2009 to serve as needed on an at will basis to be paid at the rate of \$8.70 per hour, and to serve at the pleasure of the Town Board; and

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

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

BE IT FURTHER, RESOLVED, that 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 Clerk¹

WOOTEN yes no
DUNLEAVY yes no BLASS yes no *absent*
CARDINALE yes no
THIS RESOLUTION is is not
DECLARED DULY ADOPTED

¹ Rec Kelly: Resolution Beach Attend John Fallot

Adopted

August 4, 2009

TOWN OF RIVERHEAD

Resolution # 756

APPOINTS A MAINTENANCE MECHANIC II
TO THE BUILDING AND GROUNDS DIVISION OF THE ENGINEERING
DEPARTMENT

COUNCILMAN WOOTEN

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

WHEREAS, a vacancy exists for the position of Maintenance Mechanic II in the Building and Grounds Division of the Engineering Department, and

WHEREAS, the job was duly posted for, job posting #10, the position was duly advertised for, interviews were conducted, and

WHEREAS, pending the results of a successful background check, a recommendation of a suitable candidate has been made by the Town Engineer and the Personnel Officer.

NOW, THEREFORE, BE IT RESOLVED, that effective August 10, 2009, this Town Board hereby appoints Gregory Polak to the position of Maintenance Mechanic II in the Building and Grounds Division of the Engineering Department as found in Group 7, Step P of the Operational and Technical Salary Schedule, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Gregory Polak, the Engineering Department, the Personnel Officer and the Accounting Department.

The Vote

WOOTEN yes no
DUNLEAVY yes no BLASS ~~yes~~ ~~no~~ absent
CARDINALE yes no
THE RESOLUTION WAS WAS NOT

THEREFORE DULY ADOPTED

August 4, 2009

TOWN OF RIVERHEAD

Resolution # 757

APPOINTS PART-TIME KENNEL ATTENDANTS

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

WHEREAS, vacancies exist for the positions of part-time Kennel Attendants at the Riverhead Town Animal Shelter; and

WHEREAS, the jobs were duly posted for, job posting #8, the positions were duly advertised for, interviews were conducted; and

WHEREAS, pending the results of successful background checks, a recommendation of suitable candidates has been made by the Chief of Police and the Personnel Officer.

NOW, THEREFORE, BE IT RESOLVED, that effective August 5, 2009, this Town Board hereby appoints Lori Walters and Judith Cajigas to the positions of part-time Kennel Attendants at the Riverhead Town Animal Shelter at the hourly rate of \$9.00; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Lori Walters, Judith Cajigas, the Chief of Police, the Personnel Officer and the Accounting Department.

The Vote

Wooten yes no
Dunleavy yes no
Blass yes no absent
Cardinale yes no
The Resolution was was not

THEREFORE DULY ADOPTED

Adopted

August 4, 2009

TOWN OF RIVERHEAD

Resolution # 758

RATIFIES THE APPOINTMENT OF A SEASONAL RECREATION AIDE TO THE RIVERHEAD TEEN CENTER

COUNCILMAN WOOTEN

offered the following

resolution, which was seconded by COUNCILMAN DUNLEAVY

RESOLVED, this Town Board hereby ratifies the appointment of Blaze Yeager to serve as a seasonal Recreation Aide at the Riverhead Town Teen Center effective July 23, 2009 through August 31, 2009, to serve as needed on an at will basis, and to be paid the rate of \$8.75 per hour, and to serve at the pleasure of the Town Board; and

BE IT FURTHER, RESOLVED, that these positions are subject to the following condition(s):

All applications and appropriate forms are to be completed (in the office of Personnel) PRIOR to start date.

BE IT FURTHER, RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Blaze Yeager, the Recreation Department, the Accounting Office and the Personnel Officer.

THE VOTE

WOOTEN ✓ yes ___ no

DUNLEAVY ✓ yes ___ no

BLASS ___ yes ___ no absent

CARDINALE ✓ yes ___ no

THIS RESOLUTION ✓ is ___ is not

DECLARED DULY ADOPTED

Adopted

8/4/09

TOWN OF RIVERHEAD

Resolution # 759

**AUTHORIZES THE SUPERVISOR TO ISSUE A LETTER TO THE
SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES ALLOWING THE USE
OF A PINE BARRENS CREDIT ON COMMERCIAL PROPERTY LOCATED IN
RIVERHEAD**

COUNCILMAN DUNLEAVY

offered the following resolution, was seconded by

COUNCILMAN WOOTEN

:

WHEREAS, Pine Barrens credits issued by the Central Pine Barrens Joint Planning and Policy Commission from properties within the Towns of Brookhaven, Riverhead and Southampton may be used interchangeably within the Towns provided that both Towns authorize said use; and

WHEREAS, Charles R. Cuddy, Esq., on behalf of his client, North Fork Liquor Store (SCTM #0600-68-4-6), wishes to increase the available sanitary density for said premises using a Pine Barrens credit originating from property located in the Town of Southampton; and

WHEREAS, the Town of Southampton has authorized said transfer.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to issue a letter to the Suffolk County Department of Health Services approving the use of said Southampton Pine Barrens credit on premises located in Jamesport, New York, further described as Suffolk County Tax Map #0600-68-4-60; and be it further

RESOLVED, that the Supervisor is hereby authorized to execute the attached letter; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Charles R. Cuddy, Esq., 445 Griffing Avenue, Riverhead, New York, 11901; and be it further

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

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No *absent*

Cardinale Yes No

The Resolution Was Was Not
Therefore Duly Adopted



TOWN OF RIVERHEAD

Phil Cardinale, Town Supervisor

Town Hall, 200 Howell Avenue, Riverhead, NY 11901
Tel: (631) 727-3200 / fax 631-727-6712

August 5, 2009

Vito Minei, P.E.
Director of Environmental Quality
Suffolk County Department of
Health Services\360 Yaphank Avenue, Suite 2B
Yaphank, NY 11980

Re: North Fork Liquor Store, Inc.
1527 Main Road, Jamesport, NY
Suffolk County Tax Map #0600-68-4-60

Dear Mr. Minei:

This shall confirm that the Town Board of the Town of Riverhead consents to the use of 0.16 Town of Southampton Pine Barrens Credits to enhance the available sanitary density on property known as North Fork Liquors and bearing Suffolk County Tax Map No. 0600-068.00-04.00-060.000, of which North Fork Liquor Store, Inc. is the certificate holder.

Kindly contact this office with any questions you may have.

Very truly yours,

Philip J. Cardinale
Supervisor

8/4/09

Adopted

AUTHORIZES SUPERVISOR TO EXECUTE
CHANGE ORDER NO. 1
CALVERTON SEWER DISTRICT EXTENSION NO. 1
GRAVITY SEWERS AND FORCE MAINS
CALVERTON SEWER DISTRICT

RESOLUTION # 760
ADOPTED _____

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

WHEREAS, the Calverton Sewer District is in receipt of a change order with DF Stone Contracting, LTD. for contract known as Calverton Sewer District Extension No. 1, Gravity Sewers and Force Mains with reasons for the change order described in the attached Change Order No. 1 and final payment summary; and

WHEREAS, said Change Order No. 1 will result in a net credit of \$2,341.45 to the contract amount.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and is hereby authorized to execute the attached Change Order No. 1 of the Calverton Sewer District for the project known as the Calverton Sewer District Extension No. 1, Gravity Sewers and Force Mains, and be it further

RESOLVED, that the Town Clerk shall forward copies of this resolution to the Calverton Sewer District, Accounting Department, Frank A. Isler, Esq., Frank Russo, P.E. of H2M Group and Bill Thomas, Vice President, DF Stone Contracting, LTD. 1230 Station Road, Medford, NY 11763.

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 *absent*
Cardinale yes ~~no~~
THE RESOLUTION WAS ~~WAS NOT~~
THEREFORE DULY ADOPTED



Engineers | Architects | Scientists | Planners | Surveyors

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

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

July 20, 2009

Town of Riverhead
200 Howell Avenue
Riverhead, NY 11901-2596

Attention: Mr. Michael P. Reichel
Superintendent

**Re: Town of Riverhead / Calverton Sewer District
Calverton Sewer District Extension No. 1
Gravity Sewers and Force Mains
Final Payment Summary and Change Order No. 1
H2M File No.: CASD 05-04-S**

Dear Superintendent Reichel:

This letter provides a cost breakdown of the work performed for the Calverton Sewer District Extension No. 1 Project. Work under this contract includes installation of new gravity sewers and force mains within the former Grumman Facility.

The following is a summary for final payment to the Contractor:

Contract Amount:	\$297,940.50
Credit for Work not Performed:	(\$52,540.00)
Extra Work:	<u>+\$8,090.15</u>
Adjusted Contract Amount:	\$253,490.65
Total Amount Paid to Contractor to Date:	<u>(\$233,129.91)</u>
Final Payment Due:	\$20,360.74

Attached, please find three (3) signed copies of Change Order No. 1 describing all credits and claims under this contract. Should you have any questions regarding this change order, please contact me at the office at (631) 756-8000 Ext. 1029.

Very truly yours,

HOLZMACHER, McLENDON & MURRELL, P.C.

Frank Russo (ASP)

Frank M. Russo, P.E.
Vice President

FMR:ajp
encl.

cc: E. Byrne, P.E. (w/o encl.)
A. Paukovich, P.E. (w/o encl.)

X:\CASD (CALVERTON SEWER DISTRICT) - 10178\CASD0504 SEWER DISTRICT EXTENSION NO. 1 (A.K.A. BURMAN)\04_PHASE CONSTR\DF STONE\CONTRACT S ONLY\PAYMENT DOCS\LTR-OUT 200900720 CASD0504-S CO1 APPROVAL_00AJP EPB_FINAL.DOC | 1 |



CELEBRATING 75 YEARS





TOWN OF RIVERHEAD/CALVERTON SEWER DISTRICT
CALVERTON SEWER DISTRICT EXTENSION NO. 1
GRAVITY SEWERS AND FORCE MAINS
CONTRACT NO. CASD 0504-S

CHANGE ORDER NO. 1 OF 1 (FINAL) – MISCELLANEOUS WORK

PROJECT: Town of Riverhead / Calverton Sewer District
Calverton Sewer District Extension No. 1
Gravity Sewers and Force Mains
Contract No. CASD 0504-S

OWNER: Town of Riverhead
200 Howell Avenue
Riverhead, New York 11901
Contact: Superintendent Michael P. Reichel
(631) 727-3069

CONTRACTOR: DF Stone Contracting, LTD.
1230 Station Road
Medford, New York 11763
Contact: Bill Thomas, Vice President
(631) 924-2730

ENGINEER: Holzmacher, McLendon & Murrell, P.C.
575 Broad Hollow Road
Melville, New York 11747-5076
Contact: Mr. Frank M. Russo, P.E.
(631) 756-8000 (ext. 1433)

DESCRIPTION OF CHANGE ORDER:

This change order includes miscellaneous work items associated with the new grades that were established on David Court and the removal and reinstallation of Manhole No. 14A and a portion of the new sanitary sewer located on Burman Boulevard. The work items covered under this change order include the following items:

- (1) Two (2) sanitary manhole castings lowered on David Court.
- (2) Time and Material associated with the removal and reinstallation of Manhole No. 14A and a portion of the new sanitary sewer located on Burman Boulevard.
- (3) CREDIT: Agreed lump sum credit for the deletion of 200 feet of 8-inch diameter PVC DR-18 "Dry" Force Main on Jan Way.

REASONS FOR THESE MODIFICATIONS:

- (1) Sewer manhole castings lowered to match the new grade elevations that were established on David Court during construction.
- (2) Manhole and sanitary sewer main lowered to avoid conflict with existing utility bank and allow gravity flow from adjacent properties to trunk sewer.

TOWN OF RIVERHEAD/CALVERTON SEWER DISTRICT
 CALVERTON SEWER DISTRICT EXTENSION NO. 1
 GRAVITY SEWERS AND FORCE MAINS
 CONTRACT NO. CASD 0504-S

CHANGE ORDER NO. 1 OF 1 (FINAL) – MISCELLANEOUS WORK

- (3) CREDIT: Agreed credit was applied to lump sum item in order to avoid disrupting service to active taxiway during “dry” force main construction

NET CHANGE

The Contractor also agrees that in consideration of the stage of construction, no additional claims for extra compensation will be submitted. The total of this change order is a lump sum amount of \$2,341.45 credited to the final payment application.

TOTAL CREDIT TO CONTRACT AMOUNT:

Original Net Credit Amount:	\$10,431.60
Total Claims for Additional Work:	<u>-\$8,090.15</u>
Change Order No. 1 – (Net Credit):	\$2,341.45

CHANGE IN CONTRACT PRICE:

Original Contract Amount:	\$297,940.50
Amount Prior Change Orders:	-\$42,109.00
Change Order No. 1 – (Net Credit):	<u>-\$2,341.45</u>
Final Contract Amount:	\$253,490.05

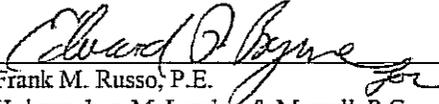
CHANGE IN CONTRACT TIME:

Original Contract Time:	180 Days
Net Change Prior to Change Order:	0 Days
Change Order No 1 of 1 (FINAL) – Miscellaneous Work:	<u>0 Days</u>
New Contract Time:	0 Days

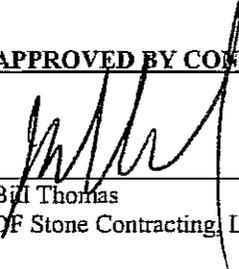
TOWN OF RIVERHEAD/CALVERTON SEWER DISTRICT
CALVERTON SEWER DISTRICT EXTENSION NO. 1
GRAVITY SEWERS AND FORCE MAINS
CONTRACT NO. CASD 0504-S

CHANGE ORDER NO. 1 OF 1 (FINAL) – MISCELLANEOUS WORK

PREPARED & RECOMMENDED BY ENGINEER:

 DATE: 6/25/09
Frank M. Russo, P.E.
Holzmacher, McLendon & Murrell, P.C.

APPROVED BY CONTRACTOR:

 DATE: 6/30/09
Bill Thomas
DF Stone Contracting, LTD.

APPROVED BY OWNER:

DATE: _____
Town of Riverhead / Calverton Sewer District
Supervisor Michael Reichel

D.F. STONE CONTRACTING, LTD.
1230 STATION ROAD
MEDFORD, NEW YORK 11763
(631) 924-2730 FAX (631) 924-7608

May 13, 2009

H2M Group
575 Broad Hollow Road
Melville, New York 11747

Attn: Edward P. Byrne, P.E

Re: TOWN OF RIVERHEAD / CALVERTON SEWER DISTRICT
SEWER DISTRICT EXTENSION NO.1
CONTRACT 0504S – SEWER CONSTRUCTION
FILE NO. CASD 07-02
MANHOLE # 14A – BURMAN BLVD.

Gentlemen:

On March 28, 2009 while installing 8" Sewer run on Jan Way our crew came across a utility bank in line with the planned pitch of pipe.

We were advised by phone to go above the utilities and raise the invert of Manhole # 14A. D.F. Stone Contracting, Ltd. installed the pipe as per the guidance of H2M and accomplished this work under our contract requirements.

D. F. Stone Contracting, Ltd was advised your office that the invert could not be changed due to the building under construction, at that time.

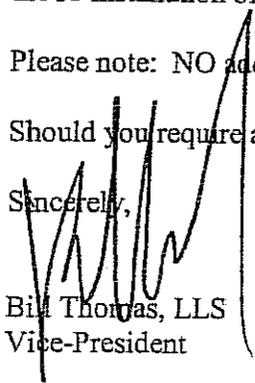
Our crew returned on April 3rd and 4th to remove and reset the pipe and manhole. Utility lines were raised 6" (approx) to accommodate the planned pitch of pipe.

As agreed to by H2M, D. F. Stone Contracting, Ltd. accomplished this work on a Time & Materials Basis. The following is a Breakdown for the removal of pipe and manhole and the re-installation of both.

Please note: NO additional materials were necessary.

Should you require additional information, please do not hesitate to contact this office.

Sincerely,


Bill Thomas, LLS
Vice-President

enc.

D.F. STONE CONTRACTING, LTD.
1230 STATION ROAD
MEDFORD, NEW YORK 11763
(631) 924-2730 FAX (631) 924-7608

May 12, 2009

Re: TOWN OF RIVERHEAD / CALVERTON SEWER DISTRICT
SEWER DISTRICT EXTENSION NO.1
CONTRACT 0504S – SEWER CONSTRUCTION
FILE NO. CASD 07-02
MANHOLE # 14A – BURMAN BLVD.

April 3, 2008

8 hours	300 Excavator @ \$125.00 / hr (No Operator)	\$1,000.00
8 hours	Backhoe @ \$62.50 / hr (No Operator)	\$ 500.00
8 hours	Operator @ \$69.57	\$ 556.56
8 hours	Operator Apprentice @ \$37.56 / hr	\$ 300.48
8 hours	Laborer @ \$49.39 / hr	\$ 395.12
8 hours	Laborer Apprentice @ \$43.78 / hr	\$ 350.24

April 4, 2008

5 hours	300 Excavator @ \$125.00 / hr (No Operator)	\$ 625.00
5 hours	Operator \$69.57 / hr	\$ 347.85
5 hours	Operator Apprentice @ \$37.56 / hr	\$ 187.80
5 hours	Laborer @ \$49.39 / hr	\$ 246.95
5 hours	Laborer Apprentice @ \$43.78 / hr	\$ 218.90
2 hours	Backhoe @ \$62.50 / hr (No Operator)	\$ 125.00
2 hours	Operator @ \$69.57 / hr	\$ 139.14
2 hours	Laborer @ \$49.39 / hr	\$ 98.78

SUB-TOTAL	\$5,091.82
10% Profit	\$ 509.18
10% Overhead	\$ 509.18

TOTAL \$6,110.18

*****PLEASE NOTE: Original Certified Payroll Report(s) had been submitted to your office along with AIA #1. Duplicates are attached for your reference**

NAME OF CONTRACTOR X OR SUBCONTRACTOR --- **D. F. Stone Contracting, Ltd.** ADDRESS **1230 Station Road Medford, NY 11763**

PAYROLL NO. --- FOR WEEK ENDING **April 9, 2008** PROJECT AND LOCATION **Town of Riverhead/Culmination Drive District - Dewar District** CONTRACT NO. **CA80 004-47** PROJECT'S CAS# **004**

NAME, ADDRESS, AND SOCIAL SECURITY NUMBER OF EMPLOYEE	EMPLOYEE'S REG. NO.	WORK CLASSIFICATION	REG. NO.	DAY AND DATE							TOTAL HOURS	RATE OF PAY	GROSS AMOUNT EARNED	DEDUCTIONS						NET WAGES PAID FOR WEEK		
				Thurs	Fri	Sat	Sun	Mon	Tue	Wed				FICA	FEDERAL WITHHOLDING TAX	MEDICARE	STATE WITHHOLDING TAX	DISA, OTHER	TOTAL DEDUCTIONS			
				3	4	5	6	7	8	9												
Howard Hyman 2 Village Court Coram, NY 11727		Operator	M 1	0	5.5	5				3			13.5	\$ 69.97	\$ 939.20	\$ 56.23	\$ 53.25	\$ 13.61	\$ 28.26	\$ 1.20	\$ 155.55	\$ 783.65
Howard Hyman 2 Village Court Coram, NY 11727		Operator	M 1	0	2.5	2			4	7	2	17.5	\$ 48.38	\$ 844.33	\$ 53.69	\$ 61.62	\$ 12.63	\$ 40.41	\$ 0.80	\$ 188.55	\$ 675.68	
Jeffrey Dunn 84 Woodlawn Road Miller Place, NY 11764		Operator	M 1	0	2.5	2				4		8.5	\$ 69.57	\$ 591.35	\$ 36.66	\$ 40.50	\$ 8.97	\$ 21.71	\$ 0.80	\$ 108.12	\$ 483.23	
Jeffrey Dunn 84 Woodlawn Road Miller Place, NY 11764		Operator	M 1	0	5.5	5			7	3		20.5	\$ 48.38	\$ 1,012.50	\$ 62.78	\$ 103.75	\$ 14.08	\$ 50.56	\$ 0.80	\$ 232.37	\$ 780.13	
Michael Drake 515 Plesano Way Middle Island, NY 11953		Operator Apprentice	S 0	0	0	5						13	\$ 37.56	\$ 480.28	\$ 30.27	\$ 58.24	\$ 7.08	\$ 16.91	\$ 0.60	\$ 113.10	\$ 375.18	
Jeremy Abagnoa 40 Pine Ape Avenue Farmingville, NY 11738		Labourer Apprentice	S 1	0	0	5						18	\$ 43.78	\$ 788.04	\$ 48.86	\$ 98.88	\$ 11.43	\$ 35.04	\$ 0.80	\$ 196.61	\$ 591.43	
				0	0									\$	\$						\$	\$
				0	0									\$	\$						\$	\$
				0	0									\$	\$						\$	\$
				0	0									\$	\$						\$	\$

D.F. STONE CONTRACTING, LTD.
1230 STATION ROAD
MEDFORD, NEW YORK 11763
(631) 924-2730 FAX (631) 924-7608

May 14, 2009

H2M
575 Broadhollow Road
Melville, New York 11747

Attention: Ed Byrne

Re: TOWN OF RIVERHEAD / CALVERTON SEWER DISTRICT
SEWER DISTRICT EXTENSION NO. 1
GRAVITY SEWER & FORCE MAINS
CASD 0504-S / Project No. 05-04
DAVID COURT

Gentlemen:

The following reflects the breakdown of Extra Work to lower two (2) Manholes located in the cul-de-sac at David Court, due to elevation datum difference as used by two different Surveyors, as performed on October 15, 2008:

Mobilization: (1 hour 10-wheeler w/ tag along)	\$ 105.00
Backhoe – Bare Rental	\$ 500.00
Operating Engineer – Heavy Highway Class B 6 hours @ \$71.53	\$ 429.18
Operating Engineer Apprentice – Heavy Highway Class B 3.5 hours @ \$38.22	\$ 133.77
Laborer – Heavy Highway Group 3 6.5 hours @ \$51.88	\$ 337.22
Plate Tamper – Day Rental	\$ 80.00
One (1) 4'Ø x 1' SMH Riser (Long Island Precast Invoice # 5693 – enclosed)	\$ <u>64.80</u>
SUB-TOTAL	\$1,649.97
10% Profit	\$ 165.00
10% Overhead	\$ <u>165.00</u>
TOTAL	\$1,979.97

Continued ...

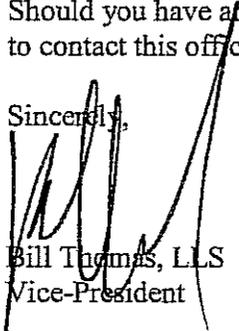
Page 2
May 14, 2009

Re: TOWN OF RIVERHEAD / CALVERTON SEWER DISTRICT
SEWER DISTRICT EXTENSION NO. 1
GRAVITY SEWER & FORCE MAINS
CASD 0504-S / Project No. 05-04
DAVID COURT

Please note – Original Certified Payroll Report(s) covering the work outlined above have been submitted to your office along with Application #2. Duplicates are attached for your reference.

Should you have any questions, or require additional information, please do not hesitate to contact this office.

Sincerely,



Bill Thomas, LLS
Vice-President

enc

Adopted

August 4, 2009

Town of Riverhead

Resolution #: 761

**AUTHORIZES THE SUPERVISOR TO EXECUTE AGREEMENT
WITH CGI COMMUNICATIONS, INC.**

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

WHEREAS, the Town of Riverhead wishes to make available via a link on its website a Video Tour Book to welcome and showcase various aspects of the Town;

WHEREAS, CGI Communications, Inc. has been selected to provide a Community Video Program for the Town's website at no cost or liability to the Town;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized to execute the attached Agreement with CGI Communications, Inc.; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to CGI Communication, Inc., 130 East Main Street, 8th Floor, Rochester, New York 14604; and be it further

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

WOOTEN YES NO

DUNLEAVY YES NO BLASS YES NO *absent*

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED

Community Video Tour Book Agreement

CGI Communications, Inc.
130 East Main Street, 8th Floor
Rochester, NY 14604
(800) 398-3029 phone
(866) 429-8611 fax

Name: Phil Cardinale
Title: Town Supervisor
Address: 200 Howell Ave
City, State, Zip: Riverhead, NY 11901
Phone: 631-727-3200
Email: Cardinale@RiverheadLi.com
Website: www.RiverheadLi.com

This agreement is between CGI Communications, Inc. and the Town of Riverhead and shall remain in effect from the date it is signed by both parties until the third anniversary of the date that the completed and approved Community Video Program is made available for viewing via a link on the website, www.RiverheadLI.com homepage for viewer access.

CGI Communications, Inc. and its eLocalLink division shall provide a Community Video Program as follows:

- Website Welcome video from your Mayor or other civic leader and an Education, Quality of Life, and Real Estate/Relocation video (approx. 1 minute in duration)
- Up to 2 additional videos to showcase various aspects of your community and/or organization (providing a total of six: 1 minute community highlight videos)
- Script writing and video content consultation
- A videographer will come to your location to film videos
- All aspects of video production and editing, from raw footage to final video including professional voiceovers and background music
- Final draft of Community Video Program content subject to your approval
- Patent-pending OneClick™ Technology and encoding of all videos into multiple streaming digital formats to play on all computer systems, browsers, and Internet connection speeds; recognized player formats include WindowsMedia® and QuickTime®
- Store and stream all videos on CGI's dedicated server
- Business sponsors allowed on the perimeter of video panels; subject to compliance with the Community Movie Program sponsorship policy attached as Exhibit A and subject to Town of Riverhead written approval not to be unreasonably withheld
- Duration of sponsor participation will be one year and eLocalLink is solely responsible for annual sponsorship fulfillment including all related aspects of marketing, production, printing, and distribution
- Viewer access of the Community Video Program from your website shall be facilitated by eLocalLink providing HTML source code for graphic link to be prominently displayed on the Riverhead website homepage as follows: "Coming Soon" graphic link designed to coordinate with existing website color theme to be provided within 10 business days of execution of this agreement; "Video Tour Book" graphic link to be provided to replace the "Coming Soon" link upon completion and approval of videos
- eLocalLink will own copyrights of the master Community Video Program
- The Town of Riverhead will assume no cost or liability for this project

Program Add-On :

- Encoding, hosting, and streaming of additional 5 minutes of video per month. Finished video content will be provided to CGI by the Town of Riverhead, NY US

The Town of Riverhead shall provide the following:

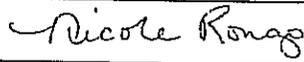
- A letter of introduction for the program on your organization's letterhead
- Assist with the content and script for the Community Video Program
- Agrees to give eLocalLink the right to use organization's name in connection with the preparation, production, and marketing of the program set forth herein only
- Agrees to display the "Coming Soon" graphic link prominently on the website, www.RiverheadLI.com homepage within 10 business days of receipt of HTML source code
- Agrees to display the "Video Tour Book" link to be no less than 150 by 400 pixels prominently on the website, www.RiverheadLI.com homepage for the term of this agreement
- In the event contract signatory changes, the Town of Riverhead agreement shall remain valid until the agreed upon expiration date
- Provides eLocalLink exclusive streaming video rights for the program described herein only

We, the undersigned, understand the above information and have full authority to sign this agreement.

The Town of Riverhead, NY US

CGI Communications, Inc.

Signature:

Signature: 

Name (printed):

Name (printed): Nicole Rongo

Title:

Title: Marketing Manager

Date:

Date: 7/29/2009



*CGI Communications
130 E. Main St, 8th Floor
Rochester, NY 14604*

Exhibit A

Community Movie Program Sponsorship Policy

It is the policy of e-LocalLink/CGI Communications not to solicit or otherwise provide sponsorship opportunities to any business or organization that may be perceived as offensive or partisan. These types of establishments include, but are not limited to, adult bookstores/entertainment, pawnshops, and tattoo/piercing parlors. CGI will also not solicit any political parties and/or organizations.

Additionally, the participating community may advise e-LocalLink/CGI of specific businesses to be disallowed as sponsors. The participating community must advise e-LocalLink/CGI of this information in writing PRIOR to the beginning of the sponsorship solicitation campaign.

As a privately owned company, independent of the participating community, e-LocalLink/CGI can eliminate from consideration those companies and organizations it deems inappropriate. The participating community is not responsible for actions taken by eLocalLink/CGI in eliminating from consideration those businesses and organizations eLocalLink/CGI has deemed inappropriate.

Adopted

8/4/09

TOWN OF RIVERHEAD

Resolution # 762

AUTHORIZES THE RELEASE OF A CASH SECURITY OF AMATO & ASSOCIATES, P.C. ON BEHALF OF VERIZON WIRELESS

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

WHEREAS, Amato & Associates, PC, on behalf of Verizon Wireless, posted cash security on May 11, 2001, in the amount of Four Thousand Two Hundred Fifty Dollars (\$4,250.00) for improvements on an existing tower located at 6000 Sound Avenue, Jamesport, New York, known and designated as Suffolk County Tax Map Number 0600 / 003.00-01-002.04, 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, the Planning Department is satisfied with the site requirements and a Certificate of Occupancy has been issued.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the release of the cash security in the sum of Four Thousand Two Hundred Fifty Dollars (\$4,250.00); and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to Amato & Associates, P.C., 666 Old Country Road - 9th Floor, Garden City, New York ,11530; and be it further

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

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No absent

Cardinale Yes No

The Resolution Was Was Not
Therefore Duly Adopted

Adopted

8/4/09

TOWN OF RIVERHEAD

Resolution # 763

AMENDS RESOLUTION #673 OF 2009
APPROVES EXTENSION OF SECURITY POSTED BY HARRISON ESTATES AT
AQUEBOGUE LLC IN CONNECTION WITH THE SUBDIVISION
ENTITLED "HARRISON ESTATES"
(ROAD AND DRAINAGE IMPROVEMENTS)

COUNCILMAN DUNLEAVY

offered the following resolution, was seconded by

COUNCILMAN WOOTEN :

WHEREAS, Resolution #673 adopted on July 7, 2009, approved an extension of security posted by Harriman Estates at Aquebogue LLC in connection with the subdivision entitled "Harrison Estates" for road and drainage improvements to be completed within said subdivision; and

WHEREAS, the subdivision was incorrectly referred to as "Harrison Estates".

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby amends Resolution #673 adopted by the Riverhead Town Board on July 7, 2009, to reflect the correct name of the subdivision as "Harriman Estates"; and be it further

RESOLVED, that all other terms and conditions of Resolution #673 shall remain in full force and effect; and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead is hereby authorized to forward a copy of this resolution to Peter S. Danowski, Jr., Esq., 616 Roanoke Avenue, Riverhead, New York, 11901; and be it further

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

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No *absent*

Cardinale Yes No

The Resolution Was Was Not
Therefore Duly Adopted

August 4, 2009

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 764

AUTHORIZES THE SUPERVISOR TO EXECUTE A SECOND AMENDMENT OF THE SUB-LICENSE AGREEMENT WITH THE LONG ISLAND RAILROAD COMPANY AND OPEN ARMS CARE CENTER, INC.

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

WHEREAS, the Riverhead railroad station building has been licensed for use by the Long Island Railroad Company to the Town of Riverhead pursuant to a license agreement dated February 19, 2002; and

WHEREAS, on or about January 21, 2009, the above referenced parties entered a sub-license agreement to allow Open Arms Care Center use of the railroad station building for the purpose of pre-packaged food distribution and service of hot and cold beverages; and

WHEREAS, the Long Island Railroad Company, Town of Riverhead and Open Arms Care Center wish to further extend the sub-license agreement, from July 22, 2009 to June 21, 2010 subject to all of the other terms and conditions stated in the sub-license agreement dated January 21, 2009;

NOW THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute the attached second amendment of the sub-license agreement; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Zona Stroy, c/o Open Arms Care Center, 1018 Northville Turnpike, Riverhead, New York 11901; Metropolitan Transportation Authority, ATTN: Orit Manham, 347 Madison Avenue, New York, NY 10017-3739, the Office of the Town Attorney and the Engineering Department.

THE VOTE

Wooten Yes No Dunleavy Yes No Blass Yes No *absent*
Cardinale Yes No
The Resolution Was Was Not
Thereupon Duly Declared Adopted

SECOND AMENDMENT OF SUBLICENSE AGREEMENT

LONG ISLAND RAIL ROAD COMPANY AND

TOWN OF RIVERHEAD and OPEN ARMS CARE CENTER, INC.

THIS AGREEMENT, dated as of _____, 2009 between THE LONG ISLAND RAIL ROAD COMPANY, ("LIRR"), a public benefit corporation organized and existing under the laws of the State of New York, with offices at Jamaica Station Building, Jamaica, New York 11435, c/o MTA Real Estate Department, 347 Madison Avenue, New York, New York 10017 ("Landlord") and TOWN OF RIVERHEAD ("Sublicensor"), a municipal corporation organized and existing under the laws of the State of New York, with an office at 200 Howell Avenue, Riverhead, New York 11901, and Open Arms Care Center, Inc., a not-for-profit organization existing under the laws of the State of New York ("Sublicensee"), with an office at 10 Polo Drive, Westbury, New York, 11566.

WITNESSETH

WHEREAS, the Riverhead Railroad Station ("Station") has been licensed by The Long Island Rail Road Company ("Licensor") to Sublicensor under a License Agreement dated February 19, 2002 (as modified from time to time, "License Agreement"); and

WHEREAS, Sublicensee wishes to occupy a portion of the Station for the free distribution of pre-packaged foods and hot and cold beverages (see use clause, Paragraph 7 of the January 21, 2009 Sublicense Agreement); and

WHEREAS, Sublicensor wishes to grant Sublicensee the right to conduct the aforementioned activity for an additional one (1) year;

NOW, THEREFORE, in consideration of the mutual agreements herein contained, Sublicensor and Sublicensee, for themselves and their successors, hereby agree as follows:

Sublicensee will have an extension of (1) one year to use the Sublicensed Premises for the same use stipulated in Paragraph 7 of the January 21, 2009 Sublicense Agreement covering the period from July 22, 2009 through June 21, 2010.

The existing insurance policy for Open Arms Care Center covering the period from 11/30/08 through 11/30/11 with Church Mutual Insurance Company, policy no. 0223084-81-992407, will remain in full force and effect during the entire term of the First Amendment of the Sublicense Agreement. The Town of Riverhead, Metropolitan Transportation Authority, and the Long Island Railroad Company must remain as Additional Insured.

All other terms and conditions of the February 19, 2002 License Agreement and the January 21, 2009 Sublicense Agreement will remain in full force and effect.

Thereby agreed and consented to:

Town of Riverhead

By: _____
Phil Cardinale

Title: Town Supervisor

Open Arms Care Center, Inc.

By: _____
Zona Stroy

Title: Chairperson

The Long Island Rail Road Company

By: _____

Real Estate

Adopted

August 4, 2009

TOWN OF RIVERHEAD

RESOLUTION # 765

AUTHORIZES THE TOWN CLERK TO ADVERTISE FOR BIDS ON A JOHN DEERE MODEL 5525 TRACTOR with a CHEETAH 17.5' FLAIL BOOM MOWER OR APPROVED EQUAL

COUNCILMAN DUNLEAVY

OFFERED THE FOLLOWING

RESOLUTION WHICH WAS SECONDED BY COUNCILMAN WOOTEN.

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids for the purchase of a **JOHN DEERE MODEL 5525 TRACTOR with a CHEETAH 17.5' FLAIL BOOM MOWER OR APPROVED EQUAL** for the use of the Town of Riverhead Highway Department, AND BE IT,

RESOLVED, that the specifications and forms for bidding be prepared by the Superintendent of Highways, and all bids to be returnable up to 11:10 A.M. on August 24, 2009, AND BE IT FURTHER,

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to open publicly and read aloud on August 10, 2009 at 11:05 A.M. at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation "**Bid on a John Deere Model 5525 Tractor with a Cheetah 17.5' Flail Boom Mower or Approved Equal**".

DUNLEAVY YES ___ NO WOOTEN YES ___ NO

BLASS ___ YES ___ NO absent

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT ADOPTED

NOTICE TO BIDDERS

Sealed bids for the purchase of a **“JOHN DEERE MODEL 5525 TRACTOR with a CHEETAH 17.5’ FLAIL BOOM MOWER OR APPROVED EQUAL”** for the use of the Riverhead Highway Department will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York 11901 until **11:10 A.M. on August 24, 2009**, at which time they will be publicly opened & read aloud.

Instructions for bidders, specifications and forms may be obtained on line at www.riverheadli.com or the office of the Town Clerk at the Town Hall Monday through Friday between the hours of 8:30 A.M. and 4:30 P.M.

All bids will be submitted on the bid form provided. Any and all exceptions to the specifications will be listed on a separate sheet of paper bearing the designation **“Exceptions to the Specifications”**, and attached to the bid form.

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

All bids will be submitted in a sealed envelope bearing the designation **“BID on JOHN DEERE MODEL 5525 TRACTOR with a CHEETAH 17.5 FLAIL BOOM MOWER OR APPROVED EQUAL”** and addressed to: TOWN CLERK, TOWN OF RIVERHEAD, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
DIANE M. WILHELM, TOWN CLERK

August 4, 2009

Adopted

TOWN OF RIVERHEAD

AUTHORIZES TOWN CLERK TO PUBLISH & POST
NOTICE TO BIDDERS FOR WATER METERS &
ACCESSORY EQUIPMENT FOR USE BY THE
RIVERHEAD WATER DISTRICT

RESOLUTION # 766

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached Notice to Bidders for water meters and accessory equipment to be used by the Riverhead Water District in the August 13, 2009, issue of *The News-Review*; and be it further

RESOLVED, that the Town Clerk is to forward a copy of this resolution to the Information Technologies Department.

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No absent

Cardinale Yes No

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

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **WATER METERS & ACCESSORY EQUIPMENT** for use by the **RIVERHEAD WATER DISTRICT** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until **11:00 a.m.** on **August 21, 2009**.

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

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

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

All bids are to be submitted in a sealed envelope addressed to: **TOWN CLERK, TOWN OF RIVERHEAD, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK, 11901**, and bear the designation: **BID FOR WATER METERS & ACCESSORY EQUIPMENT – BID #200920-RWD**.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Diane M. Wilhelm, Town Clerk

August 4, 2009

TOWN OF RIVERHEAD

Adopted

Resolution # 767

**AUTHORIZES THE SUPERVISOR TO EXECUTE AGREEMENT
EXTENDING BID AWARD CONTRACT**

COUNCILMAN DUNLEAVY

_____ offered the following resolution, was seconded
by COUNCILMAN WOOTEN _____:

WHEREAS, bids were solicited and received for the purchase of traffic paint for use by the Highway Department; and

WHEREAS, the Town Board, by Resolution No. 669 adopted on August 5, 2008, awarded the contract to Ennis Paint, Inc, which contract expires on August 5, 2009; and

WHEREAS, said contract includes a provision authorizing extension of the contract for a period of up to one year upon mutual consent of both parties; and

WHEREAS, the Highway Superintendent has a need for this product and service and has recommended an extension of the contract with Ennis Paint, Inc.;

NOW, THEREFORE, BE IT RESOLVED that the Supervisor is hereby authorized to execute the attached Agreement with Ennis Paint, Inc. for traffic paint which extends the contract for a period of one year through and including August 5, 2010; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this Resolution to Ennis Paint, Inc., 1855 Plymouth Road NW, Atlanta, GA 30318; and be it further

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

WOOTEN YES ___ NO DUNLEAVY YES ___ NO

BLASS ___ YES ___ NO *absent*

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

**AGREEMENT TO EXTEND THE TERMS AND CONDITIONS OF CONTRACT FOR A
PERIOD OF ONE YEAR BETWEEN THE TOWN OF RIVERHEAD AND ENNIS
PAINT, INC. FOR TRAFFIC PAINT**

This is an agreement between the TOWN OF RIVERHEAD, a municipal corporation, organized under the laws of the State of New York, with offices at 200 Howell Avenue, Riverhead, NY 11901 (hereinafter referred to as "TOWN") and ENNIS PAINT, INC. with offices located at 1855 PLYMOUTH ROAD NW, ATLANTA, GEORGIA, 30318, (hereinafter referred to as "ENNIS PAINT")

WITNESSETH

WHEREAS, the Town solicited and received bids for the purchase of traffic paint for use by the Highway Department; and

WHEREAS, the Town Board, by Resolution # 669 adopted on August 5, 2008, awarded the contract to Ennis Paint, Inc., which contract expires on August 5, 2009; and

WHEREAS, said contract includes a provision authorizing extension of the contract for a period of up to one year upon mutual consent of both parties; and

WHEREAS, the Highway Superintendent has a need for this product and service and has recommended an extension of the contract with Ennis Paint, Inc.;

NOW, THEREFORE, BE IT RESOLVED, that Ennis Paint, Inc. will provide traffic paint under the identical terms and conditions as set forth in bid awarded by Resolution # 669 adopted on August 5, 2008 and shall be extended for a period of one year through and including August 5, 2010.

TOWN OF RIVERHEAD

ENNIS PAINT, INC.

By: Phil Cardinale, Supervisor

By:

August 4, 2009

Adopted

TOWN OF RIVERHEAD

RESOLUTION # 768

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A NOTICE TO BIDDERS
FOR
WEST MAIN STREET COMFORT STATION RENOVATION PROJECT

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

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the
attached Notice to Bidders in the August 6, 2009 issue of the official Town newspaper
and on the Town of Riverhead website: www.riverheadli.com for the West Main Street
Comfort Station Renovation Project, Riverhead, New York; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to
forward a certified copy of this resolution Martin Sendlewski, 215 Roanoke Avenue,
Riverhead, New York 11901 and post copies on the ecabinet for Kenneth Testa, P.E.,
Town Engineer, Purchasing Department, IT Department and the Office of Accounting.

THE VOTE

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

THE RESOLUTION WAS WAS NOT
THEREFORE DULY ADOPTED

**NOTICE TO BIDDERS
TOWN OF RIVERHEAD
PROJECT NO. 0912**

Sealed bids covering any and all alteration and renovation work associated with the proposed comfort station renovation for the Town of Riverhead at West Main Street, Riverhead, NY 11901, and in accordance with Specification No. 0912 and accompanying drawings as prepared by the project Architect, Martin F. Sendlewski, 215 Roanoke Avenue, Riverhead, NY 11901 (631) 727-5352 shall be received by the Town of Riverhead at their offices located at 200 Howell Avenue, Riverhead, New York 11901 until Tuesday, August 25, 2009 at 11:00 a.m. at which time they will be publicly opened and read aloud.

Contractors are herewith advised that plans and specifications may be obtained at the Architect's Office on or about Tuesday, August 11, 2009:

**Martin F. Sendlewski, AIA
215 Roanoke Avenue
Riverhead, NY 11901
631-727-5352
Fax: 631-727-5352**

A refundable fee of Fifty Dollars (\$50.00) via check shall be required for each set of bid documents obtained. Contractors who do not bid will forfeit said deposit. Documents returned for refund must be in good condition and must be returned to the Architect's office within thirty (30) calendar days after the bid opening date. Additional drawings prints may be obtained for two dollars per page (\$2.00/pg.) and additional specifications may be obtained for ten cents per page (\$.10/pg.). Additional plan and specification copies are nonrefundable. Checks shall be made payable to the Town of Riverhead.

The work shall be bid and awarded as one (1) prime contract:

A bid security equal to Five Percent (5%) of the amount of bid submitted is required to be submitted via Bid Bond A.I.A. Document A310 or via certified check as part of the bid.

There will be a pre-bid conference for the above noted bid at the project site on Monday, August 17, 2009 at 10:00 am.

Adopted

August 4, 2009

TOWN OF RIVERHEAD

RESOLUTION # 769

AUTHORIZES THE TOWN CLERK TO ADVERTISE FOR BIDS ON DRAINAGE RINGS AND ASSOCIATED ITEMS

COUNCILMAN DUNLEAVY

OFFERED THE FOLLOWING

RESOLUTION WHICH WAS SECONDED BY ~~COUNCILMAN WOOTEN~~

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids for the purchase of DRAINAGE RINGS and ASSOCIATED ITEMS for the use of the Town of Riverhead Highway Department, AND BE IT,

RESOLVED, that the specifications and forms for bidding be prepared by the Superintendent of Highways, and all bids to be returnable up to 11:05A.M. on August 24, 2009, AND BE IT FURTHER,

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to open publicly and read aloud on August 24, 2009 at 11:05 A.M. at the Town Clerk's office, Town Hall, 200 Howell Avenue, Riverhead, New York, all sealed bids bearing the designation "Bid on a Drainage Rings and Associated Items".

DUNLEAVY YES ___ NO WOOTEN YES ___ NO

BLASS ___ YES ___ NO *absent*

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT ADOPTED

NOTICE TO BIDDERS

Sealed bids for the purchase of "**DRAINAGE RINGS and ASSOCIATED ITEMS**" for the use of the Riverhead Highway Department will be received by the Town Clerk of the Town of Riverhead at the Town Hall, 200 Howell Avenue, Riverhead, New York 11901 until 11:05A.M. on August 24, 2009.

Instructions for bidders, specifications and forms may be obtained on line at www.riverheadli.com or the office of the Town Clerk at the Town Hall Monday through Friday between the hours of 8:30 A.M. and 4:30 P.M.

All bids will be submitted on the bid form provided. Any and all exceptions to the specifications will be listed on a separate sheet of paper bearing the designation "**Exceptions to the Specifications**", and attached to the bid form.

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

All bids will be submitted in a sealed envelope bearing the designation "**BID on DRAINAGE RINGS and ASSOCIATED ITEMS**" and addressed to: TOWN CLERK, TOWN OF RIVERHEAD, 200 HOWELL AVENUE, RIVERHEAD, NEW YORK 11901.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD
DIANE M. WILHELM, TOWN CLERK

August 4, 2009

TOWN OF RIVERHEAD

**AWARDS BID FOR QUICK LUBE MAINTENANCE
FOR USE BY THE RIVERHEAD WATER DISTRICT**

RESOLUTION # 770

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

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for quick lube maintenance for use by the Riverhead Water District; and

WHEREAS, an addendum to the bid document correcting the opening date of the bid to July 20, 2009, was made a part of the bid document and made available to all bidders; and

WHEREAS, bids were received, opened and read aloud by the Town Clerk on the date and at the time designated in the bid document.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for quick lube maintenance for use by the Riverhead Water District be and is hereby awarded to North Shore Generator Systems, Inc., per the attached bid proposal; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to North Shore Generator Systems, Inc., 1860 Pond Road, Ronkonkoma, New York, 11778; and be it further

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

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No absent

Cardinale Yes No

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

BID PROPOSAL SHEET

- 1. Quick Lube Bid (three [3] units total) \$ 425.00 L.S. per unit

- 2. Quick Lube Bid with Generator (six [6] units) \$ 425.00 L.S. per unit



COMPANY _____

North Shore Generator Systems Inc
1860 Pond Road
Frankenmuth, NY 11732

Riverhead Water District

8/4/09

Adopted

TOWN OF RIVERHEAD

Resolution # 771

AUTHORIZES TOWN CLERK TO PUBLISH AND POST A NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW FOR AN AMENDMENT OF CHAPTER 101 ENTITLED, "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE (§101-10. Parking prohibited.)

COUNCILMAN DUNLEAVY

_____ offered the following resolution,

which was seconded by _____ **COUNCILMAN WOOTEN** _____:

RESOLVED, that the Town Clerk is hereby authorized to publish and post the attached public notice to consider a proposed local law to consider the amendment of Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code, once in the August 13, 2009 issue of the News Review, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

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

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No *absent*

Cardinale Yes No

The Resolution Was Was Not
Therefore Duly Adopted

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE, that a public hearing will be held on the 1st day of September, 2009 at 2:30 p.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:

**Vehicles and Traffic
Article V
Parking, Standing and Stopping**

§ 101-10. Parking prohibited.

The parking of vehicles is hereby prohibited in the locations as follows:

Name of Street	Side	Location
<u>Middle Road</u>	<u>South</u>	<u>Beginning at its intersection of Manor Road in an easterly direction in its entirety to its intersection with Doctors Path</u>
<u>Ostrander Avenue</u>	<u>Both</u>	<u>Beginning at its intersection with East Second Street for a distance of 50 feet in all directions</u>

- Underline represents addition(s)

Dated: Riverhead, New York
August 4, 2009

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

DIANE M. WILHELM, Town Clerk

August 4, 2009

TOWN OF RIVERHEAD

Adopted

Resolution # 772

**Extends Special Use Permit of Larry's Lighthouse Marina
(DeMarco Galasso, Inc.)**

COUNCILMAN WOOTEN

_____ offered the following resolution,

which was seconded by **COUNCILMAN DUNLEAVY** _____

WHEREAS, by Resolution # 889 adopted on October 7, 2008, the Riverhead Town Board did approve a special use permit petition from Robert F. Kozakiewicz, Esq. on behalf of Larry's Lighthouse Marina to expand a pre-existing non-conforming marina use by replacing a 16,149 sq. ft. boat storage building with a 23,200 sq. ft. storage building upon real property located at Meeting House Creek Road, Aquebogue, NY, such property more particularly described as Suffolk County Tax Map # 0600-86-2-17; and

WHEREAS, Resolution #889 did not specify the time period to complete construction thus, pursuant to 108-133.2 (B) of the Riverhead Zoning Ordinance, a one year period to complete construction is applicable to the special use permit; and

WHEREAS, upon the granting of a special use permit, the applicant was required to make application for site plan approval; and

WHEREAS, by Resolution #62 adopted on May 21, 2009, the Planning Board for the Town of Riverhead approved applicant's site plan to demolish the existing 16,149 sq. ft. one story storage building and construct a new 23,200 sq. ft. one story building subject to conditions set forth in said resolution; and

WHEREAS, pursuant to 108-129 (F) of the Riverhead Zoning Ordinance, site plan approval shall remain in effect for 36 months; and

WHEREAS, the Town Board is in receipt of correspondence from Robert F. Kozakiewicz, Esq. on behalf of Larry's Lighthouse Marina dated July 31, 2009 seeking to extend the time period to complete construction for an additional one year period based in part upon applicant's requirement to receive site plan approval prior to making application for a demolition permit or building permit and in part based upon the seasonal nature of said business; and

WHEREAS, the Town Board has carefully considered the merits of the request for an extension of the subject special use permit approval from October 7, 2009 to October 7, 2010; and

NOW THEREFORE BE IT RESOLVED, that in the matter of the application for extension of the special use permit approval of Larry's Lighthouse Marina, the Riverhead Town Board hereby declares itself to be the Lead Agency pursuant to 6NYCRR Part 617, and further determines the action to be Type II pursuant to 6NYCRR Part 617; and be it further

RESOLVED, that that since no material changes in either zoning regulations or special use permit depiction have been made, the Riverhead Town Board hereby approves the request for an extension of the special use permit of Larry's Lighthouse Marina for a twelve (12) month period ending October 7, 2010.; and be it further

RESOLVED, that a copy of this resolution be forwarded to Robert F. Kozakiewicz, Esq., 431 Griffing Avenue, Riverhead, New York 11901; and be it further

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

THE VOTE

DUNLEAVY YES ___ NO

absent
BLASS ___ YES ___ NO WOOTEN YES ___ NO

CARDINALE YES ___ NO

**THIS RESOLUTION WAS ___ WAS NOT
THEREFORE DULY ADOPTED**

ROBERT F. KOZAKIEWICZ

ATTORNEY AT LAW

431 GRIFFING AVENUE
P.O. BOX 341
RIVERHEAD, NY 11901

TEL: (631) 208-1100
FAX: (631) 727-7182

**DIRECT ALL CORRESPONDENCE TO 431 GRIFFING AVENUE,
RIVERHEAD, NY 11901**

July 31, 2009

BY HAND

Phil Cardinale, Supervisor
Town Board Members
Town of Riverhead
200 Howell Avenue
Riverhead, New York 11901

Re: Special Permit of Larry's Lighthouse Marina
Meetinghouse Creek Road, Aquebogue, New York
SCTM # 0600-086.00-02.00-017.000

Dear Supervisor Cardinale and Town Board of the Town of Riverhead:

By Resolution Number 899 of 2008, adopted October 7, 2008 this Board granted the Special Permit of Larry's Lighthouse Marina. I enclose a copy of the resolution for your quick reference. Under section 108-133.2 of the Code of the Town of Riverhead ("Town Code"), the Town Board has legislative authority to condition the special permit by requiring the applicant to complete construction and commence the special permitted use within a time period from one to three years. If the resolution is silent as to the time for complete construction, §108-133.2 of the Town Code provides that the time period shall be one year.

While the applicant immediately set to work on the process for site plan review and approval, site plan approval by the Planning Board did not occur until May 21, 2009. A copy of the Planning Board resolution granting site plan approval is also enclosed you're your review.

As you are well aware, the marina business is a seasonal business which has essentially two seasons; namely boat dockage season and boat storage season. The timing of the site plan approval as noted above unfortunately did not allow Mr. Galasso enough time this year to ensure completion of the building in time for the boat storage season and as such, he is unable to commence work until June 2010, when all boats have either been placed into the water for the boating season.

As noted above, this Board has legislative authority under XXVIA of the Town Code to condition completion of construction and commencement of the special permit

*To Ann Marino
Cardinale
Please prepare
Resolution for
8-4-09
meeting
Ann Marino
Marino*

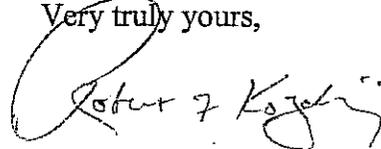
Page two – Letter dated July 30, 2009 to Supervisor Cardinale & Town Board Members
Special Use Permit of Larry's Lighthouse Marina

use for one to three years. In light of this authority and based upon the circumstances described herein, the applicant respectfully asks that this Board consider and adopt an resolution which amends Resolution 889 of 2008 to provide for completion of construction and commencement of the use for two years or on before October 7, 2010. ✓

Should you require further information or have questions of the undersigned or the applicant, please feel free to contact my office.

Thank you.

Very truly yours,



Robert F. Kozakiewicz

RFK/tmm
Enclosures

cc: Alexander T. Galasso
Douglas Adams, P.E., Young & Young

August 4, 2009

Adopted

TOWN OF RIVERHEAD

Resolution # 773

**ACCEPTS DONATIONS OF FLOWERS, SHRUBS AND/OR TREES FOR
PLACEMENT AROUND TRAFFIC CIRCLES WITHIN THE TOWN OF RIVERHEAD**

COUNCILMAN DUNLEAVY offered the following resolution, was seconded
by

COUNCILMAN WOOTEN :

WHEREAS, the Town of Riverhead has undertaken the beautification of downtown Riverhead and the Town of Riverhead as a whole; and

WHEREAS, various nurseries have contacted the Highway Superintendent and expressed a desire to donate flowers, shrubs and/or trees for placement in and around the traffic circles and roadways located within the Town of Riverhead; and

WHEREAS, the Highway Superintendent met with representatives of Suffolk County Department of Public Works for purposes of identifying any restrictions or limitations for plantings along or in proximity to County owned highways and right of ways; and

WHEREAS, the representatives of Department of Public Works for the County of Suffolk did not oppose plantings and instead offered recommendations for the location of plantings, height of trees and shrubs, with the caveat that the Town of Riverhead make application and submit a diagram for all planting along County highways and right of ways prior to plantings; and

WHEREAS, pursuant to New York State Town Law §64-8, the Town may take by gift any real or personal property for public use or benefit; and

WHEREAS, the Town Board finds that acceptance of these flowers, shrubs and/or trees at no cost to the Town is in the best interest of the residents of the Town of Riverhead;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Riverhead hereby accepts the donation of flowers, shrubs and/or trees from various nurseries for placement in and around the traffic circles and highways located within the Town of Riverhead; and be it further

RESOLVED, that the Town Board hereby authorizes the placement of a temporary sign or advertising display limited to the name and/or address of the nursery

and a statement of donation, i.e. "Flowers donated by XXX" for a period of time not to exceed 60 days. The temporary sign shall be constructed of cloth, canvas, fabric, plywood or other light material and may not to exceed 32 square feet. The sign may be posted at the location determined by the Highway Superintendent or his designee to ensure that the sign shall not interfere with or create a potential danger to pedestrian or vehicular traffic. Finally, no more than one temporary sign/banner may be posted or erected at any location; and

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the Suffolk County Department of Public Works, attn. Justin Hipperling, Town of Riverhead Highway Superintendent, and the Building Department; and

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

WOOTEN YES ___ NO DUNLEAVY YES ___ NO

BLASS ~~___ YES ___ NO~~ *absent*

CARDINALE YES ___ NO

THIS RESOLUTION IS ___ IS NOT
DECLARED DULY ADOPTED

8/4/09

Adopted

Town of Riverhead

Resolution # 774

AUTHORIZES THE SUPERVISOR TO EXECUTE UPS DROP BOX AGREEMENT

COUNCILMAN WOOTEN offered the following resolution, was seconded by

COUNCILMAN DUNLEAVY :

WHEREAS, the Town is desirous of the placement of a United Parcel Service Drop Box at the "Town Hall West" location at 1295 Pulaski Street, Riverhead, New York.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead hereby approves the attached UPS Drop Box Agreement with the United Parcel Service, Inc. and authorizes the Town Supervisor to execute same with his signature; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to the United Parcel Service, Inc., 980 Horseblock Road, Farmingville, NY 11938, to the attention of Maureen McKenna; and be it further

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

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No *absent*

Cardinale Yes No

The Resolution Was Was Not
Therefore Duly Adopted

To Mary Ann
E. Maclean McKenna

UPS DROP BOX AGREEMENT

THIS AGREEMENT is dated the 20 day of July, 2009 between United Parcel Service, Inc. ("UPS") and the undersigned "Owner." In consideration of mutual benefits to Owner and UPS of the availability of a UPS Drop Box(s) at the location(s) described herein and the mutual agreements set forth below, Owner hereby grants UPS a license to install, maintain and replace its existing UPS Drop Box(s) for the receipt of UPS Air Services shipments at the location(s) in the building(s) owned by Owner identified on Attachment A which is made a part hereof.

The term of this Agreement shall be for one year(s), commencing on 20 July, 2009 and ending on 30 July 2010 (the "Initial Term"). Unless terminated by either party, the Agreement may be automatically renewed for three (3) additional terms (each a "Renewal Term") of one (1) year(s) each. Notwithstanding anything contained within to the contrary, either party shall have the right to terminate this Agreement for any reason by giving the other at least twenty (20) days written notice of intent to do so.

The Drop Box(s) shall be installed and maintained at the sole expense of UPS. Owner agrees to notify UPS if the Drop Box(s) needs to be relocated to another location on the property.

UPS agrees to maintain the following liability insurance coverage

- (a) Commercial General Liability, including products/completed operations and personal and advertising injury coverage, with coverage of not less than One Million Dollars (\$1,000,000) per occurrence
- (b) Commercial Automobile liability with limits of not less than One Million Dollars (\$1,000,000) combined single limit per occurrence
- (c) Workers' Compensation in compliance with all statutory regulations in any state where the Services are performed and Employer Liability with limits of not less than One Million (\$1,000,000) per occurrence

UPS agrees to indemnify, defend and hold harmless the Owner and Owner's Building Manager against loss or damage to third persons and property resulting directly from the installation and use of the Drop Box(s), and not resulting from negligent or wrongful acts of Owner, Building Manager or their agents, employees or servants.

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their heirs, successors and assigns. This Agreement cancels and supersedes all previous oral and written agreements between the parties concerning the installation of UPS Drop Box(s) at the location specified herein.

OWNER:

UPS:

ATTACHMENT "A"

LOCATION(S) FOR UPS DROP BOX(S):

ADDRESS OF BUILDING(S):

1295 Pulaski Street
Riverhead N.Y. 11901

UNITED PARCEL SERVICE, INC.

By:
(Authorized Representative)

By: *Maureen McKenna*
(Authorized Agent)

Print Name:

Print Name: *MAUREEN McKenna*

Title:

Title: *SSR*

Date:

Date: *July 20, 2009*

Mailing Address:

Mailing Address:

980 Horrocks Rd

Farmington NY 11938

Phone Number :

Phone Number: *631-451-8472*

FAX *631-451-8475*

8/4/09

Adopted

TOWN OF RIVERHEAD

Resolution # 775

RESOLUTION AND CONSENT APPROVING THE DEDICATION OF HIGHWAYS KNOWN AS HIDDEN ACRES PATH, SAINT ANDREWS PATH, INDIANWOOD COURT, MERION CIRCLE and OAKMONT COURT (BIRCHWOOD AT WADING RIVER – SECTION 2)

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

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 4th of August, 2009.

P R E S E N T :

- Hon. Philip J. Cardinale, Supervisor
- James Wooten, 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

HIDDEN ACRES PATH, SAINT ANDREWS PATH, INDIANWOOD COURT, MERION CIRCLE and OAKMONT COURT.

X

WHEREAS, a certain subdivision map was filed in the Office of the Clerk of the County of Suffolk, known as "Birchwood at Wading River, Section 2", Town of Riverhead, County of Suffolk, State of New York, filed on March 31, 2003 as File No. 10925 in the Office of the Clerk of Suffolk County, Riverhead, New York; and

WHEREAS, plans for the construction of various improvements to said roads and drainage area known and designated as **HIDDEN ACRES PATH, SAINT ANDREWS PATH, INDIANWOOD COURT, MERION CIRCLE** and **OAKMONT COURT** 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 Title Certification from Absolute Abstract, Inc, an authorized agent for Commonwealth Land Title Insurance Company, Title Number SS1289, dated March 4, 2009 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 certain roads and drainage area known as **HIDDEN ACRES PATH, SAINT ANDREWS PATH, INDIANWOOD COURT, MERION CIRCLE** and **OAKMONT COURT**, said Town roads to consist of the land described in the deed of dedication dated the 30th day of March, 2009 and to extend same as delineated therein; and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead be and 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 bond (International Fidelity Insurance Company Maintenance Bond #3362327-M) 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 letters of intent of non-renewal/cancellation from the financial institution issuing said maintenance bond shall be sent at least 60 days prior to the renewal/cancellation date, via certified mail, to the Office of the Town Attorney, 200 Howell Avenue, Riverhead, New York, 11901; and be it further

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

RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Peter S. Danowski, Jr., Esq., 616 Roanoke Avenue, Riverhead, New York, 11901; International Fidelity Insurance Company, One Newark Center, 20th Floor, Newark, New Jersey, 07102; Attn: Maintenance Bond Division, Bond #336237-M; and be it further

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

Dated: Riverhead, New York
August 4, 2009

**TOWN BOARD OF THE
TOWN OF RIVERHEAD**

PHILIP J. CARDINALE

JAMES WOOTEN

BARBARA BLASS

JOHN DUNLEAVY

THE VOTE

Wooten Yes No
Dunleavy Yes No Blass Yes No *absent*
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)**

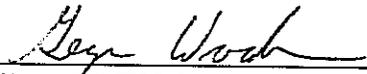
**HIDDEN ACRES PATH, SAINT ANDREWS
PATH, INDIANWOOD COURT, MERION
CIRCLE and OAKMONT COURT**

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 **HIDDEN ACRES PATH, SAINT ANDREWS PATH, INDIANWOOD COURT, MERION CIRCLE** and **OAKMONT COURT**, for 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
March 18th, 2009



GEORGE WOODSON, Superintendent
Town of Riverhead Highway Department

SCHEDULE A

Birchwood at Wading River, LLC.
at Wading River, Town of Riverhead
Suffolk County, New York

Surveyor's Description - Roads
Birchwood at Wading River, Section 2

ALL those certain plots, pieces or parcels of land, with the buildings and improvements thereon erected, situate, lying and being at Wading River, Town of Riverhead, County of Suffolk, and State of New York, known and designated as Saint Andrews Path, Indianwood Court, Hidden Acres Path, Merion Circle and Oakmont Court, as shown on Subdivision, "Birchwood at Wading River, Section 2" filed in the Office of the Clerk of Suffolk County on March 31, 2003 as File No. 10925, more particularly bounded and described as follows:

Saint Andrews Path

BEGINNING at a point at the westerly terminus of the arc of a curve connecting the westerly side of Saint Andrews Path and the southerly side of Hidden Acres Path;

RUNNING thence from said point of beginning on the arc of a curve to the left having a radius of 1,085.54 feet along the southerly side of Hidden Acres Path for a distance of 102.67 feet to Lot 95, Subdivision, "Birchwood at Wading River, Section 2";

RUNNING thence along Lot 95, Lot 96, Lot 97, Lot 98, and Lot 99, Subdivision, "Birchwood at Wading River, Section 2" the following five (5) courses and distances:

1. On the arc of a curve to the left having a radius of 25.00 feet for a distance of 38.09 feet,
2. South 21 deg. 31 min. 36 sec. East 41.50 feet,
3. On the arc of a curve to the left having a radius of 572.50 feet for a distance of 373.27 feet,
4. South 58 deg. 53 min. 02 sec. East 156.73 feet,
5. On the arc of a curve to the right having a radius of 627.50 feet for a distance of 309.97 feet to Lot 55, Subdivision, "Birchwood at Wading River, Section 1", Suffolk County File No. 10670;

RUNNING thence South 59 deg. 25 min. 09 sec. West crossing Saint Andrews Path 56.00 feet to Lot 56, Subdivision, "Birchwood at Wading River, Section 1";

RUNNING thence along Lot 56, Subdivision, "Birchwood at Wading River, Section 1" and along Lot 61 and Lot 62, Subdivision, "Birchwood at Wading River, Section 2" the following two (2) courses and distances:

1. On the arc of a curve to the left having a radius of 572.50 feet for a distance 282.80 feet,
2. North 58 deg. 53 min. 02 sec. West 114.26 feet to the easterly side of Indianwood Court;

RUNNING thence crossing Indianwood Court the following two (2) courses and distances:

1. North 58 deg. 53 min. 02 sec. West 42.47 feet,
2. On the arc of a curve to the right having a radius of 627.50 feet for a distance of 60.19 feet to Lot 66, Subdivision, "Birchwood at Wading River, Section 2";

RUNNING thence along Lot 66, Lot 67 and Lot 68, Subdivision, "Birchwood at Wading River, Section 2" the following three (3) courses and distances:

1. On the arc of a curve to the right having a radius of 627.50 feet for a distance of 348.94 feet,
2. North 21 deg. 31 min. 36 sec. West 41.50 feet,
3. On the arc of a curve to the left having a radius of 25.00 feet for a distance of 38.09 feet to the southerly side of Hidden Acres Path and the point or place of Beginning.

Indianwood Court

BEGINNING at a point at the northerly terminus of the arc of a curve connecting the southerly side of Saint Andrews Path and the easterly side of Indianwood Court;

RUNNING thence from said point of beginning along Lot 60, Lot 62, Lot 63, Lot 64, Lot 65, and Lot 66, Subdivision, "Birchwood at Wading River, Section 2" the following nine (9) courses and distances:

1. On the arc of a curve to the left having a radius of 25.00 feet for a distance of 38.89 feet,
2. South 31 deg. 59 min. 50 sec. West 15.36 feet,
3. On the arc of a curve to the left having a radius of 284.04 feet for a distance of 135.53 feet,
4. On the arc of a curve to the left having a radius of 25.00 feet for a distance of 25.71 feet,
5. On the arc of a curve to the right having a radius of 60.00 feet for a distance of 296.55 feet,
6. On the arc of a curve to the left having a radius of 25.00 feet for a distance of 20.24 feet,
7. On the arc of a curve to the right having a radius of 339.04 feet for a distance of 174.33 feet,
8. North 31 deg. 59 min. 50 sec. East 16.75 feet,
9. On the arc of a curve to the left having a radius of 25.00 feet for a distance of 37.26 feet to the southerly side of Saint Andrews Path;

RUNNING thence along the southerly side of Saint Andrews Path the following two (2) courses and distances:

1. On the arc of a curve to the left having a radius of 627.50 feet for a distance of 60.19 feet,
2. South 58 deg. 53 min. 02 sec. East 42.47 feet to the point or place of beginning.

Hidden Acres Path

BEGINNING at a point marking the intersection of the easterly side of Wading River - Manorville Road (C.R. 25) and the northerly side of Hidden Acres Path:

RUNNING thence from said point of beginning along Lot 69 and Lot 70, Subdivision, "Birchwood at Wading River, Section 2" the following three (3) courses and distances:

1. On the arc of a curve to the left having a radius of 35.00 feet for a distance of 54.98 feet,
2. North 75 deg. 19 min. 15 sec. East 79.67 feet,
3. On the arc of a curve to the left having a radius of 1,030.54 feet for a distance of 371.74 feet to the westerly side of Merion Circle;

RUNNING thence on the arc of a curve to the left having a radius of 1,030.54 feet crossing Merion Circle for a distance of 107.69 feet to Lot 90, Subdivision, "Birchwood at Wading River, Section 2";

RUNNING thence along Lot 90 and Lot 84, Subdivision, "Birchwood at Wading River, Section 2" the following three (3) courses and distances:

1. On the arc of a curve to the left having a radius of 1,030.54 feet for a distance of 129.26 feet,
2. North 41 deg. 28 min. 45 sec. East 94.22 feet,
3. On the arc of a curve to the right having a radius of 827.50 feet for a distance of 119.29 feet to the westerly side of Merion Circle;

RUNNING thence on the arc of a curve to the right having a radius of 827.50 feet crossing Merion Circle 101.99 feet to Lot 83, Subdivision, "Birchwood at Wading River, Section 2";

RUNNING thence on the arc of a curve to the right having a radius of 827.50 feet along Lot 83, Subdivision, "Birchwood at Wading River, Section 2" for a distance of 143.64 feet to Lot 36, Subdivision, "Birchwood at Wading River, Section 1";

RUNNING thence South 23 deg. 15 min. 17 sec. East crossing Hidden Acres Path 55.00 feet to Lot 37, Subdivision, "Birchwood at Wading River, Section 1";

RUNNING thence along Lot 37, Subdivision, "Birchwood at Wading River, Section 1" and along Lot 91, Lot 92, Lot 93, Lot 94 and Lot 95, Subdivision, "Birchwood at Wading River, Section 2" the following three (3) courses and distances:

1. On the arc of a curve to the left having a radius of 772.50 feet for a distance of 340.65 feet,
2. South 41 deg. 28 min. 45 sec. West 94.22 feet,
3. On the arc of a curve to the right having a radius of 1,085.54 feet for a distance of 460.10 feet to the easterly side of Saint Andrews Path;

RUNNING thence on the arc of a curve to the right having a radius of 1,085.54 feet crossing Saint Andrews Path for a distance of 102.67 feet to Lot 68, Subdivision, "Birchwood at Wading River, Section 2";

RUNNING thence along Lot 68, Subdivision, "Birchwood at Wading River, Section 2" the following three (3) courses and distances:

1. On the arc of a curve to the right having a radius of 1,085.54 feet for a distance of 78.40 feet,
2. South 75 deg. 19 min. 15 sec. West 79.67 feet,
3. On the arc of a curve to the left having a radius of 35.00 feet for a distance of 54.98 feet to the easterly side of Wading River - Manorville Road (C.R. 25);

RUNNING thence North 14 deg. 40 min. 45 sec. West along the easterly side of Wading River - Manorville Road (C.R. 25) 125.00 feet to the point or place of Beginning.

Merion Circle

BEGINNING at a point at the westerly terminus of the arc of a curve connecting the northerly side of Hidden Acres Path and the westerly side of Merion Circle;

RUNNING thence from said point of beginning along Lot 70, Lot 71, Lot 72, Lot 73, Lot 74, Lot 75, Lot 76, Lot 77, and Lot 78, Subdivision, "Birchwood at Wading River, Section 2" the following five (5) courses and distances:

1. On the arc of a curve to the left having a radius of 25.00 feet for a distance of 41.24 feet,
2. On the arc of a curve to the left having a radius of 372.50 feet for a distance of 181.93 feet,
3. North 67 deg. 50 min. 54 sec. West 97.14 feet,
4. On the arc of a curve to the right having a radius of 258.66 feet for a distance of 696.43 feet,
5. On the arc of a curve to the right having a radius of 527.50 feet for a distance of 260.33 feet to the westerly side of Oakmont Court;

RUNNING thence on the arc of a curve to the right having a radius of 527.50 feet crossing Oakmont Court for a distance of 100.40 feet to Lot 82, Subdivision, "Birchwood at Wading River, Section 2";

RUNNING thence along Lot 82 and Lot 83, Subdivision, "Birchwood at Wading River, Section 2" the following three (3) courses and distances:

1. On the arc of a curve to the right having a radius of 527.50 feet for a distance of 162.70 feet,
2. South 36 deg. 43 min. 51 sec. East 108.71 feet,
3. On the arc of a curve to the left having a radius of 25.00 feet for a distance of 37.73 feet to the northerly side of Hidden Acres Path;

RUNNING thence on the arc of a curve to the left having a radius of 827.50 feet along the northerly side of Hidden Acres Path 101.99 feet to Lot 84, Subdivision, "Birchwood at Wading River, Section 2";

RUNNING thence along Lot 84, Lot 85, Lot 86, Lot 87, Lot 88, Lot 89, and Lot 90, Subdivision, "Birchwood at Wading River, Section 2" the following seven (7) courses and distances:

1. On the arc of a curve to the left having a radius of 25.00 feet for a distance of 37.73 feet,
2. North 36 deg. 43 min. 51 sec. West 108.71 feet,
3. On the arc of a curve to the left having a radius of 472.50 feet for a distance of 468.85 feet,
4. On the arc of a curve to the left having a radius of 203.66 feet for a distance of 548.34 feet,
5. South 67 deg. 50 min. 54 sec. East 97.14 feet,
6. On the arc of a curve to the right having a radius of 427.50 feet for a distance of 211.43 feet,
7. On the arc of a curve to the left having a radius of 25.00 feet for a distance of 40.07 feet to the northerly side of Hidden Acres Path;

RUNNING thence on the arc of a curve to the right having a radius of 1,030.54 feet along the northerly side of Hidden Acres Path 107.69 feet to the point or place of Beginning.

Oakmont Court

BEGINNING at a point at the westerly terminus of the arc of a curve connecting the northerly side of Merion Circle and the westerly side of Oakmont Court;

RUNNING thence from said point of beginning along Lot 78, Lot 79, Lot 80, Lot 81 and Lot 82, Subdivision, "Birchwood at Wading River, Section 2" the following seven (7) courses and distances:

1. On the arc of a curve to the left having a radius of 25.00 feet for a distance of 36.89 feet,
2. North 30 deg. 08 min. 40 sec. East 75.76 feet,
3. On the arc of a curve to the left having a radius of 25.00 feet for a distance of 22.63 feet,
4. On the arc of a curve to the right having a radius of 60.00 feet for a distance of 297.10 feet,
5. On the arc of a curve to the left having a radius of 25.00 feet for a distance of 22.63 feet,
6. South 30 deg. 08 min. 40 sec. West 75.76 feet,
7. On the arc of a curve to the left having a radius of 25.00 feet for a distance of 36.89 feet to the northerly side of Merion Circle;

RUNNING thence on the arc of a curve to the left having a radius of 527.50 feet along the northerly side of Merion Circle 100.40 feet to the point or place of Beginning.

8/4/09

Adopted

TOWN OF RIVERHEAD

Resolution # 776

APPROVES CHAPTER 90 APPLICATION OF RIVERHEAD BAY MOTORS

COUNCILMAN WOOTEN offered the following resolution, was seconded by

COUNCILMAN DUNLEAVY :

WHEREAS, on July 28, 2009, Riverhead Bay Motors submitted a Chapter 90 Application for the purpose of conducting a used car sale to be held upon their property located at 1521 Old Country Road, Riverhead, New York, between the hours of 9:00 a.m. and 6:00 p.m. on the following dates:

August 21, 22 & 23, 2009
September 18, 19 & 20, 2009
October 9, 10 & 11, 2009; and

November 6, 7 & 8, 2009
December 4, 5 & 6, 2009

WHEREAS, Riverhead Bay Motors has completed and filed a Short Environmental Assessment Form in accordance with 6 NYCRR 617; and

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

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

WHEREAS, the Town Attorney of the Town of Riverhead has reviewed all documents regarding said application.

WHEREAS, the applicable Chapter 90 Application fee has been paid.

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

RESOLVED, that the Chapter 90 Application of Riverhead Bay Motors for the purpose of conducting a used car sale to be held upon their property located at 1521 Old Country Road, Riverhead, New York, between the hours of 9:00 a.m. and 6:00 p.m. on the above referenced

dates is hereby approved; and be it further

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

RESOLVED, that this approval is subject to the obtaining of any permits as may be required by the New York State Department of Labor and the Suffolk County Department of Health; and be it further

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

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

RESOLVED, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Riverhead Bay Motors, Attn: Ron Siegel, 1521 Old Country Road, Riverhead, New York, 11901; and be it further

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

THE VOTE

Wooten Yes No

Dunleavy Yes No

Blass Yes No *absent*

Cardinale Yes No

The Resolution Was Was Not
Therefore Duly Adopted

Adopted

RESOLUTION # <u>777</u> ABSTRACT #09-30 July 30, 2009 (TBM 08/04/09)				
Councilman Dunleavy offered the following Resolution which was seconded by				
Councilman Wooten				
FUND NAME			7/23/09 CHECKRUN	GRAND TOTALS
GENERAL FUND	1		1,016,854.83	1,016,854.83
RECREATION PROGRAM FUND	6		56,338.90	56,338.90
ECONOMIC DEVELOPMENT ZONE FUND	30		3,163.31	3,163.31
HIGHWAY FUND	111		88,230.70	88,230.70
WATER DISTRICT	112		43,454.85	43,454.85
RIVERHEAD SEWER DISTRICT	114		68,870.33	68,870.33
REFUSE & GARBAGE COLLECTION DI	115		7,149.18	7,149.18
STREET LIGHTING DISTRICT	116		6,728.56	6,728.56
PUBLIC PARKING DISTRICT	117		566.17	566.17
BUSINESS IMPROVEMENT DISTRICT	118		300.00	300.00
AMBULANCE DISTRICT	120		37.30	37.30
EAST CREEK DOCKING FACILITY FU	122		5,935.72	5,935.72
CALVERTON SEWER DISTRICT	124		810.63	810.63
RIVERHEAD SCAVANGER WASTE DIST	128		11,064.84	11,064.84
WORKERS' COMPENSATION FUND	173		2,302.22	2,302.22
RISK RETENTION FUND	175		6,175.85	6,175.85
CDBG CONSORTIUM ACOUNT	181		655.99	655.99
GENERAL FUND DEBT SERVICE	384		1,068,627.15	1,068,627.15
TOWN HALL CAPITAL PROJECTS	406		14,230.71	14,230.71
SENIORS HELP SENIORS CAP PROJE	453		-235.82	-235.82
TRUST & AGENCY	735		1,006,935.59	1,006,935.59
SPECIAL TRUST	736		2,000,000.00	2,000,000.00
COMMUNITY PRESERVATION FUND	737		1,715.97	1,715.97
CALVERTON PARK - C.D.A.	914		18,255.16	18,255.16
TOTAL ALL FUNDS			5,428,168.14	5,428,168.14

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

RESOLUTION # <u>777</u> ABSTRACT #09-29 July 23, 2009 (TBM 08/04/09)				
Councilman Wooten offered the following Resolution which was seconded by				
Councilman Wooten				
FUND NAME			7/23/09 CHECKRUN	GRAND TOTALS
GENERAL FUND	1		276,423.92	276,423.92
RECREATION PROGRAM FUND	6		3,491.00	3,491.00
NUTRITION SITE COUNCIL FUND	7		3,194.45	3,194.45
ECONOMIC DEVELOPMENT ZONE FUND	30		451.20	451.20
HIGHWAY FUND	111		70,645.88	70,645.88
WATER DISTRICT	112		24,271.17	24,271.17
RIVERHEAD SEWER DISTRICT	114		51,975.50	51,975.50
REFUSE & GARBAGE COLLECTION DI	115		3,353.51	3,353.51
STREET LIGHTING DISTRICT	116		2,235.32	2,235.32
PUBLIC PARKING DISTRICT	117		583.60	583.60
AMBULANCE DISTRICT	120		159,388.35	159,388.35
EAST CREEK DOCKING FACILITY FU	122		3,581.25	3,581.25
CALVERTON SEWER DISTRICT	124		620.72	620.72
RIVERHEAD SCAVANGER WASTE DIST	128		27,253.77	27,253.77
WORKERS' COMPENSATION FUND	173		4,963.47	4,963.47
RIVERHEAD SEWER CAPITAL PROJEC	414		2,215.79	2,215.79
CALVERTON SEWER CAPITAL PROJEC	424		2,002.70	2,002.70
SCAVENGER WASTE CAPITAL PROJEC	428		705.00	705.00
YOUTH SERVICES CAP PROJECT	452		13.20	13.20
SENIORS HELP SENIORS CAP PROJE	453		40.09	40.09
TRUST & AGENCY	735		29,160.53	29,160.53
SPECIAL TRUST	736		2,575.00	2,575.00
TOTAL ALL FUNDS			669,145.42	669,145.42