

**WAIVER OF NOTICE AND CONSENT
OF SPECIAL MEETING**

We, the Undersigned, being all members of the Riverhead Town Board of the Town of Riverhead, County of Suffolk, and State of New York, do hereby waive notice of the time, place, date and purpose of a meeting of the Town Board of the Town of Riverhead, to be held at the Town Hall, Riverhead, New York at 10:00 a.m. on the 10th day of October, 2008 and do consent to the holding of such meeting for the purpose of:

RESOLUTIONS:

- Res. #892 Amends Resolution #253 of 2008 (Approves Chapter 90 Application of Riverhead Country Fair Committee)
- Res. #893 780 Old Country Road, LLC Sewer District Budget Adoption
- Res. #894 Authorizing Legal Action Against Contractor for Work Being Performed on Property Known as Calverton Enterprise Park

Dated: October 10, 2008
Media Notified by
Supervisor

**TOWN BOARD MEMBERS
of Riverhead, New York**

Supervisor

Councilman

Councilwoman

Councilman

Councilman

Adopted

10/10/08

TOWN OF RIVERHEAD

Resolution # 892

AMENDS RESOLUTION #253 OF 2008
(APPROVES CHAPTER 90 APPLICATION OF
RIVERHEAD COUNTRY FAIR COMMITTEE)

COUNCILWOMAN BLASS

_____ offered the following resolution, was seconded by

COUNCILMAN WOOTEN

WHEREAS, by Resolution #253, adopted on March 18, 2008, the Town Board approved the Chapter 90 application of the Riverhead Country Fair Committee Inc. for the purpose of conducting their annual Country Fair to be held on Main Street, Peconic Riverfront parking area and Peconic Avenue, Riverhead, New York on October 12, 2008, having a rain date of October 13, 2008, between the hours of 10:00 a.m. and 5:00 p.m.; and

WHEREAS, James B. Lull has advised that there will be no alcoholic beverages to be sold or consumed at this event and as such, has requested to amend the Chapter 90 application to exclude the service of alcoholic beer during the event.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby amends Resolution #253 to prohibit the service of alcoholic beer during this event; and be it further

RESOLVED, that all other terms and conditions of Resolution #253 shall remain in full force and effect; and be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to the Riverhead Country Fair Committee/Townscape, Inc., 200 Howell Avenue, Riverhead, New York, 11901 and copies to the Riverhead Fire Marshal, the Riverhead Police Department, and the Office of the Town Attorney.

				THE VOTE			
Buckley	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Wooten	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no		
Dunleavy	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	Blass	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no		
			Cardinale	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no		
				THE RESOLUTION <input checked="" type="checkbox"/> WAS <input type="checkbox"/> WAS NOT			
				THEREFORE DULY ADOPTED			

October 10, 2008

Adopted

TOWN OF RIVERHEAD

780 Old Country Road LLC
SEWER DISTRICT

BUDGET ADOPTION

RESOLUTION # 893

COUNCILMAN WOOTEN

_____ offered the following resolution,

which was seconded by _____ COUNCILWOMAN BLASS

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

		<u>FROM</u>	<u>TO</u>
406.092705.421050.20029	Developer Fees	\$11,250	
406.081300.543504.20029	Engineering Fee		\$11,250

THE VOTE

Wooten Yes No

Buckley Yes No *absent*

Dunleavy Yes No

Blass Yes No

Cardinale Yes No



200 Howell Avenue
Riverhead, NY 11901

William Rothaar
Financial Administrator

(631) 727-3200 Ext. 270
(631) 727-4230 Fax

To: Town Supervisor & Town Board Members
From: William Rothaar
Date: September 25, 2008
Subject: 780 Old Country Road LLC – Damianos Realty Group
SEWER DISTRICT

The proposed TBR is necessary to investigate the engineering impact associated with the Site located at 780 Old Country Road (Rolle Brothers). We are in receipt of \$ 11,250 from the developer to pay for the Engineering Consultant Services for the Map and Plan.

If you should have any questions, please do not hesitate to Mike Reichel.

10/10/08

Resolution # 894

AUTHORIZING LEGAL ACTION AGAINST CONTRACTOR FOR WORK BEING PERFORMED ON PROPERTY KNOWN AS CALVERTON ENTERPRISE PARK

COUNCILMAN DUNLEAVY offered the following resolution, was seconded by COUNCILWOMAN BLASS :

WHEREAS, the Town of Riverhead entered in to a contract with DF Stone Contracting, Ltd. for work to be done at Calverton Enterprise Park; and

WHEREAS, DF Stone Contracting, Ltd. has failed to the perform said work in accordance with the bid specifications and contract entered into with the Town of Riverhead,

NOW, THEREFORE, BE IT RESOLVED, that Dawn C. Thomas, Town Attorney for the Town of Riverhead is authorized to institute legal action in the name of the Town of Riverhead against DF Stone Contracting, Ltd. for its failure to perform work at Calverton Enterprise Park in accordance with the bid specifications and contract entered into with the Town of Riverhead; and be it further

RESOLVED, that it is left to the discretion of Dawn C. Thomas, Town Attorney for the Town of Riverhead as whether said cause of action should seek monetary and/or punitive damages and/or injunctive relief against DF Stone Contracting, Ltd., 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 BUCKLEY *absent* YES NO

DUNLEAVY YES NO BLASS YES NO

CARDINALE YES NO

THIS RESOLUTION IS IS NOT
DECLARED DULY ADOPTED