

TOWN OF RIVERHEAD

TOWN BOARD MEETING AGENDA SEAN M. WALTER, Supervisor

July 5, 2017

**John Dunleavy, Councilman
Timothy Hubbard, Councilman**

**James Wooten, Councilman
Jodi Giglio, Councilwoman**

**Diane Wilhelm, Town Clerk
Robert F. Kozakiewicz, Town Attorney**

ELECTED OFFICIALS

Laverne Tennenberg	Chairwoman	Board of Assessors
Paul Leszczynski		Board of Assessors
Mason E. Haas		Board of Assessors
George Woodson		Highway Superintendent
Laurie Zaneski		Receiver of Taxes
Lori M. Hulse		Town Justice
Allen M. Smith		Town Justice

DEPARTMENT HEADS

William Rothaar	Accounting Department
Jefferson Murphree	Building/Planning Department
Dawn Thomas	Community Development
Drew Dillingham	Engineering Department
Chief David Hegermiller	Police Department
Ray Coyne	Recreation Department
Judy Doll	Senior Services
Michael Reichel	Sewer District
Mark Conklin	Water Department

CALL TO ORDER AND PLEDGE OF ALLEGIANCE TO THE FLAG

APPROVAL OF MINUTES OF

Town Board Meeting of June 20, 2017

Councilperson _____ offered to accept the minutes,
seconded by Councilperson _____

INVOCATION

Bishop Emil Wcela, St. John the Evangelist RC Church, Riverhead

GUESTS

Sue Lingenfelter of the New York Blood Center will be discussing the emergency blood shortage in our area and urge all communities to donate blood

REPORTS

- Tax Receiver total tax collection to date as of June 26, 2017 - \$148,744,646.52
- Tax Receiver total tax collection to date as of June 28, 2017 - \$148,744,685.14
- Police Department monthly report April 2017

APPLICATIONS

CORRESPONDENCE

- Nassau & Suffolk Taxi Owners Association – letter describing negative news articles about Uber and those associated with the company
- IGHL-New establishment of Individualized Residential Alternative at 312 Oakleigh Avenue, Baiting Hollow
- Letter from Heppner & McLaughlin Realty-Sidewalks in front of the funeral home

PUBLIC HEARINGS

**2:05 P.M. The Consideration of a Local Law to Add a New Chapter 250, Entitled
“Municipal Building Energy Benchmarking” of the Riverhead Town Code**

2017 TOWN BOARD MEETING DATES

MEETING DATE	MEETING PLACE	MEETING TIME
January 4, 2017	Town Hall	2:00 p.m.
January 18, 2017	Town Hall	7:00 p.m.
February 7, 2017	Town Hall	2:00 p.m.
February 22, 2017	Town Hall	7:00 p.m.
March 7, 2017	Town Hall	2:00 p.m.
March 21, 2017	Town Hall	7:00 p.m.
April 4, 2017	Town Hall	2:00 p.m.
April 18, 2017	Town Hall	7:00 p.m.
May 2, 2017	Town Hall	2:00 p.m.
May 17, 2017	Town Hall	7:00 p.m.
June 6, 2017	Town Hall	2:00 p.m.
June 20, 2017	Town Hall	7:00 p.m.
July 5, 2017	Town Hall	2:00 p.m.
July 18, 2017	Town Hall	2:00 p.m.
August 1, 2017	Town Hall	2:00 p.m.
August 15, 2017	Town Hall	7:00 p.m.
September 6, 2017	Town Hall	2:00 p.m.
September 19, 2017	Town Hall	7:00 p.m.
October 3, 2017	Town Hall	2:00 p.m.
October 17, 2017	Town Hall	7:00 p.m.
November 8, 2017	Town Hall	2:00 p.m.
November 21, 2017	Town Hall	7:00 p.m.
December 5, 2017	Town Hall	2:00 p.m.
December 19, 2017	Town Hall	7:00 p.m.

Public Hearings for Riverhead Town Board Meeting
Wednesday, July 5, 2017 at 2:00 P.M.

**2:05 P.M. The Consideration of a Local Law to Add a New Chapter 250, Entitled
“Municipal Building Energy Benchmarking” of the Riverhead Town
Code**

TOWN OF RIVERHEAD

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town at Riverhead at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 5th day of July, 2017 at 2:05 o'clock p.m. to add a new Chapter to be designated as Chapter 250 and entitled, "Municipal Building Energy Benchmarking" of the Riverhead Town Code.

Be it enacted by the Town Board of the Town of Riverhead as follows:

CHAPTER 250

MUNICIPAL BUILDING ENERGY BENCHMARKING

§ 250-1. PURPOSE.

Buildings are the single largest user of energy in the State of New York. The poorest performing buildings typically use several times the energy of the highest performing buildings—for the exact same building use. As such, this Chapter will use Building Energy Benchmarking to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Town of Riverhead.

Collecting, reporting, and sharing Building Energy Benchmarking data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide. Equipped with this information, the Town of Riverhead is able to make smarter, more cost-effective

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operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement.

§250-2. DEFINITIONS

(1) “Benchmarking Information” shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.

(2) “Building Energy Benchmarking” shall mean the process of measuring a building’s Energy use, tracking that use over time, and comparing performance to similar buildings.

(3) “Covered Municipal Building” shall mean a building or facility that is owned or occupied by the Town of Riverhead that is 1,000 square feet or larger in size.

(4) “Department” shall mean Office of the Town Engineer.

(5) “Energy” shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.

(6) “Energy Performance Score” shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.

(7) “Energy Use Intensity (EUI)” shall mean the kBtus (1,000 British Thermal Units) used per square foot of gross floor area.

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(8) "Gross Floor Area" shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(9) "Portfolio Manager" shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(10) "Town Engineer" shall mean the head of the Department.

(11) "Utility" shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(12) "Weather Normalized Site EUI" shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

§250-3. APPLICABILITY

(1) This Chapter is applicable to all Covered Municipal Buildings as defined in Section 250-2 of this Chapter.

(2) The Town Engineer may exempt a particular Covered Municipal Building from the benchmarking requirement if the Town Engineer determines that it has characteristics that make benchmarking impractical.

§250-4. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS

(1) No later than December 31, 2017, and no later than May 1 every year thereafter, the Town Engineer or his or her designee from the Department shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.

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(2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Town Engineer or his or her designee from the Department shall begin inputting data in the following year.

§250-5. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION

(1) The Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:

(a) no later than December 31, 2017 and by September 1 of each year thereafter for Covered Municipal Buildings; and

(2) The Department shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

(a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and

(b) For each Covered Municipal Building individually:

(i) The status of compliance with the requirements of this Local Law; and

(ii) The building address, primary use type, and gross floor area; and

(iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and

(iv) A comparison of the annual summary statistics (as required by Section 250-5(2)(b)(iii) of this Chapter across calendar years for all years since annual reporting under this Chapter has been required for said building.

§250-6. MAINTENANCE OF RECORDS

The Department shall maintain records as necessary for carrying out the purposes of this Chapter, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years.

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§250-7. ENFORCEMENT AND ADMINISTRATION

(1) The Town Engineer or his or her designee from the Department shall be the Chief Enforcement Officer of this Chapter.

(2) The Chief Enforcement Officer of this Chapter may promulgate regulations necessary for the administration of the requirements of this Chapter.

(3) Within thirty days after each anniversary date of the effective date of this Chapter, the Chief Enforcement Officer shall submit a report to the Town Board of the Town of Riverhead including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Town Engineer determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Chapter.

§250-8. EFFECTIVE DATE

This Chapter shall be effective immediately upon passage.

§250-9. SEVERABILITY

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

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

Dated: Riverhead, New York
June 6, 2017

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

DIANE M. WILHELM, Town Clerk

July 5, 2017

TOWN BOARD RESOLUTION LIST:

- Reso. #496 Ratifies Preston House Fire Line/Water Service Installation Water Capital Project Budget Adoption**
- Reso. #497 1375 Old Country Road, Riverhead Water Capital Project #30138 Closure**
- Reso. #498 2016 Skate Park Improvement - Stotzky #70161 And 2016 South Jamesport Basketball Court #70164 Capital Project Closures**
- Reso. #499 Jamesport Ambulance Gas Conversion Budget Adoption**
- Reso. #500 Wading River Elementary School Service Stub Installation Water Capital Project Budget Adjustment**
- Reso. #501 Authorizing Removal of Fixed Asset Records from System**
- Reso. #502 Authorizing Removal of Fixed Asset Records from System**
- Reso. #503 General Fund – Police Budget Adjustment**
- Reso. #504 Authorizes the Acceptance of Donation from Village Lawn & Landscaping, Inc. for Arborvitae Tree Spraying at Grumman Memorial Park**
- Reso. #505 Ratifies the Appointment of a Seasonal Park Attendant II to the Recreation Department (Robert Godfrey)**
- Reso. #506 Ratifies the Appointment of a Seasonal Park Attendant II to the Recreation Department (Julia Thomas)**
- Reso. #507 Increases Hourly Rate of Traffic Control Officers**
- Reso. #508 Accepts the Retirement of Maintenance Mechanic II (Frederick Marsland)**
- Reso. #509 Grants Addendum to Excavation/Exportation Permit as Provided by Chapter 229 for Brixmor Riverhead Development LLC (The Shops at Riverhead)**
- Reso. #510 Grants Special Permit of Saulius Trucinskas Escape Quest at 120 West Main Street**

- Reso. #511 Authorizes the Town Clerk to Publish and Post Notice for a Public Hearing for a Site Plan and Special Permit Application known as Riverview Lofts Submitted by Georgica Green Ventures, LLC on a Certain Parcel Located at the Corner of 221 East Main Street and 31 McDermott Avenue. Identified as SCTM No's 600-129-1-21 and 22 Riverhead, New York**
- Reso. #512 Authorization to Publish Advertisement for Automotive Parts 2017 for the Town of Riverhead**
- Reso. #513 Appoints Seasonal Assistant Beach Managers to the Recreation Department**
- Reso. #514 Appoints Call-In Bus Drivers to the Recreation Department**
- Reso. #515 Appoints a Lifeguard to the Recreation Department (Katherine Opiela)**
- Reso. #516 Appoints a Call-In Recreation Specialist to the Recreation Department (Michael O'Hara)**
- Reso. #517 Appoints a Water Safety Instructor to the Recreation Department (Madison Santoro)**
- Reso. #518 Appoints a Call-In Recreation Specialist to the Recreation Department (William Sperl)**
- Reso. #519 Appoints a Call-In Assistant Recreation Leader to the Recreation Department (Bette Trojanowski)**
- Reso. #520 Amends Resolution #426**
- Reso. #521 Appoints Seasonal Recreation Aides to the Recreation Department**
- Reso. #522 Awards Bid – Removal and Disposal of Liquid Sludge – Riverhead Sewer District**
- Reso. #523 Authorizes the Supervisor to Execute Addendum to Agreement with VHB Engineering, Surveying and Landscape Architecture, PC for Preparation of New or Revised Subdivision Map**
- Reso. #524 Authorizes the Supervisor to Execute Addendum to Agreement with L.K. McLean Associates, Inc. for Survey of Epcal for Purposes of New or Amended Subdivision Map and Metes and Bounds Description of Southern and Northwest Portions of Recreational Bicycle Path**

- Reso. #525** Authorizes the Town Clerk to Publish and Post Public Notice of Public Hearing to Consider a Proposed Local Law for an Amendment to Chapter 289 “Vehicles, Traffic and Parking Regulations” of the Riverhead Town Code (§289-16. No Parking Certain Hours: Roads Leading to Water. – Meetinghouse Creek Road)
- Reso. #526** Resolution to Correct Bid Awards for Work Clothes
- Reso. #527** Resolution and Consent Approving the Dedication of Highways known as Mastro Road, Mastro Court, the Preserve and Drainage Areas (Subdivision Map of Mastro Realty)
- Reso. #528** Ratifies Settlement of Legal Action by Thomas Economou against the Town of Riverhead
- Reso. #529** Extends Bid for Annual Diesel/Generator Maintenance for the Riverhead Water District
- Reso. #530** Authorizes the Acceptance of Donation of Spruce Trees from Schneider Transportation Management
- Reso. #531** Ratifies the Appointment of an Unpaid Intern to the Engineering Department (John Vail)
- Reso. #532** Authorizes the Acceptance of the Resignation of William Andes, Jr., Esq., as a Municipally Appointed Director in the Riverhead Business Improvement District Management Association, Inc.; Further Authorizes the Appointment of David Barczak, as a Municipally Appointed Director in the Riverhead Business Improvement District Management Association, Inc.
- Reso. #533** Ratifies the Appointment of a Call-In Assistant Recreation Leader-Parks to the Recreation Department (Melissa Muller)
- Reso. #534** Pays Bills
- Reso. #535** Appoints a Provisional Code Enforcement Officer (Spanish Speaking) (Jorge Garcia)
- Reso. #536** Supports and Endorses Proposed Long Island Rail Road (LIRR) Weekday and Weekend Train Service Schedule