

## **RESOLUTION LIST**

**DECEMBER 2, 2014**

- Res. #809**    **General Fund – Seniors Budget Adjustment**
- Res. #810**    **Golf Riverhead LLC Water Service Capital Project Budget Adoption**
- Res. #811**    **Riverhead Highway District Budget Adjustment**
- Res. #812**    **2013 Wading River Dredging Project Closure**
- Res. #813**    **Authorizes Bloomberg Philanthropies Public Art Challenge Grant Application**
- Res. #814**    **Authorizes NDA with Barnaby Evans**
- Res. #815**    **Authorizes “Our Town” Grant Application to NEA**
- Res. #816**    **Authorizes Submission of letter of Intent and Execution of Contract by the Supervisor for Operation and Maintenance Grant Program to New York State Environmental Facilities Corporation (EFC)**
- Res. #817**    **Authorizes Community Development Department to Prepare Grant Applications for New York State Department of Environmental Conservation Clean Vessel Assistance Funding Authorizes Supervisor to Sign Contract**
- Res. #818**    **Appoints Police Officers to the Police Department**
- Res. #819**    **Ratifies Execution and Submission of Grant Application to Suffolk County for Fiscal Year 2015 Community Development Block Grant Funds**
- Res. #820**    **Awards Bid for Town Wide Printing**
- Res. #821**    **Awards Bid for Propane**
- Res. #822**    **Establishes Time of Regular Meetings of the Town Board**
- Res. #823**    **Amends Resolution 381 of 2014 (Special Use Permit Petition of 626 West Main Street, Realty, LLC)**
- Res. #824**    **Authorizes the Supervisor to Execute a Contract for Payments in Lieu of Taxes (PILOT with STR Systems NY LLC and Calverton Industrial Park, LLC)**

- Res. #825** Authorizes the Town Supervisor to Execute Agreement Between the Town of Riverhead and Darby Group Companies, Inc.
- Res. #826** Ratifies Co-Sponsorship of Weekly Saturday/Sunday Craft Vendor Market from November 22, 2014, to December 28, 2014, with the Riverhead Business Improvement District Management Association, Inc.; Authorizes Approval of a License Agreement with Designated Craft Vendors; Authorizes Amended lease Agreement with Property Owners Regarding Real Property Located at 221 East Main Street, Riverhead
- Res. #827** Authorizes the Supervisor to Execute a Lease Agreement with Kiwanis Club of Greater Riverhead for Storage for Toys for Tots
- Res. #828** Ratifies Agreement between Tanger Properties Limited Partnership and the Town of Riverhead in Connection with Black Friday Sales (Utilize Parking Police Personnel and Police Cars)
- Res. #829** Pays Bills
- Res. #830** Authorizes the Supervisor to Execute an Agreement with Flynn Stenography & Transcription Services for Court Reporter Services for December 16, 2014 Town Board Meeting
- Res. #831** Rescinds Award for Onsite Grinding of Town Yard Waste and Re-awards Bid to Second Lowest Bidder
- Res. #832** Approves Participation in Peconic Land Trust Grant Application
- Res. #833** Authorization to Publish Advertisement for Onsite Grinding of Town Yard Waste

**TOWN OF RIVERHEAD**

**Resolution # 809**

**GENERAL FUND - Seniors**

**BUDGET ADJUSTMENT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Senior Citizen's Department is in need of a freezer for their lunch program and the Financial Administrator is requesting a budget adjustment.

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

	<b><u>FROM</u></b>	<b><u>TO</u></b>
001.016250.515500 Personal Services P/T	5,000	
001.067720.524000 Equipment		5,000

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the, Senior Citizen's, Engineering and Accounting Departments.

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

Giglio <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Gabrielsen <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
Walter <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 810**

**GOLF RIVERHEAD LLC**  
**WATER SERVICE CAPITAL PROJECT**

**BUDGET ADOPTION**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, \$17,901.34 has been received from Golf Riverhead LLC, for the installation of a 2" water service located at 1793 Northville Turnpike, Riverhead; and

**WHEREAS**, Resolution #89 adopted 2/4/14 renewed a bid award with Bancker Construction allowing the Water District Superintendent to secure purchase orders for the installation of service.

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

		<b><u>FROM</u></b>	<b><u>TO</u></b>
412.092705.421050.30122	Developer Fees	17,901.34	
412.083200.523002.30122	Water Main/Service		17,901.34

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Accounting and Water Departments.

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

Giglio <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Gabrielsen <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
Walter <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 811**

**RIVERHEAD HIGHWAY DISTRICT**

**BUDGET ADJUSTMENT**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Superintendent of Highway is requesting a budget adjustment from Highway Fund Balance for the purchase of a truck.

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

	<b><u>FROM</u></b>	<b><u>TO</u></b>
111.000000.499999 Fund Balance	40,000	
111.051300.524000 Equipment		40,000

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Accounting and Highway Departments.

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

Giglio <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Gabrielsen <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
Walter <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 812**

**2013 WADING RIVER DREDGING  
PROJECT CLOSURE**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, due to Super Storm Sandy, on 2/5/13 Resolution #83 adopted the 2013 Wading River Dredging project seeking reimbursement from FEMA; and

**WHEREAS**, the project is complete and 90% of the \$129,021.82 expenses were reimbursed by FEMA.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes the Accounting Department to modify the budget, transfer \$12,901.95 from General Town Fund Balance to complete the project funding and close the project.

**RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to the Accounting, Recreation and Engineering Departments.

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 813**

**AUTHORIZES BLOOMBERG PHILANTHROPIES PUBLIC ART CHALLENGE  
GRANT APPLICATION**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, Bloomberg Philanthropies is inviting mayors in cities with 30,000 residents or more to submit proposals for a Public Art Challenge to create innovative temporary public art projects that demonstrate close collaboration between artists, or arts organizations and city government. At least three cities will be selected to receive up to \$1 million each over two years; and

**WHEREAS**, the Town of Riverhead Comprehensive Plan, the Town of Riverhead East Main Street Urban Renewal Plan, the Town of Riverhead Downtown Revitalization Plan, the Peconic Estuary Comprehensive Conservation and Management Plan, the New York State Open Space Plan and the Town of Riverhead Priority Acquisition List for Open Space support acquisition of fee title to lands, waters or structures for park, recreation, conservation or preservation purposes along the Peconic River to enhance a sense of place and accentuate the federally designated Peconic Estuary, one of twenty-eight Estuaries of National Significance; and

**WHEREAS**, Barnaby Evans is an American artist, whose original training was in the sciences but who works exclusively as an artist for many years in many media including site-specific sculpture installations, photography, film, garden design, architectural projects, writing and conceptual works. Evans is best known for WaterFire, a sculpture installed on the three rivers of downtown Providence, Rhode Island; and

**WHEREAS**, WaterFire first created by Evans in 1994 has grown to become an annual public art phenomenon and is simultaneously a free public art installation, a performance work, an urban festival, a civic ritual and a spiritual communal ceremony that transforms downtown Providence with one hundred bonfires that burn just above the surface of the three rivers. The public is invited to come and walk the riverfront, and enjoy the beauty of the flickering firelight, the fragrant scent of aromatic wood smoke, the changing silhouettes of the volunteer firetenders, and the music from around the world – each of which engages the senses and emotions of all who stroll the paths of Waterplace Park; and

**WHEREAS**, average attendance is 40,000 a night, ranging from 10,000 to 100,000. WaterFire is presented for free, with only ten percent of the funds needed to host WaterFire acquired through governmental means and the remainder coming from private and corporate donations.

**WHEREAS**, the Town of Southampton created the Riverside Urban Renewal Plan encompassing approximately 93 acres to reinforce a sense of community and neighborhood identity for the southern border of the Peconic River; and

**WHEREAS**, the East End Arts (“EEA”) was founded in 1972, a serves as the cultural anchor for downtown Riverhead offering numerous public programs on the

grounds and throughout the East End, and has a long history of being actively engaged in economic development through cultural tourism initiatives that collaborate with government, private and non-profit entities including The Winterfest Jazz on the Vine, a four year old program that has transformed the economy on the North Fork of Long Island during what was previously a slow time of the year by collaborating marketing efforts with the Long Island Convention & Visitors Bureau and the Long Island Wine Council to feature six weeks of jazz programming in area vineyards along with over 120 special offers from businesses; and

**WHEREAS**, the Long Island Aquarium Long Island Aquarium is located in downtown Riverhead, Long Island, on 3.2 acres along the scenic Peconic River and opened in 2000 as the first large-scale Aquarium to open in New York State in more than 35 years, and today hosts a variety of cultural exhibitions and events that draw a broad audience and are covered by various media outlets; and

**WHEREAS**, the Bloomberg Philanthropies Public Art Challenge grant is an effort to develop innovative projects that engage residents and attract visitors with support for temporary public art projects that celebrate creativity, enhance urban identity, encourage public-private partnerships, and drive economic development; and

**WHEREAS**, the grant application will seek to fund an effort to invest in creative place making that enhances the social, physical and economic character of Downtown Riverhead around development of a “Waterfire” installation and festival along Main Street stretching from Suffolk County Historical Society (SCHS) through Grangebel Park downtown to the Long Island Aquarium taking into consideration a “River Walk” to follow the same path along the Peconic Riverfront on both the Riverhead and Southampton sides of the river; and

**WHEREAS**, Barnaby Evans, the Town of Riverhead, the Town of Southampton, the Long Island Aquarium, EEA, and the Riverhead Business Improvement District are partnering to develop a Bloomberg Public Art Challenge grant application that emphasizes enhancement of a “Riverfront Corridor” for Downtown Riverhead along Main Street, stretching from the SCHS and Riverhead Free Library through downtown to the Long Island Aquarium taking into consideration a “River Walk” to follow the same path along the Peconic Riverfront as well as Southampton bordering Route 24; and

**WHEREAS**, the Bloomberg Challenge grant program will cover development, execution and project related expenditures but will not fund 100% of project costs. The grant is intended to provide catalytic funds as part of a strong, committed consortium of supporters to execute dynamic public art projects that establish or strengthen public-private partnerships between local government and other funders, and include strong audience engagement strategies as well as a commitment to evaluating outcomes and impact on the host city; and

**WHEREAS**, Barnaby Evans, the Long Island Aquarium, EEA, the Town of Southampton, the Town of Riverhead Business Improvement District and other private and public partners will provide the in-kind match and potentially, the Town of Riverhead or other partners may secure other funding to provide the match; and

**WHEREAS**, the Town of Riverhead has a New York State Department of State Brownfield Opportunity Area (NYS DOS BOA) grant award in the amount of \$567,000, to further support the goals of Riverfires and the Our Town grant without changing the purpose of the BOA Grant; and

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes the Bloomberg Public Art Challenge grant to be submitted by Barnaby Evans and the

Town of Riverhead for up to \$1 million, with support from the Town of Southampton, the Long Island Aquarium, EEA, and the Riverhead Business Improvement District in an effort to invest in creative place making that enhances the social, physical and economic character of Downtown Riverhead around development of a “Waterfire” installation and festival along Main Street stretching from the SCHS and Riverhead Free Library through downtown to the Long Island Aquarium taking into consideration a “River Walk” to follow the same path along the Peconic Riverfront, the grant application to be matched by the work to be completed under the NYS DOS BOA grant and other grant funds and authorizes the Community Development Department to assist with applications or documents to support the Bloomberg grant application; and be it further

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**BE IT FURTHER RESOLVED**, that the Town Clerk shall provide notification of this resolution to CDD.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 814**

**AUTHORIZES NDA WITH BARNABY EVANS**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, Barnaby Evans is an American artist representing Waterfire (“WF”) International, whose original training was in the sciences but who works exclusively as an artist for many years in many media including site-specific sculpture installations, photography, film, garden design, architectural projects, writing and conceptual works. Evans is best known for WaterFire, a sculpture installed on the three rivers of downtown Providence, Rhode Island; and

**WHEREAS**, WaterFire first created by Evans in 1994 has grown to become an annual public art phenomenon and is simultaneously a free public art installation, a performance work, an urban festival, a civic ritual and a spiritual communal ceremony that transforms downtown Providence with one hundred bonfires that burn just above the surface of the three rivers. The public is invited to come and walk the riverfront, and enjoy the beauty of the flickering firelight, the fragrant scent of aromatic wood smoke, the changing silhouettes of the volunteer firetenders, and the music from around the world – each of which engages the senses and emotions of all who stroll the paths of Waterplace Park; and

**WHEREAS**, average attendance is 40,000 a night, ranging from 10,000 to 100,000. WaterFire is presented for free, with only ten percent of the funds needed to host WaterFire acquired through governmental means and the remainder coming from private and corporate donations.

**WHEREAS**, the Town of Riverhead Comprehensive Plan, the Town of Riverhead East Main Street Urban Renewal Plan, the Town of Riverhead Downtown Revitalization Plan, the Peconic Estuary Comprehensive Conservation and Management Plan, the New York State Open Space Plan and the Town of Riverhead Priority Acquisition List for Open Space support acquisition of fee title to lands, waters or structures for park, recreation, conservation or preservation purposes along the Peconic River to enhance a sense of place and accentuate the federally designated Peconic Estuary, one of twenty-eight Estuaries of National Significance; and

**WHEREAS**, Waterfire (“WF”) International has an exclusive license to use the licensed rights outside of the City of Providence, Rhode Island, to the WaterFire sculpture/performance installation and demonstration, the name “WaterFire” (“Waterfire” and “Water Fire”), the WaterFire logos and products, videos and services related thereto; and

**WHEREAS**, Riverhead has an interest in creation of a Waterfire sculpture/performance in the Town of Riverhead; and

**WHEREAS**, WF International and Riverhead for their mutual benefit and pursuant to a working relationship which has been or may be established, anticipate that WF International may disclose or deliver to Riverhead documents, components, parts, information, drawings, data, sketches, plans programs, specifications, techniques, processes, software, inventions and other materials, both written and oral, of a secret, confidential or proprietary nature, including without limitation any and all information relating to marketing, finance, forecasts, invention, research, design or development of information system and any supportive or incidental subsystems, and any and all subject matter claimed in or disclosed by any patent application prepared or filed by or behalf of by WF International, in any jurisdiction, and any amendments or supplements thereto (collectively, "Proprietary Information"); and

**WHEREAS**, WF International and Riverhead desires to assure that the confidentiality of any Proprietary Information is maintained;

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes the Town of Riverhead/Town Supervisor to enter into a confidential non-disclosure agreement with Waterfire International, LLC,; and be it further

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**BE IT FURTHER RESOLVED**, that the Town Clerk shall provide notification of this resolution to CDD.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 815

**AUTHORIZES “OUR TOWN” GRANT APPLICATION TO NEA**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the National Endowment for the Arts (“NEA”) was established by Congress in 1965 as an independent agency of the federal government to foster the arts and to date has awarded more than \$4 billion to support artistic excellence, creativity and innovation for the benefit of individuals and communities; and

**WHEREAS**, the Town of Riverhead Comprehensive Plan, the Town of Riverhead East Main Street Urban Renewal Plan, the Town of Riverhead Downtown Revitalization Plan, the Peconic Estuary Comprehensive Conservation and Management Plan, the New York State Open Space Plan and the Town of Riverhead Priority Acquisition List for Open Space support acquisition of fee title to lands, waters or structures for park, recreation, conservation or preservation purposes along the Peconic River to enhance a sense of place and accentuate the federally designated Peconic Estuary, one of twenty-eight Estuaries of National Significance; and

**WHEREAS**, Barnaby Evans is an American artist, whose original training was in the sciences but who works exclusively as an artist for many years in many media including site-specific sculpture installations, photography, film, garden design, architectural projects, writing and conceptual works. Evans is best known for WaterFire, a sculpture installed on the three rivers of downtown Providence, Rhode Island; and

**WHEREAS**, WaterFire first created by Evans in 1994 has grown to become an annual public art phenomenon and is simultaneously a free public art installation, a performance work, an urban festival, a civic ritual and a spiritual communal ceremony that transforms downtown Providence with one hundred bonfires that burn just above the surface of the three rivers. The public is invited to come and walk the riverfront, and enjoy the beauty of the flickering firelight, the fragrant scent of aromatic wood smoke, the changing silhouettes of the volunteer firetenders, and the music from around the world – each of which engages the senses and emotions of all who stroll the paths of Waterplace Park; and

**WHEREAS**, average attendance is 40,000 a night, ranging from 10,000 to 100,000. WaterFire is presented for free, with only ten percent of the funds needed to host WaterFire acquired through governmental means and the remainder coming from private and corporate donations.

**WHEREAS**, the Town of Southampton created the Riverside Urban Renewal Plan encompassing approximately 93 acres to reinforce a sense of community and neighborhood identity for the southern border of the Peconic River; and

**WHEREAS**, the East End Arts (“EEA”) was founded in 1972, a serves as the cultural anchor for downtown Riverhead offering numerous public programs on the grounds and throughout the East End, and has a long history of being actively engaged in economic development through cultural tourism initiatives that collaborate with

government, private and non-profit entities including The Winterfest Jazz on the Vine, a four year old program that has transformed the economy on the North Fork of Long Island during what was previously a slow time of the year by collaborating marketing efforts with the Long Island Convention & Visitors Bureau and the Long Island Wine Council to feature six weeks of jazz programming in area vineyards along with over 120 special offers from businesses; and

**WHEREAS**, the Long Island Aquarium Long Island Aquarium is located in downtown Riverhead, Long Island, on 3.2 acres along the scenic Peconic River and opened in 2000 as the first large-scale Aquarium to open in New York State in more than 35 years, and today hosts a variety of cultural exhibitions and events that draw a broad audience and are covered by various media outlets; and

**WHEREAS**, the NEA Our Town grant is an effort to invest in creative place making, through which public and private partners strategically plan to shape the social, physical and economic character of a neighborhood or town around the arts and cultural activities; and

**WHEREAS**, the grant application will seek to fund an effort to invest in creative place making that enhances the social, physical and economic character of Downtown Riverhead around development of a “Waterfire” installation and festival along Main Street stretching from Suffolk County Historical Society (SCHS) through Grangebel Park downtown to the Long Island Aquarium taking into consideration a “River Walk” to follow the same path along the Peconic Riverfront on both the Riverhead and Southampton sides of the river; and

**WHEREAS**, Barnaby Evans, the Town of Riverhead, the Town of Southampton, the Long Island Aquarium, EEA, and the Riverhead Business Improvement District are partnering to develop an Our Town grant application that emphasizes enhancement of a “Riverfront Corridor” for Downtown Riverhead along Main Street and Southampton bordering Route 24 stretching from the SCHS and Riverhead Free Library through downtown to the Long Island Aquarium taking into consideration a “River Walk” to follow the same path along the Peconic Riverfront; and

**WHEREAS**, the Our Town grant amounts range from \$25,000 to \$200,000 and require a non-federal match of at least 1 to 1; and

**WHEREAS**, Barnaby Evans, the Long Island Aquarium, the Town of Riverhead Business Improvement District and other private and public partners will provide the in-kind non-federal match and potentially, the Town of Riverhead or other partners may secure county or state or other funding to provide the match; and

**WHEREAS**, the Town of Riverhead has a New York State Department of State Brownfield Opportunity Area (NYS DOS BOA) grant award in the amount of \$567,000, to further support the goals of Riverfires and the Our Town grant without changing the purpose of the BOA Grant; and

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes the “Our Town” Grant application to the NEA supported by Barnaby Evans, the Town of Southampton, the Long Island Aquarium, EEA, and the Riverhead Business Improvement District in an effort to invest in creative place making that enhances the social, physical and economic character of Downtown Riverhead around development of a “Waterfire” installation and festival along Main Street stretching from the SCHS and Riverhead Free Library through downtown to the Long Island Aquarium taking into consideration a “River Walk” to follow the same path along the Peconic Riverfront, the

grant application to be matched by the work to be completed under the NYS DOS BOA grant and other grant funds and authorizes the Community Development Department to assist with applications or documents to support the NEA grant application; and be it further

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**BE IT FURTHER RESOLVED**, that the Town Clerk shall provide notification of this resolution to CDD.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 816

**AUTHORIZES SUBMISSION OF LETTER OF INTENT AND EXECUTION  
OF CONTRACT BY THE SUPERVISOR FOR  
OPERATION AND MAINTENANCE GRANT PROGRAM TO  
NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION (EFC)**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, the State of New York Environmental Facilities Corporation (EFC) provides assistance to municipalities that provide boat pumpout facilities for marine waste holding tanks and portable toilets; and

**WHEREAS**, funding is available for up to 75%, with a maximum annual grant of \$5,000 for pumpout boats and \$2,000 for stationary facilities; and

**WHEREAS**, it is the policy of the Riverhead Town Board to encourage those practices that minimize hazardous influences on the Peconic Estuary system; and

**WHEREAS**, the Town of Riverhead is eligible for up to \$14,000 in reimbursement for the 2015 season.

**THEREFORE, BE IT RESOLVED**, by the Riverhead Town Board authorizes the Supervisor to submit the letter of intent and execute a contract with EFC.

**THEREFORE, BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a copy of this resolution to the Community Development Department and Sgt. Sean Egan.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 817

**AUTHORIZES COMMUNITY DEVELOPMENT DEPARTMENT TO PREPARE GRANT APPLICATIONS FOR NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION CLEAN VESSEL ASSISTANCE FUNDING AND AUTHORIZES SUPERVISOR TO SIGN CONTRACT**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town of Riverhead provides boat pumpout facilities for marine waste holding tanks and portable toilets free of charge in order to reduce effluent into the Peconic Bay to improve the water quality in this area; and

**WHEREAS**, the facilities include a pumpout boat that patrols the town's waterways, as well as two stationary facilities (Downtown Riverfront Dock and East Creek Facility in Jamesport); and

**WHEREAS**, the service has been very successful in protecting the environment of Riverhead's portion of the Peconic Estuary; and

**WHEREAS**, the Town of Riverhead desires to ensure that service at the stationary facilities remain uninterrupted at all times and needs to replace an engine at the Downtown facility that was submerged during Super Storm Sandy.

**WHEREAS**, at present the Town of Riverhead receives annual funding of up to \$9,000 (\$5,000 for the boat and \$2,000 per land-based facility) from New York State Department of Environmental Conservation (DEC) towards the operation and maintenance of this service; and

**WHEREAS**, the New York State Environmental Facilities Corporation Clean Vessel Assistance Program has funding available to pay 75% of the cost of repairs to existing facilities;; and

**WHEREAS**, the Town of Riverhead has received a quote of \$2,560 to repair the Downtown Riverfront Dock Peconic River Pumpout facility, as attached; and

**WHEREAS**, if funding is approved by both New York State Environmental Facilities Corporation Clean Vessel Assistance Program for \$1,920, the Town of Riverhead match would be \$640.

**THEREFORE, BE IT FURTHER RESOLVED**, that the Town Board authorizes the Community Development Department to prepare said application and for the Supervisor to sign said grant application to New York State Environmental Facilities Corporation Clean Vessel Assistance Program and to include a town match of up to \$640.

**THEREFORE, BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a copy of this resolution to the Community Development Department Director Chris Kempner and Town Engineer Ken Testa.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 818**

**APPOINTS POLICE OFFICERS TO THE POLICE DEPARTMENT**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, the Suffolk County Department of Civil Service established List #11-5002-270 Police Officer OC on December 27, 2011; and

**WHEREAS**, extensive background investigations and personal interviews were conducted by the Suffolk County and Riverhead Town Police Departments to establish six (6) individuals eligible for hire by the Town of Riverhead Police Department.

**NOW, THEREFORE BE IT RESOLVED**, effective December 15, 2014, Giuseppe T. Rosini, Christopher K. Tam, Richard M. VonVoigt, Matthew R. Neknez, Byron E. Perez and Daniel C. Walther are hereby appointed to the position of Police Officer; and

**BE IT FURTHER RESOLVED**, that these appointments are contingent upon the candidates successfully passing a drug test administered by the Town of Riverhead; and

**BE IT FURTHER RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same from the Office of the Town Clerk.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 819

**RATIFIES EXECUTION AND SUBMISSION OF GRANT APPLICATION TO SUFFOLK COUNTY FOR FISCAL YEAR 2015 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Town of Riverhead participates in the Suffolk County Consortium to receive Community Development Block Grant funds from the United States Department of Housing and Urban Development for benefit to low and moderate income persons and for the prevention of slum and blight; and

**WHEREAS**, the Town of Riverhead has complied with the citizen participation requirements of the CDBG program; and

**WHEREAS**, the Town of Riverhead possesses the legal authority to make a grant application through Suffolk County and to execute a community development and housing program.

**NOW THEREFORE BE IT RESOLVED**, that the Riverhead Town Board hereby ratifies the execution and submission of a grant application to the Suffolk County Department of Community Development as grantee of Community Development Block Grant funds for FY 2015 from the United States Department of Housing and Urban Development as follows:

<b>2015 CDBG Application</b>	
Bread and More Soup Kitchen	\$ 5,000
Open Arms Soup Kitchen	\$ 5,000
Riverhead Community Awareness Program	\$ 5,000
Dominican Sisters	\$ 5,000
Maureen's Haven	\$ 5,000
Home Improvement Program	\$ 80,130
Senior Center Improvements	\$ 31,000
<u>Administration</u>	<u>\$ 7,131</u>
TOTAL	\$143,261

**BE IT FURTHER RESOLVED**, that upon approval by the Grantor, the Town Board authorizes the Supervisor to execute the required agreement between Suffolk County and the Town of Riverhead and to undertake the program as approved including entering into sub-recipient agreements subject to review and approval by the Town Attorney; and

**BE IT FURTHER RESOLVED**, that the Riverhead Town Board hereby authorizes the Accounting Department to set up budgets for the contract and issue purchase orders; and

**THEREFORE, BE IT FURTHER RESOLVED**, that the Town Clerk shall provide a certified copy of this resolution to Suffolk County Community Development Director, Jill Rosen-Nikoloff-Thompson, Suffolk County Community Development, PO Box 6100, Hauppauge NY 11788-0099 and an electronic copy of the adopted resolution to the Community Development Department and the Accounting Department.

**THEREFORE, BE IT FURTHER RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution #820**

**AWARDS BID FOR TOWN WIDE PRINTING**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Town Clerk was authorized to publish and post a notice for sealed bids for **TOWN WIDE PRINTING** for the Town of Riverhead and;

**WHEREAS**, 2 bids were received and opened at 2:00 pm on NOVEMBER 20, 2014 at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders.

**NOW THEREFORE BE IT RESOLVED**, that the bid for **TOWN WIDE PRINTING** for the Town of Riverhead be and hereby is, awarded to **SIR SPEEDY PRINTING (Items #1, 2, 3, 4, 5, 6, 7, 8, 9, 11,12,16,18, 19, 20, 21 & 41); & GBV PRINTING SERVICES (Items #13, 14, 15, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 37, 42, 43, 45, 46, 47, 48, & 49)**; for prices on the attached pages.

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

		SIR	SPEDDY	1,000.00	2,500.00	5,000.00	10,000.00	10,000 +	GBV	1,000.00	2,500.00	5,000.00	10,000 +
	PRICING SHEET		500.00						500.00				
	BUSINESS CARDS - 6518 3 1/2" x 2"												
	1 WHITE W/B/LUE LETTERING RIVERHEAD POLICE DEPARTMENT	28.00	34.00	54.00	90.00	155.00	39.00	39.00	90.00	105.00	280.00		
	WHITE W/B/LUE LETTERING; FIRE MARSHAL SEAL; COLORED SEAL; RED, YELLOW, BLUE, GREEN.	30.00	40.00	60.00	100.00	165.00	72.00	84.00	145.00	240.00	420.00		
	2 BLUE, GREEN.												
	3 WHITE WITH BLUE LETTERING; WHITE GLOSS CARDSTOCK; 4 COLOR TOWN OF RIVERHEAD SEAL; BLUE, GREEN, YELLOW, WHITE.	30.00	40.00	60.00	100.00	165.00	70.00	76.00	135.00	180.00	300.00		
	4 BLACK LETTERING; WHITE CARDSTOCK; GOLD RAISED POLICE DEPARTMENT DETECTIVE SEAL	33.00	39.00	85.00	165.00	315.00	39.00	45.00	105.00	195.00	320.00		
	5 SAME AS #4 ABOVE WITHOUT RAISED LETTERING	30.00	40.00	60.00	100.00	165.00	39.00	45.00	105.00	195.00	320.00		
	6 WHITE W/BLACK LETTERING; TOWN OF RIVERHEAD SEAL; CARDSTOCK	25.00	30.00	50.00	80.00	140.00	36.00	39.00	90.00	105.00	280.00		
	7 WHITE W/BLUE LETTERING; TOWN OF RIVERHEAD SEAL; CARDSTOCK; CHAPERONE CARDS FOR RECREATION DEPT.	28.00	34.00	54.00	90.00	155.00	36.00	39.00	90.00	165.00	280.00		
	8 NCR FORMS - 3 PART - WHITE, YELLOW, GREEN- 8 1/2 X 11 - "TOWN OF RIVERHEAD POLICE DEPARTMENT IMPOUND RECEIPT" (NUMBERED) SEE ATTACHED; 2 PER PAGE; 52 PAGES PER BOOK	3,000.00	5,500.00	12,500.00	22,000.00	40,000.00	N/B	N/B	N/B	N/B	N/B		
	9 NCR FORMS - 3 PART - WHITE, YELLOW, PINK 5-1/2 X 8-1/2; 50 to a book, "ACCIDENT EXCHANGE INFORMATION" see attached	1,550.00	2,900.00	6,200.00	11,800.00	20,700.00	N/B	N/B	N/B	N/B	N/B		
	10 NCR FORMS 3 PLY, ENVELOPE W/RETURN ADDRESS "PARKING TICKETS" (directions on back of pink copy) pre numbered	N/B	N/B	N/B	N/B	N/B	N/B	N/B	N/B	N/B	N/B		
	11 PADS; NCR BOOKS 2 part pink & yellow; cardboard backing; .25 per book; "TOWN CODE APPEARANCE TICKET"; pre numbered	1,090.00	1,600.00	3,200.00	6,250.00	12,000.00	N/B	N/B	N/B	N/B	N/B		
	12 PADS; BLUE MEMO, "INTER OFFICE COMMUNICATION"; 50 per book; attached	600.00	1,125.00	2,350.00	4,400.00	7,500.00	N/B	N/B	N/B	N/B	N/B		
	13 GOLD FOLDER - size 11 3/4 x 3 1/2; "DETECTIVE CASE FOLDER" black ink	N/B	N/B	N/B	N/B	N/B	256.00	336.00	680.00	1,245.00	2,360.00		
	14 GOLD FOLDER; size 11 3/4" x 9 1/2"; "DWI CASE FOLDER"; black ink	N/B	N/B	N/B	N/B	N/B	256.00	336.00	680.00	1,245.00	2,360.00		
	15 MEMO BOOK PAGES - WHITE W/BLACK INK; 7000 EACH; SAMPLE ATTACHED	N/B	N/B	N/B	N/B	N/B	210.00						

	SIR	SPEEDY	1,000.00	2,500.00	5,000.00	10000 +	GBV	500.00	1,000.00	2,500.00	5,000.00	10000 +
PRICING SHEET		500.00	1,000.00	2,500.00	5,000.00	10000 +		500.00	1,000.00	2,500.00	5,000.00	10000 +
PADS, RECEIPT - RIVERHEAD POLICE - DETECTIVE DIVISION - 16 numbered; sample attached; NCR white, yellow pink; 50 per book		1,100.00	1,950.00	4,050.00	7,750.00	14,200.00		N/B				
ARREST CARDS; double sided; white w/black ink; 1000 card stock; 5x8		N/B	N/B	N/B	N/B	N/B		121.00				
PADS; "RECEIPT" RIVERHEAD POLICE, RIVERHEAD, NY 8 1/2 x 11 - 4 per page; numbered NCR 2 ply white-yellow; 200 per book		2,500.00	4,500.00	10,400.00	19,000.00	34,350.00		N/B	N/B	N/B	N/B	N/B
PADS, NCR 5 PLY; white, green, yellow, pink, gold TOWN OF RIVERHEAD "POST ARRANGMENT CASH BAIL RECEIPT"; 19 numbered; black ink; 25 per book		2,200.00	3,760.00	8,400.00	15,400.00	28,450.00		N/B	N/B	N/B	N/B	N/B
PADS, NCR 3 PLY; white, pink, yellow, POLICE DEPARTMENT, TOWN OF RIVERHEAD, NY "DESK APPEARANCE TICKET"; 20 numbered; black ink; 50 per book		1,725.00	2,925.00	6,400.00	12,000.00	21,300.00		N/B	N/B	N/B	N/B	N/B
NCR 4 PLY; Green, yellow, pink, gold, POLICE DEPARTMENT, TOWN OF RIVERHEAD, NY "PRE ARRANGMENT CASH BAIL RECEIPT"; numbered; black ink; 25 per book		1,625.00	2,325.00	4,850.00	9,125.00	16,550.00		N/B	N/B	N/B	N/B	N/B
8 1/2 X 14- "TSLEAD CONTROL SHEET"; black ink; 500 single sheets		N/B	N/B	N/B	N/B	N/B		86.00				
8 1/2 x 14 "TOWN SUMMONS CONTROL SHEET"; black ink; 23 500 single sheets		N/B	N/B	N/B	N/B	N/B		86.00				
14" X 22" Poster board "OFFICIAL NOTICE TOWN OF RIVERHEAD SUBDIVISION"; 24 black ink		900.00	1,100.00	1,650.00	3,000.00	5,000.00		368.00	508.00	943.00	1,650.00	2,996.00
13" x 20" Poster board "OFFICIAL NOTICE TOWN OF RIVERHEAD SITE PLAN"; 25 black ink		900.00	1,100.00	1,650.00	3,000.00	5,000.00		342.00	468.00	843.00	1,460.00	2,685.00
13" x 20" Poster board "OFFICIAL NOTICE TOWN OF RIVERHEAD VARIANCE"; 25 black ink		900.00	1,100.00	1,650.00	3,000.00	5,000.00		342.00	468.00	843.00	1,460.00	2,685.00
NCR 3 PLY; white, yellow, pink; CODE ENFORCEMENT DIVISION; TOWN OF RIVERHEAD "CONSENT TO SEARCH"; black		245.00	275.00	380.00	575.00	1,100.00		170.00	244.00	466.00	836.00	1,577.00
NCR 3 PLY; white yellow, pink; OFFICE OF THE TOWN ATTORNEY/INVESTIGATION UNIT; "COMPLAINT FORM"; black		245.00	275.00	380.00	575.00	1,100.00		170.00	244.00	466.00	836.00	1,577.00
NCR 3 PLY; white, yellow, pink; OFFICE OF THE TOWN ATTORNEY/INVESTIGATION UNIT "INVESTIGATION REPORT"; 28 black ink		245.00	275.00	380.00	575.00	1,100.00		170.00	244.00	466.00	836.00	1,577.00
NCR 3 PLY; white, yellow, pink; OFFICE OF THE TOWN ATTORNEY/INVESTIGATION UNIT "FILE NOTES"; Black ink		245.00	275.00	380.00	575.00	1,100.00		170.00	244.00	466.00	836.00	1,577.00





**TOWN OF RIVERHEAD**

**Resolution # 821**

**AWARDS BID FOR PROPANE**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town Clerk was authorized to publish and post a notice for sealed bids for **PROPANE** for the Town of Riverhead and;

**WHEREAS**, 1 bid was received and opened at 2:00 pm on NOVEMBER 25, 2014 at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place given in the Notice to Bidders.

**NOW THEREFORE BE IT RESOLVED**, that the bid for **PROPANE** for the Town of Riverhead be and hereby is, awarded to **PECONIC PROPANE** for +\$.40 cents per gallon over daily Selkirk posted price. Maintenance and replacement to equipment attached.

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**MAINTENANCE & REPLACEMENT TO EQUIPMENT**  
**Town of Riverhead**

The purpose of this is to supply maintenance to propane equipment installed at the locations within the Town of Riverhead receiving propane deliveries. Maintenance shall include:

PICK-UP AND REMOVAL OF OLD TANKS: \$ 84.00 PER TANK

**Complete install of 6 new 100 gallon (420#) tanks at various locations, which includes purchase NOT lease of ASME tanks, new cement slabs (tank base); new twin stage regulators; new high pressure leads; perform leak test; test system; fill tanks and start up on all heaters to check for proper function.**

**LABOR:**

Hourly rate for 1-man crew to perform maintenance work, as required:

8 hours @ (\$ 84.00 )                      Total: \$ 672.00

A. Weekdays after 8 hours and Saturdays

(Hourly rate (\$ 84.00 ) x 1.5 % = (\$ 126.00 )/hour

B. Sunday/holiday

(Hourly rate ( \$ 84.00 ) x 2 % = (\$ 168.00 )/hour

**PARTS:**

Compensation for furnishing brand-name parts and components:

<u>A. Up to \$100 Certified Cost plus</u>	<u>60 % =</u>	<u>Sub-Total \$ 160.00</u>
<u>B. Up to \$500 Certified Cost plus</u>	<u>50 % =</u>	<u>\$ 750.00</u>
<u>C. Up to \$1000 Certified Cost plus</u>	<u>40 % =</u>	<u>\$ 1400.00</u>
<u>D. Up to \$5000 Certified Cost plus</u>	<u>30 % =</u>	<u>\$ 6500.00</u>
<u>E. Above \$5000 Certified Cost plus</u>	<u>30 % =</u>	<u>\$ 6500.00</u>

**TOTAL: \$15,310.00**

## TANK REPLACEMENT

### Town of Riverhead

**Complete install/purchase of new 100 gallon (420#) ASME propane tank.  
ASME Tanks will be purchased by the Town of Riverhead NOT leased.**

1. Labor/equipment to install new tank to existing heater

TOTAL: \$ 723.45

2. Labor/equipment to install 2 tanks at same location to existing heater

TOTAL: \$ 1381.08

**\*\*Note:** A bill of sale must be provided with each install.

**TOWN OF RIVERHEAD**

**Resolution # 822**

**ESTABLISHES TIME OF REGULAR MEETINGS OF THE TOWN BOARD**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, that during the year 2015, all regular meetings of the Town Board will be held twice monthly in Town Hall; the first to be held on the first Tuesday of the month at 2:00 p.m. and the second to be held on the third Tuesday of the month at 7:00 p.m. Exceptions include November 4, 2015 which will be held on Wednesday at 2:00 p.m. and January 21, 2015, February 18, 2015, March 18, 2015, May 20, 2015 and September 16, 2015, which will be held on Wednesdays at 7:00 p.m. and December 29, 2015 which will be held on Tuesday at 2:00 p.m.

**NOW THEREFORE BE IT RESOLVED**, that the Town Clerk be and is hereby directed to publish the attached notice in the December 11, 2014 issue of the News-Review Newspaper. The newspaper is hereby designated as official newspaper for this purpose, and to post same on the signboard in Town Hall; and it be further

**RESOLVED**, all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

MEETING DATE	MEETING PLACE	MEETING TIME
January 6, 2015	Town Hall	2:00 p.m.
January 21, 2015	Town Hall	7:00 p.m.
February 3, 2015	Town Hall	2:00 p.m.
February 18, 2015	Town Hall	7:00 p.m.
March 3, 2015	Town Hall	2:00 p.m.
March 18, 2015	Town Hall	7:00 p.m.
April 7, 2015	Town Hall	2:00 p.m.
April 21, 2015	Town Hall	7:00 p.m.
May 5, 2015	Town Hall	2:00 p.m.
May 20, 2015	Town Hall	7:00 p.m.
June 2, 2015	Town Hall	2:00 p.m.
June 16, 2015	Town Hall	7:00 p.m.
July 7, 2015	Town Hall	2:00 p.m.
July 21, 2015	Town Hall	7:00 p.m.
August 4, 2015	Town Hall	2:00 p.m.
August 18, 2015	Town Hall	7:00 p.m.
September 1, 2015	Town Hall	2:00 p.m.
September 16, 2015	Town Hall	7:00 p.m.
October 6, 2015	Town Hall	2:00 p.m.
October 20, 2015	Town Hall	7:00 p.m.
November 4, 2015	Town Hall	2:00 p.m.
November 17, 2015	Town Hall	7:00 p.m.
December 1, 2015	Town Hall	2:00 p.m.
December 15, 2015	Town Hall	7:00 p.m.
December 29, 2015	Town Hall	2:00 p.m.

TOWN OF RIVERHEAD

Resolution # 823

**AMENDS RESOLUTION 381 OF 2014**  
**(Special Use Permit Petition of 626 West Main Street Realty, LLC)**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, by resolution 381, adopted on May 21, 2014, the Riverhead Town Board granted the special use permit petition made by 626 West Main Street Realty, LLC, to demolish an existing gas station, convenience store and fuel dispensers and replace with a larger convenience store of approximately 1,800 square feet, a 24 foot by 74 foot fueling canopy, four (4) fuel dispensers and miscellaneous site improvements upon premises located at 626 West Main Street, Riverhead, New York 11901; such real property more particularly described as Suffolk County Tax Lot Number 0600-124-3-21.1; and

**WHEREAS**, resolution number 381 of 2014 included as a condition of approval the following:

That all solid waste generated by the residents living at the subject premises shall be disposed of by a private carting company and that a dumpster suitably screened be located in the rear of the subject premises; and

**WHEREAS**, the special use permit petition made by 626 West Main Street Realty, LLC, at all times, did not include any residential use nor any plan which set forth the location of a dumpster in the rear of the premises: and

**WHEREAS**, amendment of resolution number 381 of 2014 to correct the scrivener error is needed to remove the aforementioned condition and in its place provide the following:

That all solid waste generated at the real property shall be disposed of by a private carting company and that the dumpster be suitably screened.

**NOW THEREFORE BE IT RESOLVED**, that the Riverhead Town Board, be and hereby amends resolution number 381 of 2014, to delete the following condition:

That all solid waste generated by the residents living at the subject premises shall be disposed of by a private carting company and that a dumpster suitably screened be located in the rear of the subject premises; and

**BE IT FURTHER RESOLVED**, that the Riverhead Town Board, amends resolution number 381 of 2014, to replace the deleted condition as follows:

That all solid waste generated at the real property shall be disposed of by a private carting company and that the dumpster be suitably screened; and

**BE IT FURTHER RESOLVED**, that all other terms and conditions of 381 of 2014 shall continue in full force and effect; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby authorized to forward a copy of this resolution to Keith Patrick Brown, Esq., Brown and Altman, LLP, 510 Broadhollow Road, Suite 110, Melville, NY 11747, as agent for the applicant, to the Planning Department and to the Building Department of the Town of Riverhead; and

**BE IT FURTHER RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 824**

**AUTHORIZES THE SUPERVISOR TO EXECUTE A CONTRACT  
FOR PAYMENTS IN LIEU OF TAXES (PILOT) WITH STR SYSTEMS NY LLC AND  
CALVERTON INDUSTRIAL PARK, LLC**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**WHEREAS**, STR Systems NY LLC (“STR”) is the tenant of about 14+/- acres of real property known as 3651 Middle Country Road, Calverton, New York 11933, also known and designated as p/o SCTM # 0600-117.00 -02-009.002 (the “premises”); and

**WHEREAS**, Calverton Industrial Park, LLC (“Cal Ind. Park”) is the landlord of the “premises”; and

**WHEREAS**, STR has offices at 1350 Enterprise Drive, Kingston, New York 12401 and is an independent power producer which owns and/or operates utility and distributed electric generation systems across the United States; and

**WHEREAS**, by correspondence from Peter S. Danowski, Jr., Esq., as agent for STR, the Town of Riverhead was given Notice under Real Property Tax Law (“RPTL”) Section 487 of STR’s intent to construct a PV electric generating facility having a rated capacity of about 3.0 MW upon the premises; and

**WHEREAS**, under RPTL § 487, the Town Board did determine that STR be required to execute an agreement for payments in lieu of taxes (PILOT) and by letter dated October 7, 2014 notice was given to Peter S. Danowski, Jr, Esq. of that determination; and

**WHEREAS**, negotiations have taken place between the Town of Riverhead and STR regarding a PILOT agreement; and

**WHEREAS**, the Town of Riverhead and STR have reached terms of an agreement for payments in lieu of taxes (PILOT) as generally set forth in email from Christian Wiedermann sent on October 6, 2014.

**NOW THEREFORE BE IT RESOLVED**, the Town Board, be and hereby authorizes the Supervisor to execute an agreement for payments in lieu of taxes (PILOT) between the Town of Riverhead and STR and Cal Ind. Park, or the successor in interest, which agreement provides for payments in lieu of taxes (PILOT) as generally set forth in email from Christian Wiedermann sent on October 6, 2014 and is a form that is acceptable to the Town Attorney, the Board of Assessors and the Riverhead Central School District; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward copies of this resolution to Christian Wiedermann, c/o Richwood Greenworks, LLC, 2 Embarcadero Center, Suite 410, San Francisco, CA 94123; the Financial Administrator; the Board of Assessors; Receiver of Taxes; the Riverhead Central School District and the Office of the Town Attorney.

**THE VOTE**

Giglio Yes No  
Wooten Yes No

Gabrielsen Yes No  
Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared **WITHDRAWN**

WITHDRAWN

TOWN OF RIVERHEAD

Resolution # 825

**AUTHORIZES THE TOWN SUPERVISOR TO EXECUTE AGREEMENT BETWEEN  
THE TOWN OF RIVERHEAD AND DARBY GROUP COMPANIES, INC.**

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, by resolution number 50, adopted on July 8, 2008, the Planning Board of the Town of Riverhead, granted conditional final approval to a subdivision developed by Wulforst Farms, LLC (“Wulforst Farms”), referred to at times as the “Baiting Hollow Club,” and/or the “Baiting Hollow Club II” (hereafter referred to as the “Baiting Hollow Club” subdivision), having as one of the conditions that performance security in the amount of \$1,215,000 be posted in connection with certain improvements to be completed within said subdivision; and

**WHEREAS**, by resolution number 6, adopted on January 8, 2009, the Planning Board of the Town of Riverhead, approved the reduction of the performance security from the amount of \$1,215,000 to \$750,000; and

**WHEREAS**, by resolution number 743, adopted on September 18, 2012, the Town Board of the Town of Riverhead, approved the reduction of the performance security from the amount of \$750,000 to \$405,000; and

**WHEREAS**, in accordance with Town Board resolution number 743 on 2012 Darby Group Companies, Inc. did post a Letter of Credit dated September 17, 2012; and

**WHEREAS**, the performance security included among other items certain road improvements to Warner Drive described in further detail in Memorandum of Vincent A. Gaudiello, P.E., dated August 15, 2012 as “Reconstruction Warner Drive”; and

**WHEREAS**, the road improvements to Warner Drive remain outstanding; and

**WHEREAS**, the Town has given notice to Darby that unless the road work is performed on Warner Drive as set forth in the Memorandum of Vincent A. Gaudiello, P.E., the Town would consider Darby in default; and

**WHEREAS**, Darby has set forth certain opposition to the Town finding it in default; and

**WHEREAS**, in lieu of possible ensuing litigation and uncertainties therewith, the Town and Darby have entered into negotiations and reached agreement; and

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board hereby authorizes the Town Supervisor to sign an agreement with Darby Group Companies, Inc. in substantially the same form as the agreement attached hereto; and be it further

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same from the Office of the Town Clerk.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

AGREEMENT  
BETWEEN  
THE TOWN OF RIVERHEAD  
AND  
DARBY GROUP COMPANIES, INC.

THIS AGREEMENT ("Agreement"), made this \_\_\_\_\_ day of \_\_\_\_\_, 2014, between the Town of Riverhead, a Municipal Corporation of the State of New York (the "Town") and Darby Group Companies, Inc., with offices at 300 Jericho Quadrangle, Suite 200, Jericho, New York 11753 ("Darby").

Witness:

WHEREAS, by resolution number 50, adopted on July 8, 2008, the Planning Board of the Town of Riverhead, granted conditional final approval to a subdivision developed by Wulforst Farms, LLC ("Wulforst Farms"), referred to at times as the "Baiting Hollow Club," and/or the "Baiting Hollow Club II" (hereafter referred to as the "Baiting Hollow Club" subdivision), having as one of the conditions that performance security in the amount of \$1,215,000 be posted in connection with certain improvements to be completed within said subdivision; and

WHEREAS, by resolution number 6, adopted on January 8, 2009, the Planning Board of the Town of Riverhead, approved the reduction of the performance security from the amount of \$1,215,000 to \$750,000; and

WHEREAS, by resolution number 743, adopted on September 18, 2012, the Town Board of the Town of Riverhead, approved the reduction of the performance security from the amount of \$750,000 to \$405,000; and

WHEREAS, Darby posted a Letter of Credit dated September 17, 2012 in the sum of \$405,000.00 as performance security to ensure that certain public improvements regarding certain real property which is the subject of a filed plat, conditionally approved by the Planning Board of the Town of Riverhead on July 8, 2008, January 9, 2009 and on September 16, 2012, and known as the Baiting Hollow subdivision be completed; and

WHEREAS, by deed, recorded in the Records Office of the Suffolk County Clerk on January 4, 2012, Wulforst Farms conveyed the Baiting Hollow subdivision to Wulforst Acquisition LLC ("Wulforst Acquisition"); and

WHEREAS, since on or about October 24, 2011, Darby has held a first mortgage on the subject property given by Wulforst Acquisition, and in October 2012 Darby commenced a foreclosure action against Wulforst Acquisition and, among others, its principals and anticipates and fully expects that it will take full and complete ownership of the Baiting Hollow subdivision; and

WHEREAS, the Town has informed Darby that unless the road work is performed on Warner Drive as set forth in the Memorandum of Vincent A. Gaudiello, P.E., dated June 1, 2009 and amended and itemized as "Reconstruction Warner Drive" under item 14 in "revised

Performance Bond (Security) Estimate for 2012” dated August 15, 2012 (the “road work”), copies of both of which are attached hereto as Exhibit “A,” the Town will deem the obligations secured by Darby’s \$405,000 Letter of Credit to be in default, and present a sight draft in the sum of not greater than \$120,000 to complete said improvements; and

WHEREAS, the parties hereto wish to resolve this matter in a manner resulting in the completion of the required road work, and partial release of the \$405,000 Letter of Credit;

WHEREAS, the Town, acting through its Superintendent of Highways (“Superintendent”) has solicited and received a bid in the amount of \$117,750 (the “Bid Amount”) for the performance and completion of the road work; and

WHEREAS, Darby has informed the Town of its desire to avoid a default on the obligations secured by the \$405,000 Letter of Credit and a sight draft by depositing the Bid Amount with the Town; and

NOW, THEREFORE, it is agreed by and between the parties, as follows:

1. Darby has already renewed or extended the Letter of Credit (TFTS-342863) in the sum of \$405,000.00 for realty subdivision improvements for an additional term of not less than one year. (*See Exhibit B attached*).
2. Darby has already renewed or extended the Letter of Credit (TFTS-342882) in the sum of \$181,560.00 for the water key money for an additional term not less than one year. (*See Exhibit B attached*).
3. Darby agrees to and shall deposit with the Town the Bid Amount within 15 days of the effective date of this agreement, which sum the Town shall use solely and exclusively to pay for the performance and completion of the road work.
4. Upon Darby’s payment of the Bid Amount, Darby shall be deemed to have satisfied its obligation to perform the road work, and shall further be fully and unequivocally relieved of its obligation to perform the road work
5. Within thirty (30) days of the termination of the road work, the Town Engineer and/or Vincent A. Gaudiello, P.E., the consulting engineer to the Town shall account to Darby for the cost to complete such road work. In the event that the cost to complete the road work is less than the Bid Amount, the Town shall immediately, but under no circumstances more than thirty (30) days after the above-described accounting, return to Darby the amount by which the Bid Amount exceeds the actual cost of the road work. In the event that the cost to complete the road work is more than the Bid Amount, under no circumstances shall Darby, its principals, agents or representatives be responsible for such additional expense, but instead it shall be and remain the sole and exclusive responsibility of the Town. Under no circumstance shall Darby, the Baiting Hollow Club, Wulforst Farms, Wulforst Acquisition, or their principals, agents or representatives be responsible for any cost or expense of the road work in excess of the Bid Amount.

6. Upon Darby's payment of the Bid Amount, Darby, the Baiting Hollow Club, Wulforst Farms, Wulforst Acquisition, and their principals, agents and representatives shall be fully and completely relieved and released of any obligation or duty to perform or otherwise pay (above and beyond the Bid Amount) for the road work, and further the Town shall give up, forfeit, relinquish and release any rights it has to draw on the \$405,000 Letter of Credit, or any renewal, extension, amendment or replacement thereof for the road work.
7. The Town agrees that, by or before March 1, 2015, it will undertake the adoption of a resolution agreeing to the further reduction of the performance security under the \$405,000 Letter of Credit (TFTS-342863), which reduction shall be in a sum equal to \$171,390 – thereby requiring a letter of credit in the amount of \$231,610.
8. General/Miscellaneous.
  - a. Waiver: The failure of either party to exercise any of its rights under this Agreement or to require the performance of any term or provision of this Agreement, or the waiver by either party of such breach of this Agreement, shall not prevent a subsequent exercise or enforcement of such rights or be deemed a waiver of any subsequent breach of the same or any other term or provision of this Agreement. Any waiver of the performance of any of the terms or conditions of this Agreement shall be effective only if in writing and signed by the party against whom such waiver is to be enforced.
  - b. *Force Majeure*: If circumstances beyond the control of either party shall make it impossible for either party to perform its obligations under this Agreement, then the principles of *force majeure* shall apply and the rights and obligations of the parties shall be temporarily suspended during the force majeure period to the extent that such performance is reasonably affected thereby.
  - c. Transfer: Neither party may assign, transfer or delegate this Agreement or any of its rights and obligations in whole or in part hereunder to any third party without the prior written consent of the other party, which consent may be withheld for any reason. Any attempted assignment, delegation or transfer in contravention of this Agreement shall be null and void.
  - d. Binding Effect: This Agreement shall be binding upon and shall inure to the benefit of the parties and any respective assigns – as permitted by Section 6(d) above.
  - e. Entire Agreement: This Agreement sets forth the entire agreement of the parties, with respect to the subject matter hereof and shall take effect upon full execution. No modification, amendment, waiver, termination or discharge of this Agreement or any of the provisions hereof shall be binding upon the parties unless confirmed by a written instrument signed by both parties hereto, and this Agreement may be amended, modified and supplemented only by written agreement of both parties.
  - f. Governing Law: The validity of this Agreement and the rights, obligations and relations of the parties hereunder shall be construed and determined under and in accordance with the internal laws of the State of New York, without giving effect

to any choice of law, conflict of law principles or other provision or rule (whether of the State of New York or any other jurisdiction other than the State of New York).

- g. **Dispute Resolution:** The parties agree to use their best efforts to resolve through negotiation any dispute arising out of or relating to this Agreement. Any and all unresolved disputes may be resolved by a legal action. Any legal action with respect to this Agreement shall be brought in either state or federal court of competent jurisdiction located in Suffolk County, New York, and by execution and delivery of this Agreement, each of the parties consents to the jurisdiction of such courts, and waives any objection to venue or objection based upon forum to the bringing of any action in such jurisdiction. Each of the parties waives personal service of any summons, complaint or other process and, to the extent permitted by law, the parties hereby consent to service of such process by the means provided for notice herein.
- h. **Notices:** All notices or other communications pursuant to this Agreement shall be in writing and shall be deemed to be sufficient if sent by e-mail (to the extent that an e-mail address is provided below), and sent by nationally recognized, overnight courier to the parties at the following addresses (or at such other address for a party as shall be specified by like notice):

if to Darby, to the address listed above, with an e-mail to Justina Gordon,  
at: justina.Gordon@darbygroup.com

with copies to:

Salon Marrow Dyckman Newman & Broudy LLP  
292 Madison Avenue, 6th Floor  
New York, New York 10017  
Attention: Daniel I. Goldberg  
Telephone: 212-661-7100  
e-mail: dgoldberg@salonmarrow.com

if to the Town, to

Sean M. Walter, Supervisor  
Town of Riverhead  
200 Howell Avenue  
Riverhead, New York 11901  
Telephone: 631-727-3200

with a copy to:

Robert F. Kozakiewicz, Town Attorney  
Town of Riverhead  
200 Howell Avenue  
Riverhead, New York 11901

Telephone: 631-727-3200  
e-mail:rfk@townofriverheadny.gov

- i. Counterparts. This Agreement may be executed in one or more counterparts, each of which will be deemed to be an original copy of this Agreement and all of which, when taken together, will be deemed to constitute one and the same agreement. The exchange of copies of this Agreement and of signature pages by fax or e-mail transmission shall constitute effective execution and delivery of this Agreement and shall have the same meaning and binding effect as original signatures.

IN WITNESS WHEREOF, the Town and Darby do hereby execute this Agreement as of the date and year first above written.

TOWN OF RIVERHEAD

By: \_\_\_\_\_  
Sean M. Walter, Supervisor

DARBY GROUP COMPANIES, INC.

By: \_\_\_\_\_

TOWN OF RIVERHEAD

Resolution # 826

**RATIFIES CO-SPONSORSHIP OF WEEKLY SATURDAY/SUNDAY CRAFT VENDOR MARKET FROM NOVEMBER 22, 2014, TO DECEMBER 28, 2014, WITH THE RIVERHEAD BUSINESS IMPROVEMENT DISTRICT MANAGEMENT ASSOCIATION, INC; AUTHORIZES APPROVAL OF A LICENSE AGREEMENT WITH DESIGNATED CRAFT VENDORS; AUTHORIZES AMENDED LEASE AGREEMENT WITH PROPERTY OWNERS REGARDING REAL PROPERTY LOCATED AT 221 EAST MAIN STREET, RIVERHEAD**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, the Town of Riverhead enacted a local law pursuant to Town Board Resolution no. 222 of 1991 thereby establishing the Town of Riverhead Business Improvement District which is governed by the Riverhead Town Board; and

**WHEREAS**, upon the unanimous recommendation of the Riverhead Business Improvement District Management Association, Inc. (BIDMA), the Town of Riverhead Business Improvement District wishes to co-sponsor a weekly Saturday/Sunday Craft Vendor's Market commencing on successive Saturdays/Sundays from November 22, 2014, and ending on December 28, 2014, unless terminated sooner, from 10:00 a.m. to 2:00 p.m. regarding the Saturday session and from 11:00 a.m. to 3:00 p.m. regarding the Sunday session, on the first floor at 221 East Main Street, Riverhead; and

**WHEREAS**, the Riverhead Business Improvement District Management Association, Inc., pursuant to contract, needs the consent and approval of the Town of Riverhead Business Improvement District to facilitate Town of Riverhead Business Improvement District-related events.

**WHEREAS**, the BIDMA is requesting approval to expend up to \$4,000.00 regarding site improvements and/or advertising or promotion.

**NOW THEREFORE BE IT RESOLVED**, that the Town of Riverhead Business Improvement District shall co-sponsor with the Riverhead Business Improvement District Management Association, Inc., a weekly Saturday/Sunday Craft Vendor's Market commencing on successive Saturdays/Sundays from November 22, 2014, and ending on December 28, 2014, unless terminated sooner, from 10 a.m. to 2:00 p.m. regarding the Saturday session and from 11:00 a.m. to 3:00 p.m. regarding the Sunday session, on the first floor at 221 East Main Street, Riverhead, **subject to the following conditions:**

1. Prior to occupancy, the subject real property site improvements shall meet or exceed all New York State and town building code requirements, including but not limited to fire, electrical, plumbing, and mechanical requirements as approved by the Riverhead Town Building Department and/or Fire Marshal.
2. Each participating vendor shall execute a license agreement as well as a participating vendor application in a form to be approved by the Town Attorney's Office.
3. In general, Priority of Participation shall be as follows: 1. Riverhead Business Improvement District Members, 2. Riverhead-based craft vendors, 3. East-End based craft vendors, 4. Other craft vendors.
4. The Riverhead Business Improvement District Management Association, Inc., shall procure an insurance policy for the subject activity and on behalf of the designated craft vendors naming the Town of Riverhead Business Improvement District, Town of Riverhead, Riverhead Business Improvement Management Association, Inc., and Robert Knotoff and Nancy Knotoff as "additional insureds" with policy limits and coverage amounts in the minimum amount of \$1 million dollars per occurrence/\$1 million dollars in the aggregate.
5. BIDMA shall be authorized to expend up to \$4,000.00 regarding site improvements and/or advertising or promotion related to the subject event subject to production of a BIDMA resolution approving same, inclusive of authorization to co-sponsor the craft market.
6. The Town Supervisor shall be authorized to execute a license agreement with designated craft vendors in a form to be approved by the Town Attorney's Office.
7. The Town Supervisor shall be authorized to execute an amended lease agreement with the property owners of 221 East Main Street upon terms to be approved by the Town Attorney's Office.

**RESOLVED**, that the Riverhead Business Improvement District Management Association, Inc., shall provide all documentation regarding valid and proper expenditures for this event, to the Riverhead Town Accounting Department; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to Raymond Pickersgill, President, Riverhead Business Improvement District Management Association, Inc., 49 East Main Street, 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 electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 827

**AUTHORIZES THE SUPERVISOR TO EXECUTE A LEASE AGREEMENT WITH  
KIWANIS CLUB OF GREATER RIVERHEAD FOR STORAGE FOR TOYS FOR TOTS**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, Kiwanis Club of Greater Riverhead participates in the Toys for Tots fund raising efforts and requires storage for the toys; and

**WHEREAS**, the Town of Riverhead has agreed to lease to the Kiwanis Club of Great Riverhead the storage area located at 24 Second Street, Riverhead for a nominal fee and for the limited purpose of storage of toys for Toys for Tots.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Riverhead does hereby authorize the Supervisor of the Town of Riverhead to execute a Lease Agreement with the Kiwanis Club of Greater Riverhead, in substantially the same form as annexed hereto, for the period of time from date of execution of the Lease Agreement until December 25, 2014 for the sum of \$1.00; and be it further

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

## **LEASE AGREEMENT**

Lease Agreement made this \_\_\_\_ day of December, 2014, between the Town of Riverhead, 200 Howell Avenue, Riverhead, New York 11901 (hereinafter referred to as "Lessor") and Kiwanis Club of Greater Riverhead, 1036 Middle Rd., Riverhead, NY 11901 (hereinafter referred to as "Lessee").

### **SECTION ONE. DESCRIPTION OF PREMISES**

Lessor does agree to lease to Lessee the storage area located at 24 Second Street, Riverhead, NY 11901, commonly referred to as Second Street Firehouse (hereinafter "leased premises").

### **SECTION TWO. TERM**

Lessor leases the leased premises to the Lessee for the period of time from date of execution of this agreement until December 25, 2014 (hereinafter "lease period").

### **SECTION THREE. RENT**

Lessee shall pay Lessor for the use of the leased premises \$1.00 for the lease period.

### **SECTION FOUR. POSSESSION AT BEGINNING OF TERM**

Lessor shall provide Lessee with a key to access to the building such that Lessee shall have the ability to begin the storage of toys on the date the lease is executed by the parties.

### **SECTION FIVE. USE OF THE LEASED PREMISES**

Lessee agrees that the leased premises shall be used by Lessee exclusively as storage for the Toys for Tots fund raising efforts. No other usage of the building, including bathroom facilities, shall be permitted unless prior written consent is obtained from the

Town of Riverhead which shall be granted or not granted at the absolute direction of Lessor. Lessee may not sublet any or all of the premises without prior written approval from the Town of Riverhead.

#### **SECTION SIX. ACCEPTANCE BY LESSEE**

Lessee has inspected and knows the condition of the premises and accepts the same in their present condition.

#### **SECTION SEVEN. LESSOR'S RIGHT OF ENTRY**

Lessor or Lessor's agent may enter the premises at reasonable hours to examine the same, to do anything Lessor may be required to do under this Lease or which Lessor may deem necessary for the good of the premises or any building of which they are a part, and during the last day of tenancy to inspect the subject premises to make certain Lessee has removed all items stored at the subject site..

#### **SECTION EIGHT. MAINTENANCE AND REPAIR BY LESSEE**

Lessee shall take good care of the premises and shall keep the premises clean and presentable. At the expiration of the term, Lessee shall surrender the premises broom clean, in as good condition as the reasonable use of the premises will permit. All damage or injury to the leased premises shall be promptly repaired by Lessee.

#### **SECTION NINE. UTILITIES AND SERVICES**

As Lessee is aware, as no additional electricity, gas, water, fuel or any services or utilities are required to be used due to Lessee's use, no additional charge is required.

## **SECTION TEN. SIGNS AND ADVERTISEMENTS**

Lessee shall not put upon, or permit to be put upon, any part of the premises, any signs, billboards or advertisements on Lessor's property, either on the lawn area or building advertising the Kiwanis Club or toy drive without the approval of the Town Board.

## **SECTION ELEVEN. INDEMNIFICATION; INSURANCE**

Lessee covenants at all times to indemnify and save Lessor harmless from all loss, liability, cost or damage that may occur or be claimed with respect to any person or property on, in or about the leased premises or to the leased premises themselves resulting from any act done or omission by or through Lessee, its agents, employees, invitees or any person on the premises by reason of Lessee's use or occupancy or resulting from Lessee's non-use, or possession of such property and any and all loss, cost, liability or expense resulting from the same, and further covenants at all times to maintain such premises in a safe and careful manner.

## **SECTION TWELVE. DAMAGE TO PROPERTY ON PREMISES**

Lessee agrees that all property of every kind and description kept, stored or placed in or on the premises shall be at Lessee's sole risk and hazard and that Lessor shall not be responsible for any loss or damage to any of such property resulting from fire, explosion, water, steam, gas, electricity or the elements, whether or not originating in the premises, caused by or from leaks or defects in or breakdown of plumbing, piping, wiring, heating or any other facility, equipment or fixtures or any other cause or act and whether or not resulting from the negligence of Lessor or other tenants of Lessor or anyone for whom Lessor may be responsible.

### **SECTION THIRTEEN. DAMAGE BY CASUALTY**

In case the leased premises shall be destroyed or shall be so damaged by fire or other casualty as to become un-tenantable, then, in such event, at the option of Lessor, this Lease shall terminate from the date of such damage or destruction and Lessee shall immediately surrender such premises and all interest in the premises to Lessor. Lessor shall exercise such option to terminate this Lease by notice in writing, delivered to Lessee within 3 days after such damage or destruction. Lessee shall remove all rubbish, debris, merchandise (toys), and other personal property within 3 days after the request of Lessor. No compensation or claim shall be made by or allowed to Lessee by reason of any inconvenience or annoyance arising from the necessity of vacating or repairing any portion of the building or the leased premises.

### **SECTION FIFTEEN. ENTIRE AGREEMENT**

This Agreement contains the entire agreement between the parties, and no modification of this Agreement shall be bindings upon the parties unless evidenced by an agreement in writing signed by Lessor and Lessee after the date of this Lease.

The parties hereto have executed this Agreement the day and year first above written.

### **TOWN OF RIVERHEAD**

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By: Supervisor, Sean M. Walter

Kiwanis of Greater

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By: Harry E. Wilkinson, President

TOWN OF RIVERHEAD

Resolution # 828

**RATIFIES AGREEMENT BETWEEN TANGER PROPERTIES LIMITED  
PARTNERSHIP AND THE TOWN OF RIVERHEAD IN CONNECTION  
WITH BLACK FRIDAY SALES**

(Utilize parking police personnel and police cars)

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Dunleavy

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Riverhead hereby ratifies the terms and conditions of the Agreement in substantially the form attached between the Town of Riverhead and Tanger Properties Limited Partnership in connection with the utilization of Town of Riverhead police officers and patrol cars; and be it further

**RESOLVED**, that the Supervisor, be and hereby, is authorized to execute the Agreement in substantially the form attached; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to Janine Nebons, General Manager, Tanger Factory Outlet Centers, Inc., 200 Tanger Mall Drive, Riverhead, New York 11901, Police Department and Office of the Town Attorney; and be it further

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a copy of same may be obtained from the Office of the Town Clerk.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Thereupon Duly Declared Adopted

**AGREEMENT  
BETWEEN TOWN OF RIVERHEAD  
AND  
TANGER PROPERTIES LIMITED PARTNERSHIP  
FOR UTILIZATION OF TOWN OF RIVERHEAD  
POLICE PERSONNEL & POLICE VEHICLES**

This Contract is made and entered into as of this \_\_\_\_\_ day of December, 2014 by and between Tanger Properties Limited Partnership a partnership existing under laws of the State of North Carolina, having a principal place of business at 3200 Northline Avenue, Suite 360, Greensboro, North Carolina 27408 (“Tanger”) and the Town of Riverhead, a municipal corporation with offices located at 200 Howell Avenue, County of Suffolk and State of New York:

WHEREAS, Tanger operates an Outlet Center at 200 Tanger Mall Drive, Riverhead, New York (the “Outlet Center”); and

WHEREAS, during Black Friday Sales Events, Tanger notified the Town that it required personnel from the Town of Riverhead Police Department for the purposes of traffic control and for associated purposes at the Outlet Center; and

WHEREAS, the Town of Riverhead, acting through its Police Department did provide police personnel and patrol cars for such purposes commencing on November 27, 2014 and continuing to and including December 1, 2014; and

WHEREAS, the parties agreed to terms under which it will be granted the use of said patrol cars and personnel of the Riverhead Police Department;

NOW THEREFORE, in consideration of the mutual covenants hereinafter set forth, the parties agree to ratify the terms, as follows:

1. Use of Police Personnel & Cars: The Town of Riverhead, acting through its Police Department, in consideration of payment from Tanger, provided police personnel and patrol cars commencing on November 27, 2014 and continuing to and including December 1, 2014 for the aforementioned purposes.

Tanger agrees that it may not use any images of the police personnel and/or the police vehicles.

2. Compliance With Laws: Tanger agrees at all times to comply with all applicable federal, state, county and municipal laws, regulations, ordinances, codes and restrictions, including, without limitation, compliance with Article 28 of the New York State Tax Law and applicable regulations thereunder, and will secure any and all permits or licenses required for its activities and operations carried out at the Property.

3. Compensation: In consideration of the police personnel and patrol cars which were provided for traffic control and related purposes at the Outlet Center, Tanger shall pay the Town \$\_\_\_\_\_ for the utilization of police personnel and \$10.00 per hour for the utilization of a police vehicle. Tanger shall pay a sum of \$ \_\_\_\_\_ for utilization of police officers and

police vehicles. This sum shall be made payable to the Town of Riverhead and shall be paid at the time Tanger signs this Agreement.

4. Responsibilities of Tanger: Subject to the terms of this Agreement, Tanger acknowledges and agrees that Tanger is responsible for carrying out and shall have exclusive control of all operations associated with the Black Friday sales and related activities at the Outlet Center, including without limitation, the cleanup and maintenance.

5. Insurance and Indemnification: Tanger agrees to indemnify and hold the Town of Riverhead and their respective officers, employees, agents, representatives and officials from any and all loss or liability associated with the Labor Day sales, traffic control and related activities described herein, including liability for damages to property or for injuries or death to persons which may arise from, or be attributable or incident to the use by Tanger and its employees, agents, representatives and concessionaires, of the Property except to the extent caused by the negligence or willful misconduct by the Town of Riverhead. With respect to any suit or claim by the Town of Riverhead whether under this indemnification provision or otherwise, Tanger Outlet Center for itself, its agents, employees and representatives, hereby expressly waives any defense which might preclude or limit either enforcement of this indemnification clause or any reasonable outside attorneys fees incurred by the Town securing compliance with the provision of this indemnification agreement.

6. Successors and Assigns: This agreement shall be binding upon and inure to the benefit of the respective successors and assigns of the parties;

provided, however, that nothing herein shall be deemed to permit the assignment of this Agreement by either party without the express written consent of the other party.

7. Entire Agreement: This contract constitutes the entire agreement between the parties and no further agreement, express or implied, written or oral, exists with respect to the subject matter of this document.

8. Governing Law: This Agreement shall be governed by and construed in accordance with the laws of the State of New York.

In Witness Whereof, Tanger Properties Limited Partnership has caused this instrument to be signed in its corporate name and the Town of Riverhead has caused this instrument to be signed in its municipal name by Sean M. Walter, its Supervisor, hereunto duly authorized, as of the day and the year first above written.

Tanger Properties Limited Partnership

By: \_\_\_\_\_

Name: Janine Nebons, General  
Manager & Authorized Agent

The Town of Riverhead

By: \_\_\_\_\_

Name: Sean M. Walter, Supervisor

TOWN OF RIVERHEAD

Resolution # 829

PAYS BILLS

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

<b>ABSTRACT #14-41 November 25, 2014 (TBM 12/02/14)</b>			
			<b>Grand</b>
<b>Fund Name</b>	<b>Fund #</b>	<b>Ckrun</b>	<b>Totals</b>
GENERAL FUND	1	1,730,155.83	1,730,155.83
POLICE ATHLETIC LEAGUE	4	14,655.65	14,655.65
RECREATION PROGRAM FUND	6	12,048.64	12,048.64
HIGHWAY FUND	111	173,247.51	173,247.51
WATER DISTRICT	112	119,591.98	119,591.98
RIVERHEAD SEWER DISTRICT	114	60,168.81	60,168.81
REFUSE & GARBAGE COLLECTION DI	115	7,639.13	7,639.13
STREET LIGHTING DISTRICT	116	8,738.42	8,738.42
PUBLIC PARKING DISTRICT	117	62.65	62.65
AMBULANCE DISTRICT	120	3,606.86	3,606.86
EAST CREEK DOCKING FACILITY FU	122	2,853.35	2,853.35
CALVERTON SEWER DISTRICT	124	1,579.56	1,579.56
RIVERHEAD SCAVENGER WASTE DIST	128	41,366.09	41,366.09
RISK RETENTION FUND	175	28,814.72	28,814.72
GENERAL FUND DEBT SERVICE	384	4,356,439.15	4,356,439.15
TOWN HALL CAPITAL PROJECT	406	27,800.00	27,800.00
RIVERHEAD SEWER CAPITAL PROJECT	414	8,470.00	8,470.00
TRUST & AGENCY	735	1,819,074.23	1,819,074.23
		<b>8,416,312.58</b>	<b>8,416,312.58</b>

THE VOTE

Giglio  Yes  No  
 Wooten  Yes  No  
 Gabrielsen  Yes  No  
 Dunleavy  Yes  No  
 Walter  Yes  No

The Resolution Was  Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 830

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH  
FLYNN STENOGRAPHY & TRANSCRIPTION SERVICES FOR  
COURT REPORTER SERVICES FOR DECEMBER 16, 2014  
TOWN BOARD MEETING**

Councilman Wooten offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, the Town Board is desirous of contracting with Flynn Stenography & Transcription Services, for the performance of court reporter services for the Town Board meeting to be held on December 16, 2014 at 7:00 p.m.

**NOW THEREFORE BE IT RESOLVED**, that the Town board of the Town of Riverhead hereby authorizes the Town Supervisor to enter into an agreement with Flynn Stenography & Transcription Services for the performance of court reporter services for the Town Board meeting to be held on December 16, 2014 at 7:00 p.m. at a rate not to exceed \$50.00 for appearance and \$6.50 per page; and be it further

**RESOLVED**, that the Town Clerk be and is hereby directed to forward a copy of this resolution and attached agreement to Flynn Stenography & Transcription Services, 193 Griffing Avenue, Riverhead, NY 11901; and be it further

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

On a motion by Councilman Dunleavy, seconded by Councilman Wooten, resolution #830 was TAKEN OFF THE FLOOR, motion carried by unanimous vote. Immediately thereafter there was a motion to put to vote.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Was Thereupon Duly Declared Adopted

**AGREEMENT**  
**TOWN OF RIVERHEAD AND FLYNN STENOGRAPHY & TRANSCRIPTION**  
**SERVICES FOR COURT REPORTER SERVICES**

**THE PARTIES HERETO AGREE AS FOLLOWS:**

THIS AGREEMENT ENTERED INTO THE \_\_\_\_ day of December, 2014 by and between the Town of Riverhead, a municipal corporation with its principal place of business at 200 Howell Avenue, Riverhead, New York 11901 and Flynn Stenography & Transcription Services, 193 Griffing Avenue, Riverhead, NY 11901.

**WITNESSETH:**

The parties hereto agree as follows:

**WHEREAS**, the Town of Riverhead wishes to engage the services of Flynn Stenography & Transcription Services for the performance of court reporting services for the Town Board meeting to be held on December 16, 2014 at 7:00 p.m. at a rate not to exceed \$50.00 for appearance and \$6.50 per page.

**NOW THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:** Flynn Stenography & Transcription Services shall perform court reporter services for the Town Board meeting to be held on December 16, 2014 at 7:00 p.m. at a rate not to exceed \$50.00 for appearance and \$6.50 per page *within the time parameters set forth and determined appropriate by the Town Clerk and supply the Town of Riverhead with an e-mailed copy of the typed minutes of each meeting.*

The term of agreement shall be from December \_\_\_\_, 2014 through December \_\_\_\_, 2014.

**IN WITNESS WHEREOF**, the parties hereto have executed this agreement of the day of and year first above written.

**TOWN OF RIVERHEAD**

BY: \_\_\_\_\_  
Sean M. Walter, Town Supervisor

**FLYNN STENOGRAPHY**  
**& TRANSCRIPTION SERVICES**

BY: \_\_\_\_\_, Title \_\_\_\_\_

TOWN OF RIVERHEAD

Resolution # 831

**RESCINDS AWARD FOR ONSITE GRINDING OF TOWN YARD WASTE AND  
RE-AWARDS BID TO SECOND LOWEST BIDDER**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Wooten

**WHEREAS**, the Town Board, by Resolution #868 adopted on December 31, 2013, awarded the bid for Disposal and Recycling of Municipal Solid Waste to the lowest bidder, Eastern Resource Recycling Inc.; and

**WHEREAS**, by letter dated December 1, 2014, Eastern Resource Recycling Inc. informed the Town that it will no longer be able to fulfill its responsibility under the contract and seeks to terminate the contract effective immediately; and

**WHEREAS**, the Sanitation Superintendent recommends that the Town immediately rescind the contract to Eastern Resource Recycling, Inc. and re-award the contract for Onsite Grinding of Town Yard Waste to the second lowest responsible bidder, Crown Recycling Facility, limited to \$20,000.00 based upon budgetary limitations set forth in 2013, such that the Town may reduce the amount of yard waste within the next week and continue to be in compliance with permit requirements of the New York State Department of Environmental Conservation; and

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board rescinds the award for Onsite Grinding of Town Yard Waste to Eastern Resource Recycling, Inc. and awards the contract to Crown Recycling Facility subject to and limited to an amount not to exceed \$20,000.00 and all such other terms of the contract shall apply; and be it further

**RESOLVED**, that the Town Board does hereby authorize the Supervisor to execute any documents or agreements, to the extent required, with Crown Recycling Facility to effectuate the award of contract for services described above; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to Crown Recycling Facility, 865 Youngs Avenue, Calverton, NY 11933, Town Sanitation Department and Purchasing Department; and be it further

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

On a motion by Councilman Dunleavy, seconded by Councilman Wooten, resolution #831 was TAKEN OFF THE FLOOR, motion carried by unanimous vote. Immediately thereafter there was a motion to put to vote.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**Resolution # 832**

**APPROVES PARTICIPATION IN PECONIC LAND TRUST GRANT APPLICATION**

Councilwoman Giglio offered the following resolution,

which was seconded by Councilman Gabrielsen

**WHEREAS**, pursuant to Town Law 64-e (6)(d), the town board of any town in the Peconic Bay region which has established a community preservation fund shall, by local law, adopt a community preservation project plan and shall update the plan not less than once every five years, but in no event until at least three years after the adoption of the original plan; and

**WHEREAS**, the Town of Riverhead, being such a town described above, did adopt a community preservation project plan more than five years ago such that it is appropriate to update the community preservation project plan (measure Town's original preservation goals with accomplishments; create mapping; document strengths and weakness of the plan, including transfer of development rights program; identify opportunities and challenges; examine legislation and recommend possible amendments...); and

**WHEREAS**, the Peconic Land Trust, a 501(c)(3) nonprofit organization, established in 1983 and devoted to the protection of Long Island's working farms, natural lands, and heritage, appeared before the Town of Riverhead Farmland and Open Space Committees, including Town Board liaisons to each committee, to discuss the possibility of retaining the services of Peconic Land Trust to undertake the task of updating the community preservation project plan; and

**WHEREAS**, while the Farmland and Open Space Committees expressed support for retaining the services of Peconic Land Trust, due to present and necessary fiscal restraints related to both the Town's general budget and Community Preservation Fund, the ability to fund such a project was not likely to be realized; and

**WHEREAS**, the Peconic Land Trust, cognizant of the Town's limited or inability to fund such a project, has requested that the Town support Peconic Land Trust's application to New York State for grant funding (approximate amount of potential funding is \$40,000) through the NYS Department of Environmental Conservation's Conservation Partnership Program, administered by the Land Trust Alliance, for services necessary to update the Community Preservation Project Plan; and

**WHEREAS**, pursuant to the terms of the grant, the Town would be required to provide matching funds in an amount equal to 25% of the grant award; and

**WHEREAS**, as stated above, the Town has severe general budget and community preservation fund constraints which hinder the Town's ability to spend and

commit monies as and for a grant, the Town seeks to provide in-kind services valued in an amount to meet the 25% required under the terms of the grant.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board supports Peconic Land Trust grant application seeking to obtain funding to undertake the update of the Town of Riverhead Community Preservation Project Plan subject to and contingent upon the acceptance of the Town's offer for in-kind services to satisfy the requirement for matching funds such that the Town shall not be responsible to pay for services and/or out-of-pocket expenses related to the project; and be it further

**RESOLVED**, that the Town Board directs the Office of the Town Attorney to supervise and monitor the project and provide in-kind services in an amount equal to the 25% of the grant award as required by the terms of the grant; and be it further

**RESOLVED**, that the Peconic Land Trust shall seek input from the Office of the Town Attorney, Farmland and Open Space Committees and provide periodic updates regarding the status of the project; and be it further

**RESOLVED**, that the Peconic Land Trust shall provide and present the Town Board with a draft of the updated Community Preservation Project Plan and appear at such Town Board meetings as may be required to implement the updated Community Preservation Project Plan; and be it further

**RESOLVED**, that the Town Clerk is hereby directed to forward a copy of this resolution to Peconic Land Trust, 296 Hampton Road, PO Box 1776, Southampton, NY 11969, Farmland and Open Space Committees, Office of the Town Attorney; and be it further

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

On a motion by Councilman Dunleavy, seconded by Councilman Wooten, resolution #832 was TAKEN OFF THE FLOOR, motion carried by unanimous vote. Immediately thereafter there was a motion to put to vote.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Was Thereupon Duly Declared Adopted

TOWN OF RIVERHEAD

Resolution # 833

**AUTHORIZATION TO PUBLISH ADVERTISEMENT FOR  
ONSITE GRINDING OF TOWN YARD WASTE**

Councilman Gabrielsen offered the following resolution,

which was seconded by Councilwoman Giglio

**WHEREAS**, the Town Clerk is authorized to publish and post a notice to bidders for proposals for **ONSITE GRINDING OF TOWN YARD WASTE**.

**NOW THEREFORE BE IT RESOLVED**, that the Town Clerk is hereby authorized to publish and post the following public notice in the December 11, 2014 issue of the News-Review; and be it further

**RESOLVED**, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

On a motion by Councilman Dunleavy, seconded by Councilman Wooten, resolution #833 was TAKEN OFF THE FLOOR, motion carried by unanimous vote. Immediately thereafter there was a motion to put to vote.

**THE VOTE**

Giglio Yes No

Gabrielsen Yes No

Wooten Yes No

Dunleavy Yes No

Walter Yes No

The Resolution Was  Was Thereupon Duly Declared Adopted

**TOWN OF RIVERHEAD**

**NOTICE TO BIDDERS**

**TAKE NOTICE** that sealed bids for **ONSITE GRINDING OF TOWN YARD WASTE** will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York 11901, until **11:10 a.m. on December 29, 2014.**

Bid packets, including Specifications, may be examined and/or obtained beginning **December 11, 2014** by visiting the Town of Riverhead website at [www.townofriverheadny.gov](http://www.townofriverheadny.gov) and click on Bid Requests. Beginning **December 11, 2014.**

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.

All bids are to be submitted in a sealed envelope bearing the designation **ONSITE GRINDING OF TOWN YARD WASTE**. Bids must be received by the Office of the Town Clerk by no later than **11:10 am on December 29, 2014.**

Please take further notice that the Town Board reserves the right to reject in whole or in part any or all bids, waive any informality in the bids, and accept the bid which is deemed most favorable in the interest of the Town of Riverhead. The Town Board will use its discretion to make judgmental determination as to its best estimate of the lowest bidder. Note: Bid responses must be delivered to the Office of the Town Clerk at the address above. The Town may decline to accept, deem untimely, and/or reject any bid response/proposal that is not delivered to the Office of the Town Clerk.

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD

Diane M. Wilhelm, Town Clerk